



MAHATMA GANDHI UNIVERSITY, KERALA

**Abstract**

Establishment - Sri.Harachanth S,Assistant – Unauthorized absence - Major penalty of termination from service –Approved- Orders issued

**ADMINISTRATION A 1 SECTION**

No. 4805/AD A1/2020/MGU

Priyadarsini Hills,Dated: 20.10.2020

- Read:-**
- 1.U.O.No.Ad.AI-1-55/92 dated 08.02.1994
  - 2.U.O. No. Ad.CII-1-95 dated 31.07.1996
  - 3.Appendix XII A, Part I&II of KSR
  - 4.KSR,Part I,Chapter III,Rule 24A
  - 5.Memo No.Ad.AI-1-535/2016(2) dated 13.03.2017 and 17.05.2017
  - 6.Kerala Civil Service (Classification, Control and Appeal) Rules, 1960 (read with Chapter 4, Part III of the Mahatma Gandhi University Statutes 1997)
  - 7.Memo No. DR-II(Academic)/Enquiry-3/Ad.A1/2017 dated 20.12.2017 issued by the Enquiry Officer
  - 8.Enquiry Report submitted by Sri. George K Varghese, DR II (Academic) and Enquiry Officer
  - 9.Show Cause Notice No.Ad.AI-1-535/2016(2) dated 31.03.2018

**ORDER**

Sri.Harachanth S,Thara Sadanam,Near Kumily Junction,Pachalloor P.O.,Thiruvananthapuram – 695 027, joined the Mahatma Gandhi University service as Assistant w.e.f. 22.01.1994 vide reference read (1) above.He had been sanctioned Leave Without Allowance for a period of five years with effect from 29.07.1996 to 28.07.2001,vide reference read (2) above.Thereafter,the Leave Without Allowance was extended by five years each in three consecutive spells upto to 03.08.2016.

It is specified,vide reference read (3) & (4) above,that if an officer does not report for duty immediately on expiry of the leave period his/her service shall be terminated after following the procedures in this regard.As per the provisions laid down in Appendix XII A – Part I and II of Kerala Service Rules,the maximum period of leave that can be sanctioned to an officer is limited to twenty years and if he/she does not report for duty immediately on expiry of leave, his/her service shall be terminated after following the procedure outlined in the Kerala Civil Service (Classification, Control and Appeal) Rules,1960. Sri.Harachanth S should have reported for duty on 04.08.2016 after the expiry of the maximum period of leave sanctioned to him.But, he did not report for duty after the expiry of the leave period.

Consequently,vide reference read (5) above,memos were issued seeking explanation from Sri.Harachanth S for not reporting for duty after the expiry of the leave period.It was also informed that disciplinary proceedings as contemplated in the Mahatma Gandhi University Statutes 1997 would be initiated against him if he did not report for duty. But he has not reported for duty.

In the light of the above, the Vice Chancellor appointed Sri. George K Varghese, Deputy Registrar II (Academic) as the Enquiry Officer to enquire into the matter and submit report as per the provisions contained in statute 41(a),(b) [Chapter 4, Part III] of the Mahatma Gandhi University Statutes 1997. The Enquiry Officer vide memo read (7) above directed Sri. Harachanth S to appear in person. But, he had neither appeared in person nor submitted any statement of defence in connection with this matter. Consequently, the Enquiry Officer submitted the report vide reference read (8) above, recommending to impose major penalty of removal from service as per statute 35 B(viii) [Chapter 4, Part III] of the Mahatma Gandhi University Statutes 1997.

In the above circumstances, invoking relevant provisions contained in the Mahatma Gandhi University Statutes 1997, the Vice-Chancellor ordered to impose major penalty upon Sri. Harachanth S by terminating his service as Assistant in the University. Subsequently, Show Cause Notice was issued, vide reference read (9) above, directing Sri. Harachanth S to submit statement of defence, if any, before finalizing the proposed disciplinary action. But, he has not responded to the said Show Cause Notice. Consequently, after examining the matter in detail, the Vice-Chancellor has ordered to confirm the imposition of major penalty upon Sri. Harachanth S by terminating his service as Assistant in the University w.e.f 04.08.2016, as per statute 35 B(vii) [Chapter 4, Part III] of the Mahatma Gandhi University Statutes, 1997.

Orders are issued accordingly.

Sd/-

A S CHAVARA

ASSISTANT REGISTRAR I (ADMIN)

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1. The Person concerned
2. PS to Vice Chancellor/Pro-Vice Chancellor
3. PA to Registrar/Finance Officer/Controller of Examinations
4. AR/DR/JR (Admn/Finance/Academic/Exam)
5. Joint Director, Kerala State Audit Department, Mahatma Gandhi University
6. Ad.C I/II/III/Finance I/II/III
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Forwarded By Order

Section Officer