

NO.AAP.123/2014/265
GOVERNMENT OF ASSAM
DEPARTMENT OF PERSONNEL (PERSONNEL :: A)
ASSAM SECRETARIAT (CIVIL) DISPUR
GUWAHATI-781006.

Dated Dispur, the 7th of October, 2023

O R D E R

Whereas a Departmental Proceeding was drawn up against Smti. Gita Sharma, ACS, the then Additional Deputy Commissioner, Kamrup vide Show Cause Notice No.AAP.123/2014/36 dated 17.12.2016 on the charges of committing irregularities while she was holding the post of Deputy Secretary to the Govt. of Assam, Elementary Education and i/c Director of Madrassa Education by illegally, according permission and recognition to 133 numbers of Senior Madrassas; and

Whereas Smti. Gita Sharma, ACS has submitted her written statement of defence on 26.04.2019, wherein she denied the charges framed against her; and

Whereas after careful examination of the written statement of defence submitted by Smti. Gita Sharma,ACS and the materials on record, it was decided to hold an enquiry into the charges framed against her and accordingly the State Enquiry Officer, Smti. Monimala Phukan Borthakur, IAS, was appointed as Inquiring Authority to inquire into the charges against Smti. Gita Sharma, ACS by order issued vide No: AAP.123/2014/219 dated 20.06.2019; and

Whereas as the enquiry could not be completed by the State Enquiry Officer, Smti. Monimala Phukan Borthakur, IAS, as she has retired from service and Shri Roopjyoti Saharia, IAS and State Enquiry Officer, Assam was entrusted as the Inquiring Officer of the Departmental Proceeding vide letter No: AAP.123/2014/223 dated 23.09.2020; and

Whereas the State Enquiry Officer has submitted the Enquiry Report vide letter No: ABE.12/2019/90 dated 29.01.2022 and has found that Smti. Gita Sharma, ACS has illegally accorded permission and recognition to 133 no.s of Madrassas with retrospective effect; and

Whereas a copy of the enquiry report was forwarded to Smti. Gita Sharma, ACS vide letter No: AAP.123/2014/253 dated 10.05.2022 for submission of representation, if any; and

Whereas Smti. Gita Sharma,ACS, submitted a representation vide letter dated 23.05.2022; and

Whereas the representation of Smti. Gita Sharma, ACS was examined; and

Whereas after careful examination of the enquiry report submitted by the Enquiry Officer and materials on record alongwith the representation of Smti. Gita Sharma, ACS on the enquiry report, it has been found that Smti. Gita Sharma, ACS had accorded permission and recognition to 133 (one hundred and thirty three) numbers of Madrassas illegally with retrospective effect without having any authority which is in violation of the statutory provisions as well as Govt. procedures and which also led to avoidable litigation towards which Government had to devote much time and office resources. The illegal actions of the

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Delinquent Officer thus amount to gross misconduct which cannot be condoned as it would otherwise set a bad precedent. Therefore, it has been decided to impose the penalty of Compulsory Retirement under Rule 7(v) of the Assam Services (Discipline & Appeal) Rules, 1964 upon Smti Gita Sharma, ACS; and

Whereas the Assam Public Service Commission on being consulted in the matter, has vide their U.O. issue No: 1711 dated 17.06.2023 agreed to the proposed penalty of Compulsory Retirement upon Smti. Gita Sharma,ACS; and

Whereas, the Judicial Department, Government of Assam on being consulted in the matter, has vide their UO No:46 dated 27.06.2023 concurred with decision of imposing a penalty of Compulsory Retirement upon Smti. Gita Sharma,ACS proposed by the Personnel Department; and

Now, therefore, the Governor of Assam is pleased to impose the penalty of Compulsory Retirement under Rule 7(v) of the Assam Services (Discipline & Appeal) Rules, 1964 upon Smti Gita Sharma, ACS with immediate effect.

Thus, the Departmental Proceeding drawn up vide Show Cause Notice No.AAP 123/2014/36 dated 17.12.2016 against Smti Gita Sarma, ACS is disposed of.

Smti. Gita Sharma, ACS will be granted the benefits of full invalid pension and special additional pension, if any, admissible to her as on her date of compulsory retirement as per the provisions of Rule 25 of the Assam Services (Pension) Rules,1969.

By order and in the name of the
Governor of Assam

Sd/- Niraj Verma, IAS
Additional Chief Secretary to the Govt. of Assam
Personnel (A) Department

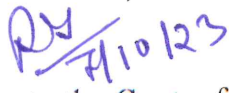
Memo No.AAP.123/2014/265-A

Dated Dispur, the 7th of October, 2023.

Copy to :-

1. The Accountant General, Assam, Guwahati-29.
2. The Additional Chief Secretary to the Chief Minister, Assam.
3. All Additional Chief Secretaries/ Principal Secretaries/Commissioner & Secretaries/Secretaries to the Government of Assam.
4. The Secretary to the Governor of Assam, Guwahati.
5. The Deputy Secretary to the Govt. of Assam, General Admn (Secretariat Accounts) Deptt.
6. The P.S. to Chief Secretary, Assam.
7. Smti Gita Sarma, ACS, Deputy Secretary to the Govt. of Assam, Co-operation Department for information.
8. Personal file of the officer.
9. Departmental Website <https://personnel.assam.gov.in> .

By order etc.,


Joint Secretary to the Govt. of Assam
Personnel (A) Department