



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing – Irregularities in the execution of Municipal Bus Stand work and the works under “Re-dedication Programme” in various wards of Mavelikkara Municipality – Vigilance Enquiry - Disciplinary action against Sri. Raveendran Nair. D, former Second Grade Overseer - finalized - Orders issued.

Local Self Government (EW) Department

G.O.(Rt)No.1021/2020/LSGD Dated,Thiruvananthapuram, 01/06/2020

Read:- 1 Letter no. 5828/D3/97/Vig dated 11.12.1997 of the Additional Chief Secretary, Vigilance Department.

2 Letter no. E4(VE 17/97/ALP)14730/97 dated 22.11.1997 of the Director, Vigilance & Anti-Corruption Bureau.

3 Memo of Charges no.16595/EW1/2010/LSGD dated 12.03.2012.

4 Written Statement of Defence dated 24.04.2012 submitted by Sri. D. Raveendran Nair.

5 Letter no. E12/2445/2012/CE/LSGD dated 22.03.2017& 05.08.2019 of the Chief Engineer, LSGD.

6 Letter no. A2-9789/04 dated 14.03.19 of the Secretary, Mavelikkara Municipality.

ORDER

The enquiry conducted by Vigilance and Anti Corruption Bureau into the allegation of irregularities in the execution of Municipal Bus Stand work and works under "Rededicated Programme" in various wards in Mavelikkara Municipality revealed that there occurred lack of supervision and failure on the part of implementing Engineering Officials. Hence Vigilance and Anti Corruption Bureau has recommended to initiate departmental action against the Sri. T. Mathew, former Municipal Engineer and Sri. D. Raveendran Nair, Second Grade Overseer of Mavelikkara Municipality, Sri. John Joseph, Assistant Executive Engineer, PWD Sub Division and Sri. K. A. Thomas, Executive Engineer, PWD Roads, Alappuzha and to recover the sustained loss amounting to Rs.14,399/- from Sri. M. C. Josen, the contractor.

2. At the time of initiating action, of the four suspected officers, three of them had already retired from service. As Sri. D. Raveendran Nair, Second Grade Overseer, only remained in Service, disciplinary action for minor penalty under Rule 16 of KCS (CC&A) Rules was initiated against him and as per 3rd paper read above Memo of Charges and Statement of Allegations were served on him on 12/03/2012. It is to be noted that the accused officer had retired from service in 2012. Based on the Written Statement of Defence hearing too was given to him.

3. On his Written Statement of Defence read as 4th paper above, the Chief Engineer has remarked that the contentions put forward by the accused cannot be considered as it is the responsibility of the Overseer to supervise the public works of the Municipality. Here in this case the accused has contended that the officials who were related to the said work were the Building Inspector, Municipal Engineer and Work Superintendent. But in the Vigilance Report it is mentioned that the accused has

supervised the work from 12/96 to 1/97. Besides the Chief Engineer has reported that no details regarding his involvement in the said work and whether the accused is responsible for the financial loss (Rs.14,399/-) has been received from the Secretary, Mavelikkara Municipality. It is also informed that all pensionary benefits have been sanctioned to him.

4. As per letter dated 26.04.12, the Secretary, Mavelikkara Municipality was directed to recover an amount of Rs.14,399/- from the final bill due to the contractor. But the Secretary, Mavelikkara Municipality has informed that on examining the file relating to the work PW.2691/81 it was found that the fourth bill has been sanctioned to the contractor on 03.06.97. Also while giving direction to the contractor to remit the amount he had replied that the alleged liability for damages determined by the Municipality without notice is unenforceable not only as per section 539 of Kerala Municipality Act but also because the demand is arbitrary as it relates to a work executed almost 20 years ago.

5. On examination, it is seen that the issue is related with a work executed during and around 1995's, i.e., before a period of about 25 years. As the alleged malpractice has been occurred way back in 1995 and the possibility of recovering the lost amount seems to be remote in this regard, Government have decided to finalise the disciplinary action initiated against Sri. Raveendran Nair D., former Second Grade Overseer in Mavelikkara Municipality by dropping further action in the matter and orders issued accordingly.

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

To:

Sri. Raveendran Nair D., former Second Grade Overseer, Mavelikkara Municipality

(Through Chief Engineer, LSGD).

The Chief Engineer, LSGD, Thiruvananthapuram.

The Accountant General (A&E/Audit) Kerala, Thrissur.

The Director, Vigilance & Anti-Corruption Bureau.

Vigilance Department.

The Web & New Media, I&PRD.

LSG(EW3) Department.

Stock File/Office Copy.

Forwarded /By order

Section Officer