

PROCEEDINGS OF  
THE ADDITIONAL DIRECTOR GENERAL NCC, NCC DIRECTORATE (K&L)  
STATE WING, THIRUVANANTHAPURAM-10  
(Present : Major General Mandip Singh Gill)

NCC Dept - Establishment – Unauthorized absent Sri. Harischandran M,  
Lascar Gde-I, 23(K) Bn NCC – Removed from service - orders issued.

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No.8236/A1-Est/2015/NCC      Thiruvananthapuram      Dated 04 Nov 2020

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- Read :-
1. This Dte letter No 8236/A1/Est/2015/NCC dated 18/05/2015.
  2. NCC GPHQs Kozhikode Letter No 159/Est/111 dated  
12/09/18
  3. This Dte letter No 8236/A1/Est/15/NCC dated 17/5/2019.
  4. Letter No 003/19/A/Est dated 29/6/19 of CO,29(K)BN NCC.
  5. This Dte proceedings 8236/A1/Est/15/NCC dated 31/10/19.
  6. Letter No.003/19/A1/Est dated 31/10/19 from ,CO, 29(K)BN  
NCC
  7. This Dte proceedings No. 8236/A1-Est/2015/NCC dated  
6/11/19
  8. This Dte letter No 8236/A1-Est/2015/NCC dated 11/6/20
  9. Letter No.202/Est/274 dated 22/6/2020 from OC,23(K)BN NCC.
  10. This Dte letter No.8236/A1-Est/2015/NCC dated 19/03/2020.
  11. Letter No.231/A/Est/454 dated 30/9/2020 from OC,23(K) BN NCC.

ORDER

1. Sri. Harischandran M was appointed as Lascar Gde-II under  
Compassionate Employment Scheme and was posted at 9(K) Naval Unit  
NCC. While holding the post of Lascar at 27(K) Bn NCC Palakkad he was on

unauthorized absence on different spells during the year 2012-2014. So disciplinary action was initiated against him as per Kerala Civil Service (classification, control and appeal) Rules 1960, Memo of charge was issued to him on 18.12.2015 vide letter read as 1<sup>st</sup> above. On the basis of his reply statement it was decided to finalise the disciplinary action initiated against him by warning not to repeat such actions in future.

2. In spite of repeated warning and show cause notice, the delinquent officer continues to be absent without any intimation to his concerned authority. So the Group Commander GP HQ, Kozhikode recommended to initiate the disciplinary action against him vide letter read as 2<sup>nd</sup> above. On the basis of the report a Charge Memo and Statement of Allegations were issued to him on 17.05.2019 vide letter read as 3<sup>rd</sup> above. He was unauthorized absent from duty in various offices for the period as given below:-

<u>From</u>	<u>To</u>	<u>Total Period</u>	<u>Office</u>
06.07.2018	04.12.2018	152 days	NCC Gp HQs, Kozhikode
14.02.2019	25.02.2019	12 days	29(K) Bn NCC
05.03.2019	05.03.2019	01 days	29 (K) Bn NCC
11.03.2019	till date of issue of MOC dated 17.05.2019 and after		29(K) Bn NCC

3. Two copies of MOC and Statement of Allegations were sent through concerned office but the same were received back with intimation that the recipient is not available. Then the MOC and statement of allegations were forwarded to the

Directorate, public relations department for publishing the same in the daily reading Malayalam News Papers. The Commanding Officer 29(K) Bn NCC vide his letter as a read 4<sup>th</sup> above has also reported that Sri. Harischandran M is continuing to be absent from duties.

4. Since Memo of charge issued to the delinquent officer could not be delivered to him and returned by postal authorities as unclaimed. So as per the para 53 of Manual of Disciplinary proceedings the MOC was published in local dailies but no response received from the individual with the stipulated period and he continues to be absented. In the circumstances the disciplinary authority decided to continue the disciplinary action against him for unauthorized absent from duty. As per proceedings read as 5<sup>th</sup> above an inquiry officer was appointed to conduct the detailed enquiry in this regard as per Rule 15 of KCS (CC&A) Rules 1960. In the meantime the commanding officer 29(K) Bn NCC has informed that the delinquent officer was arrested and under judicial custody under POCSO Act as per letter read as 6<sup>th</sup> above. In view of the above he was suspended from service with effect from 22.10.2019 as per Rule 57 of KSR part I and Rule 10(3) of KCS (CC&A) Rule 1960 pending disciplinary action vide proceedings read as 7<sup>th</sup> above. During this time the inquiry officer submitted her inquiry report for his unauthorized absent as per order read as 5<sup>th</sup> paper above.

5. In the report, the inquiry officer established his long unauthorized absent and recommended to take appropriate action against him. As the individual is on bail and 6 months have elapsed after suspension he was reinstated in service and posted at 23 (K) Bn NCC, Thrissur vide this Dte proceedings read as 8<sup>th</sup> above. The commanding officer 23(K) Bn NCC has reported that he was joined duty on 17.06.2020 as per letter read as 9<sup>th</sup> paper above.

6. As per para 7(2) of MDP the distinct offence should not be merged in one charge. At present two offences are pending against him. The disciplinary action against POCSO case is processed separately. As per letter read as 10<sup>th</sup> paper above

show cause notice was issued to delinquent officer in connection with his disciplinary action for his unauthorized absence for duty. He was informed that the disciplinary action initiated against him will be finalized by awarding removal from service as per Rule 11(vii) KCS (CC&A) Rule 1960 and he was directed to submit in anything in writing to the notice within 15 days on receipt of the letter . But no reply has received from the delinquent officer till date. The commanding officer 23 (K) Bn, Thrissur as per letter read as 11<sup>th</sup> above (at present delinquent officer is working) reported that though Sri. Harischandran M reported for duty on 17.06.2020, he is again on unauthorized absence from duty from 21.08.2020.

7. All procedures for initiating disciplinary action against Sri. Harischandran M as per manual of disciplinary proceedings and KCS (CC&A) Rules 1960 has been followed and found that the conduct of Sri. Harischandran M, Lascar Gd-I 23(K) Bn, such as to render his further retention in public service is undesirable.

9 In the above circumstances, Sri. Harischandran M, Lascar Gde-I , 23 (K) Bn NCC is removed from service by invoking Article 311 (3) of the Constitution of India and as per Rule 11 (vii), 18(ii) of Kerala Civil Service (Classification, Control & appeal) Rule 1960.

Sgd/

Additional Director General NCC

- Copy to – 1. Sri Harischandran M  
Palakkazhi House  
Karkkidamkunnu (po), Alanallur-via,  
Palakkadu-678601
2. OC, 23(K)BN NCC, Thrissur
3. NCC Group Headquarters, Ernakulam
4. Higher Education (A) Department - with CL  
Int coy to-A2/II- Est

**Approved for issue**



G. R. G. R. G. R.

PEN384680

Senior Superintendent  
NCC Directorate (K&L)

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