



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Urban Affairs - Establishment - Disciplinary action against Smt. Deepa L.S, Secretary, Thiruvananthapuram Municipal Corporation - Appointment of Enquiry Officer - Sanctioned - Orders issued.

LOCAL SELF GOVERNMENT (EU) DEPARTMENT

G.O.(Rt)No:522/2020/LSGD

Dated, Thiruvananthapuram, 02.03.2020

Read:- 1. Memo of charges No. 66/E.U.1/2019/LSGD dated 25.03.2019.
2. Letter No. V1/8862/2019/LSGD dated 22.11.2019 from the Director of Urban Affairs, Thiruvananthapuram.

ORDER

Nikunjam Construction PVT ltd represented by Shri.Krishnakumar, Managing Director has filed WP© No.32855/2017 by challenging the report submitted by the Technical Expert Committee appointed by Government under Rule 11 A of Kerala Municipalities Act as per G.O(Rt) No. 821/2016/LSGD dated 25.02.2016 on the ground that the assessment of damages were not done by the Committee. The Committee consisted of the Secretary of Corporation (Convenor), Corporation Engineer and two experts from the College of Engineering, Thiruvananthapuram. But the report was prepared by the two experts without actually assessing or quantifying the damages. The Hon'ble High Court has not accepted the report because it was prepared without the involvement of Corporation Secretary/Engineer. Hence the Hon'ble High Court as per the order dated 13.12.2017 had set aside the report and directed the Technical Expert Committee to assess and quantify the damages with notice to the parties as expeditiously as possible at any rate with in six weeks from 13.12.2017. The time limit for complying with the order of the Hon'ble High Court was 28.02.2018. But

the Secretary had not complied with the said order even after 53 weeks of the time limit fixed by the Hon'ble High Court. Hence the petitioner filed contempt of Court case against Secretary by adding Additional Chief Secretary, LSGD as additional fifth respondent. The Additional Chief Secretary, LSGD was unnecessarily dragged to the Contempt of Court case, eventhough no action was to be taken from Government. The full responsibility for the implementation of the judgement of Hon'ble High Court is vested with the Secretary, Thiruvananthapuram Corporation. Hence disciplinary action for major penalty was initiated against Smt. Deepa LS., Secretary and Memo of Charges read as first paper above was served on her.

2. In the circumstances Government hereby appoint Shri.R.S.Kiannan, Special Secretary, Local Self Government Department as the Enquiry Officer to enquire in to the matter as per Rule 15 (2)(b) of KCS (CC&A) Rules 1960. The Enquiry Officer shall submit report with in one month.

(By Order of the Governor)

Remani Mathew
Additional Secretary

To

The Director of Urban Affairs, Thiruvananthapuram.

The Principal Accountant General(A&E)/(Audit) Thrissur Branch.

The Director of Local Fund Audit, Thiruvananthapuram

Shri.R.S.Kannan, Special Secretary, Local Self Government Department

(along with connected records)

Smt. Deepa L.S. (Through Director of Urban Affairs, Thiruvananthapuram.)

The Director, I K M, Thiruvananthapuram.

Stock file/Office Copy.

Forwarded by order


Section Officer