



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Panchayat Establishment - the disciplinary action initiated against Sri. C.K. Bhaskaran, Head Clerk (Rtd.) and Sri. K.M. Thomas, Peon (Rtd), Kozhuvanal Grama Panchayat - Finalized - Orders issued.

LOCAL SELF GOVERNMENT (EPB) DEPARTMENT

G.O.(Rt)No.786/2019/LSGD Dated,Thiruvananthapuram, 01/04/2019

- Read 1 Judgment dated 28.05.2016 of Hon'ble Enquiry Commissioner and Special Judge, Kottayam in C.C 219 of 2008
- 2 Letter No.D5-24512/2001 dated 07.11.2016 of the Director of Panchayats, Thiruvananthapuram
- 3 Show Cause Notice No.EPB2/181/2016/LSGD dated 06.02.2017
- 4 Statement of Defence dated 25.08.2017 from Sri. C.K. Bhaskaran, former Head Clerk, Kozhuvanal Grama Panchayat
- 5 Statement of Defence dated 19.10.2017 from Sri. K.M. Thomas, former Peon, Kozhuvanal Grama Panchayat
- 6 Letter No.A1 -2/50033/201 8-KPSC Dated 21.12.2018 of the Secretary, Kerala Public Service Commission, Thiruvananthapuram

ORDER

As per order read as 1st paper above the Hon'ble Enquiry Commissioner and Special Judge, Kottayam in C.C. 219 of 2008 convicted Shri. C.K Bhaskaran, former Head Clerk, Kozhuvanal Grama Panchayath for one year rigorous imprisonment and fine of Rs. 25000/- under Prevention of Corruption Act, 1988, again two years rigorous imprisonment and fine of Rs.25000/- under section 409 of I.P.C and again rigorous imprisonment for one year under section 120 B of I.P.C. on the proved charges. Hon'ble Court also convicted Shri. K.M. Thomas, former Peon, Kozhuvanal Grama Panchayath for one year rigorous imprisonment and fine of Rs. 25000/- under Prevention of Corruption Act 1988 on the proved charges under Sec.13(1)(c)r/w Sec.13(2) of Prevention of Corruption Act and again rigorous imprisonment for one year under section 120B of I.P.C.

As both the officers were retired on superannuation and are receiving pension, after observing the procedural formalities Government have tentatively decided to withhold pension other than minimum pension of both the officers for a period of five years under Rule 2, Part 3,

KSR and as per 3rd paper read above Show Cause Notice was served on to them. In their statement of defence as per 4th & 5th read above stated that the order of the Vigilance court has been challenged before the Hon'ble High Court and the Hon'ble High court has freezed the verdict of the Vigilance Court. As now the case is under the consideration of the Hon'ble High Court action could not be taken against them.

Government have examined the matter in detail. Hon'ble High court has only stayed the execution of sentence and there was no stay in conviction and there is no legal bar in continuing the disciplinary proceedings against the accused officers. The reply submitted by the accused officers is not found satisfactory. In the circumstances Government have decided to confirm its tentative decision to deduct pension other than minimum pension for 5 years in respect of Sri. C.K. Bhaskaran, Head Clerk (Rtd.) and Sri. K.M. Thomas, Peon,(Rtd) Kozhuvanal Grama Panchayat was placed before the Kerala Public Service Commission for advice. The Commission as per 6th paper read above has agreed to the aforesaid tentative decision and advised accordingly.

In the above circumstances the action initiated against Sri. C.K. Bhaskaran, Head Clerk (Rtd.) and Sri. K.M. Thomas, Peon (Rtd), Kozhuvanal Grama Panchayat are finalized by confirming the tentative decision to deduct pension other than minimum pension for 5 years and order accordingly. The Director of Panchayats will take further necessary action in the matter.

(By order of the Governor)
S MOHANDAS
ADDITIONAL SECRETARY

To:

1. Sri. C.K. Bhaskaran, Head Clerk (Rtd), Kozhuvanal Grama Panchayats
(Through the Director of Panchayats, Thiruvananthapuram)
2. Sri. K.M. Thomas, Peon (Rtd), Kozhuvanal Grama Panchayats
(Through the Director of Panchayats, Thiruvananthapuram)
3. The Director of Panchayats, Thiruvananthapuram.
4. The Secretary, Kerala Public Service Commission, Thiruvananthapuram
5. The Accountant General (A&E/Audit), Kerala, Thiruvananthapuram/Thrissur.
6. The Deputy Director of Panchayats, Kottayam

7. The Director, IKM, Thiruvananthapuram

8. The Vigilance Department (Letter No.6252/D3/2016/Vig(ii) dated 11.07.2016)

(for necessary action)

✓ 9. Information & Public Relations (Web & New Media) Department

10. The Stock File/ Office Copy. (File No.EPB2/181/2016/LSGD)

Forwarded /By order



Section Officer

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