



Jammu & Kashmir Entrepreneurship Development Institute (J&K EDI)
(An organisation of Government of Jammu & Kashmir)
Sempora, Pampore (Kashmir)/ Bari Brahmana, Jammu

Subject: Reinstatement of Smt. Naiyer Amin, Assistant Faculty.

Ref: Committee report constituted vide order no. JKEDI/HR-195 of 2024, dated: 26-09-2024 regarding review of suspension of Smt. Naiyer Amin, Assistant Faculty at JKEDI.

Order No.: JKEDI/HR- 205 of 2024

Dated: 14.10.2024

Whereas, Smt. Naiyer Amin was deployed to JKEDI District Centre, Bandipora vide Order No. JKEDI/HR-149 of 2024 dated: 24-07-2024, for further duties.

Whereas, Smt. Naiyer Amin joined JKEDI District Centre, Bandipora on 27-07-2024 and submitted her joining report via e-mail and left JKEDI District Centre, Bandipora on 27-07-2024 at 2.38 PM.

Whereas, as per the biometric attendance records, Smt. Naiyer Amin did not attend to her legitimate duties and remained on unauthorized absence since then.

Whereas, in terms of Rule 31 of the Jammu & Kashmir Civil Services (Classification, Control & Appeal) Rules, 1956 and pending enquiry, Smt. Naiyer Amin was placed under suspension and attached to District Centre, Bandipora, vide Order No. JKEDI/HR-171 of 2024, dated: 16.08.2024. A three-member committee was constituted by virtue of the same order (JKEDI/HR-171 of 2024, dated: 16.08.2024) to conduct an in-depth inquiry regarding her unauthorized absence, conduct and dereliction of duties.

Whereas, even after the suspension, Smt. Naiyer Amin continued to remain away from her place of attachment in utter disregard to the official instructions.

Whereas, the Inquiry Committee recommended disciplinary action against Smt. Naiyer Amin under relevant provisions of the J&K Civil Services Rules (Volume I) of 1956, for unauthorized absence from duties and willful disregard of the official instructions.

Whereas, a Final Notice vide No. JKEDI/HR/MISC/2024/177-183, dated: 12-09-2024 was served upon Smt. Naiyer Amin to explain her position as to why action as warranted in terms of Article 128 of J&K CSR (Volume-I) of 1956 shall not be initiated against her for remaining unauthorizedly absent from her legitimate duties, within 10 days from the date of issuance of the notice, failing which it shall be construed that Smt. Naiyer Amin has nothing to say in her defence and action as warranted under rules shall be initiated against Smt. Naiyer Amin without any further notice.

Whereas, the above mentioned final notice was published in two leading local dailies of Kashmir division through the Department of Information & Public Relations (DIPR), J&K on 14-09-2024.

Whereas, Smt. Naiyer Amin made her appearance at JKEDI Bandipora on 17-09-2024 at 11.53 AM and communicated her presence via email.

Whereas, a three-member committee was constituted vide No. JKEDI/HR-195 of 2024, dated: 26-09-2024, under Rule 31 of Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956, for reviewing the suspension case of Smt. Naiyer Amin, Assistant Faculty after looking into the issue of unauthorised absence from duties and submit its findings.



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Whereas, the committee submitted its report/findings on 04-10-2024 to the Competent Authority, with following recommendation:

- I) In view of the aforesaid circumstances, the committee recommends action under relevant provisions of Rule 30, of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956, against Smt. Naiyer Amin, AF for unauthorized absence from her legitimate duties, dereliction of duties and wilful disregard of the official instructions.*
- II) The suspension order dated 16-08-2024 be revoked and the period w.e.f 27-07-2024 (afternoon) to 16-09-2024, may be treated as "not spent on duty".
The period September 19, 24 & 30, 2024 be converted into leave of whatever kind becomes available to Smt. Naiyer Amin in due course of time after putting in the requisite number of days on duty.*
- III) The suspension period for which Smt. Naiyer Amin has shown her presence at her place of attachment be treated as "on duty".*

Keeping in view the above facts, & recommendations of the Review Committee, pending inquiry into the matter, Smt. Naiyer Amin, Assistant Faculty JKEDI, is hereby reinstated with immediate effect. Further, intervening period of suspension of the said official shall be treated as mentioned below:

1. period w.e.f 27-07-2024 (afternoon) to 16-09-2024 as Dies-Non (not spent on duty) & shall be considered as unauthorizedly absent from duty.
2. period w.e.f 17.09.2024 as "on duty" excluding those days for which she has not shown her presence at District Centre Bandipora and the same shall be treated as leave whichever is due (Earned / Half pay).

Further, censure in this regard is issued to the subject employee by making red entry in the service book for the purpose of official records & reference.

Sd/-

(Rajinder Kumar Sharma) JKAS
Director

No.: JKEDI/HR/GO/2024/950-953

Dated: 14.10.2024

Copy to:

1. Accounts Officer for information & necessary action.
2. Director's Secretariat for kind information of the Director.
3. I.T. Department for information & necessary action.
4. Order/Concerned File.

(Signature)
24/10/2024
Manager HR