



## **LBS CENTRE FOR SCIENCE AND TECHNOLOGY**

(Government of Kerala Undertaking)

Nandavanam, Palayam, Thiruvananthapuram - 695 033, Kerala

Phone: 0471 - 2324396, 2324148, 2324101; Fax: 0471 - 2337055

Email: [director.lbs@kerala.gov.in](mailto:director.lbs@kerala.gov.in); Website: [www.lbscentre.kerala.gov.in](http://www.lbscentre.kerala.gov.in)

### ROCEEDINGS.

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- Showcause notice Issued.

B7/5423/2014(B)

Dated. 30-11-2021.

- 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 100<sup>th</sup> 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 106<sup>th</sup> Executive Committee meeting held on 20-10-2020.
  7. This office Notice B7/5423/2014(B) Dated. 23-10-2020 .
  8. EMail Dated. Novemebr 12<sup>th</sup>, 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 107<sup>th</sup> Executive Committee Meeting held on 15-6-2021.
  11. Decision of 107<sup>th</sup> 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 published in the website of LBS College of Engineering, Kasaragod and in two dailies, Indian Express and Mathrubhumi.

### **ORDER**

1. Smt.Sebila.K 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 the 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. 100<sup>th</sup> 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 to go abroad for joining spouse 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. 16-1-2020, 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 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 with spouse abroad with effect from 2-6-2020 to 1-6-2025.
4. The matter was placed in the 106<sup>th</sup> 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 12<sup>th</sup> ,2020, she has informed that now 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 3<sup>rd</sup> 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 8<sup>th</sup> 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 107<sup>th</sup> 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 107<sup>th</sup> Executive Committee has directed to proceed action as per rules and the Govt.Circular No.83/2020/ Finance Dated.30-12-2020.

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 to 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 regarding the leave. In spite of repeated reminders she have not reported and thus violated the service Rules.

7). The above allegations are serious violation of Service Rules which is not expected from a responsible faculty of Engineering College under LBS Centre for Science and Technology.

8). A Memo of Charges and Statement of Allegations was issued to Smt.Sebila.K vide reference 11<sup>th</sup> 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 from Smt.Sebila.K request for extension of rejoining duty. 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 107<sup>th</sup> 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 submitted by her. But no communication is received.

9). A Notice referred 12<sup>th</sup> 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 explanation dated. November 13<sup>th</sup>, 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 107<sup>th</sup> 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 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 11(1)(vii) 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 K.C.S(C.C.&A) Rules 1960. Charges framed against her have been proved and therefor tentatively decided to remove Smt.Sebila.K, Assistant Professor, Electronics and Communication Engineering, LBS College of Engineering, Kasaragod from the service of 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 K.C.S.(C.C.&A) Rules, 1960.

14). Smt.Sebila.K is required to showcause as to why the above action should not be taken against her. Smt.Sebila.K is allowed 15 days from the date of receipt of this notice or date of publication of this notice in the website of LBS College of Engineering, Kasaragod, whichever is earlier, to submit such representation as she may wish to make against the proposed action. If her written representation is not received within the specified time, the matter will be proceeded further on the presumption that she had no representation to submit.

  
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.
- 5). mailid of Smt.Sebila.K([henakoloth@gmail.com](mailto:henakoloth@gmail.com))
- 6). SF 7).OC.
- 8). Mail id [Sebilaaazize@gmail.com](mailto:Sebilaaazize@gmail.com)