GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE OF EDUCATION: VIGILANCE BRANCH
OLD SECRETARIAT, DELHI – 110054

No. DE.7/1268/DP/VIG/AT/HQ/14/ Dated: -

ORDER

Whereas, Sh. Jitender Kumar, Assistant Teacher was charge sheeted u/r 14 of CCS (CCA) Rules vide Memorandum No. F.8(59)/Vig/DNWB/DP/2010-11/3120 dated 11.12.2012 on the following articles of charge -

"ARTICLE-I

That Sh. Jitender Kumar, AT while working in G.Co-Ed S.S.Vidyalaya-1412022 C-Block, Mangolpuri is not attending the school w.e.f. 16.01.2012 to till date without intimation/prior sanction of leave. Thus, by not attending his duties and thereby acting in non-compliance of departmental orders, violated Rule 3 of CCS (Conduct) Rules, 1964.

ARTICLE-II

That Sh. Jitender Kumar, AT while working as Asstt. Teacher was directed to join his duties immediately vide HOs/Principal, in G.Co-Ed S.S.Vidyalaya-1412022 C-Block, Mangolpuri, Delhi's SCN dated 17.01.2012 at their address, but neither the reply nor intimation has been received from him.

The above act of Sh. Jitender Kumar, AT reflects his mala fide intention & apathetic attitude towards the rules/directions of Govt. contained in CCS (Conduct) Rules, 1964 as he did not join the duties and has proceeded on E.O.L. without prior sanction of leave. It proved his dishonesty and untrustworthiness to the students and to the Dte. of Edn., GNCT of Delhi. His doubtful integrity, lack of devotion to his duty has exhibited a conduct unbecoming of a Govt. Servant, thereby, contravening of provisions of CCS (Conduct) Rules, 1964."

AND WHEREAS, Sh. Nawab Singh, Principal, SBV, R Block, Mangolpuri, Delhi was appointed Inquiry Officer and Sh. Ajit Kumar, Gr. I (DASS)/Superintendent, S. Co-ed SSS, C Block, Mangolpuri, Delhi was appointed as Presenting Officer vide order dated 12.02.2013.
AND WHEREAS, the Inquiry Officer submitted inquiry report dated 14.10.2013 concluded that charge against Sh. Jitender Kumar fully proved.

AND WHEREAS, the IO in his inquiry report observed that "I hold the statement of Article-I & II of the charges framed against Sh. Jitender Kumar, Assistant Teacher that he has not joined his duties till date and failed to appear before me till date for inquiry. It is proved that Sh. Jitender Kumar, CO failed to maintain absolute integrity and devotion to duty and has acted in a clear violation of Rule 25 of CCS (Leave) Rules, 1972 as unauthorized absence from duties w.e.f. 16.01.2012 to till date.

Hence charges against Sh. Jitender Kumar fully proved."

AND WHEREAS, the Inquiry Report was served upon the CO vide memo dated 14.03.2014 which was received by father of the Charged Officer on 29.03.2014 and again a copy of the same was pasted on door at his residential address on 04.04.2014. The CO has not submitted any representation on inquiry report.

AND WHEREAS, a perusal of the inquiry report reveals that the IO issued several notices vide letters dated 21.02.2013, 02.03.2013, 14.03.2013 & 03.04.2013 to appear before IO but the CO did not participated in the inquiry proceedings except for first hearing on 27.02.2013. The CO never denied the charges leveled against him and reiterated repeatedly about his family problems and extension of EOL without pay.

AND WHEREAS, it is observed from the record that the CO has been absenting himself since 16.01.2012 without intimation/prior sanction of leave inspite of undertaking given by the CO on his application that he would attend the school until sanction of EOL was conveyed. Several SCNs and Memoranda were sent to the CO by HOS vide letters dated 17.01.2012, 16.02.2012 and by DDE vide letters dated 16.03.2012 and 06.07.2012 but the CO did not turned up inspite of knowing the fact that prior permission of leave is necessary.

AND WHEREAS, it is evident from the letter of the CO dated 19.12.2011 that the CO is more interested in his construction and other businesses in Rohtak than in teaching student for which he has been appointed. Thus, he has severely compromised with his duties and nurtured his personal interest and motives at the cost of students and departmental interest and motives.
AND WHEREAS, I have carefully gone through the record produced before me in respect of disciplinary proceeding case against Sh. Jitender Kumar, Assistant Teacher. I am convinced that the inquiry was conducted as per the provisions of Rule 14 of CCS (CCA) Rules, 1965 and all reasonable opportunities were given to the CO to defend his case. The available records reflect that the CO absented himself unauthorisedly and has not reported/joined his duties till date. The unauthorized absence of the CO is not only violation of Rule 3 of CCS (CCA) Rules but it has also caused immense loss of studies to the students. This amounts to callous negligence of duty and deserves exemplary punishment. Further, it is significant to note that the absenteeism is bane of public service, especially in Education department where future of the students are at stake.

NOW, THEREFORE, after considering the totality of the case in the light of the forgoing observations, I, Padmini Singla, Director (Education) being Disciplinary Authority in exercise of powers conferred upon me under CCS (CCA) Rules, 1965 hereby impose the penalty of removal from service which shall not be a disqualification for future employment under the Government upon Sh. Jitender Kumar, Assistant Teacher with immediate effect and further direct that the period of unauthorized absence w.e.f. 16.01.2012 to the date of removal be treated as Dies Non for all purpose.

(PADMINI SINGLA)
DIRECTOR (EDUCATION)

Sh. Jitender Kumar, Assistant Teacher
Through DDE (North West-B)

No. DE.7/1268/DP/VIG/AT/HQ/14/ 17.8.14

Dated: - 31/12/2014

Copy for information and necessary action to:

1. DDE (North West-B), Dte. of Education.
2. ADE (E-IV), Dte. of Education.
3. The HOS/DDO/PAO concerned through DDE (North West-B).
4. OS (IT) with the direction to upload the order on website.
5. Guard File.

DEPUTY DIRECTOR OF EDN.(VIG)