

**PROCEEDINGS OF
THE ADDITIONAL DIRECTOR GENERAL NCC,
NCC DIRECTORATE (K&L), STATE WING, THIRUVANANTHAPURAM
(Present : MAJ GEN ALOK BERI)**

NCC Dept- Est – Promotion of Dinesh M-Clerk as Senior Clerk-Finalized-Orders issued.

No.	NCC/48/2022-A3	Thiruvananthapuram	Dated:	29 Sep 2023
Ref:	1.	GO (P) No 27/2021/Fin dated 10.02.2021.		
	2.	This Directorate, Proceedings No 1398/A2-Est/2016/NCC dated 21.04.2021 (Final Seniority List of Clerks).		
	3.	This Directorate Proceedings of even No dated 17/05/2023.		
	4.	This office letter No.4427/A1/Est/2022/NCC dated 09/05/2023 addressed to Govt.		
	5.	Govt Letter No. A2/237/2022/H.Edn dated 04/08/2023		

ORDER

In accordance with the orders issued by the ADG NCC Directorate (K&L) read 3rd above, among other Senior Clerks, Sri Dinesh M has been promoted as Senior Clerk wef 09/02/2023 provisionally subject to clarification from Govt, since the individual is the accused in Crime 472/2022 u/s. 376 (2) (n), 406, 420 IPC & Sec 3(1) (u), 3(w) (1) (ii), 3(2) (v) of SC/ST POA Act of Ernakulam Town South police station and the case is presently pending before the Hon'ble Dist Session Court, Ernakulam.

In reply to the clarification sought for in letter read 4th above, Govt as per letter read 5th above, has informed that, the Rule 28(b) (ii) of KS & SSR Part II there is no specific provision in the above rule to deny an employee promotion to a non selection post based on seniority on the ground that disciplinary action/ Court case is pending against the employee. While determining the eligibility of the individual for promotion, convictions other than censure awarded within three years immediately preceding the date of promotion shall be taken into account.

In the case of Sri.Dinesh M, as the departmental action is kept pending till final disposal of the criminal case pending against him, such departmental action shall not be impending for his promotion, as per Rule 28(b) (ii) of KS & KSSR.

In the circumstances, the promotion ordered vide proceedings read 3rd above is finalized based on the Govt clarification read 4th above and Dept disciplinary action is kept pending subject to the final verdict of the criminal case before the Hon'ble Dist Session Court Ernakulam.

Apart from the above modification, the proceedings read as 3rd paper above stands as such.

(sd/-xxx)

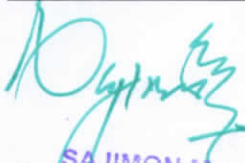
Additional Director General NCC

To

1. 22 (K) Bn,NCC,Eloor
2. GP HQs Ernakulam
3. Internal;- File/CC/ SF,/A2/ Official website.

Approved for issue




SAJIMON M
PEN 385602
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NCC Directorate (K&L)
Thiruvananthapuram-10