



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Rural Development - Establishment - Allegation of non-implementation of work and misappropriation of Advance in the work of Chudakara Drinking Water Supply Scheme under SGRY Scheme - 2005--06 - Disciplinary action initiated against Sri.H.Kanakadas, Secretary (Retired), Kalpetta Block Panchayath - dropped - Orders issued.

LOCAL SELF GOVERNMENT (ERB) DEPARTMENT

G.O.(Rt).No. 1716/2014/LSGD. Thiruvananthapuram, Dated, 05.07.2014

- Read:- (1) Letter No.E.11(VE1/2007/WYD) 7467/2006, dated 22.12.2007 from the Director, Vigilance and Anti Corruption Bureau.
- (2) Memo of Charges No.31590/ERB1/2008/LSGD, dated 09.06.08 issued to Sri.H.Kanakadas.
- (3) Lr.No.Esst.A4/15701/2008/CRD, dated 14.09.2009 from the Commissioner for Rural Development.
- (4) Government Notice No.31590/ERB1/2008/LSGD, dated 15.12.2012 issued to Sri.H.Kanakadas.
- (5) Written Statement of Defence dated 08.01.2013 submitted by Sri.H.Kanakadas.
- (6) Lr.No.AI(2)11387/13/GW, dated 28.03.2014 from the Kerala Public Service Commission.

ORDER

The Vigilance & Anti Corruption Bureau, Wayanad Unit conducted an enquiry on the allegation on the non-implementation of work and misappropriation of advance in the implementation of Chundakkara Drinking Water Supply Scheme in the Kalpetta Block Panchayat under the SGRY Scheme during the year 2005-2006.

The Vigilance Enquiry revealed that the Chundakkara Drinking Water Supply Scheme which was estimated to cost Rs.8/- lakhs was taken up under the SGRY 2005-06 by the Kalpetta Block Panchayath. The suspect officer 1, Shri.H.Kanakadas, formerly Secretary Block Panchayat, Kalpetta had executed an agreement with the suspect officer Shri.V.Rajan, S/o.S.Appunni Nair, Vellarakkattil House, Kalpetta North.P.O, Kalpetta Village, Wayanad on 27.08.2005 and also gave an advance amount of Rs.50,000/- to him on 13.10.05. Shri.H.Kanakadas did not verify the whereabouts of the Convenor (SO3) at the time of executing the agreement Convenor (SO3) did not

commence the work and deliberately desisted from executing the work and he misappropriated the advance amount till 12.4.2007, the day on which the advance amount with interest at the rate of 12% was remitted back to the Block Panchayath.

Though there was no loss sustained to Government, the action of Sri.Kanakadas in granting advance amount to the Convenor was viewed as improper. So the Director, Vigilance & Anti Corruption Bureau had recommended vide 1st paper read above, to take disciplinary action against Shri.H.Kanakadas Suspect Officer1, Secretary, Block Panchayath, Kalpetta.

Accordingly, Memo of Charges and Statement of allegations had been issued to Shri.H.Kanakadas as per 2nd paper read above. But Commissioner for Rural Development has reported vide 3rd paper read above, the accused had received the Memo of charges and Statement of allegations on 23.07.2008, and the time limit allowed for submitting his Written Statement of Defence has expired on 07.08.2008 and also recommended Government to proceed further actions against Sri.H.Kanakadas on the presumption that the accused has nothing to offer invoking para 9 of the Manual of disciplinary proceedings. In the meantime Shri.H.Kanakadas retired from service on 30.09.2008.

In this case since the disciplinary action under Rule 16 KCS (CC&A) Rules 1960 has already been initiated against Sri.H.Kanakadas while in service, Government have decided to pursue action under Rule 3(a) Part III KSR and have taken a tentative decision to recover an amount of Rs.100/- from his pension for a period of two years and notice was issued to him as per 4th paper read above. Against this Sri.Kanakadas submitted Written Statement of Defence as per 5th paper read above.

Subsequently Sri.H.Kanakadas was heard personally by the Under Secretary, Local Self Govt. Department on 29.04.2013. During that time he pointed out that he has sanctioned advance amount for the commencement of the above work as per the guidelines under the SGRY Scheme. The Convenor (SO3) has remitted the amount with 12% interest without causing any loss to Government and hence no

dereliction has occurred on his part and requested to acquit him from the decision of reducing Rs.100/- from his pension for 2 years. He also pointed out that he had a mentally retarded child whose expenses for medical treatment is met from his monthly pension amount. By taking into account of the above facts, Government have decided to reconsider the earlier decision by reducing the amount to be recovered from the pension of Rs.100/- for a period of 2 years to Rs.50/- for a period of 2 years on humanitarian ground.

Government then consulted with Kerala Public Service Commission and the Hon'ble Commission disagreed to the Government proposal and also advised the Government to drop the disciplinary action initiated against Sri.H.Kanakadas as per 6th paper read above.

Government have examined the case in detail and are pleased to order that the disciplinary action initiated against Sri.H.Kanakadas Retired Secretary, Kalpetta Block Panchayath is hereby dropped.

By Order of the Governor

RAJAN KHOBRADE

SECRETARY TO GOVERNMENT

To

Sri.H.Kanakadas, Retired Secretary, Kalpetta Block Panchayath
(Through Commissioner for Rural Development,
Thiruvananthapuram)

The Commissioner for Rural Development, Thiruvananthapuram
Kerala Public Service Commission, Thiruvananthapuram (With C/L)

The Principal Accountant General, (Audit) Kerala,
Thiruvananthapuram

The Accountant Genral (A&E), Kerala, Thrissur

The Vigilance (E) Department (U.O.No.9849/E3/2013/Vig.)

Information Kerala Mission, Thiruvananthapuram

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Section Officer

