



By Regd. Post with A/D

No. VIG/5585/07

Date:15.09..2007

Proceedings

- Sub: SIDCO – VIG – Shri.K.V. Abdul Kalam Azad, Lower Division
Accountant – Unauthorized Absence – Termination of service –
Orders issued – Reg.
- Read: 1. Proceedings No. PER(2)/11852/02 dated 02.08..1996 and 03.09.1996.
2. Application dated 08.,.03..2001 submitted by Shri. K.V. Abdul Kalam
Azad.
3. Proceedings No. PER (2)/11852/02 dated 28..04..2006.
4. Government circular No.13818/BPE 2/02/Plg dated 04..12..2003.
5. Registered letter No. PER (2)/11852/02 dated 10..11..2006 addressed
to Shri. K.V. Abdul Kalam Azad.
6. Memo of charges of even number dated 04..05..2007.

As per proceedings cited first, Leave Without Allowance for a period of four years seven months and eight days was sanctioned to Shri. K.V. Abdul Kalam Azad, Lower Division Accountant, while he was working at DPEP, Malappuram District to take up employment abroad. The term expired on 22..09..2001. Vide his leave application cited 2nd, he requested the Corporation to extend the leave for a further period of five years with effect from 23..09..2001.

As per the Board Resolution No.12/191 dated 26..02..2002, the Corporation requested the Government to accord approval for extending Leave Without Allowance for a further period of five years. Government vide their letter No.26038/F2/2001/ID dated 08..03..2004 conveyed their approval for the extension of leave for a further period of five years with effect from 23.09.2001 for taking up employment abroad, subject to the usual terms and conditions



stipulated in the circular cited 4th. Accordingly as per proceedings cited 3rd Leave Without Allowance for a further period of five years with effect from 23.09.2001 was sanctioned to Shri. K.V. Abdul Kalam Azad to take up employment abroad subject to the terms and conditions laid down in the proceedings cited first and the Government circular cited 4th.

Though the period of Leave Without Allowance expired on 22.09.2006 he has neither joined duty nor submitted any representation stating the reason for not reporting for duty. This is violation of terms and conditions laid down in the proceedings No. PER (2)/11852/02 dated 02.08.1996 and 03.09.1996 and Government circular No.13818/BPE 2/02/Plg dated 04.12.2003, which stipulates that if an employee availing himself of Leave Without Allowances does not return to duty immediately on the expiry of the leave, he should be treated as on unauthorized absence and action should be taken to terminate his service. Accordingly a registered letter as cited 5th was sent to his residential address, which was acknowledged by one Shri. K.A. Saleel on 25.11.2006. As per that letter Shri. Abdul Kalam Azad was directed to rejoin duty immediately failing which action as per Government circular cited 4th would be taken against him to terminate his service for his unauthorized absence from 23.09.2006 onwards. However, the Corporation did not get any reply from him till 04.05.2007.

Since his action as mentioned above was violation of terms and conditions based on which Leave Without Allowance was sanctioned to him and since his action was a misconduct as per Staff Regulation 110 (v) the Corporation decided to initiate disciplinary action against him. Accordingly a Memo of Charges as cited 6th was issued to him directing him to furnish his written explanation, if any, within 30 days from the date of receipt of the said Memo failing which



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disciplinary action as per Staff Regulations and as laid down under Para (3) (j) of Government circular cited 4th will be proceeded with without further notice.

As per the acknowledgement card, Shri. Abdul Kalam Azad acknowledged the receipt of the Memo of Charges on 12.05.2007. However, the Corporation did not get any reply from him till date.

Under this circumstance, his action is treated as misconduct as per Staff Regulation 110 (v) and as laid down under Para 3 (j) of Government circular it is hereby ordered to terminate his service from SIDCO with effect from 23.09.2006 as he has not returned to duty on expiry of the leave and as he has been unauthorisedly absent since then.

MANAGING DIRECTOR

Shri. K.V. Abdul Kalam Azad,
Kartharvadakethil House,
J.N. Road, Perinthalmanna P.O.,
Malappuram District,
Pin -679 322.

Copy to:

1. The General Manager (F&A)-i/c, Head Office.
2. The General Manager (RM&E), SIDCO, Ernakulam.
3. The General Manager (Mktg), Ernakulam.
4. PER (1)/ PER (2)/PER (3)/PER (4)
5. Website
6. S/F