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ATOMIC ENERGY EDUCATION SOCIETY  
ANUSHAKTINAGAR, MUMBAI-400 024

AEES:Secy:2001/8061

December 18, 2001

The Kendriya Vidyalaya Sangathan (KVS) has updated its rules and procedures relating to the unauthorised absence of KVS employees, including teachers. At its meeting held on 28.11.2001, Governing Council of AEES has adopted these rules and procedures for AEES Schools system.

A new article called 'Voluntary Abandonment of Service' is therefore introduced in AEES. This article shall be applicable to all teachers and employees, including those whose absence might have commenced prior to the issue of this notification.

Heads of schools will go through the provisions of this article carefully and implement them strictly in accordance with the provisions thereof. A specimen copy of the order required to be passed recording the factum of voluntary abandonment of service by the employee and provisional loss of his lien on the post as also show cause notice is enclosed. The aforesaid order/show cause notice should invariably be issued in the aforesaid form by the appointing authority immediately upon the expiry of 15 days as provided under this article.

Heads of schools shall report all cases of voluntary abandonment of service to the appointing authority in the enclosed proforma.

It is clarified that in the cases where a teacher/employee has been transferred but has not joined the new place, the powers and functions by the appointing authority shall continue to be exercised from where the teacher/employee has been transferred till such teacher/employee joins at his new place of posting.

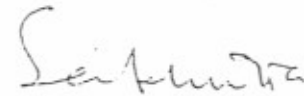
Care should be taken by all concerned that the teachers/employees who have provisionally lost lien on their post in terms of this article are not allowed to join their posts unless an order reinstating them has been passed by the appointing authority under clause (6) of this article, or appellate authority under clause (10) of this article.

(5)

Heads of schools are requested to circulate the new article 'Voluntary Abandonment of Service' to every teacher/employee of AEES, including those on leave or are unauthorisedly absent. The signatures of the teachers/employees may be obtained by way of acknowledgement of the receipt of the article. A copy of that may kept in the personal file of the teacher/employee and another copy sent to this office for record. Copies of the text of this article may also be displayed in the staff room and the library of the school.

The provisions of this article come into force with immediate effect.

This issues with the approval of the Chairman, AEES



(S.P. KATHURIA)  
Secretary

14/12/01

- 1) Heads of AEC Schools/Jr. Colleges
- 2) Chairmen, LMCs, AEC Schools—for information and necessary action
- 3) Office of Chairman, AEES
- 4) CAO, AEES
- 5) Head, Academic Unit, AEES
- 6) Officers of Central Office, AEES.

ATOMIC ENERGY EDUCATION SOCIETY  
ANUSHAKTINAGAR, MUMBAI-400 094

PROFORMA

Voluntary Abandonment of Service

Sr. No.	Name of employee with designation	School where working	Date of appointment	
			In ABES	present post
1	2	3	4	5

Date & No. of days of Unauthorized absence	Leave was sanctioned initially - Yes/No	
	Nature of leave	period of leave
6	7	8

Permanent address of the employee	Postal address of the employee	Any other known address of the employee
9	10	11

Signature of the Principal	Remarks by the Chairman LMC
12	13

ATOMIC ENERGY EDUCATION SOCIETY  
Voluntary Abandonment of Service

- (1) If an employee has been absent/remains absent without sanctioned leave or beyond the period of leave originally granted or subsequently extended, he shall provisionally lose his lien on his post unless :-
- (a) he returns within fifteen calendar days of the commencement of the absence or the expiry of leave originally granted or subsequently extended, as the case may be; and
  - (b) satisfies the appointing authority that his absence or his inability to return on the expiry of the leave as the case may be was for reasons beyond his control. The employee not reporting for duty within fifteen calendar days and satisfactorily explaining the reasons for such absence as aforesaid shall be deemed to have voluntarily abandoned his service and would thereby provisionally lose lien on his post.
- (2) An employee, who has provisionally lost lien on his post in terms of the aforesaid provisions, shall not be entitled to the pay and allowance or any other benefit after he has provisionally lost lien on his post.
- Provided that payment of such pay and allowances will be regulated by such directions as the appointing authority may issue while ordering reinstatement of the employee in terms of Sub-clause (6) of this Article.
- (3) In cases falling under Sub-clause (1) of this Article, an order recording the factum of voluntary abandonment of service by the employee and provisional loss of his lien on the post, shall be made and communicated to the employee concerned at the address recorded in his service book and/or his last known address, to show cause why the provisional order above mentioned may not be confirmed.
- (4) The employee may make a written representation to the appointing authority, within ten days of receipt of the order made under Sub-Clause (3).
- (5) The appointing authority may on receipt of the representation, if any, and perusal of materials available on record as also those submitted by the employee, grant at his discretion, on oral hearing to the employee concerned to represent his case.

(6) If the appointing authority is satisfied after such hearing that the employee concerned has voluntarily abandoned his service in terms of the provisions of Sub-Clause (1) of this Article, he shall pass an order confirming the loss of employee's lien on his post; and, in that event, the employee concerned shall be deemed to have been removed from the service of the Atomic Energy Education Society with effect from the date of his remaining absent. In case the appointing authority is satisfied that the provisions of Sub-Clause (1) of Clause (b) of this Article are not attracted in the facts and circumstances of the case, he may order reinstatement of employee to the post last held by him, subject to such directions as he may give regarding the pay and allowances for the period of absence.

(7) **APPELLATE AUTHORITY :** An employee aggrieved by an order passed under sub-clause (6) of this Article may prefer an appeal to the appellate authority as notified by the Atomic Energy Education Society from time to time.

(8) **PERIOD OF LIMITATION FOR APPEALS :** No appeal preferred under this Article shall be entertained unless it is preferred within a period of 45 days from the date on which a copy of the order appealed against is served on the appellant ;

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant was prevented by sufficient cause from not preferring the appeal in time.

(9) **FORM AND CONTENTS OF APPEAL :** Form and contents of appeal shall mutatis mutandis be the same as prescribed under the CCS (CCA) Rules, 1955.

(10) **CONSIDERATION OF APPEAL :** The appellate authority shall consider, Whether the requirements laid down under sub-clause (1), (3), (5), and (6) of this Article have been complied with and, if not, whether such non-compliance has resulted in failure of justice; and

Whether the order confirming loss of employee's lien on the post and his consequent removal from service is warranted on record;

and pass order confirming modifying or setting aside the order passed under sub-clause (6) of this Article.

(11) **IMPLEMENTATION OF ORDER OF APPEAL :** The appointing authority shall give effect to the order passed by the Appellate Authority.

- (12) **FINALITY OF ORDER PASSED IN APPEAL :** The order of the Appellate Authority made under this article shall be final and shall not be called in question by way of any further application / petition for revision, review, etc.
- (13) **APPLICABILITY OF THE CCS (CCA) RULES :** In the matters falling under this Article and in these matters alone, the procedure prescribed for holding inquiry in accordance with the CCS (CCA) Rules, 1955 as applicable to the employees of the Atomic Energy Education Society as also other provisions of the said rules which are not consistent with the provisions of this Article shall stand dispensed with.
- (14) **REMOVAL OF DIFFICULTIES :** Notwithstanding anything contained in any rule or order for the time being in force in Atomic Energy Education Society, the Chairman, AEES, may, issue such instructions as he may deem fit to remove difficulties in the time implementation of these provisions.
- (15) **POWER TO ISSUE INSTRUCTIONS :** Without prejudice to the generality of the foregoing provisions, the Chairman, AEES may, issue from time to time ( whether by way of relaxation of the aforesaid provisions or otherwise ) general or special orders as to the guidelines, principles or procedures to be followed in giving effect to the provisions of this Article.

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