GOVERNMENT OF KERALA

Abstract

IPS - ALL INDIA SERVICES (DISCIPLINE & APPEAL) RULES 1969 - DISCIPLINARY ACTION AGAINST SHRI. GUGULOTHU LAKSHMAN IPS (KL:97) - MODIFIED - RECKON THE PERIOD FROM 30.06.10 TO 15.08.12, WHILE THE APPLICANT WORKED IN BOMBAY STOCK EXCHANGE FOR THE SOLE PURPOSE OF PROMOTION - ORDERS ISSUED.

GENERAL ADMINISTRATION (SPECIAL – C) DEPARTMENT


Read:-
1. G.O(Rt) No 4387/2015/GAD dated 29.05.2013.
2. Representation No 10/Camp – MD/TCL/2015 dated 01.03.2015 from Shri. Gugulothu Lakshman IPS.
4. Representation No 23/Camp – MD/TCL/2015 dated 23.06.2015 from Shri. Gugulothu Lakshman IPS.

ORDER

As per the G.O read above Government had finalized the disciplinary action initiated against Shri. Gugulothu Lakshman IPS (KL:97), for the charges that he had taken private employment in the Bombay Stock Exchange without the concurrence of the Government of India and State Government during the period of his absence from the cadre from 30.06.2010 to 15.08.2012 by giving him a ‘severe warning’ against the recurrence of such instances in future. In the said G.O, Government had treated the leave periods from 30.06.2010 to 31.01.2011 and 01.02.2011 to 15.08.2012 applied for by Shri. Gugulothu Lakshman IPS(KL:97) covering the period of working in the Bombay Stock Exchange as Extra Ordinary Leave, on the condition that the period from 30.06.2010 to 15.08.2012 shall not be reckoned for any service benefits.

2. Shri. Gugulothu Lakshman IPS (KL:97) in his representation read as 2nd paper above, has informed that the condition laid down while finalizing his disciplinary proceedings as per the G.O read above, that the leave period from 30.06.2010 to 15.08.2012 shall not be reckoned for any service benefits is punishment which amounts to major penalty, which the Government does not contemplate while taking a lenient view in the matter with a ‘Severe Warning’. Hence it has been requested that the matter may be reconsidered and the inconsistent tag “on the condition that the period from 30.06.2010 to 15.08.2012 shall not be reckoned for any service benefits” has to be removed and to reckon the same for the purpose of service benefits including promotion and grades.
3. Hon'ble CAT, Ernakulam Bench in its judgment dated 19.03.2015 read as 3rd paper above, has directed the Respondent No 1 (State of Kerala represented by the Chief Secretary) to consider the representation submitted by Shri. Gugulothu Lakshman IPS (KL:97) read as 2nd paper above and to pass appropriate orders in accordance with law within two months from the date of receipt/presentation of a copy of the order and to communicate the decision to the applicant.

4. Government have examined the matter in detail and hereby modifies the the last para of the G.O read above as “The leave periods from 30.06.2010 to 31.01.2011 and 01.02.2011 to 15.08.2012 applied by Shri G Lakshman IPS (KL:1997) covering the period of working in the Bombay Stock Exchange as Extra Ordinary Leave, on the condition that the period from 30.06.2010 to 15.08.2012 shall be reckoned for the sole purpose of promotion and that the incumbent is not eligible for any other service benefits.

5. The G.O read above stands modified to that extent.

By Order of the Governor,

Jiji Thomson
Chief Secretary to Government

To
Sri. Gugulothu Lakshman, IPS, DIG, MD, Travancore Cements Limited.
The Principal Accountant General (Audit) Kerala, Thiruvananthapuram.
The Accountant General (A&E), Kerala, Thiruvananthapuram.
The Secretary to Government of India, Ministry of Home Affairs,
North Block, New Delhi 110 001
The Director General of Police (Head of Police Force), Police Head Quarters,
Thiruvananthapuram.
The General Administration (SC) Department.
The Home Department.
The web & new media division of I&PRD.

Copy to:-
The Principal Secretary to Chief Minister
The Private Secretary to Chief Minister
The Private Secretary to Minister (Home & Vigilance)
The Additional Secretary to Chief Secretary
The PA to Addl Chief Secretary, Home & Vigilance Department
The CA to Additional Secretary, General Administration (Special-A&C) Depts.
The SF/OC.

Forwarded/By Order

Section Officer.