

ANDHRA PRADESH POWER GENERATION CORPORATION LIMITED
VIDYUT SOUDHA:: VIJAYAWADA

Memo.No.CGM(Adm.IS&ERP)/GM(HR-Adm)/AS(Adm)/Dy.EE(Adm-I)/F.No.393/15, Dtd: 18.04.2023

Sub: Estt – APGENCO – Engineering Services – Departmental action against Smt Anees Sultana Begum, AE/Elecl-Unauthorized absence to duty from 28.12.2013 onwards – Final Orders - Issued.

- Ref: 1. Memo. No. CGM (Adm, IS&ERP)/DS(A)/AS(A)/PO-A/393/2015, dtd:09.07.2015.
2. Explanation dated:15.10.2015 of Smt Anees Sultana Begum, AE/Elecl received through fax.
3. Representation dated:20.06.2015 of Smt Anees Sultana Begum, AE/Elecl.
4. Representation dated:12.06.2016 of Smt Anees Sultana Begum, AE/Elecl.
5. Memo.No.CGM(Adm,IS&ERP)/DS(Adm)/AS(Adm)/PO-A/393/2015, Dt:02.08.2016.
6. Memo.No.CGM(Adm,IS&ERP)/DS(Adm)/EE(Adm)/Dy.EE(Adm-I)/ F.No.393 / 2015, Dtd:20.04.2022.
7. Lr.No.SE/Enq./APGENCO/VJA/F.02/2022/D.No.56/22, Dtd:27.09.2022.
8. Memo.No.CGM(Adm,IS&ERP)/GM(HR-Adm)/AS(Adm)/Dy.EE(Adm-I)/ F.No.393 / 2015, Dtd:07.11.2022.
9. Explanation dated: 20.12.2022 of Smt Anees Sultana Begum, AE/Elecl (U/A to duty) against Show Cause Notice.
10. Lr.No.CGM(Adm,IS&ERP)/GM(HR-Adm)/AS(Adm)/Dy.EE(Adm-I)/ F.No.393 / 2015, Dtd:02.02.2023.
11. Lr. No. CGM (Adm)/ DS(Adm)/ AS(A-II)/ PO(Adm)/1062/2015, Dated: 13.02.2023 and Lr. No. CGM (Adm)/ DS(Adm)/ AS(A-II)/ PO(Adm)/1062/2015, Dated: 16.02.2023

* * *

Smt Anees Sultana Begum, AE/Elecl was issued No Objection Certificate for obtaining visa to visit USA in Memo dated: 03.12.2013. She submitted Leave application through proper channel to sanction of EOL from 28.12.2013 to 27.06.2014. Pending sanction of leave, she was relieved off from her duties and proceeded to visit USA to accompany her husband, without obtaining any permission or No Objection Certificate from APGENCO. After expiry of leave applied by her, she did not turn up for duty and stayed more time at USA till date, without prior sanction of leave. Further, she has extended the leaves with a time interval of six months upto 30.06.2016 on personal grounds.

2. Meanwhile, disciplinary proceedings were initiated by framing the article of charges against Smt Anees Sultana Begum, AE/Elecl for the misconduct of (i) Leaving the country for any reason/whatsoever without obtaining specific permission or staying in other country and (ii) unauthorized absence to duty from 28.12.2013 onwards i.e. more than a year, in accordance with the procedure laid down in APSEB Employees Discipline & Appeal Regulations as adopted by APGENCO vide reference 1st cited above. The Charge Memo sent by Air mail –speed post to the USA address mentioned by her in the leave application, but it was not served to her as the addressee was not available in the address given. Hence, the same was sent to her through e-mail. Later on, in the reference 2nd cited, the charged employee submitted her explanation against the Charge sheet, and she did not admit the Article of charges framed against her.

3. Thereafter, in the reference 4th cited, she again extended the leave further period from 01.07.2016 to 31.12.2016 and requested to sanction leave for the applied leave periods. In the reference 5th cited, the request of her leave applications were rejected and directed to report to duty within 30 days from the date of receipt of the memo. The said memo sent to her through air-mail on 22.08.2016, but the receipt of airmail by the candidate could not be traced out. Hence, the same was sent through

Contd.... 2

e-mail. Further, she has not made any correspondence to APGENCO either by post or through e-mail.

4. As she denied the charges framed against her and her explanation being not satisfactory, in the reference 6th cited, the Disciplinary Authority (i.e. Managing Director/APGENCO) has appointed the Superintending Engineer/Enquiries/VS/VJA as Enquiry Officer for conducting departmental enquiry on the charges framed against Smt Anees Sultana Begum, AE/Elecl, in accordance with the procedure laid down under Regulation 10 (2)(a) of APSEB Employees Discipline & Appeal Regulations as adopted by APGENCO.

5. And whereas, the enquiry officer has issued notices to the Charged employee to appear before the enquiry authority on 29.04.2022 & 24.05.2022 to defend the charges framed against her. The said notices were sent through registered post to her. But, the notices were not served to the charged officer by the postal authorities and returned to the sender with remarks "Addressee cannot be located & Addressee living out of country". Further, another attempt, the said notices were sent to the charged employee, who is residing at USA through registered post and in reply by the postal authorities with remarks "Attempted and unable to forward". As such, the enquiry officer has issued a paper notification in Eenadu & The Hindu (daily newspapers) on 28.06.2022, directing the charged employee to attend before the enquiry authority with all supporting documents within 20 days from the date of paper publication. But, the charged employee has not attended to the enquiry and submitted a representation to the enquiry officer stating that the circumstances for not able to travel to India from USA and requested to sanction EOL upto 31.12.2022. Later, in letter dated: 08.09.2022, the enquiry officer has provided another opportunity as a final chance to the charged employee to defend the charges levelled against her and the same was sent to her through email. The Charged employee neither responded nor utilized the final chance to participate in the enquiry. Therefore, the enquiry officer has proceeded further and conducted the ex-parte enquiry and submitted the enquiry report based on the facts and the material available on record finding that the charges framed against the charged employee as held proved exparte, vide reference 7th read above.

6. Vide reference 8th cited, a Show Cause Notice have been issued to Smt Anees Sultana Begum, AE/Elecl (U/A to duty), duly proposing the penalty of "**Removal from service**" in terms of G.O.O.No.24/JS(Per)/2008, Dated:23.04.2008, for the proved charge of unauthorized absence from duty with effect from 28.12.2013 onwards.

7. Vide reference 9th cited, Smt Anees Sultana Begum, AE/Elecl has submitted the following explanation to the show cause notice.

- a) She was issued No Objection Certificate for obtaining visa to visit USA and have applied for Extra Ordinary Leave from 28.12.2013 to 27.06.2014 to visit USA to accompany her husband vide letter dated:27.12.2013. She has been submitting leave application to the APGENCO for extension leave vide representations dated:16.06.2014, 20.12.2014, 20.06.2015.
- b) During the periods starting from 01.01.2014 to 31.12.2016, she was extending and submitting her leave applications with the intervals of six months to the CGM(Adm)/APGENCO along with copy submitted to Managing Director/APGENCO/VS/Hyderabad.
- c) Further, A charge sheet dated:09.07.2015 was received from the Managing Director/APGENCO /VS/Hyderabad and she has submitted an explanation dated:15.10.2015 against the charges, by enclosing copies of Medical reports regarding her health, that she suffering from serious ailments (gynecological Problems). Due to that reason she was proceeded on Earned Leaves (EL) and Extra Ordinary Leaves(EOL) as required for the treatment in the year 2011 and further years (2012-13), and she experienced the similar problems in the year December 2013 when she came to visit USA along with her husband. After that she proceeded further treatment in the USA.

- d) Hence extending leaves and submitting her leave application within the stipulated time of six month intervals and requested the Managing Director/APGENCO to consider her case on medical grounds and sympathetically and for sanction her Extra Ordinary Leave.
 - e) Meanwhile, in the year 2015, after Andhra Pradesh state bifurcation, TSGENCO has issued promotions from Assistant Engineers to Assistant Divisional Engineers in the year 2015 vide T.G.O.O.No.285, Dated:19.10.2015 and she was included in the list of promotional orders as she was native of Mahaboob Nagar District which belongs to Telangana State. Therefore, she submitted leave applications for further extension to the CGM(Adm)/TSGENCO with a copy submitted to CMD/TSGENCO.
 - f) After her explanation dated:15.10.2015 submitted against the charge sheet vide memo dated:09.07.2015, she has not received any memo from the APGENCO or TSGENCO till the July, 2022.
 - g) During the bifurcation of employees between APGENCO and TSGENCO by the Hon'ble Justice D.M.Dharmadhikari, One-Man Committee for bifurcation of employees of AP Power Utilities among the states of Telanagana and residuary state of Andhra Pradesh, as per the Memo.No.MD/ CGM(Adm,IS&ERP)/ EE(MPP)/Bifurcation/96/2019, Dated:05.12.2019 and the final report of Hon'ble Justice D.M.Dharmadhikari, One-Man Committee for bifurcation of employees dated:26.12.2019, she was allotted to the TSGENCO as per her Home District as she belong to the Mahabubnagar district which falls under the Telangana State jurisdiction.,
 - h) However, in the July-2022, she has received a memo from the SE/Enquires/APGENCO/ VS/VJA, a second hearing memo vide memo dated:24.05.2022 was received by her on July-2022, to attend second hearing to be held on 14th July, 2022. Due to short period of time, she could not travel from USA, hence could not be able to attend the enquiry as she explained earlier in her explanation dated:15.07.2022 and whereas first hearing memo was not received by her.
 - i) As she presently experiencing the serious health problem of Tuberculosis(TB). As per the doctor's remarks, she has to undergo treatment and needs continuous checkups and constant medical observation from the doctor. Health Department of her city will be notified about her for further treatment. As she has to undergo the medical treatment for Tuberculosis(TB) which take considerable time to cure and which probably requires follow up treatment in the days to come. Further, as she was requested earlier, her son who is 3 years old is doesn't have Indian Visa to travel and hence required to stay some more time in the USA. Further, her husband was also working in the USA and it is essentially required the personal attention and support from her husband to proceed further treatment in the USA.
 - j) Hence, she requested the Management of APGENCO, to consider her case as per modality (V) i.e. as per the HOME District of the final report dated:26.12.2019 of Hon'ble Justice D.M.Dharmadhikari, One-man Committee for bifurcation of employees of AP power Utilities among the state of Telangana and residuary state of A.P. and also requested to consider her case on medical grounds and sympathetically.
8. Vide reference 10th cited, duly enclosing the explanation of Smt Anees Sultana Begum, AE/Elecl (U/A to duty), the CGM (Adm)/ TSGENCO was requested to furnish the remarks on the explanation.
9. Vide reference 11th the CGM (Adm)/TSGENCO has submitted the following remarks:
- a) Smt Anees Sultana Begum, AE (Elec) (U/ A) was issued NOC to obtain VISA, enabling her to visit the USA and she applied for sanction of EOL for a period of 182 days from 28.12.2013 to 27.06.2014, for visiting the USA, prior to bifurcation of composite APGENCO, which leave was not sanctioned.

- b) However, she proceeded to the USA, without prior sanction of leave as applied for by her, which amounts to misconduct on her part in terms of Regulations in vogue. As such she has absconded from duty with effect from 28.12.2013. Even though the EOL as applied for by her was not sanctioned, she was requesting for extension of leave at the intervals of every 6 months, staying in the USA.
- c) During allocation of employees between APGENCO and TSGENCO, the employees who were on rolls as on 02.06.2014 were allocated to TSGENCO/ APGENCO on order to serve basis and the said orders are silent in respect of other employees who were on EOL/Unauthorized absence or any other kind of leave. Further, her leave application dt:24.06.2022 was forwarded to the APGENCO vide letter dated:22.07.2022.
- d) Hence, it was crystal clear that she has remained unauthorized absent to duty for more than 9 years with effect from 28.12.2013, which amounts to major misconduct on her part and liable to be dismissed from service, as per the rules in vogue.
- e) The APGENCO being the principal employer, may take suitable disciplinary action against Smt Anees Sultana Begum, AE (Elec) (U/A), who was unauthorizedly absent to duty with effect from 28.12.2013, in terms of the D&A regulations in vogue.

10. After careful examination of the case in its entirety, the Managing Director/APGENCO being the disciplinary authority has come to the provisional conclusion to confirm the punishment proposed in Show Cause Notice.

11. Accordingly, Smt Anees Sultana Begum, AE (Elec) (U/A) is hereby awarded with the punishment of "**Removal from Service**" in terms of G.O.O.No.24/JS(Per)/2008, Dated:23.04.2008, for the proved charge of unauthorized absence from duty with effect from 28.12.2013 onwards.

12. Smt Anees Sultana Begum, AE (Elec) (U/A) is hereby informed that as per Regulation 18 of APSEB Employees Discipline and Appeal Regulations as adopted by APGENCO, "No appeal preferred under these rules shall be entertained **unless such appeal is permitted within three months** from the date on which a copy of the order appeared against is delivered to the appellant".

KVN CHAKRADHAR BABU
MANAGING DIRECTOR

To

Smt Anees Sultana Begum, AE/Elec (U/A) } She is requested to submit the dated Acknowledgement
1249, PENNSBURY LN, } in the form of a letter confirming receipt of the memo
AUROR, IL 60502. } to this office immediately.
USA.

anees149@gmail.com

syedm9885@gmail.com

Copy to:

The CGM(Adm)/TSGENCO/VS/Hyderabad
The Executive Engineer (ADM)/APGENCO/VS/VJA

Stock file.

//FORWARDED:: BY:: ORDER//


Deputy Executive Engineer (Adm -I)