



No.SORI(S&GAD)-1-25/2001
GOVERNMENT OF THE PUNJAB
SERVICES & GENERAL ADMINISTRATION
DEPARTMENT
(REGULATIONS WING)

Dated Lahore, the 09th September, 2013

To

1. The Senior Member, Board of Revenue, Punjab.
2. The Chairman, Planning & Development Board, Lahore.
3. The Principal Secretary to Governor of the Punjab.
4. The Principal Secretary to Chief Minister, Punjab.
5. All the Administrative Secretaries in the Punjab.
6. The Provincial Police Officer, Punjab.
7. The Chairman, TEVTA Punjab, Lahore.
8. All Commissioners in the Punjab.
9. All Heads of Attached Departments in the Punjab.
10. All District Coordination Officers in the Punjab.
11. The Secretary Provincial Assembly, Punjab.
12. All Heads of Autonomous Bodies in the Punjab.
13. The Secretary, Punjab Public Service Commission, Lahore.
14. The Secretary, Provincial Ombudsman Punjab, Lahore.
15. The Registrar, Lahore High Court, Lahore.
16. The Registrar, Punjab Service Tribunal, Lahore.
17. The Secretary, Chief Minister's Inspection Team, Lahore.
18. The Accountant General, Punjab, Lahore.
19. All District Accounts Officers in the Punjab.

Subject: **DISCIPLINARY PROCEEDINGS AGAINST CIVIL SERVANTS ON ACCOUNT OF UNAUTHORIZED ABSENCE FROM DUTY – TREATMENT OF ABSENCE PERIOD**

I am directed to refer to the subject noted above and to state that it has been observed that the instructions issued by the Regulations Wing of S&GAD vide circular letter No.SORI-1-25/2001 dated 10-07-2003 are not being followed properly. Resultantly, inconvenience is caused while deciding the disciplinary cases of the employees. It is reiterated as under:-

The problem of unauthorized absence from duty is rampant in Government departments and it has been observed that despite clear rules and instructions on the subject such cases are not dealt with appropriately, in accordance with the rules, by the relevant authorities. The Administrative Departments are therefore, requested to follow the following instructions / guidelines, while dealing with the cases of unauthorized absence from duty:-

- i) Competent authorities must ensure that disciplinary action is initiated against a person who absents himself from duty un-authorizedly, immediately on receipt of information to this effect.
- ii) Where disciplinary action could not be initiated against such person due to negligence or other reasons, and such person reports for duty after his un-authorized absence, he shall not be assigned any duty until disciplinary proceedings have been completed against him. During the intervening period he shall be treated to be under suspension.
- iii) The relevant authorities must ensure that disciplinary proceedings under the relevant Laws / Rules are initiated against such person, within 30 days of his reporting for duty, after unauthorized absence.
- iv) Officers / officials responsible for delay in submitting the case for initiation of action against such person to the competent authority, shall be deemed to be guilty of misconduct and therefore, shall be liable to be proceeded under the relevant disciplinary law / rules, for the time being in force.

- v) The competent authorities shall ensure that disciplinary proceedings in such cases are completed at the earliest possible time so that such persons do not remain under suspension for long periods, thus becoming a burden on the public exchequer.
- vi) The Competent Authorities under the relevant disciplinary law / rules, shall confine themselves to taking disciplinary action in accordance with the rules. They must not make recommendations as to how the period of unauthorized absence shall be treated, as the leave sanctioning authority under the Leave Rules and the competent authority under E&D Rules / Punjab Removal from Service (Special Powers) Ordinance, 2000 / PEEDA Act, 2006, are usually not the same.
- vii) After the decision of the authorities under E&D Rules / Punjab Removal from Service (Special Powers) Ordinance, 2000 / PEEDA Act, 2006 etc., absence period may be dealt with separately, in accordance with the provisions of Revised Leave Rules, 1981.
- viii) Relaxation of Revised Leave Rules, 1981 may only be granted in extremely genuine hardship cases of absence beyond the control of the employee.
- ix) The period of absence from duty, if not regularized, constitutes break in service, as provided under Rule 2.11 of Pension Rules, 1967. This need not and should not be specified in any orders, as such orders lead to unnecessary litigation. This implication is automatic under Rule 2.11 of the Pension Rules.
- x) It has been observed that authorities generally tend to treat cases of absence from duty lightly and give minor punishments / penalties in cases where a person has remained absent from duty for long periods of time. It is clarified that absence from duty is a serious misconduct on the part of a person. The competent authorities must, therefore, ensure that penalties in such case are commensurate with the gravity of the charge, proved against the accused person. As per Section 7(f)(ii) of the PEEDA Act, 2006, where charge of absence from duty for a period of more than one year is proved against the accused, the penalty of compulsory retirement or removal or dismissal from service shall be imposed upon the accused.
- xi) The relevant authority must ensure that where a person remains on leave including absence for more than 5 years, the name of such person is removed from the seniority list and placed on separate static list as provided under proviso to Rule 8(3) of Punjab Civil Servants (Appointment & Conditions of Service) Rules, 1974, instructions bearing No.SORII(S&GAD)15-7/84 dated 14-07-1988 and para 18 of the Promotion Policy 2010.
- xii) All applications for long leave shall be decided within thirty days and any delay in sanction or refusal and communication to the applicant will be the responsibility of the leave sanctioning authority.

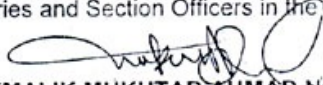
2. I am further directed to request that the above guidelines / instructions may be followed strictly in letter and spirit.

SHAHNAZ NAWAZ
Secretary (Regulations)
S&GAD

No. & Date Even

A copy with enclosures is forwarded for information and necessary action to:-

- PS to Chief Secretary / Addl. Chief Secretary / Secretary (Services / I&C / Regulations / Archives), S&GAD.
- 2. All Addl. Secretaries, Deputy Secretaries and Section Officers in the S&GAD.


(MALIK MUKHTAR AHMAD NOUL)
Additional Secretary (Regulations)
S&GAD