



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing – Review Petition filed by Smt. Shylaja K. P., Assistant Engineer - Rejected - Orders issued.

LOCAL SELF GOVERNMENT (EW) DEPARTMENT

G.O.(Rt)No.1071/2020/LSGD
08/06/2020

Dated, Thiruvananthapuram,

Read:- 1 G.O.(Rt) No.613/2019/LSGD. Dated 13.03.2019.

2 Review petition dated 29.03.19 submitted by Smt. Shylaja K. P.,

Assistant Engineer

ORDER

As per GO read as 1st paper above, Government have finalised the disciplinary action initiated against Smt. Shylaja K. P., Assistant Engineer by barring one annual increment without cumulative effect for a period of three years from her salary. Against this order, the incumbent filed Review petition vide the paper read as 2nd above

Based on the allegation that Kootukulam road constructed by utilizing the fund of Pallarimangalam Panchayath was not entered in the Panchayath Asset Register for helping a private person, Vigilance & Anti-Corruption Bureau, Emakulam Unit conducted a surprise check at Pallarimangalam Grama Panchayath office on 29.03.2016 and it was revealed that in the agreement executed dated 27.07.15 with the Convener, no schedule containing specifications of the work to be carried out was attached. Also no document to show that the site was handed over to the Convener. In the M.Book, utilization of bitumen was not recorded though it was mentioned in the M.Book that 200kg Emulsion and 11 barrel bitumen were purchased. In the material account statement also, the utilization of bitumen was not recorded.

Hence based on the irregularities noticed in the surprise check, disciplinary action for minor penalty under Rule 16 of KCS (CC&A) Rules was initiated against Smt. Shylaja K. P., Assistant Engineer and Memo of Charges and Statement of Allegations were served on her. In her WSD, she contended that the agreement schedule and site hand over document were available in the file which was handed over to the Sub Division for check measuring bills and after getting it back, the same were added to the file. Likewise as per the indent submitted, emulsion and tar had been bought from SIDCO by the Convener himself and the same items have been used for the above said road work. As no departmental supply was there, it was not entered in the Material Account Statement.

The Chief Engineer, LSGD has reported that final bill was prepared on 12.02.16 and the Vigilance inspection was carried out on 29.3.16. Agreement schedule and

document showing handover of site is kept in the file and as the emulsion and bitumen were not departmental supply, it was not entered in the MAS.

Considering the Vigilance report, Memo of Charges & Statement of Allegations, Written Statement of Defence submitted by the delinquent officers and report of the Chief Engineer, it was found that the main charge against the Assistant Engineer, who committed dereliction of duty by way of improper maintenance of M Book, was not properly addressed in the Written Statement of Defence as well as in the report of the Chief Engineer. Measurement Book is the original record of actual measurements and the basic document for effecting payment. It is the basis for all accounts of quantities or of materials received for specific works which have to be measured and should be so kept that the transaction may be readily traceable into accounts. Measurements shall invariably be recorded direct in the measurement book at site and not copied to them later from measurement sheets. The measuring officer shall be responsible for closing the bills in the M Book and to take care to enter therein correctly, all references, previous measurements and all receipts and issues of materials up to date.

The measuring officer is primarily and wholly responsible for all the entries made by him in the M Book and the authenticity of the final bill prepared out of this shall have a bearing on the connected entry in the M Book. M.Books are thus one of the most important initial records relating to the execution and payment of works. Hence, the improper maintenance of M Book by the Assistant Engineer was viewed seriously and the disciplinary action initiated against Smt. Shylaja K. P. was finalised by withholding one annual increment without cumulative effect for a period of three years.

Smt. Shylaja K. P. has filed review petition against the said order. She has repeated her arguments regarding the agreement schedule and site handover document and regarding non-maintenance of Material Account Statement, which were already examined while issuing the Order in question, finalising the disciplinary action against her. Apart from the above, she has not produced any new material facts or documents in the review petition, to prove her innocence.

Government have examined the matter in detail and found that no new fact or material evidence has been put forward by the review petitioner. In the above circumstances, the review petition filed by Smt. Shylaja K. P., Assistant Engineer is rejected and orders issued accordingly.

(By order of the Governor)
BIJUKUTTAN.M.S
ADDITIONAL SECRETARY

To:

1. Smt. Shylaja K. P., Assistant Engineer, LSGD Section, Kollankode. (Through Chief Engineer, LSGD.)
2. The Chief Engineer, LSGD, Thiruvananthapuram.
3. The Accountant General (A&E/Audit), Kerala, Thrissur.
4. The Web & New Media, I & PRD.
5. The LSG (EW3) Department.
6. Stock File/Office Copy.

Forwarded /By order

Section Officer