

भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास एवं गंगा संरक्षण विभाग
गंगा बाढ़ नियंत्रण आयोग

तीसरी मंजिल, मिन्चार्ड भवन
पटना -800015

दिनांक:- July, 2022

01/08/22

ORDER

Sub. :- Deemed resignation of Shri Dinesh Ram, Skill work assistant under Rule 12(2) of the CCS (Leave) Rules – regd.

Shri Dinesh Ram joined Ganga Flood Control Commission as Khalasi (Work Charged) staff on 09.6.1989. The name of the this post has now been re-designated as Skilled Work Assistant (SWA). Since last several years Shri Dinesh Ram is habitual of frequent absconding from office duty without permission / sanctioning of proper leave. A chronicle accounts of his leave without proper sanction of the Controlling Officer and Memorandum issued from GFCC to Shri Ram in this regard are given below:-

1. A. An office order was issued on dated 3.1.2002 and Shri Dinesh Ram was sanctioned the leaves a) from 07.09.2000 to 14.09. 2000 = 8 days [5 days EL & 3days HPL] (b) From 1.12.2000 to 15.1.2001 - 46 days leave [31 days HPL & 15 days EL] (c) From 5.3.2001 to 22.3.2001 – 18 days [11 days HPL & 7 **EOL days 16.03.2001to 22.03.2001**] (d) From 24.5.2001 to 14.7.2001 – 52 days [10 days HPL, 15 days EL, & **27 days (EOL)** from 18.6.2001 to 14.7.2001].

B. A memorandum was issued on **11.12.2001** advising Shri Dinesh Ram to join the duty and failing which suitable action shall be taken. Subsequently leaves were sanctioned from 15.11.2001 to 24.11.2001 = **10 days EOL(without medical)** vide order no. 134 dated 14.2.2002. Further, leave were sanctioned from 01.12.2001 to 13.12.2001 = **13 days EOL (without medical)** vide order no. 135 dated 14.2.2002.

C. Further, Memorandum was issued on **11.6.2002** for unauthorized leave w.e.f. 04.06.2002. Further, leaves were sanctioned [from 04.06.2002 to 12.06.2002=09 days EL, 13.06.2002 to 15.06.2002=3days HPL] vide office order no. 540 dated 16.09.2002. Again leaves were sanctioned from 17.08.2002 to 24.08.2002= 9 days EL vide office order no. 591 dated 16.09.2002.

D. Again, Memorandum were issued on **14.1.2003, 21.2.2003, 31.3.2003 & 25.07.2003** for unauthorized leave w.e.f. 28.12.2002 & 27.06.3003. Shri Ram has submitted his justification on 30.4.2003 which was found unsatisfactory. The following leaves were sanctioned to Shri Ram:

- Leaves from 21.10.2002 to 27.10.2002 = 7 days EL & **4 days EOL 28.10.2002 to 31.10.2002** without Medical certificate vide O.O. No. 618 dated 13.10.2003.
- Leaves from 06.11.2002 to 13.11.2002 = 8 days EL & **8 days EOL 14.11.2002 to 21.11.2002** without Medical certificate vide O.O. No. 619 dated 13.10.2003.
- Leave from 20.12.2002 to 22.2.2003 for **65 days EOL** with medical certificate was sanctioned vide O.O. No. 166 dated 16.03.2004.
- Leaves were sanctioned from 11.3.2003 to 10.4.2003 = 31 days [13 days EL, 11 days HPL & **7 days (04.04.2003 to 10.4.2003) EOL without Medical Certificate** vide O.O. No. 621 dated 13.10.2003].
- Leave from 27.6.2003 to 19.8.2003 for **54 days EOL without Medical Certificate** vide O.O. No. 622 dated 13.10.03.
- Leave from 09.02.2004 to 20.02.2004 for 12 days EL vide O.O. No. 266 dated 18.05.2004

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- E. Further, Memorandum were issued to Shri Ram on **14.3.2005, 12.05.2005** and **27.7.2005** for unauthorized leave w.e.f 1.2.2005. The following leaves were sanctioned to him:
- Leave w.e.f. 03.1.2005 to 12.01.2005 = 10 days. vide O.O. No. 428 dated 30.6.2006.
 - Leave w.e.f. 1.2.2005 to 24.02.2005 = 24 days. EL, 20 commuted leave from 25.02.2005 to 16.03.2005 & **23 days EOL** from 17.03.2005 to 08.04.2005 on medical certificate vide O.O. No. 429 dated 30.6.2006.
 - Leave from 15.7.2005 to 29.7.2005 = 15 days EL, 5 days commuted leave from 30.07.2005 to 03.8.2005 and **EOL w.e.f. 4.8.2005 to 9.9.2005 for 37 days on Medical Certificate** O.O. No. 430 dated 30.6.2006.
 - Leave from 15.04.2006 to 25.04.2006=11 days EL.
- F. Again, Memoranda were issued on **12.3.2007, 2.4.2007 & 7.5.2007** for unauthorized leave w.e.f. 1.1.2007. Subsequently unauthorized leave (**Dies-non**) was sanctioned from **1.1.2007 to 17.5.2007 for 137 days vide O.O. No. 654 dated 5.10.2007.**
- G. Again, Memorandum was issued on **3.1.2008** for unauthorized leave w.e.f. 23.11.2007. Further, Memorandum were issued on **21.5.2008, 10.6.2008, 30.7.2008** and **29.8.2008 , 21.11.2008** and **28.01.2009** for unauthorized leave w.e.f. 21.04.2008.
- H. Further, following types of **413 days** of leaves were sanctioned vide Order No. 404 dated 1.7.2009.

Period from	Period to	Types of leave
5.6.2006	8.6.2006	4 days EL
12.6.2006	20.6.2006	9 days EL
3.7.2006	19.7.2006	17 days EL
20.7.2006	8.8.2006	20 days HPL
9.8.2006	6.10.2006	59 days EOL without Medical Certificate
23.8.2007	24.8.2007	2 days EL
28.8.2007	1.9.2007	5 days EL
21.4.2008	8.5.2008	18 days EL
9.5.2008	7.6.2008	30 days HPL
8.6.2008	30.6.2008	23 days EOL without Medical Certificate
1.7.2008	13.7.2008	13 days EL
14.7.2008	23.7.2008	10 days HPL
24.7.2008	31.12.2008	161 days EOL without Medical Certificate
1.1.2009	10.1.2009	10 days HPL

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11.1.2009	10.2.2009	31 days EOL without Medical Certificate
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1. Again, Memorandum were issued on **12.10.2009, 27.10.2009 & 11.11.2009, 23.10.2008, 23.09.2010, 25.07.2012** for his unauthorized leave w.e.f. 23.7.2009. **Period for 23.7.2009 to 30.3.2012 for 983 days is sanctioned as dies-non due to unsatisfactory justification from Shri Ram.**
2. Shri Dinesh Ram is again *continuously absconding* from service since **1.2.2013 without any information to GFCC**. Letters were sent to him on 5.10.2017, 23.4.2019, 4.11.2019 and 6.6.2022 regarding his unauthorized leave but no any kind of response has been received from the employee.
3. From the facts narrated above, it is clear that Shri Dinesh Ram, SWA,GFCC has a habit of absconding and presently he is absent from duty w.e.f. 1.2.2013. He has failed to resume his duties despite of many correspondences spread over more than **9 and half years**. As Shri Dinesh Ram, SWA has remained absent from duties since such a long time hence this tantamount to misconduct under CCS (CCA) Rules, 1965.
4. Now, therefore, in exercise of the power conferred under DoPT G.S.R. 261(E) dated 29.03.2012 read with rule 12(2) of CCS leave rules, 1972 which states that a Government servant who remains absent from duty for a continuous period exceeding five years other than on foreign service, with or without leave, shall be deemed to have resigned from the Government service: "Provided that a reasonable opportunity to explain the reasons for such absence shall be given to that Government servant before provisions of sub-rule (2) are invoked". Shri Dinesh Ram has not replied any of the GFCC letters issued since last **9 and half years**. **Considering this, the Competent Authority in GFCC has approved to treat continuous absence of Shri Dinesh Ram, SWA as deemed resignation from Government service of Ganga Flood Control Commission with effect from 1.2.2013 under rule 12(2) of CCS (leave) Rules, 1972.**
5. This order is issued without any prejudice against Shri Dinesh Ram.

Digitally signed by RAJESH KUMAR SINGH
Date: 2022.08.01 11:17:23 IST

(R.K. Singh)
Director (HRM)

To,

**Shri Dinesh Ram, SWA
S/o Shri Tunna Ram, Vill.+Post- Varuna
Thana- Fatuha, Dist.- Patna—803201.**

Copy to:

1. PS to Chairman, GFCC, Patna .
2. Under Secretary (Estt.-III), DoWR, RD&GR, Shram Shakti Bhawan, New Delhi-110001
3. Assistant Director-cum-DDO, GFCC, Patna
4. Service Book .
5. Office Order File.
- ✓ 6. GFCC Website.