



Government of Jammu and Kashmir
Higher Education Department
Civil Secretariat, J&K.

File Comp No.151574

Subject: Unauthorized absence of Dr. Shiveta Gandotra, Assistant Professor (Psychology) –termination from Govt. Service thereof.

Government Order No: 192-JK(HE) of 2022
Dated: 04-08-2022

Whereas, Dr. Shiveta Gandotra Assistant Professor (Psychology) while in active service, left the country on 4th July, 2015 without prior permission from the Competent Authority;

Whereas, following the above, the department constituted a Committee vide Order No. 172-HE of 2017 dated 12-10-2017 to enquire unauthorized absence & leaving country without any permission of competent authority;

Whereas, in terms of Rule 32(1) of J&K Civil Services Leave Rules, 1979 and vide Government Order No. 94-HE of 2018 dated 21-02-2018, her absence w.e.f 04-07-2015 to 25-04-2016 was treated as Extra-Ordinary Leave; and :

Whereas, Principal, MAM College, Jammu vide letter No. MAM/Coll/2020/652 dated 08-12-2020 informed that she had again left the country on 20th July, 2018 without prior permission of the department; and:

Whereas, the Concerned Principal served a notice to Dr. Shiveta Gandotra, Assistant Professor (Psychology) vide No. MAM/Coll/2020/652 dated 09-12-2020 followed by a reminder dated 18-12-2020 with the direction to resume her duty within 15 days, failing which disciplinary action as warranted under CSR Rules will be initiated against her;

Whereas, no response from her side has been received by the department; and:

Whereas, the Higher Education Department vide letter No. HE-Coll/PF/02/Psychology dated 15-01-2021 served a Show cause notice to her to explain as to why warranted action in terms of Article 128 of the J&K Civil Service Regulations may not be initiated against her for remaining Unauthorizedly absent from duty and failing to join duty despite repeated reminders;

Whereas, Higher Education department vide letter No. HE-Coll/PF/02/Psychology dated 02-05-2022 had served her a final show cause notice with the directions to resume her duty within 2 weeks and failing which action warranted under rules for her unauthorized absence shall be initiated against her without any further notice to her;

Whereas, in response to show cause notice served to her by Principal on 07-06-2022 via email, she had submitted the reply on 17-06-2022 through email;

Whereas, after careful perusal and consideration of the reply by the department, it has been found that she is currently out of the country, having proceeded so without any approval from the competent authority. Her absence is thus unauthorized for which action is liable to be taken against her under Civil Service Regulations. Further no leave of any kind can be considered in the circumstances;

Whereas, Higher Education Department vide Letter No.HED/GAZ/77/2022-04 Dated: 20.07.2022, again advised to resume her duties within a week's time i.e. by or before 27.07.2022, failing which it shall be presumed that she is not interested in continuation of services and her services shall be terminated under Article 128 of J&K Civil Service Regulations without further notice;

Whereas the government servant has failed to join duty despite the final notice being given to her and sufficient opportunity having been accorded;

Whereas, continued absence from duties by a Government servant attracts action and is tantamount to loss of service as warranted in terms of article 128 of J&K Civil Service Rules (Volume- I) of 1956, which reads as under:-

Article 128

"Absence without leave or after the end of leave involves loss of appointment".

Now, therefore, keeping in view her continuous unauthorized absence and her failure to resume duties despite sufficient notice being given to her and in in terms of Article 128 of J&K Civil Service Regulations 1956, Dr. Shiveta Gandotra, Assistant Professor (Psychology) is hereby terminated from her service in the Higher Education Department w.e.f. 20-07-2018 - the date from which she has been un-authorizedly absent from her legitimate duties.

By Order of the Government of Jammu and Kashmir.

Sd/-

**(Rohit Kansal) IAS
Principal Secretary to Government**


No.HED-GAZ/77/2022-04

Dated: 04-08.2022

Copy to the:-

1. Joint Secretary, MHA, Government of India, New Delhi.
2. Principal Secretary to Hon'ble Lt. Governor, J&K, Jammu.
3. Director Colleges, J&K, Jammu.
4. Director, Archives, Archaeology & Museum, J&K, Jammu.
5. OSD to Hon'ble Advisor (B) for information Hon'ble Advisor.
6. Nodal Principal, Jammu.
7. Principal, MAM College, Jammu.
8. PS to Principal Secretary, Higher Education Department.
9. Concerned.
10. I/C Web Site Higher Education Department
11. Government Order file. (w.2.s.c.).
12. Stock file.


(Dr. Ashwani Hansa)JKAS

 Under Secretary to the Government