

Government of Jammu & Kashmir
Office of the Commissioner Food & Drug Administration
Drugs & Food Control Organization, J&K,
Civil Secretariat, Jammu/Srinagar

Mrs. Nadiya Rashid Malik,
Food Safety Officer.
D/O: Late Abdul Ahad Malik
R/O: Malik Sahab, Nowhatta, Srinagar-190002.
Mail ID: nadiyamalik21@gmail.com

No. FADA-Adm/36/2022-05

Dated: 23 .03.2026

Subject: Final Show Cause Notice.

Whereas, you were appointed as Food Safety Officer in this Organisation vide Order No. 126-DFO of 2017 dated 24.10.2017 and subsequently notified as Food Safety Officer vide Order No. 06-FDA of 2019 dated 12.06.2019;

Whereas, it has been observed from your service record that you have repeatedly indulged in acts of unauthorized absence and leaving the station/country without prior permission of the competent authority;

Whereas, you remained on unauthorized absence from 21.11.2017 to 29.11.2017, for which a show cause notice was served upon you and the matter was settled under Rules 26 and 30(1) of the J&K Civil Services (Classification, Control and Appeal) Rules, 1956;

Whereas, in the year 2022, you again absented yourself unauthorizedly and, upon consideration of your reply, undertaking, and apology, a lenient view was taken and you were warned to remain cautious in future;

Whereas, in the year 2022, you applied for earned leave and country leaving permission; however, it was reported that you left the country prior to grant of permission, thereby misleading the Department, and though permission was subsequently granted, you were warned vide communication dated 23.03.2023;

Whereas, in the year 2023, you again violated Government instructions by leaving the country prior to the effective date of permission granted, thereby acting in contravention of established procedure;

Whereas, in the year 2024, while your application for grant of leave and country leaving permission was under consideration, and despite your posting at Block Kangan, District Ganderbal vide Order dated 14.03.2024, you failed to join your place of posting and left the country without prior sanction of leave and without permission from the competent authority;

Whereas, on receipt of this information, a show cause notice was issued to you and, upon finding your reply unsatisfactory, you were placed under suspension vide Order No. 26-FDA of 2024 dated 02.04.2024 and a formal enquiry was initiated against you;

Whereas, the Enquiry Officer, after conducting a detailed enquiry, has established that:

- you are habitual of unauthorized absence;
- you have repeatedly left the country without prior permission or before grant of such permission;
- you have failed to adhere to departmental instructions, warnings, and your own undertakings;
- your conduct is repetitive, willful, and in violation of service rules;

Whereas, the Enquiry Officer has concluded that your conduct amounts to repeated acts of indiscipline, non-subordination, and grave misconduct warranting strict disciplinary action;

Whereas, you had approached the Hon'ble Central Administrative Tribunal, Srinagar, through OA No. 176/2024 and the Hon'ble Tribunal vide order dated 15.03.2024 directed the respondents to consider your representations in accordance with rules;

Whereas, in compliance with the aforesaid directions, your representations dated 01.02.2024 and 22.12.2023 were duly considered and rejected vide Order No. 31-FDA of 2024 dated 08.04.2024, on the ground that leave and country leaving permission cannot be claimed as a matter of right and require prior sanction of the competent authority;

Whereas, it stands established that you remained on unauthorized absence and left the country without sanctioned leave and prior permission during the period w.e.f. 17.03.2024 to 21.04.2024;

Whereas, the Administrative Department vide communication No. HDDrgs/49/2024-02 dated 12.11.2024 conveyed permission in your favour to visit abroad on private affairs subject to the condition that you shall leave the station only after proper sanction of leave by the competent authority;

Whereas, it was also advised therein that Child Care Leave for a period of one month w.e.f. 17.10.2024 be sanctioned in your favour as per rules in vogue;

Whereas, the Deputy Commissioner Food Safety, Kashmir vide communication dated 26.11.2024 reported that you had not applied for any kind of leave nor any such application had been received through the proper channel from your place of posting;

Whereas, it has further been reported that you availed three days' casual leave w.e.f. 19.10.2024 on health grounds and subsequently forwarded an application for six days' casual leave w.e.f. 21.10.2024, which was rejected as no casual leave was due in your favour at that time;

Whereas, despite the above position and the specific condition imposed by the Administrative Department, you neither applied for nor obtained sanction of Child Care Leave or any other leave from the competent authority;

Whereas, instead of reporting for duties or regularizing your leave, you left the country without prior sanction of leave, thereby violating the terms and conditions of Government permission as well as established rules;

Whereas, you had earlier submitted an affidavit/undertaking pursuant to directions of the Administrative Department affirming that you would not leave the country without prior permission and sanctioned leave, which undertaking has been violated by you;

Whereas, Article 128 of the Jammu & Kashmir Civil Service Regulations, Volume-I provides that absence without leave or overstay after leave may entail loss of appointment;

Whereas, a show cause notice dated 27.10.2025 was issued to you through publication in a daily newspaper dated 29.10.2025, affording you an opportunity to resume duties within 7 days;

Whereas, it has been reported by the Deputy Commissioner Food Safety, Kashmir vide communication dated 14.11.2025 that you have remained unauthorizedly absent w.e.f. 21.10.2024 and have failed to resume duties;

Whereas, you have not reported for duties till date and continue to remain in unauthorized absence in violation of rules;

Whereas, your repeated acts of misconduct, despite warnings and opportunities extended to you, demonstrate willful disobedience, lack of discipline, and persistent non-compliance with Government instructions, including Circular No. 08-JK(GAD) of 2021 dated 13.02.2021;

Whereas, your conduct has adversely affected the functioning of the Department, which is already facing shortage of Food Safety Officers, thereby hampering effective discharge of statutory duties;

Now, a Final opportunity is being afforded in your favour to resume your duties within 03 days from date of issuance of this notice/ published in the paper, failing which it will be presumed that you are no further interested to continue in government service and action under applicable J&K Civil Service Regulations **(which include termination from service)** will be initiated without any further notice.

By order of Commissioner, Food and Drugs Administration, J&K.



(Seema Rani)

Administrative Office,
Food & Drugs Administration, J&K

Copy to the:-

1. Commissioner/Secretary to the Government, Health and Medical Education Department, J&K.
2. Joint Director Information, Kashmir for information and with the request to publish this show-cause notice at least in leading two local dailies.
3. Deputy Commissioner Food Safety, Kashmir for information, with the request to depute a special messenger at the above said address for delivery of this notice under proper receipt and send the report in this regard.