

Excerpts from Dr. Poongothai Selvarajan's Inquiry Report on K. Janatheepan, 17th December 2016

from May 19th to May 29th. There were 11 days considered as casual leave including Saturday and Sunday. Saturday and Sunday can be counter for no pay. Therefore, it is very ambiguous that which is correct. It needs further clarification.

5. The letter sent by the Works Engineer to Registrar dated on 21/05/2015 regarding the misbehavior of Maintenance Supervisor said, "He had taken alcohol during the working time on 19/01/2015. He had drunk alcohol in some of the previous days also. Therefore he had been taken to the hospital on 19/01/2015 to take a medical report". Actually, the date is not correct and it should have been 19/05/2015. In this letter his name was also stated as "Janarathanan". Since there was no DR at the Kilinochchi premises at that time, this letter was directly sent to the Registrar. The Registrar had also not found the mistakes in the letter. Since the Works Engineer is a newly recruited person with less administrative experiences, a senior administrative officer should have monitored these kinds of activities.
6. There was a letter dated on 7th June 2015 by the Actg, Dean/ Engineering to the Vice Chancellor stated that he had not seen the Maintenance supervisor for past two months. But there was a letter dated on 4th June 2015 signed by all the staff (23 persons) at Kilinochchi premises, addressed to Registrar stating the problems of the vacancy of the position of DR and requested to appoint a DR. In that letter, Mr. Janatheepan had also signed. That letter was received by the office of the Vice Chancellor on 5th June 2015. Therefore, the statement of the Dean/Engineering cannot be acceptable.
7. There were letters attached for stop payment, no pay, no pay recovery and restoration of salary. Some of them were not clear and carrying insufficient information to bring out a conclusion.
Letters sent by the Works Engineer to Registrar copy to DR stated transfer Mr. Janatheepan and appoint another person.
8. Explanation letter sent by the Registrar dated on 18/11/2015 for taking the leave without getting the prior approval and again sent a letter with the deadline for explanation and disciplinary action. There were explanations given by Mr. Janatheepan on 16/11/2015 and 30/11/2015.
9. Final written warning was sent to Mr. Janatheepan on 10/11/2015 by the Works Engineer. The following day, he sent a reply to the Registrar through proper channel regarding his absence from the period of 27/11/2015 to 10/12/2015. He had been

superior to a Supervisor. More than one superior cannot control one subordinate and it is not a healthy management practice.

Moreover, he had stated several illegal activities, unauthorized works and thefts occurred at the Kilinochchi premises during his working period and those were not known to any of the administrative staff of that premises. When he tried to stop these incidents by talking with those culprits, they manipulated some stories and finally accused him as a drunken person and found the mistakes from him.

Mr. Janatheepan's irregular attendance and alcoholic behavior were also considered as motivators to these culprits. Since the incidents were very serious, illegal and unauthorized and they cause a huge, financial and physical damage to the University and spoil the image of the University as well. Therefore, they have been listed out in brief.

Allegations made by Mr. Janatheepan

1. A valuable tree (**பிரண்டை மரம்**) was cut down in the Kilinochchi premises, transferred out and sold.
2. There were anomalies found at the year-end of 2015 in the running chart of on call vehicle (over usage).
3. No strict Gate Pass system maintained at that time at Kilinochchi premises.
4. During the time of Presidential election, the contractors had used the low quality Indian cement (approximately 1000 bags) which was not approved by the Buildings Department for construction works, This cement had been used for the works of Boys' and Girls' Hostels as well as for Wing 3 (New building of the Faculty of Engineering). After he informed this matter to the Works Engineer, he stopped the usage of it.
5. The previous Guest House for Faculty of Engineering at Paravipanchan was misused by the Supervisor (Civil) since his Brother-in-law was the care taker of that Guest House.
6. The quarters under the custody of the Supervisor (Civil) has also been misused.

7. The Supervisor (Civil) supervised no civil work and he involved in the maintenance work. Trainees of Civil Engineering and Quantity Surveying did those tasks.
8. There were thefts taken place with the support of some minor staff and security guards. 50 bags of cement and 30 numbers of fencing Tin sheets of Sanken Constructions were stolen by the Supervisor (Civil) and had been taken out from the premises.

Discussion made with the Joint Secretary of the Employees' Union and the Justifications

There were four matters stated in their letter. Regarding the first point, there was no written evidence found that he had been taken to the Hospital and the Police Station. The verbal statements cannot be considered as valid evidence. If the termination can be done by getting the statement of witness of two officers, this action would have been done earlier.

Secondly, the termination letter was placed at the 412 th meeting of the Council and issued on the same day. It is very important to give sufficient time for the members for going through the letters.

Thirdly, sufficient time should have been given to the person to appeal himself and it should be placed at the Council. This is correct.

Finally, regarding the cutting of a valuable tree and it was removed out from the premises is a theft. As the "*other incidents*" stated in their letter were investigated and some of them were proved after this inquiry. Therefore, it is appreciated to bring out the critical issues occurred within the University.

Observation and Recommendations

It had been brought to the notice of the Inquiry Officer that there was a letter issued to the members of the Council by the Employees' Union to re-consider the decision of termination of Mr.K.Janatheepan taken at the meeting of the 413th meeting of the Council held on 17/09/2016. This letter had not been handed over to her with the other documents and only given on 23/11/2016. Since this letter was also considered as an important matter to carry out this inquiry, it should have been produced earlier.

Further, it is observed that the relevant officer showed very much hesitation to write a letter to the Employees' Union to attend a discussion with the Inquiry Officer to clarify certain matters stated in their letter.

These are also for the observation of the Council.

After the inquisition, Mr. Janatheepan had submitted a written statement indicating his complete recovery from the alcohol and requested to reinstate in his Job. He further requested to give an opportunity and if anything goes wrong, he would abide the actions taken by the University.

It is observed that the allegations made by Mr. Janatheepan were correct in general. Because there were verifications made with the relevant officers and confirmed now. Further, there were other incidents happened in that premises which Mr. Janatheepan had not told.

Though he was accused as an irregular and alcoholic employee, he showed the genuineness and sincerity towards his Institution. There were cases at our University who misused the physical and human resources. But now they are considered as higher dignity persons in the society and the University did not take any strong actions against them. In this situation, an innocent, genuine and efficient person should not be punished. Therefore, it is recommended to reinstate Mr. Janatheepan conditionally by giving certain period under the close supervision of a supportive superior to prove his ability and then extend his services. It is also recommended to assign him in some other place and not at Kilinochchi. However, he had made a statement in writing that if further inquiry is made for his allegations, he would support to that.

There were several incidents occurred at the Kilinochchi premises and some of them have been proved after this inquiry. Therefore, in order to safeguard the University assets and image and to protect the institution from the culprits, *it is strongly recommended to hold an independent inquiry immediately and punish the culprits* at the Kilinochchi premises to prevent these kind of activities in future. Further, the correct practices to be followed and strengthened.