



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Urban Affairs - Order dated 20.11.2019 of the Hon'ble Kerala Administrative Tribunal in OA(EKM) No. 2007/2019 filed Shri. S. Jayakumar - Complied with - Orders issued.

LOCAL SELF GOVERNMENT (E.U) DEPARTMENT

G.O.(Rt.)No.1174/2020/LSGD Dated, Thiruvananthapuram, 17/06/2020.

Read:- Order dated 20.11.2019 of the Hon'ble Kerala Administrative Tribunal in OA(EKM) No. 2007/2019 filed Shri. S. Jayakumar

ORDER

The Hon'ble Kerala Administrative Tribunal, as per the order read above disposed of the OA with a direction to the second respondent (State of Kerala represented by Secretary, Local Self Government Department) to consider and pass appropriate orders on Annexure A8 representation, in accordance with law and after affording an opportunity of personal hearing to the applicant. It is also ordered that the respondents will ensure that the departmental proceedings pending against the applicant are completed, if not already done, before his retirement from service.

2. In the Annexure A8 representation, Shri.S.Jayakumar has requested to conclude the disciplinary proceedings initiated against him and to regularise the period of suspension.

3. In compliance with the order read above, Shri.S.Jayakumar was heard on 30.01.2020. At the time of hearing Shri. S. Jayakumar has put forth the following matters for consideration.

- (i) He was suspended from service as per G.O(Rt) No 594/2006/LSGD dated 02.03.2006 and reinstated in service as per G.O(Rt)No.948/2006/LSGD dated:03.04.2006. The disciplinary action initiated against him, was finalised as per G.O(Rt) No.3237/2015/LSGD dated 03.11.2015. But the suspension period has not been regularised. Hence he has requested to regularise the 13 days suspension period as duty.
- (ii) In the report furnished by Director of Urban Affairs regarding the disciplinary action initiated against Shri. S. Jayakumar as per memo No.39024/EU1/2013/LSGD dated 11.10.2011, it has been recommended to consider written statement furnished by him. But no orders has been issued so far from the part of Government. Hence he has requested to issue orders exempting him from further action.
- (iii) To finalise the disciplinary action initiated against him as per memo No. EU1/399/17/LSGD dated: 09.02.2018.
- (iv) To take necessary steps to finalise the disciplinary action pending against him.

4. Disciplinary action is pending against the applicant in the following cases.

- (i) File No.29331/EU1/2013/LSGD - In this file disciplinary action has been initiated against the applicant on the allegation of entrusting the file of Thrissur Corporation Electricity wing to a private person. Urgent action is being taken to finalise the case.
- (ii) File No.30677/EU1/2013/LSGD – In this file disciplinary action has been initiated against the applicant on the allegation of unauthorised construction of compound wall at Government Boys High School,

Chengannur. As per G.O.(Rt.) No2788/2019/LSGD dated 07.12.2019, the Regional Joint Director, Kollam has been appointed as Enquiry Officer to enquire into the matter. The report has not been received. Urgent action is being taken to collect the report and to finalise the case.

- (iii) File No.378/EU1/2018/LSGD – In this file disciplinary action has been initiated against the applicant on the allegation of irregularities in the maintenance of Government Higher Secondary School, Punalur. The petitioner was directed to remit the loss occurred to the state exchequer due to his lapse and has remitted the money. Urgent action is being taken to finalise the case.
- (iv) Direction has been given to the Director of Urban Affairs to furnish proposal for regularising the period of suspension in respect of the applicant as per G.O.(Rt.) No.594/2006/LSGD dated 02.03.2006.

5. Government have examined the matter in detail. In order to finalise the disciplinary actions pending against the applicant some more time is required, since procedural formalities have to be observed in the case of disciplinary action for major penalty. However, Government have already taken speedy procedures for finalising the disciplinary actions pending against Shri.S.Jayakumar. Thus the order dated 20.11.2019 of the Hon'ble Kerala Administrative Tribunal in OA(EKM) No.2007/2019 is complied with accordingly.

(By Order of the Governor)
Remani Mathew
Additional Secretary

To

The Advocate General, Ernakulam, Kochi-682 031 (with covering letter)
The Director of Urban Affairs, Thiruvananthapuram.
The Principal Accountant General (A&E)/(Audit), Kerala, Thrissur
The Director, Kerala State Audit Department, Thiruvananthapuram.
Shri. S. Jayakumar (through the Director of Urban Affairs)

✓ The Executive Director, Information Kerala Mission, Thiruvananthapuram.
The Stock File / Office Copy.

Approved for issue



Section Officer