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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

DEPUTY INSPECTOR GENERAL OF PRISONS,
KADAPA RANGE: KADAPA

Memo.No.DIG(KR)/OS/2264 /2025.

Dt. 14-10-2025

KADAPA RANGE - SRI M. RAMACHANDRA REDDY, WARDER, CENTRAL PRISON, KADAPA - EXHIBITED GROSS MISCONDUCT, DERELICTION OF DUTYBY ABSENTING THE DUTIES UNAUTHORIZEDLY FROM 26-01-2023 WITHOUT OBTAINING ANY PRIOR PERMISSION FROM HIS SUPERIOR OFFICERS - DEPARTMENTAL PROCEEDINGS UNDER RULE No.20 OF APCS (CC&A) RULES 1991 - ARTICLE OF CHARGE - ISSUED - EXPLANATION NOT SUBMITTED - INQUIRY OFFICER APPOINTED - INQUIRY CONDUCTED - CHARGES HELD AS PROVED - AWARDED WITH PUNISHMENT OF WITHHOLDING OF HIS NEXT AG I FOR A PERIOD OF (3) YEARS WITH CUMULATIVE EFFECT - APPEAL PREFERRED TO THE NEXT APPELLATE AUTHORITY TO SET ASIDE THE PUNISHMENT - CERTAIN DISCREPANCIES NOTICED IN THE DISCIPLINARY CASE - EXPLANATIONS CALLED FOR.

- Ref:-
1. Head Office Orders.No.Estt-4/182/2023-3 Dated.30-05-2023.
 2. Lr.No.Spl.SJ/Gurazala/SA/1340/2023 Dated.04-07-2023 of Superintendent, Special Sub Jail, Gurazala addressed to Superintendent of Jails, Central Prison, Kadapa.
 3. Memo.No.CPK/OS/E/5131/2023 Dated.12-07-2023 of the Superintendent of Jails, Central Prison, Kadapa.
 4. Charge Memo.No.CPK/OS/E/6292/2023 Dated.04-09-2023 of the Superintendent of Jails, Central Prison, Kadapa.

5. Lr.No.CPK/OS(E)/7414/2023, Dt. 21-11-2023 of the Superintendent of Jails, Central Prison, Kadapa.
6. This Office Proc.No.DIG(KR)/OS/2201/2023, Dt. 23-12-2023.
7. Inquiry report received from the Inquiry Officer-cum-DSJO, Kurnool-cum-vide Lr.No.IO-CUM-DSJO-KNL/468/2024, Dt. 11-03-2024 of the DSJO, Kurnool.
8. This Office Memo.No.DIG(KR)/OS/571/2024, Dt. 30-03-2024.
9. Memo.No.CPK/OS(E)/1816/2024, Dt. 04-04-2024 of the Superintendent of Jails, Central Prison, Kadapa.
10. Memo.No.CPK/OS(E)/6896/2024, Dt. 29-08-2024 of the Superintendent of Jails, Central Prison, Kadapa.
11. Memo.No.CPK/OS(E)/1152/2025, Dt. 28-02-2025 of the Superintendent of Jails, Central Prison, Kadapa.
12. Further representation dt. 12-03-2025 of the individual.
13. Proc.No.CPK/OS(E)/1531/2025, Dt. 20-03-2025 of the Superintendent of Jails, Central Prison, Kadapa.
14. Proc.No.CPK/OS(E)/1580/2025, Dt. 22-03-2025 of the Superintendent of Jails, Central Prison, Kadapa.
15. Appeal petition dt. 19-06-2025 of the individual received vide Lr.No.CPK/OS(E)/4039/2025, Dt. 05-07-2025 of the Superintendent of Jails, Central Prison, Kadapa.

The Superintendent of Jails, Central Prison, Kadapa has forwarded the appeal petition dt. 19-06-2025 of Sri M. Ramachandra Reddy, Warder, Central Prison, Kadapa vide reference 20th cited wherein the applicant has preferred an appeal to the next appellate authority i.e., the DIG of Prisons, Kadapa Range to set aside the punishment of withholding of his Annual Grade Periodical Increments for a period of (03) years with cumulative effect and treating his absent period from 26-01-2023 to 23-01-2024 i.e., 363 days as EOL awarded by the Superintendent of Jails, Central Prison, Kadapa vide reference 15th cited.

2. And whereas the Superintendent of Jails, Central Prison, Kadapa has submitted that, **Sri M. Ramachandra Reddy, Warder while working at Special Sub Jail, Gurazala has applied for (02) days Casual Leave on 24-01-2023 and 25-01-2023 and the same was sanctioned. He was due to report for duty on 26-01-2023. But he remained absent from duties unauthorizedly from 26-01-2023 without obtaining any prior permission from his Superior Officer and any prior intimation to his Superior Officers, i.e., more than (11) months; which is irregular. He was directed to report for duty by the Superintendent, Special Sub Jail, Gurazala many times, but he did not comply with the instructions. In the meantime, the said Warder was transferred from Special Sub Jail, Gurazala to Central Prison, Kadapa on Administrative Grounds vide reference 1st cited. Accordingly, he was deemed to have been relieved of his duties at Special Sub Jail, Gurazala on 31-05-2023 A.N. and later, the connected disciplinary case file of the Warder was sent to Central Prison, Kadapa vide reference 2nd cited. Subsequently the Warder was directed to report for duties immediately vide reference 3rd cited. But, he neither reported for duty nor received the memo addressed to his residential address and the same was returned.**

3. Accordingly, the Superintendent of Jails, Central Prison, Kadapa has framed the following article of charge against **Sri M.Ramachandra Reddy, Warder, Central Prison, Kadapa** for his unauthorized absence and directed to submit his explanation within (10) days vide reference 4th cited.

ARTICLE

"That the said **Sri M.Ramachandra Reddy, Warder**, has exhibited gross misconduct, dereliction by absents from duties Unauthorisedly from 26-01-2023 without obtaining any prior permission from his Superior Officers and any prior intimation to his Superior Officers, which amounts to violation of Rule No.90 of A.P. Prison Rules, 1979, and G.O.Ms.No.260 GA(Service-C)Dept., Dated.04-09-2003.

Rule 90 Of AP Prison Rules, 1979 clearly states that, "No Subordinate Officer shall be absent during the hours fixed for his attendance without the permission of the Superintendent or Jailor".

G.O.Ms.No.260 GA(Service-C)Dept., Dated.04-09-2003, stipulates for punishment of Removal from Service for "Period exceeding one year.

Thus, he violated Rule No.90 of AP Prison Rules, 1979 and G.O.Ms.No.260 GA (Service-C)Dept., Dated.04-09-2003. **Hence the Charge.**"

4. And whereas the Superintendent of Jails, Central Prison, Kadapa has submitted that, **Sri M.Ramachandra Reddy, Warder, Central Prison, Kadapa** has neither submitted his explanation even after a lapse of more than two months nor reported for duty. Accordingly, he has requested the DIG of Prisons, Kadapa Range to appoint an Inquiry officer to conduct the ex-parte enquiry into the case, who remained to be absent still vide reference 5th cited.

5. Accordingly, **Sri D. Narsimha Reddy, District Sub Jails Officer, Kurnool** and **Sri S. Amar Basha, Jailor, O/o. The DSJO, Kadapa** were appointed as Inquiry Officer and Presenting Officer respectively vide reference 6th cited. The Charged Officer has finally reported for duty at Central Prison, Kadapa on 24-01-2024. Subsequently the Inquiry Officer has conducted Inquiry at Central Prison, Kadapa on 06-02-2024 and held the charges framed against the Charged Officer as Proved. The Charged Officer has attended the Inquiry. Again, the Charged Officer has absented from duty w.e.f 24-02-2024 unauthorizedly.

6. And whereas the Superintendent of Jails, Central Prison, Kadapa has communicated the Inquiry report to the Charged Officer to his residential address vide reference 9th cited. But no further representation was received from the Charged Officer even after lapse of more than (02) months. Again, the Inquiry report was communicated to the Charged Officer vide reference 10th cited by registered post. But no further representation received from the Charged Officer.

7. Further, the Superintendent of Jails, Central Prison, Kadapa has submitted that, Sri M. Ramachandra Reddy, Warder has reported for duty at Central Prison, Kadapa on 24-01-2024 and continued in duty upto 23-02-2024 and again absented from duties from 24-02-2024 to 22-02-2025 i.e., (365) days unauthorizedly without obtaining any prior permission from his superior officers and any prior intimation to his superiors and reported for duty on 23-02-2025. Accordingly, the Inquiry report was again communicated to the individual vide reference 11th cited and in response, the Charged officer has submitted further representation wherein he has stated that due to his brother's accident he failed to attend for duties and forgotten to inform the same to his superior officers. Further in view of his family problems, he used to reside in his mother-in-law's house. As a result, he failed to receive the letters addressed to his residential address. He further stated that the alleged allegations against him are first time during his entire service. Hence, he has requested to excuse him as a first lapse.

8. After careful examination of the entire disciplinary case file, the Superintendent of Jails, Central Prison, Kadapa has awarded the following punishment against Sri M. Ramachandra Reddy, Warder, Central Prison, Kadapa as a last opportunity to him vide reference 13th cited with a warning that if he absents from duties unauthorizedly any more, he will be removed from service without any further notice.

"Withholding of his Annual Grade Periodical Increment for a period of (03) years with cumulative effect" and his absent period from 26-01-2023 to 23-01-2024 i.e., 363 days was treated as EOL.

9. Further his absent period from 24-02-2024 to 22-02-2025 i.e., 365 days was treated as EOL vide reference 14th cited.

10. Now aggrieved by the above order, Sri M. Ramachandra Reddy, Warder, Central Prison, Kadapa has preferred an appeal within the stipulated period to set aside the punishment awarded by the Superintendent of Jails, Central Prison, Kadapa duly contended the following:

- a. He has stated that his brother met with an accident on 02-11-2022 and as such he got admitted at St. Johns Hospital, Bangalore. After getting treatment for (2) months at the said hospital, they used to go to Bangalore for regular checkups. Due to which financial and family crisis has arisen in his family.
- b. As his brother health condition was not well, he applied for CL on 24-01-2023 and 25-01-2023 for getting his brother treatment at his native district and owing to this issue, trouble arose in his family and his wife went to her mother's residence. So, he went there for consoling his wife and stayed at his mother-in-law's house for some time. As such the letters addressed to him could not be received by him and could not submit reply.
- c. Further he has stated that after reporting for duty at Central Prison, Kadapa on 24-01-2024, again troubles have started in his family between his mother and wife. As such he has applied for (05) days CL and went to his mother-in-law's residence. He stayed there and corrected his family problems. As such he has absented from duties and not intentionally.
- d. As he was already facing financial hardship, the punishment awarded by the Superintendent, Central Prison, Kadapa will further worsen his financial condition.

- e. As such he has requested the DIG of Prisons, Kadapa Range to consider the circumstances above and set aside the punishment awarded by the Superintendent of Jails, Central Prison, Kadapa.

As seen from the case file, the following observations are made by the Undersigned:

- i. The charged Officer **Sri M. Ramachandra Reddy, Warder, Central Prison, Kadapa** has not taken any prior permission from his superior officer before proceeding on leave from his Head Quarters. The Charged officer has served for more than 5 years in the department.
 - ii. The Superintendent, Special Sub Jail, Gurazala and the Superintendent of Jails, Central Prison, Kadapa have issued memos to the individual with a direction to report for duty immediately and to submit his explanation as to why suitable disciplinary action should not be taken against him due to his gross misconduct and dereliction of duty by unauthorizedly absenting himself for duty. But the individual has not reported for duty and even did not bother to receive the memos addressed to this residential address and submit explanations. It clearly establishes the individual's carelessness in duty and insubordination towards his superior officers.
 - iii. The Charged Officer cleverly took advantage of G.O.Ms.No.260 GA(Ser-C) Department Dt. 04-09-2023 which clearly stipulates for punishment of removal from service for period exceeding one year, and absented for duty for 363 days and immediately reported for duty to escape from the provisions of the above Government Order. After reporting for duty on 24-01-2024, he has performed duty for only one month and again absented from duties w.e.f 24-02-2024 for 365 days and again cleverly reported for duty on 23-02-2025 to escape from the punishment of removal from service as stipulated in the Government Order.
 - iv. The Charged Officer is on the opinion that if he reports for duty before completion of one-year unauthorised absence from duty, he will apparently avoid the punishment of automatic removal from service as per the relevant service rules. This act indicates deliberate manipulation to evade severe disciplinary action and lack of sincerity towards official duties.
 - v. Whatever the reasons are of the Warder to absent, it is his basic duty to inform his superior officers explaining such circumstances. But he has neither informed his superior officers nor received the memos addressed to his residential address. Moreover, he is least bothered to submit his explanations to the memos. The charged Officer has clearly violated Rule 89 and 90 of A.P. Prisons Rules, 1979.
 - vii. Being in uniformed service, it is not at all a good practice on his part and he caused much inconvenience to run the day to day Prison Administration. Based on the enquiry it was proved that he has failed in his basic duties.
11. Whereas, the Undersigned after careful examination of appeal petition of the matter together with all the records along with appeal petition of Sri M. Ramachandra Reddy, Warder, Central Prison, Kadapa comes to the conclusion that the appellant has not brought forward any new mitigation factors for considering his request to interfere with the punishment awarded by the disciplinary authority.
12. The treatment of unauthorized absence by uniformed personnel from duties has been decided by various Authorities as hereunder:

The Prisons Act, 1894	54. Offences by prison-subordinates.— (1) Every Jailor or officer of a prison subordinate to him who shall be guilty of any violation of duty or willful breach or neglect of any rule or regulation or lawful order made by competent authority, or who shall withdraw from the duties of his office without permission, or without having given previous notice in writing of his intention for the period of two months, or who shall willfully overstay any leave granted to him, or who shall engage without authority in any employment other than his prison-duty, or who shall be guilty of cowardice, shall be liable, on conviction before a Magistrate, to fine not exceeding two hundred rupees, or to imprisonment for a period not exceeding three months, or to both.
The Prisons Act, 1894 clearly provides for treating unauthorised absence from duty by a prison employee as a criminal act and provides for institution of a criminal case against such delinquent employee.	
M. Gopalakrishna vs Divisional Security Commissioner Dated. 07-07-2006 Andhra HC (Pre-Telangana)	Railway Protection Force is a disciplined force wherein no form of indiscipline could be permitted and that, in such a disciplined force, <u>leaving headquarters without permission and unauthorised absence from duty for 20 days would justify imposition of punishment of removal from service.</u>
Railway Protection Force is also a Uniform Department similar to that of Prisons Department and as such, the observations made by the AP High Court can be made applicable to Andhra Pradesh Prisons Department.	
G. Ramesh v. Karnataka State Seeds Corporation Limited Writ Petition No. 36199 of 2014 Dated. 05-06-2024 Karnataka High Court	Absence Without Leave Constitutes Misconduct Warranting Disciplinary Punishment: Karnataka HC Upholds Dismissal Of Employee
Chairman and Managing Director vs Goparaju Sri Prabhakar Haribabu 05-03-2008 Supreme Court	In the disciplinary proceedings the employee had accepted his guilt whereupon the inquiry proceedings were closed recording the admission of the charges as made by the employee. The disciplinary authority upon consideration of the inquiry report held the employee guilty of all the charges and ordered removal from service. The very charge itself is that the petitioner is habitual absentee from duty and his absence is continuous one without prior sanction, which is in violation of the standing orders of the respondents.

	Having regard to the findings as arrived at by the authorities at all levels about the continuous absence of the petitioner, it clearly shows that he is habitual in absence for which there cannot be any justification. In view of the same, except seeking indulgence, no other valid point has been raised by the petitioner to show any irregularity in the procedure adopted by the respondents and ultimately removing him from service. Thus, it has to be held that the finding as arrived at the removal of the petitioner from the services is perfectly justified."
While dealing with cases of delinquent employees who regularly absent themselves from duty unauthorisedly on several instances, the Unit Officer shall invariably mention in the Final Order of the disciplinary proceedings of the number of times such delinquent employee had been unauthorisedly absent from duty, the type of punishments imposed against him during such every instance and a clear WARNING shall be mentioned informing the delinquent employee that the major punishment of "REMOVAL FROM SERVICE" will be imposed against such delinquent in case of repetition of instances of unauthorised absence from duty hereafter. The above Hon'ble Supreme Court's order can be quoted if required.	
STATE OF PUNJAB AND OTHERS VERSUS EX. C. SATPAL SINGH CIVIL APPEAL NO. 312 OF 2012 Dated. 29-08-2025 Supreme Court	Past Misconduct Can Add Weight To Dismissal, Even If Not Mentioned In Show Cause Notice : Supreme Court. Absence From Duty On Various Occasions In Short Tenure Of Service Is Gross Indiscipline: Supreme Court Upholds Dismissal Of Constable It is clear that the respondent was dealt by the department earlier on three occasions having remained absent from duty and the penalties were inflicted for the same. Considering all these aspects and having found proved his misconduct, notice to show cause from dismissal was issued to the respondent.

As seen from the latest Supreme Court Judgment dt. 29-08-2025 in Civil Appeal No.312 of 2012, the Apex Court has upheld the dismissal from service of the employee who remained unauthorisedly absent from service on various occasions.

10. Further it is noticed that the Superintendent of Jails, Central Prison, Kadapa has awarded punishment of withholding of his Annual Grade Periodical Increment for a period of (3) years with cumulative effect for the unauthorised absence of this warder from 26-01-2023 to 23-01-2024. However, no punishment was imposed against the above Warder for his unauthorized absence from duty from 24-02-2024 to 22-02-2025 i.e., 365 days and such absence period was merely treated as Extra ordinary Leave. The lenience taken in the first instance by the Superintendent of Jails, Central Prison, Kadapa has encouraged the Warder to get again absent from duties unauthorizedly for one year in the second instance. Such an act by the Superintendent of Jails, Central Prison, Kadapa gives scope to doubt his integrity and character as an officer in the Prisons Department. The Undersigned is in clear

disagreement with the award imposed by the Superintendent of Jails, Central Prison, Kadapa.

11. Therefore, the Superintendent of Jails, Central Prison, Kadapa is directed to submit his written explanation as to why his action of turning blind eye for the unauthorized absent period from 24-02-2024 to 22-02-2025 i.e., 365 days of the warder should be construed as his misconduct and lack of integrity. His explanation shall reach this office within (05) days from the date of receipt of this memo.

12. Further coming to the present instance, invoking the provisions of Rule 18 (2) and Rule 40 of APCCA Rules, 1991 and the observations made by the Hon'ble High Court of AP in writ petition no.19740 of 2003 dated. 18-08-2023, the Undersigned hereby issues **SHOW CAUSE NOTICE** to **Sri M. Ramachandra Reddy, Warder, Central Prison, Kadapa** on why his acts of delinquency of unauthorised absence for duty upto one year in two occasions shouldn't be construed as serious negligence, intentional disobedience to superior officers and to the Andhra Pradesh Prison Rules, 1979 and various instructions issued from Range Office and Head Office and as a grave misconduct on his part and why he shouldn't be **DISMISSED FROM SERVICE**. His explanation shall reach the Undersigned within (10) days of receipt of this memo.

Sd/-.,
DIG of Prisions (FAC),
Kadapa Range.

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