

PROCEEDING OF
THE ADDITIONAL DIRECTOR GENERAL NCC, NCC DIRECTORATE(K&L)
STATE WING, THIRUVANANTHAPURAM

NCC Establishment – Sri.K Gopakumar, Senior Clerk of 1 (K) Girls Bn NCC,
Thiruvananthapuram – Disciplinary action finalised – Orders issued.

No.7531/A1-Est/2012/NCC Thiruvananthapuram Dated : 28 Oct 2013.

Read:-(1) This Directorate Proceedings of even No.dated 12 Sep 2012.
(2) This Directorate Proceedings of even No.dated 19 Sep 2012.
(3) This Directorate Proceedings of even No.dated 04 Mar 2013.
(4) This Directorate letter of even No.dated 10 Apr 2013.

O R D E R

1. Shri.K.Gopakumar,Senior Clerk 1 (K) Girls Bn NCC, Thiruvananthapuram vide reference cited 1st paper above was suspended from service wef 12/09/12 primarily on the charge of unauthorised absence from duty for almost 3 months from 07.06.2012. Subsequently a departmental inquiry was also ordered as per reference cited 2nd above constituting a Board of officers which was later quashed by the honorable KAT as it was found not in order. Later vide proceedings cited 3rd above the incumbent was reinstated in service pending disciplinary action. Memo of charges and statement of allegations were served to the incumbent vide reference read as 4th above. The Memo of charges includes unauthorized absence, illegal drawal of salary, violation of conduct rule relating to correspondence with Government and usage of inappropriate language, manipulation of Attendance Register etc. In the written statement of Defense he has denied all the charges leveled against him producing copies of official documentary evidences in support of his statement.

2. The case was examined in detail with reference to all the evidence available. The main allegation is that the incumbent was on unauthorised absence from duties after being relieved from the Directorate on 06.07.2012 subsequent to the transfer order dated 31/05/2012 wherein he was transferred to 2 (K) Bn NCC on his request. On examining available documents the incumbent is seen to have been denied admission in the unit to where he was transferred to for 21 days and not allowed by the Commanding Officer to mark his attendance for the said period after taking charge initially. As such the incumbent is found not blame worthy for the transactions/dealings associated with his reported absence in the case. The contentions put forward in the written statement of defense with regard to all other allegations are also found convincing thus precluding the scope of Formal Inquiry as per KCS&CCA Rules 1960.

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3. In the above circumstance the suspension of the individual was unwarranted and therefore the incumbent is fully exonerated from the charges levelled against him. The period of suspension is treated as period spent on duty for all purposes vide sub rule 2&3 of Rule 56 of KSR Part I. The incumbent is eligible for full pay and allowances to which he would have been entitled had he not been suspended. The amount of substance Allowance already drawn will be adjusted against the pay and allowances. The regularization of the period overstayed by the incumbent shall be processed separately.

4. The disciplinary action initiated against Sri.K Gopakumar,Senior Clerk is finalized accordingly.

Sd/-
(B Chakravarty)
Major General
Additional Director General NCC

Copy to:-

1. Sri.K Gopakumar
Senior Clerk
1(K) Girls Bn NCC,Thiruvananthapuram
2. The Commanding Officer
1(K) Girls Bn NCC,Thiruvananthapuram
3. The Commanding Officer
2(K) Bn NCC,Thiruvananthapuram

The Group Commander
NCC GP HQs,Thiruvananthapuram

Approved for issue



Administrative Officer

Internal : A2,A3,SF,File,Official website