



**GOVERNMENT OF KERALA**  
**Abstract**

Local Self Government Department - Urban Affairs - Kalpetta Municipality - Vigilance Surprise Check - Disciplinary Action against Dr. Samji David, the then Secretary, Kalpetta Municipality - Appointment of Inquiring Authority to conduct a formal enquiry - Orders Issued.

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**LOCAL SELF GOVERNMENT (EU) DEPARTMENT**

G.O.(Rt.)No: 2951/2016/LSGD. Dated, Thiruvananthapuram, 27.10.2016

- Read :** 1) Letter No.E11-(SC 10)2004/WYD 38653/2003) dated 21.08.2006 from the Director, Vigilance and Anti Corruption Bureau, Thiruvananthapuram.
- 2) Memo of Charges No. 45833/EU1/2006/LSGD dated 21.03.2011 served on Dr. Samji David, Secretary, Kalpetta Municipality.
- 3) Written Statement of Defence dated 05.08.2011 submitted by Dr. Samji David, in response to the Memo of charges.
- 4) Letter No. V2-19999/15 dated 28.11.2015 from the Director of Urban Affairs, Thiruvananthapuram.

**ORDER**

On the alleged irregularities in the execution of various works, the Vigilance & Anti Corruption Bureau, Wayanad Unit conducted a Surprise Check at Kalpetta Municipality on the relevant sites on 26.07.2005 and 27.07.2005 and found that Kalpetta Municipality has implemented a project of paving, metalling and tarring of bus stand yard and its approach road in Kalpetta Municipality during the year 2002-03 at a total cost of 7,15,000 and it was implemented by the Kalpetta Municipality through a PWD contractor named Shri. Suresh Babu.

During the Vigilance Check, it was found that the work was inferior quality and got damaged prior to its guarantee period. However, this was rectified by engaging another contractor named Shri. Sabu Abraham and thus the Municipality suffered a loss of Rs.4,05,961/-.

2) The Director, Vigilance & Anti Corruption Bureau as per the letter read as 1<sup>st</sup> paper above has recommended to take departmental action against Dr. Samji David, Secretary, Kalpetta Municipality for his failure to get rectified the damage in works as the work was within the guarantee period.

3) Government have examined the recommendation of the Director, Vigilance & Anti Corruption Bureau and accepted the same. Hence Memo of charges for major penalty read as 2nd paper above has been served on Dr. Samji David, Municipal Secretary as a part of disciplinary action against him. In the Written Statement of Defence read as 3rd paper above, the accused has submitted that Engineers are solely responsible for the irregularity and there is no intentional fault or inaction on his part. As requested by the accused, he was heard by the Under Secretary, Local Self Government Department on 29.09.2016. During the hearing, he has submitted that the charges in the memo of charges will not stand either factually or legally and has requested to exonerate him from the charges levelled against him in the memo of charges.

4) Government have examined the Written Statement of Defence of the accused in detail and are of the view that the arguments put forth in the Written Statement of defence is not at all fully satisfactory and a formal enquiry is necessary in the matter.

5) In the above circumstances, Government are pleased to appoint Shri.B.K.Balaraj, Joint Director (Administration), Directorate of Urban Affairs, Thiruvananthapuram as "Inquiring Authority" to conduct a formal enquiry as per Rule 15(2) of Kerala Civil Services (Classification, Control and Appeal) Rules, 1960 on the charges levelled against Dr.Samji David, Municipal Secretary in the Memo of Charges read as 2nd paper above.

6) The Inquiring Authority shall submit the formal enquiry report within a period of one month from the date of this order as per Rule 15 (10) of Kerala Civil Services (Classification, Control & Appeal) Rules, 1960.

(By Order of the Governor)  
**T.K. JOSE,**  
**PRINCIPAL SECRETARY**  
**(LOCAL SELF GOVERNMENT DEPARTMENT)**

**To**

The Director or Urban Affairs, Thiruvananthapuram.  
The Principal Accountant General (Audit/A&E), Kerala, Thrissur.  
Dr. Samji David , Secretary, Pathanamthitta Municipality.  
Shri.B.K.Balaraj, Joint Director (Administration), Directorate of  
Urban Affairs, Thiruvananthapuram (alongwith the copies of all  
documents in the reference of this Government Order)  
The Executive Director, Information Kerala Mission,  
Thiruvananthapuram. (For publishing this Order in the website)  
Stock File/Office Copy.

**Forwarded/By Order**

  
**Section Officer**