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GOVERNMENT OF KERALA

Abstract

LSGD – EW – Irregularities in the work of Thiruthippally – Orkulam road in Cheruvathur Grama Panchayat – Recovery of loss from Sri.P.K.Mohanan, Assistant Engineer (Rtd) – Orders of the Hon'ble KAT in OA(EKM)-1931/2016 dated 04/01/2017 & 23/03/2017- Complied with – Orders issued.

LOCAL SELF GOVERNMENT (EW) DEPARTMENT

GO (Rt) No.899/2017/LSGD. Dated, Thiruvananthapuram, 27-03-2017.

- Read:-
- 1 Letter No. 3239/D3/2010/Vig dated 31-03-2010.
 - 2 Lr. No. E14 (QV 04/10/KSD) 1340/2010 dated 25/03/2010 of the Director , V&ACB.
 - 3 Show Cause Notice No.25660/EW2/2011/LSGD dated 21-11-2014.
 - 4 Reply dated 31/12/2014 submitted by Shri. P.K.Mohanan.
 - 5 Letter No. E14/4566/2010/CE/LSGD dated 02-05-2011 & 23/02/2017 of Chief Engineer, LSGD.
 - 6 Orders of the Hon'ble KAT in OA(EKM)-1931/2016 dated 04/01/2017 & 23/03/2017.
 - 7 U.O. No. 35/D3/17/Vig dated 27/03/2017.

ORDER

Vigilance and Anti Corruption Bureau conducted a surprise check on 19-02-2010 and found irregularities in the Thuruthi Juma Masjid Mosque to Orkulam Palanthanmedu roadwork at Cheruvathoor Grama Panchayat. Vigilance Department calculated the loss sustained to the public exchequer in this work as ₹.105842 /- and recommended to recover that amount and to take Departmental action against Sri. Babu Chinnappan, Assistant Executive Engineer and Sri.P.K.Mohanan, Assistant Engineer.

Since departmental action was not possible against Shri. P.K.Mohanan, Assistant Engineer , as he retired from service on superannuation on 31/03/2010, Government decided to recover the loss from him and issued Show Cause Notice read as 3rd paper above.

In the reply read as 4th paper above , Shri. P.K.Mohanan, Assistant Engineer requested to release the withheld portion of DCRG since he is not responsible for the loss. The Secretary , Gramapanchayat , Cheruvathoor had also requested to review the enquiry report read as 2nd paper above and furnished the copy of the documents related to the work.

Hence the Chief Engineer, LSGD was directed to furnish a detailed report with his specific recommendation in this matter . The Chief Engineer, LSGD has made a detailed enquiry in the matter through the Executive

Engineer, LSGD Division, Kasaragod and as per the letters read as 5th paper above reported that an amount of ₹. 23172/- was paid in excess to the contractor due to the lapses on the part of the officials.

Since the Administrative Department cannot take any independent decision regarding Vigilance Reports, as mandated in G.O(P) No.46/97/Vig dated 31/07/1997 the opinion of the Vigilance Department was sought for regarding the amount of liability in the work of Thiruthippally – Orkulam road. Meanwhile, Sri.P.K.Mohanan, Assistant Engineer has moved to Hon'ble KAT in the matter and the Hon'ble KAT as per the order read as 6th paper above directed to take a decision on the Show Cause Notice read as 3rd paper above.

The Vigilance Department, as per 7th paper above given the assent to release the withheld portion of DCRG of Sri.P.K.Mohanan, Assistant Engineer (Rtd) and to recover the excess payment received by the contractor as assessed by the Administrative Department.

Government have examined the matter in detail. In view of the orders of the the Hon'ble KAT as per the order read as 6th paper above, the Chief Engineer, LSGD is directed to release the withheld portion of DCRG of Sri.P.K.Mohanan, Assistant Engineer (Rtd) forthwith after taking appropriate decision on any other liability, if any, other than that for the work of Thiruthippally – Orkulam road which is found outstanding against him and the Secretary, Gramapanchayat, Cheruvathoor is directed to recover ₹. 23172/- (Rupees Twentythree Thousand One Hundred and Seventytwo Only) from Sri.C.Narayanan, PWD Contractor. The Order of Hon'ble Kerala Administrative Tribunal read as 6th paper above is complied with accordingly.

(By Order of the Governor)

MINIMOL ABRAHAM
Additional Secretary to Govt.

To

1. The Advocate General, Ernakulam. (With C/L)
2. Sri.P.K.Mohanan, Assistant Engineer (Rtd), (Through CE, LSGD)
3. The Chief Engineer, LSGD, Thiruvananthapuram.
4. The Secretary, Gramapanchayat, Cheruvathoor. (To furnish ATR urgently)
5. The Accountant General (A&E/Audit), Kerala, Thrissur.
6. The Director of V&ACB.
7. Vigilance (D) Department. (Vide 7th paper above)
8. The LSG (EW3) Department.
9. The Web & New Media, I&PRD
10. Stock File/Office Copy.

Forwarded/ By Order



Section Officer