



LBS CENTRE FOR SCIENCE AND TECHNOLOGY

(Government of Kerala Undertaking)

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PROCEEDINGS.

LBS Centre for Science and Technology, Thiruvananthapuram- Smt.Sebila.K, Assistant Professor, Electronics and Communication Engineering, LBS College of Engineering, Kasaragod- Unauthorised absence – Disciplinary action- Removal from service- Orders Issued.

B7/5423/2014(B)

Dated. 21-12-2021.

- Read:-
1. Letter No. E-1256/2012 Dated. 20-5-2015 from The Principal, LBS College of Engineering, Kasaragod.
 2. This office proceedings No.B7/5423/2014(B) Dated. 16-6-2015 and 14-6-2017 of the Director, LBS Centre for Science and Technology, Thiruvananthapuram.
 3. Decision of the 100th Executive Committee Meeting held on 30-3-2017.
 4. Letter No. E1-1256/2012/LBSCEK Dated. 16-1-2020 from the Principal, LBSCE, Kasaragod.
 5. Leave application submitted by Smt.Sebila.K Dated. 18-2-2020.
 6. Decision of the 106th Executive Committee meeting held on 20-10-2020.
 7. This office Notice B7/5423/2014(B) Dated. 23-10-2020 .
 8. EMail Dated. Novemebr 12th, 2020 from Smt.Sebila.K
 9. This office letter No. B7/5423/2014(B) Dated. 13-4-2021 to The Principal, LBSCE, Kasaragod and Smt.Sebila.K through The Principal.
 10. Decision of 107th Executive Committee Meeting held on 15-6-2021.
 11. Decision of 107th Executive Committee , Memo of Charges and Statement of Allegations issued to Smt.Sebila.K vide No. B7/5423/2014(B) Dated. 24-6-2021.
 12. Notice No.B7/5423/2014(B) Dated. 15-9-2021 and 25-10-2021 published in the website of LBS College of Engineering, Kasaragod and in two dailies, Indian Express and Mathrubhumi.
 13. Showcause Notice published as per proceedings No. B7/5423/2014(B) Dated. 30-11-2021 of the Director, LBS Centre for Science and Technology, Thiruvananthapuram in the website of LBSCE, Kasaragod and also issued to Sebila.K through mail and Registered Post.
 14. Email Dated. 13th December 2021 from Smt.Sebila.K.

ORDER

1. Smt.Sebila.K, Kalathummarath House, Arakkinar Post, Kozhikode, PIN_ 673028 was appointed as Assistant Professor in Electronics and Communication Engineering in LBS Engineering Colleges under LBS Centre vide this office proceedings No.B7/1394/2012 Dated. 3-5-2012. She joined duty on 21-5-2012. FN. Her probation was declared as satisfactorily completed on the FN of 21-5-2014 FN vide the order B7/5423/2014(B) Dated. 26-2-2015. Smt.Sebila while holding the post of Assistant Professor at LBS College of Engineering, Kasaragod have applied LWA from 2-6-2015 for a period of 5 years for joining spouse abroad. Director, LBS Centre permitted her to take LWA for 5 years

from 2-6-2015 to go abroad for joining spouse as per the clause of Appendix XII(C) of Part I KSR which stipulates that the period of leave will not be counted for any service benefits such as seniority, promotion in that grade (during the currency of leave), increment, Higher Grade, Pension or accumulation of Earned Leave and Half Pay Leave, vide proceedings No.B7/5423/2014(B) dated. 16-6-2015, subject to its ratification in the next Executive Committee.

2. 100th Executive Committee meeting held on 30-3-2017 has ratified the action of the Director in granting LWA to her for a period of 5 years from 2-6-2015, for joining spouse abroad as per the Clause of Appendix XII C of the Part 1 of KSR.
3. As per the letter dated. 6-1-2020 through the Principal, LBS College of Engg, Kasaragod vide letter No.E1-1256/2012/LBSCEK dated. 15-1-2020, Smt.Sebila had requested to rejoin duty at the end of April 2020 by cancelling the unavailed portion of above leave. Subsequently vide letter dated, 18-2-2020, again she requested for extension of LWA for 5 years with effect from 2-6-2020 for joining spouse abroad mentioning that her spouse faces some serious health issues. Hence she requested to cancel the rejoining request letter and requested for the extension of 5 years LWA for joining spouse abroad with effect from 2-6-2020 to 1-6-2025.
4. The matter was placed in the 106th Executive Committee meeting held on 20-10-2020. The Executive Committee declined the request for further extension of Leave without allowance of Smt.Sebila.K based on the State Government direction restricting LWA for 5 years and decided to issue Notice to Smt.Sebila.K so as to report for duty before 30-11-2020. The Executive Committee decision was communicated to Smt.Sebila.K vide this office Notice No.B7/5423/2014(B) dated. 23-10-2020 with direction to report for duty at LBS College of Engineering, Kasaragod on or before 30-11-2020.
5. Subsequently, through email Dated. November 12th, 2020, she has informed that she is in Saudi Arabia in the pandemic situation of Novel COVID 19, and it is not easy to travel during this short period and inability to rejoin duty before 30-11-2020 and her kids are studying there, they could not be able to complete their academic year and they will lose one academic year. Hence she requested to grant leave for further six months more till to complete the study of kids during the academic year. In March 2021, she again requested permission to rejoin for duty at LBS College of Engineering, Kasaragod on 3rd April 2021. Since the summer vacation for Engineering Colleges under LBS Centre was declared for the period from 8-4-2021 to 7-6-2021, the Principal, Kasaragod has reported that no duty was assigned to Smt.Sebila.K during vacation period and hence permission was given to her to join duty at LBS College of Engineering, Kasaragod on June 8th 2021, after vacation vide this office letter No.B7/5423/2014(B) Dated. 13-4-2021, subject to the ratification of Executive Committee.

6). Her request was again placed in the 107th Executive Committee meeting held on 15-6-2021 for extension of LWA from 02-06-2020 to 7-6-2021 ie, upto the date of joining duty at LBSCE, Kasaragod. However she did not rejoin duty on 8-6-2021 at LBS College of Engineering, Kasaragod which was reported by the Principal vide his letter dated. 14-6-2021 and informed about the unauthorized absence from 8-6-2021. The matter was brought to the Notice of Executive Committee and the 107th Executive Committee has directed to proceed action as per rules and the Govt.Circular No.83/2020/ Finance Dated.30-12-2020.

7). It is to be noted that she is not attending her regular duties at LBS College of Engineering, Kasaragod from 2-6-2020 onwards and unauthorized absence is reported by the Principal. LBS College of Engineering, Kasaragod is facing acute shortage of staff in the Department of Electronics and Communication Engineering and finding very difficult to engage classes for students. She was intimated the decision of Executive Committee to join back at the institution and also informed about the G.O dated. 5-11-2020 and circular No. 83/2020/Fin.Dated. 30-12-2020 regarding the leave. In spite of repeated reminders she has not reported and thus violated the service Rules.

8). A Memo of Charges and Statement of Allegations was issued to Smt.Sebila.K vide reference 11th above. In that Memo of Charges it was stated that she was absenting from duty with effect from 2-6-2020 onwards. Vide Email Dated. 27-6-2021, Smt.Sebila.K has again requested for the extension of rejoining time. As per this office letter No.B7/5423/2014(B) Dated. 2-7-2021, Smt.sebila.K was informed that the request for the extension of date for rejoining duty cannot be considered, as per the decision of the 107th Executive Committee and Government Orders. But no reply has been received from her regarding the memo of Charges. Principal, LBS College of Engineering, Kasaragod vide Letter No. E-1256/2012/LBSCE Dated. 6-9-2021, has stated that the Memo of Charges and Statement of Allegations were served to Smt.Sebila.k through mail and by post in the address mentioned in the LWA Leave application and Service Book submitted by her. But no communication is received.

9). A Notice referred 12th above as provided in para 53 of the Manual for Disciplinary proceedings was published in the website of LBS College of Engineering, Kasaragod and in two dailies- ie, Indian Express daily Dated. 28-10-2021 and Mathrubhumi daily dated. 28-10-2021 to submit her explanation before 15-11-2021.

10). Her reply dated. November 13th, 2021 was received at LBS Centre for Science and Technology on 15-11-2021 through mail. She stated that her husband had a severe abdominal pain and moreover her elder daughter will lose academic year as she is studying in

X standard , hence she could not rejoin duty on 8-6-2021 and further requested to grant her permission to rejoin duty on April 2022.

- 11). Since her explanation was not satisfactory, based on the decision of the 107th Executive Committee Meeting held on 15-6-2021 and as per the Circular No.83/2020/Fin Dated.30-12-2020, the absence from duty of Smt.Sebila.K from 2-6-2020 onwards may be treated as unauthorized absence and such action in the part of a regular employee is irregular, indisciplined and warranting disciplinary action.
- 12). Government has restricted the maximum period of LWA is 5 years, and her unauthorized absence from 2-6-2020 , disciplinary action is to be initiated against Smt.Sebila.K. as per Rule Kerala Civil Service (C.C.&A) Rules, 1960.
- 13). Since it is not reasonably practicable to follow all the procedure prescribed in Rule 15 of the K.C.S(C.C.&A) Rules, due to non reporting for duty and treat the period of absence from 2-6-2020 as unauthorized absence, in terms of Rule 15(12) read with rule 18(ii) of the K.C.S(C.C.&A) Rules 1960. Charges framed against her have been proved and therefore tentatively decided to remove Smt.Sebila.K, Assistant Professor, Electronics and Communication Engineering, LBS College of Engineering, Kasaragod from the service of the LBS College of Engineering, Kasaragod under LBS Centre for Science and Technology, Thiruvananthapuram with effect from 2-6-2020 as provided in Rule 11(1)(vii) of the K.C.S.(C.C.&A) Rules, 1960.
- 14). For the above purpose a Showcause Notice referred as 13th above was issued to her stating to showcause why the proposed action should not be taken against her, through mail and Registered post. She was allowed 15 days from the date of receipt of notice or date of publication of the notice in the website of LBS College of Engineering, Kasaragod, whichever is earlier.
- 15). The Principal, LBS College of Engineering, Kasaragod has published the Showcause Notice referred 13th above in the College website. Her explanation dated. 13th December 2021 was received at LBS Centre for Science and Technology on 14-12-2021 through mail. She has apologized for her inability to rejoin the duty on right time because of unexpected & unavoidable genuine reasons and requested to give an opportunity till her daughter's term2 examination is finished. In spite of all the direction from LBS Centre as well as Government Circular and Orders above mentioned, Smt.Sebila.K is reluctant to rejoin duty at LBS College of Engineering, Kasaragod, but seeking more time citing petty reasons.
- 16). Her written statement of defence was not at all satisfactory. She is absenting from duty for more than one and half years without joining for duty. In the above circumstances, as per the decision of the 107th Executive Committee meeting held on 15-6-2021 and Government Order(P) No. 152/2020/Finance. Dated. 5-11-2020 and Government Circular No.83/2020/Finance Dated. 30-12-2020, the tentative decision taken to remove

Smt.Sebila.K, Assistant Professor, Electronics and Communication Engineering from the service of LBS College of Engineering, Kasaragod with effect from 2-6-2020 as provided in Rule 11(1)(vii) of the Kerala Civil Services(Classification, Control & Appeal) Rules, 1960, is finalized and orders issued accordingly.

Dr.M.Abdul Rahiman
DIRECTOR.

To

- 1). Smt.Sebila.K(Through The Principal, LBSCE, Kasaragod)
Assistant Professor, ECE Department,
LBS College of Engineering, Kasaragod-671542.
- 2). Smt.Sebila.K
Palesitne Street, Jeddah,KSA (through email) (through The Principal, Kasaragod).
- 3). Smt.Sebila.K
Kalathummarath House, Post Arakkinar, Kozhikode- 673028.(Registered Post)
- 4). The Principal, LBS College of Engineering,Kasaragod-671542.(For publishing the order in the website of the LBS College of Engineering, Kasaragod and is directed to keep a copy of this order in the personl file of Smt.Sebila.K and make entries in red ink, the contents of this order, in his Service Book.
- 5). mailid of Smt.Sebila.K(henakoloth@gmail.com)
- 6). SF 7).OC.
- 8). Mail id Sebilaazize@gmail.com
- 9). Accounts section of LBS College of Engineering, Kasaragod.
- 10). Service Book of the incumbent.