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**GOVERNMENT OF JAMMU & KASHMIR  
DIRECTORATE OF SCHOOL EDUCATION, JAMMU  
MUTHI CAMP, JAMMU – 181205**

Sub: Review of suspension case of Sh. Des Raj Singh, Master, Government HS Thein, Zone Basohli, District Kathua and decision thereof.

**ORDER**

Whereas, vide Government Order No. 223-Edu of 2017 dated 16-05-2017, a Review Committee was constituted to review the suspension of non-gazetted employees of School Education Department; and

Whereas, Sh. Des Raj Singh, Master during his posting in High School, Thanda Pani, Doda was placed under suspension by CEO Doda vide order No. CEO/D/M/43281-84 dated 23-02-2015; and

Whereas, in the meanwhile, the said Master was transferred to Government HS Thein, Zone Basohli, District Kathua vide order No. 121-DSEJ/2016 dated 09-05-2016; and

Whereas, CEO Doda vide communication No.CEO/D/C/6242-45 dated 28-05-2016 had reported the non-cooperation of the said Master with the Inquiry Officer and never handed over his service book to Headmaster, HS Thandapani and again vide communication No. CEOD/MC/18688-89 dated 20-09-2016 it had been stated that the said Master during his suspension joined in Kathua District without getting relieved and without taking LPC from his DDO; and

Whereas, as per the communication of CEO, Kathua issued vide No. CEOK/legal/1837-38 dated 19-05-2020, it has been stated that repeatedly the said Master was asked to cooperate with Enquiry Committee constituted by CEO Doda so that his case can be settled but as per the reports of CEO Doda dated 06-05-2017 and Headmaster, Government HS Thein (Kathua) dated 18-05-2017, the said official had not cooperated with the Enquiry Committee and never complied the orders of the Department; and

Whereas, vide this office order No. DSEJ/legal/33741-43 dated 10-11-2020 Sh. H.R. Pakhroo, Joint Director was appointed as Inquiry Officer to conduct the enquiry and furnish fact finding report; and

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Whereas, the Inquiry Officer furnished his report vide No.DSEJ/38101 dated 24-12-2020 thereby furnishing the findings as well as specific recommendations, which are reproduced as under:-

"Findings

*On perusal of the above mentioned facts undersigned found as follow:*

- a) *The necessary confirmation/ approval of the action taken by CEO Doda vide order No. CEO/D/M/43281-84 dated 23-02-2015 has not been accorded by then DSE Jammu despite due request by CEO Doda vide No. CEO/D/CMGC/43288 dated 24-02-2015.*
- b) *The Master has joined in GHS Thein (Kathua) on 14-03-2016 F.N. in reference to DSEJ order No. 121-DSEJ/2016 dated 09-06-2016 without relieving order of competent authority.*
- c) *The concerned Master has committed willful disobedience of the orders and directions of his higher authorities.*
- d) *The Master is without salary w.e.f. February, 2015 to till date.*

Specific Comments/ Recommendations:

- a) *As the concerned Master has committed willful disobedience of the orders and directions of his higher authorities amounting to professional misconduct, as such he may be reprimanded and directed to file an affidavit attested by Judicial Magistrate 1<sup>st</sup> Class not to repeat the same in future.*
- b) *The intervening period between the date of relieving from HS Thandapani (Doda) to joining at HS Thein (Kathua), be treated on leave whichever is due to Master concerned.*
- c) *Since the concerned Master is without salary and even suspension allowance w.e.f. February, 2015 till date, so has suffered a lot in this respect, as such, it is recommended that he may be reinstated subject to the fulfillment of conditions (a) & (b) mentioned above."*

Whereas, the case of the Master was placed before the Review Committee which met in the Directorate on 18-02-2021 under the chairmanship of Director School Education, Jammu and after threadbare discussions/ deliberations in the instant case, the Committee made the following recommendations:-

*"The Review Committee after threadbare discussion decided to accept the recommendations of the Inquiry Officer, thereby reinstating the official and treating his intervening period on leave whichever is due subject to undertaking and filing of an affidavit attested by Judicial Magistrate 1st Class as recommended by the Inquiry Officer. Besides CEO Kathua be directed to take further appropriate action for release of his suspension allowance which ever due to him after fulfilling all the codal formalities in this regard".*

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Whereas, vide this office order No. DSEJ/legal/9610-12 dated 15-03-2021 Sh. Des Raj Singh, Master was reinstated and CEO Kathua was directed to take further appropriate action after fulfilling all codal formalities; and

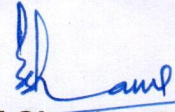
Whereas, CEO Kathua vide letter No. CEOK/52450-51 dated 08-06-2021 and CEOK/legal/14173-74 dated 10-01-2022 has communicated that Sh. Des Raj has refused to submit any sort of affidavit and has submitted that he neither committed any disobedience and there is no question of his reinstatement/ suspension as he is performing his duties regularly; and

Whereas, in the meanwhile, Sh. Des Raj Singh has approached the Hon'ble CAT, Jammu Bench through OA No.1654/2021 for release of his salary and promotion as Lecturer in Physics and as per the report of CEO Kathua, objections in the case have been filed through Sh. Sudesh Magotra, learned Dy. AG.; and

Whereas, the case of the Master was placed before the Review Committee which met in the Directorate on 20-01-2022 under the chairmanship of Director School Education, Jammu and after threadbare discussions/ deliberations in the instant case, the Committee made the following recommendations:-

***"The Committee considered the case and reiterated the decision already taken by Review Committee on 18-02-2021. The CEO Kathua will take further appropriate action after the requisite documents are submitted by the official".***

Now, therefore in view of the recommendations of the Review Committee, CEO Kathua is directed to take further appropriate action as per the recommendations of the Review Committee regarding Sh. Des Raj Singh, Master who has already been reinstated vide order No. DSEJ/legal/9610-12 dated 15-03-2021 and shall furnish the action taken report.

  
(Dr. Ravi Shanker Sharma) JKAS  
Director School Education  
Jammu

No: DSEJ/legal/ 1466-67

Dated: 18-04-2022

Copy to the:-

1. Principal Secretary to Government, School Education Department, Civil Secretariat, Jammu/ Srinagar for favour of information please.
2. Chief Education Officer, Kathua for information and necessary action.

3. Hc Web site for uploading the order on official web site.