

Date: 08.05.2024.

MEMORANDUM

The undersigned proposes to hold an inquiry against Shri Jhasketan Naik, DBW/ Semi Skilled, Per. No- 6669, Unit -06 of Ordnance Factory, Badmal under Rule – 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held, is set out in the enclosed Statement of Articles of Charge in (Annexure – I). A Statement of imputation of misconduct or misbehaviour in support of each Article of Charge is mentioned in (Annexure – II). A list of documents by which, and a list of witnesses by whom the Articles of Charge are proposed to be sustained are mentioned in (Annexure – III and IV).


02. Shri Jhasketan Naik is directed to submit within 15 days of receipt of this Memorandum a written statement of his defence and also to state whether he desires to be heard in person.

03. He is informed that an inquiry will be held only in respect of those Articles of Charges as are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

04. Shri Jhasketan Naik is further informed that if he does not submit his written statement of defence on or before the date specified above in Para – 2 or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 14 of the CCS(CCA) Rules, 1965 or the orders /directions issued in pursuance of the said rule, the inquiring authority may hold the inquiry against him *ex parte*.


05. Attention of Shri Jhasketan Naik is invited to Rule 20 of CCS (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Shri Jhasketan Naik is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of CCS (Conduct) Rules, 1964.

06. The receipt of this Memorandum should be acknowledged.


(Premanshu Biswas)

Dy. Director General/Field Unit Kolkata
Directorate of Ordnance (C&S)
Disciplinary Authority

To
Shri Jhasketan Naik
DBW/ Semi Skilled,
Per. No- 6669, Unit -06
Ordnance Factory Badmal


Through:- Chief General Manager /Ordnance Factory Badmal

ANNEXURE – I

Statement of Articles of Charge framed against Shri Jhasketan Naik, DBW/ Semi Skilled, Per. No- 6669, Unit -06 of Ordnance Factory, Badmal

ARTICLE OF CHARGE – I

That the said Shri Jhasketan Naik, Per. No- 6669, while functioning as DBW/ Semi Skilled in Unit -06 of Ordnance Factory, Badmal has committed acts amounting to gross misconduct viz – remained under unauthorised absence from duty from 24.02.2018 to till date without any intimation and prior sanction of leave from the Competent Authority.

The aforesaid act on the part of Shri Jhasketan Naik, constitutes gross misconduct viz. wilful negligence of work, lack of devotion to Govt. duty and conduct unbecoming of a Govt. servant in violation of Rules – 3(1) (ii) and 3(1) (iii) of Central Civil Services (Conduct) Rules, 1964.

The unauthorized absence ibid is continuing and the absence that continues beyond the date after issue of charge sheet will be treated as covered by this statement for the purpose of the charges levelled herein.

ARTICLE OF CHARGE – II

That said Shri Jhasketan Naik, Per. No- 6669, while functioning as DBW/ Semi Skilled in Unit -06 of Ordnance Factory, Badmal has committed acts amounting to gross misconduct viz - indulged in the habit of remaining absent unauthorisedly and failed to mend his ways even after been penalized for similar misconduct on previous occasions.

The aforesaid act on the part of Shri Jhasketan Naik, constitutes gross misconduct viz. failure to maintain devotion to duty and conduct unbecoming of a Govt. servant in violation of Rules –3(1) (ii) and 3(1) (iii) of Central Civil Services (Conduct) Rules, 1964.

ANNEXURE – II

Statement of imputation of Misconduct or Misbehaviour in support of the Articles of Charge framed against Shri Jhasketan Naik, DBW/ Semi Skilled, Per. No- 6669, Unit -06 of Ordnance Factory, Badmal.

Article of Charge – I

It has been reported that the said Shri Jhasketan Naik, Per. No- 6669, DBW/ Semi Skilled of Unit -06 has remained unauthorised absence from duty from 24.02.2018 to till date without any intimation and prior sanction of leave from the competent Authority. The details absence period of Shri Jhasketan Naik is as follows: -

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Sl no	From	To
01	24.02.2018	31.12.2018
02	01.01.2019	31.12.2019
03	01.01.2020	31.12.2020
04	01.01.2021	31.12.2021
05	01.01.2022	31.12.2022
06	01.01.2023	31.12.2023
07	01.01.2024	Till date

The aforesaid act on the part of Shri Jhasketan Naik, constitutes gross misconduct viz. wilful negligence of work, lack of devotion to Govt. duty and conduct unbecoming of a Govt. servant in violation of Rules – 3(1) (ii) and 3(1) (iii) of Central Civil Services (Conduct) Rules, 1964.

Article of Charge – II

It is seen from the records that the said Shri Jhasketan Naik, DBW/ Semi Skilled, Per. No- 6669, Unit -06 of Ordnance Factory, Badmal had already been inflicted with following penalties for the misconduct of unauthorized absence.

- a) Penalty of "Reduction of pay by two stages i.e. from Rs 3300/- to Rs 3170/- for a period of one year(12 months) with a further direction that he will not earn increment of pay during the period of reduction and that on the expiry of this period, the reduction will have the effect of postponing his future increments of pay" was imposed vide FO No.309 dated 01-08-2007 for unauthorized absence from duty for 117 days in 22 occasions during the year 2003, for 86 days in 17 occasions during the year 2004 and for 29 days in 09 occasions during the year 2005.
- b) Penalty of "Reduction of pay from Rs.6550/- to Rs.5200/- i.e. the minimum of the pay scale in the pay band of Rs.5200-20200/- with Grade Pay Rs.1800/- for a period of three years with a further direction that he will not earn increments of pay during the period of reduction and that on the expiry of the said period, the reduction will have the effect of postponing his future increments of pay" was imposed vide FO No. 078 dated 09-03-2013 for unauthorized absence from duty for 275 days from 30-12-2009 to 30-09-2010.
- c) Penalty of "Reduction of pay to the minimum scale of pay for a period of three years (36 months) with a further direction that he will earn increments of pay during the period of reduction and that on the expiry of the said period; the reduction will not have the effect of postponing his future increments of pay" was imposed vide FO No.004(A), Dt.04-01-2017 for unauthorized absence from duty for 76 days during the year 2008, for 31 days during the year 2009, for 275 days during the year 2010, for 365 days

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during the year 2011, for 366 days during the year 2012, for 181 days during the year 2013, for 365 days during the year 2014 and for 212 days during the year 2015.

- d) Penalty of "Reduction of pay to the lowest/minimum of the Pay Level-I for a period of three years w.e.f 11-10-2022 with a further direction that he will not earn increments of pay during the period of reduction and that on the expiry of the said period, the reduction will have the effect of postponing his future increments of pay" was imposed vide FO No.268, Dt.20-10-2022 for unauthorized absence from duty for 223 days from 01-08-2015 to 10-03-2016, for 03 days from 05-04-2016 to 07-04-2016, for 06 days from 16-04-2016 to 21-04-2016, for 09 days from 25-04-2016 to 03-05-2016, for 210 days from 10-05-2016 to 05-12-2016, for 25 days from 07-12-2016 to 31-12-2016 and 419 days from 01-01-2017 to 23-02-2018.

It transpires from the above that despite these penalties Shri Jhasketan Naik has failed to mend his habit of habitual unauthorized absence and indulged in the habit of remaining absent unauthorisedly. The aforesaid act of Shri Jhasketan Naik constitutes gross misconduct viz. failure to maintain devotion to duty and conduct unbecoming of a Government servant, in violation of Rules - 3(1) (ii) and 3(1) (iii) of Central Civil Services (Conduct) Rules, 1964.

ANNEXURE – III

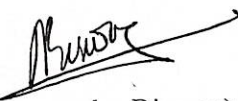
List of documents by which the Articles of Charge framed against Shri Jhasketan Naik, DBW/ Semi Skilled, Per. No- 6669, Unit -06 of Ordnance Factory, Badmal are proposed to be sustained.

- i) OIC/Per(IE) Letter No 2046/SB/Per(IE) dated 20.11.2023 with enclosures.
- ii) OIC/Per(IE) Letter No 2088/UA/Per(IE)/OFBL dated 15.04.2024 with enclosures.
- iii) Penalty Order issued vide FO No.309 dated 01-08-2007.
- iv) Penalty Order issued vide FO No. 078 dated 09-03-2013.
- v) Penalty Order issued vide FO No.004(A) dated 04-01-2017.
- vi) Penalty Order issued vide FO No.268 dated 20-10-2022.

ANNEXURE – IV

List of witnesses by whom the Articles of Charge framed against Shri Jhasketan Naik, DBW/ Semi Skilled, Per. No- 6669, Unit -06 of Ordnance Factory, Badmal are proposed to be sustained.

- 1) Shri R K Panigrahi, JWM/SG/OIC /Per(IE), Ordnance Factory, Badmal.


 (Premanshu Biswas)
 Dy. Director General/Field Unit Kolkata
 Directorate of Ordnance (C&S)
 Disciplinary Authority