WHEREAS, Smt. Nidhi Saini, Assistant Teacher, SKV, Sector-1, Dwarka, New Delhi was convicted on criminal charge under section 138 of Negotiable Instrument Act and she was sentenced to undergo rigorous imprisonment for a period of one year alongwith compensation amount of Rs. 8,00,000 (Eight Lac only) by the Hon'ble Court of Sh. Khatri Saurabh, Judicial Magistrate 1st Class, Faridabad vide judgement dated 20.11.2013.

AND WHEREAS, it was considered that the conduct of the said Smt. Nidhi Saini, Assistant Teacher, SKV, Sector-1, Dwarka, New Delhi which has led to her conviction in such as to render her further retention in the public service undesirable.

AND WHEREAS, the Disciplinary Authority vide order No. DE.7/1186/AT/Vig./13/2409-15 Dated 26.06.2014 imposed the penalty of dismissal from service upon Smt. Nidhi Saini, Assistant Teacher under Rule 19(1) of the CCS (CCA) Rule, 1965.

AND WHEREAS, Smt. Nidhi Saini, Assistant Teacher filed an appeal dated 23.07.2014 before Appellate Authority i.e. Secretary (Education) against the penalty order dated 26.06.2014. The Appellate Authority disposed of the appeal and directed to refer the case back to Disciplinary Authority for taking action as per decision of Government of India at para-5, below Rule 19 of CCS (CCA) Rules, 1965.

AND WHEREAS, Smt. Nidhi Saini, Assistant Teacher was filed an appeal before the higher court against the judgment dated 20.11.2013 of Judicial Magistrate 1st Class, Faridabad. Adel. Sessions Judge, Faridabad vide order dated 29.10.2014 observed as under: -

"This court is of this considered view that the appellant/accused successfully rebut the presumption and also succeeded in setting up her defence, on the other hand the complainant has miserably failed to prove his case against the appellant beyond reasonable doubts and also
failed to bring the guilt of appellant home. The learned trial court wrongly convicted the appellant without any legal, sound and logical base. Hence, the appeal of appellant is accepted and allowed. The appellant is acquitted of the notice of accusation served against her vide order dated 02.05.2011. Appellant is on bail. Her bail bonds and also the personal bonds stand discharged. In view of the same, the appeal is disposed of accordingly."

NOW, THEREFORE, considering the order of the higher court, in exercise of the powers conferred by Rule 19 of the CCS (CCA) Rule, 1965 I, Padmini Singla, Director (Education) hereby set aside the order dated 26.06.2014.

(PADMINI SINGLA)
DIRECTOR (EDUCATION)

Smt. Nidhi Saini,
Assistant Teacher,
Sector-1, Dwarka, New Delhi
Through DDE (South West-B)

No. DE.7/1186/AT/Vig./13/1809-97
Dated: 17.06.2015

Copy for information and necessary action to:

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

DEPUTY DIRECTOR OF EDN.(VIG)