



**Government of Jammu & Kashmir
Directorate of School Education
Kashmir**

Sub: Un-authorized absence case of Mtr. Bilquees Hassan, Teacher, BHS Harran, Ganderbal and removal from service thereof.

Order No: 146- DSEK of 2024

Dated: 24 / 05 / 2024

Whereas, **Mtr. Bilquees Hassan**, Teacher, BHS Harran, Ganderbal proceeded outside the UT without obtaining prior station leave permission and sanction of leave from the competent authority and as such remained absent from her legitimate duties w.e.f **01/08/2019** un-authorizedly; and

Whereas, teacher was provided enough opportunities & served show cause notice on **15/06/2020** by the DDO concerned for remaining un-authorizedly absent from her legitimate duties and was asked to submit her reply within 07 days failing which action as warranted under law shall be initiated against her; and

Whereas, the teacher was provided enough opportunities to resume her duties/explaining the reasons for proceeding outside the UT by the Department, but instead of doing so, she approached the Hon'ble CAT by way of O.A. No. 62/1293/2021, through her father and Hon'ble CAT while disposing off the said OA on 27/08/2021 passed the following orders:

"looking to the facts and circumstances of the case, we are of the opinion that the only relief that can be granted to the applicant is extending the time for filing her reply. Accordingly, we dispose of the OA with the directions to the respondent to grant the applicant further seven days time from today for filing her reply"

Whereas, despite failing to respond earlier show cause notices and in order to provide her one more opportunity of being heard to meet the ends of Natural justice the said teacher was provided one last and final opportunity on **09/01/2023** to explain her position for proceeding outside the UT without obtaining prior permission from the competent authority; and

Whereas, instead of submitting a satisfactory reply with documentary evidence for proceeding outside the UT un- authorizedly, the teacher applied for voluntary Retirement w.e.f **18/01/2023** through registered post; and

Whereas, leaving the station by a Government Servant without obtaining proper station leave permission from the competent authority is in violation of circular instructions issued by the Finance Department on the subject under their No. A/46(2017)- I-86 dated: **21/02/2019** and as such attracts action as warranted in terms of Article 128 of J&K Civil Services Rules (Volume I) of 1956, which reads as under:-

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

Whereas, the issue was placed before the Designated Committee in its meeting held on 08/04/2023 and after examining the case the committee recommended for "**Process for termination**".

Whereas, pursuant to the decision of the Committee, a Final Show Cause Notice was issued on 24/11/2023, providing one more opportunity of being heard in response to which the father of the Teacher again approached this office for sanction of voluntary retirement in favour of the teacher and also requested for personal hearing in the matter; and

Whereas, vide this office letter No. 06/02/2024, the Chief Education Officer, Ganderbal was requested to ask the concerned official to attend this Directorate in person with necessary documentary evidence in support of the statement made in the reply within a period of 10 days and again the father of the official attended this Directorate verbally stating that the official is settled abroad and intends to seek voluntary retirement from Government Service; and

Whereas, the issue was again placed before the Designated Committee in its meeting held on 11/03/2024 and the Committee decided as under:-

'Issue a termination order in favour of the teacher w.e.f 01/08/2019 and prepare Draft order mentioning her non-willingness to join'.

Now, therefore, in view of the above, it is quite evident that the teacher is not interested to work anymore in the Department despite providing enough opportunities of being heard in the interest of justice, as such, pursuant to the decision taken by the Designated committee in its meeting held on 11/03/2024, **Mtr. Bilquees Hassan, Ex-Teacher, BHS Harran, Ganderbal** is hereby terminated from the Government service in terms of **Article 128** of J&K Civil Services Rules (Volume I) of 1956 and **Rule 30(VII) of J&KCCA rules 1956 w.e.f 01/08/2019 (the date from which she remained un-authorizedly absent).**

Sd/-

Director

School Education, Kashmir

Dated: 24/05/2024

No. DSEK/Estt-III/B-Trs/MZ/ E-21700/024/1900-11

Copy to the:-

1. Administrative Secretary to Govt., School Education Department, Civil Secretariat Srinagar for favour of information.
2. Chief Education Officer, Ganderbal for information and necessary action.
3. Mtr. Bilquees Hassan, Teacher, BHS Harran, Ganderbal for information.
4. Ordef/stock file.
5. I/C website for hoisting the same on the official website of the Department.

Personnel Officer

Directorate of School Education
Kashmir