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GOVERNMENT OF JAMMU AND KASHMIR

Directorate of State Motor Garages Department

Bemina Bypass Srinagar / New Plot Jammu

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Shri Gunwant Singh,
Multi Tasking Staff (MTS), EC No. 1174,
S/O Deedar Singh
R/O Ward No. 1 Bhour Camp, Jammu

No. MF-1174 / **2464-68** /DSMG

Dated: **08** . 08. 2022

Subject: - Show Cause Notice.

Whereas, you have been appointed in the State Motor Garages Department as Cleaner(now multi tasking staff) on temporary basis vide Order No. 488-DSMG of 2017 dated: 27-11-2017 purely on a probation for a period of two years and you joined in this department on 28-11-2017;and

Whereas, on **15-08-2018** you were deputed for cleaning ceremonial Gypsy for Independence day but you refused to perform your duty and accordingly you were place under suspension by the Deputy Director, SMG Jammu vide Order No. 85 of 2018 dated 16-08-2018 for dereliction of duties; and

Whereas, a charge sheet was served to you by the Deputy Director, SMG, Jammu vide No. GR-90/SMGJ/4258-59 dated 11-01-2018 and in response to it you tendered an apology in writing on 12-01-2018 and assured that such lapse will not be repeated by you in future; and

Whereas, on the basis of reply furnished by you, the Department re-instated you vide order No. 117 of 2018 dated 25-09-2018 with a warning to remain careful in future, while performing your legitimate duties; and

Whereas, on **30-01-2019** you were found **un-authorized absent** from duties and accordingly explanation was sought from you by the Deputy Director, SMG Jammu vide No. Estb (Ec-1174)/SMGJ/8142-44 dated 30.01.2019; and

Whereas, you submitted your reply on 01-02-2019 and requested for one more chance which was considered by the Deputy Director, SMG Jammu and you were accordingly provided an opportunity vide No.26 of 2019 dated 21-02-2019; and

Whereas, on **19.03.2019** it was reported by the supervisory staff of the Department that you had used **un-parliamentary language** and tried to manhandle with them, the misconduct was viewed seriously by the Administration and you were again placed under suspension by the Deputy Director SMG Jammu vide Order No. 44 of 2019 dated 19-03-2019. Later on, Charge sheet was served upon you by the Department vide No. Estb/SMGJ/1737-40 dated 27-05-2019; and

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Whereas, on the basis of reply submitted by you, Deputy Director, SMG Jammu took again a lenient view in the matter and re-instated you vide No. 75 of 2019 dated 21-06-2019 on the following conditions:-

- The period of suspension shall be decided on the basis of biometric attendance report.
- The probation period shall be recommended to be extended for further period of six months.

Whereas, on **13-10-2020** you were again found **un-authorized absent from duty** for six days without any leave application or any prior permission from the competent authority and accordingly explanation was served upon you by the Deputy Director, SMG Jammu vide No. PF-1174/2529-32/SMGJ dated 13-10-2020 and in response to it you submitted a reply that you was not feeling well w.e f 13-10-2020 and was not in a position to inform the competent authority; and

Whereas, on **09-01-2021** you marked your biometric attendance and submitted two days casual leave and thereafter you remained continuously unauthorized absent from duties; and

Whereas, on 11-08-2021, Deputy Director, SMG Jammu vide No. Estb/SMGJ/2329-30 dated 11-08-2021 served a notice to you to resume your duties within 07 days but you did not comply the notice; and

Whereas, on 10-03-2022 Deputy Director, SMG Jammu vide No. Estb/SMGJ/6029 dated 10-03-2022 submitted a detailed report to this Directorate regarding your un-authorized absence with the recommendations that action as warranted under Article-128 JK CSR may be taken against you; and

Whereas, this office taking cognizance on the report received from Deputy Director, SMG, Jammu regarding your continues un-authorized absence w.e.f 14-01-2021, constituted a Departmental Enquiry Committee vide this office order No. 193-DSMG of 2022 dated 11-04-2022 to conduct in depth enquiry against you for un-authorized absence from duties and violating the J&K Employees (Conduct) Rules; and

Whereas, the Departmental Enquiry Committee constituted by this Directorate asked you to appear personally before the committee on 17-05-2022 at 2:00 PM vide No. PF-1174/SMGJ/813 dated 05-05-2022 for seeking explanation from you with regard to your un-authorized absence/unbecoming behavior towards your duties but you failed to appear before the committee on said date and could not avail the opportunity to show cause the reasons of your unauthorized absence; and

Whereas, the said constituted departmental enquiry committee provided one more chance to you vide No. PF-1174/SMGJ/1189-90 dated 20-05-2022 to appear personally before the committee on 28-05-2022 for justifying the reasons of your continues unauthorized absence, but you again failed to appear before the committee; and

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Whereas, the constituted committee finally called your brother telephonically for knowing your whereabouts who in return could not justified your unauthorized absence from duties w.e.f 14-01-2021, hence you are absconding as your whereabouts are not known; and

Whereas, the Department gave you ample opportunities to desist from such practice, but you took all the warnings casually and remained un-authorized absent from duties continuously which indicates that you have no interest to serve the Department and thereby committed gross misconduct in contravention of the J&K Employees Conduct Rules-1971; and

Whereas, the un-authorized absence from duty regularly for months together is a serious misconduct on your part and invites strict disciplinary action against you under Article-128 JK CSR 1956.

Now, through the medium of this notice you are directed to resume your duties forthwith and show cause in writing within 10 days positively as to why major penalty proceedings shall not be initiated against you as per the provisions of Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules 1956 read with Article 128 of Jammu and Kashmir Civil Services Regulations 1956, failing which it shall be presumed that you have nothing to say in your defense and further course of action as warranted under rules shall be initiated against you without further notice.

(Malik Tahir Gani)

Director,

State Motor Garages Department

J&K, Srinagar

Copy to the:

1. Joint Director, Information Jammu for information with a request to publish the said notice in local dailies of Jammu division.
2. Deputy Director, State Motor Garages Department Kashmir/Jammu for information.
3. Incharge website, SMG, Department J&K, Srinagar for information with the directions to upload the Notice on the Departmental website.