

Government of Jammu and Kashmir.
Directorate of Agriculture Kashmir.

The Commissioner/Secretary to Govt.
Agriculture Production Department,
Civil Secretariat, Jammu.

No: Agri/Estt/Gaz-Add/3717

Dated: 27 /01/2016.

Subject:- Settlement of overstayed period of Post Graduation.

Sir,

Kindly refer your communication No: Agri/RTI/Gaz/05/2011 dated:- 20.01.2016 regarding the subject cited above. In this context, it is to submit that overstayed period for completing post Graduation course in favour of officers whose details are annexed to the letter were settled by this Directorate from time to time in pursuance to Government order No: 337-Agri of 2012 dated: 13-12-2012 but orders issued by this Directorate have been found contrary to the correct stand taken by the Government while settling the overstay period in favour of officers of Jammu Division vide Government Order No: 335-Agri of 2015 dated: 19-10-2015 as the period of overstay spent for Post-Graduation has been treated as extraordinary leave without pay and allowances.

It is to place on record that orders issued by this Directorate from time to time for settlement of periods of overstay are enclosed for favour of information and these orders are required to be reviewed, as these officers fall in category "C" (ii) D&E of the Government Order No: 337-Agri of 2012 dated 13.12.2012 and overstayed period needs to be settled on similar lines as have been settled vide Government Order No: 335-Agri of 2015 dated 19.10.2015.

It is further submitted that settlement of overstayed period for completing Post Graduation was required to be settled by this Directorate only in case of officers who have not drawn emoluments for overstayed period and period was still undecided (refer "E" of Government Order No: 337-Agri of 2012 Dated: 13.12.2012, but these enlisted officers have **drawn emoluments illegally for the overstayed period without any authority from competent authority** therefore does not invite consideration for settlement of their overstayed period by this Directorate in light of Government Order No: 337-Agri of 2012 Dated: 13.12.2012 as said order authorizes the settlement for those who have not drawn emoluments for the overstayed period (**refer "E"**) of above referred Govt. Order.

As a matter of fact these officers have not applied for extension before the expiry of their **deputation period therefore fall in the category C (ii) &D**, as cases **decided earlier by this office are in contrary to stand taken by your good office vide No. 335-Agri of 2015 dated 19.10.2015**. It is to place on record that permissibility of earned leave and ½ half pay leave as sanctioned by this Office are not permissible for adjusting overstayed period spent for completing Post Graduation Course as every officer deputed for higher studies has to follow timeline of 24 months for prosecuting higher studies. Therefore earned leave and half pay leave sanctioned in these orders for adjusting overstayed period is disregard to study leave rules **and needs to be reviewed for effecting recoveries from defaulting officers and requires your instructions in this regard and any other order which your good office deems fit for the settlement of the case, need to be issued.**

Yours faithfully,



(Altaf Aijaz Andrabi)
**Director Agriculture,
Kashmir.**