

No. Con. Pro.- Deptt.- 24/2016

/ Dated

2nd Show Cause Notice

**Sri Sisir Kumar Padhi,
J.E.(C) No.-2572(I), Retd.**

Whereas disciplinary proceeding under Rule-15 of the O.C.S. (C.C&A) Rules 1962 was initiated against Sri Sisir Kumar Padhi, Ex-J.E. (C) No.2572 (I), vide this office Proceeding No. 4472 dt.26.06.85 herein after referred to as Delinquent Officer in respect of the charges mentioned therein.

Whereas the, Superintending Engineer Western Irrigation Circle, Bhawanipatna, was appointed as Inquiring Officer to enquire into the charges leveled against him.

Whereas, the Inquiring Officer called upon Delinquent Officer to attend the enquiry on different dates through notices issued to him by registered post as well as published in the news papers. But he neither attended the enquiry, nor submitted his defence in respect of the charges levelled against him.

Whereas the Inquiring Officer conducted and concluded inquiry exparte. After completion of enquiry he has submitted his enquiry report vide his letter No.41/WE dt.27.05.2016, wherein the D.O. is found guilty of all charges. Apart from this, the I.O observed in his report that the D.O. has remained absent from his duty since dt.09.09.2004, i.e, after relieve from the office of the E.E. Kalahandi Investigation Division, Bhawanipatna & such long absence from duty has made him liable for removal from Govt. service in terms of Rule-72 of O.S.C.. But in the mean while, the D.O. has crossed his date of superannuation w.e.f. dt.28.02.2012.

Where as the D.O. already crossed the age of superannuation & consequent upon the date of superannuation, the aforesaid departmental proceeding became a deemed proceeding u/r 7(2) (a) of O.C.S. Pension Rule-1992 and the Inquiring Officer suggested for forfeiting his entire Pension, Gratuity and all other retirement dues in terms of said Rules.

Whereas the where about of the Delinquent Officer is not known, a notice vide this office No.23758 dt.01.07.2016 was issued through publication in local news paper i.e, "Sambad" and "Dharitri" on dt.09.07.2016 and dt.10.07.2016 respectively, wherein he was called upon to attend the office of the under signed to collect a copy of enquiry report on any working day and submit such representation as he may wish to make against the findings of the Inquiring Authority within a period of fifteen days from the date of publication as required under Rule-15 (10) (i) (a) of the O.C.S. (C.C&A) Rules 1962.

Whereas the delinquent officer neither responded to the notice, nor submitted his representation against the findings of Inquiring Authority & the Disciplinary Authority after due consideration of the report of Inquiring Officer, records of inquiry and materials available to this effect, found the D.O guilty of charges.


Whereas, considering the offences committed by the D.O., the disciplinary authority proposed to inflict the following punishment.

1. "Forfeiture of entire pensionary benefits permanently".
2. Period of un authorised absence from Govt. duty i.e., w.e.f. dt.09.09.2004 to dt.28.02.2012 be treated as no work no pay.

Whereas, as required under Rule-15 (10) (i) (b) of the O.C.S. (C.C&A) Rules 1962 r/w Rule-7 of O.C.S.(Pension) Rules, 1992 the Delinquent Officer was directed through publication of the show cause notice in two local news paper i.e, "Sambad" and "Dharitri" on dt.30.08.2016 to show cause within a period of 15 days from the date of publication as to why the aforementioned punishment should not be imposed on him finally, failing which the matter will be decided exparte at its own merit.

Whereas the delinquent officer neither responded to the show cause notice, nor submitted his representation against the punishment proposed to be imposed on him finally, within the stipulated time.

Now therefore the 2nd show cause notice is issued & the Delinquent Officer is directed through publication of the 2nd show cause notice to show cause within a period of 15 days from the date of publication as to why the aforementioned punishment should not be imposed on him finally, failing which the matter will be decided exparte at its own merit.


Engineer-in-Chief, Water Resources.

Contd..P/2

Memo no. /Dated

Copy along with soft copy of the Show Cause Notice forwarded to the Deputy Director of Information and Public Relations (A.D.V.T) & Deputy Secretary to Govt. I & P.R Department for information and necessary action. The 2nd Show Cause Notice against Sri Sisir Kumar Padhi, Ex-J.E. (C) No.2572 (I), may please be published in two Local dailies and the complementary copies in support of the publication furnished to this office at the earliest possible for record and further needful.

Encl.-As above


26.9.16
Engineer-in-Chief, Water Resources.

By Regd. Post

Memo No. /Dt.

Copy in quadruplicate forwarded to the Executive Engineer Kalahandi Investigation Division, Bhawanipatna for information and necessary action. He is requested to serve one copy of the Show Cause Notice on Sri Sisir Kumar Padhi, Ex-J.E. (C) No.2572 (I) through a responsible officer, in his present/permanent address, if available in his office and return the 2nd copy to this office with his dated acknowledgement receipt on it. In the event of the show cause notice is not served physically on the D.O. or he refuses to receive it, the same may be served by affixture process, in presence of two witnesses.

3rd copy may be displayed in his Notice Board for information and the 4th copy is meant for record in his office.


26.9.16
Engineer-in-Chief, Water Resources.

Memo No. / Dated

Copy forwarded to the Additional Secretary to the Govt. in Department of Water Resources, Odisha, Bhubaneswar for information and necessary action in continuation of this office memo No.23761 dt.01.07.2016 & No.30437 dt.26.08.2016.


26.9.16
Engineer-in-Chief, Water Resources.

Memo No. / Dated


Copy forwarded to the Section Officer, J.Es. Branch / Section Officer, Pension Cell of this office for information and necessary action.


26.9.16
Engineer-in-Chief, Water Resources.

Memo No.

34856 ✓

Copy to Dy. Director, M.I.S. of this office for uploading the matter in website /Guard File / Notice Board of this office.


28.09.16
Engineer-in-Chief, Water Resources.


22.9.16
Engineer-in-Chief, Water Resources.