

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

Local Self Government Department- Engineering Wing– VC-10/2015/ALP- regarding misappropriation of funds for the construction of School Building of Avittam Thirunal Govt VHSS, Mankompu, Alappuzha- Prosecution Sanction against Smt Beena A- Rejected - Order issued.

LOCAL SELF GOVERNMENT (EWA) DEPARTMENT

G.O.(Rt)No.1352/2025/LSGD Dated,Thiruvananthapuram, 31-05-2025

- Read 1 Letter No.C2-(VC-10/2015ALP)45275/2015/DVACB dtated 19.04.2024 Director, Vigilance & Anti Corruption Bureau, Thiruvananthapuram.
- 2 Letter No.C-(VC-10/2015/ALP)2057/2019/ERK dated 20.07.2024 of the Superintendent of Police Vigilance & Anti Corruption Bureau, Eastern Range, Kottayam.
- 3 G.O.(Rt)No.762/2023/LDGD dated 30.03.2023
- 4 Formal Enquiry Report (as per Rule 15 of KCS(CCA) Rules 1960 dated 20.07.2023
- 5 G.O.(Rt)No.787/2024/LSGD dated 30.04.2024
- 6 Letter no.LSGD/PD/12340/2023-VIG-A6 dated 28.11.2024 of the Principal Director, LSGD
7. Representation dated 09.01.2025 from Smt. Beena, SE, Kollam Municipal Corporation

ORDER

Vigilance Case VC-10/2015/ALP was registered on 27.01.2015 at VACB, Alappuzha Unit pertaining to alleged irregularities in the construction of School building of Avittam Thirunal Government VHSS, Mankompu, Alappuzha, against-

A1. Sri. Robson, Exe. Engineer, LSGD. Division, Alappuzha from 03.04.2009 to 31.05.2010 (Retired on 31.03.2013)

A2. Sri. Alexander.P.Abraham, former AEE, LSGD, Sub Division,

Veliyanad from 14.6.2010 to 31.3.2011 (Retired on 31.03.2011)

A5. Smt. BeenaA, former Asst. Exe. Engineer, LSGD Veliyanad Block from 03.04.2010 to 25.05.2010 (Date of retirement - 31.05.2025).

2. On completion of the investigation of the case,as approved by the DV&ACB,the Superintendent of Police,V&ACB as per letter read 2nd above requested government to issue Prosecution sanction order against the officers arrayed as accused in the case.

3. But,among the arrayed officers,Smt Beena A,who is due to retire on 31.5.2025 and her probation in the post of Superintending Engineer stands not declared even after completion of disciplinary action initiated against her,in connection with the collapse of Mankompu VHSS submitted a representation read as 7th paper above in which she has indicated that, she had held the charge of Asst Executive Engineer in Chambakulam BP only for a short period, from 03.04.2010 to 25.05.2010. During her tenure of duty for a period of 53 days, the execution of the above mentioned work was in progress and she had check measured the works related to Sand Piling, Plain Cement Concrete (PCC) and Inverted T - Beam for the construction of the foundation for the School building and that, in the related disciplinary action on the same matter, Government had appointed an Enquiry Officer. The Enquiry Officer Sri. Jinesh, Asst Exective Engineer, Pattanakkad Block, submitted his report on the technical aspects of construction of the said school building vide his report dated 20th July 2023. Subsequent to the investigation, the Enquiry Officer Sri. Jinesh K.B., AEE,as per 4th paper read above had reported that the constructed foundation of the building was found to be as per the specification in the M-Book and it still stands intact without any damage, despite the floods that occurred in 2018 and 2019,which shows its resilience and stability.Therefore requested to reconsider and finalize the matter at the earliest.

4.The entire matter was examined in detail. In the related disciplinary action on the same matter, Government had appointed an Enquiry Officer vide order vide order read as 3rd paper above,for enquiry into the said matter. The Enquiry Officer reported that the constructed foundation of the building stood intact without any damage.Moreover, some of the main findings in the Technical Enquiry report dated 20-7-2023 are that,

DLTAG ടി എസ്റ്റിമേറ്റുകളെ വേണ്ട രീതിയിൽ പരിശോധിക്കാതെയും, കട്ടനാട്ടിൽ രണ്ടു നില RCC കെട്ടിടം നിർമ്മിക്കുന്നതിനുള്ള സാങ്കേതികമായ പ്രശ്നങ്ങൾ പരിശോധിച്ച് എസ്റ്റിമേറ്റിൽ വേണ്ട നിർദ്ദേശങ്ങൾ/മാറ്റങ്ങൾ എന്നിവ നിർദ്ദേശിക്കാതെയും, സെക്ഷനിൽ നിന്നും വന്ന എസ്റ്റിമേറ്റുകൾക്ക് സാങ്കേതിക അനുമതി നൽകുകയാണ് ചെയ്തത്.....

കെട്ടിടത്തിന്റെ ഭിത്തിയിലുള്ള ചെങ്കല്ല്, വെള്ളപ്പൊക്ക സമയത്ത് വെള്ളം ആഗിരണം ചെയ്ത് ഭിത്തി മുഴുവൻ വ്യാപിക്കുകയും അതുമൂലം ചെങ്കല്ല് പൊടിയുകയും ആയത് കെട്ടിടം തകരാനുള്ള കാരണം ആവുകയും ചെയ്തതായാണ് മനസ്സിലാക്കാൻ സാധിക്കുന്നത്.

കെട്ടിടത്തിന്റെ ഫൗണ്ടേഷൻ തകരാർ, നിർമ്മാണത്തിലെ അപാകത എന്നിവ മൂലമുള്ള തകർച്ച ആയിരുന്നെങ്കിൽ കെട്ടിടത്തിന്റെ ഫൗണ്ടേഷൻ താഴ്ന്ന് കെട്ടിടത്തിന് വീള്ളുകൾ രൂപപ്പെടുക എന്നിവയും അതിനു ശേഷം കെട്ടിടം തകർന്ന് വീഴുകയുമാണ് ചെയ്യുന്നത്.

ലഭ്യമായ ഫയലുകളിലെയും, മെഷർമെന്റ് ബുക്കുകളിലെയും കോപ്പികൾ പരിശോധിച്ചതിൽ നിന്നും, നിർമ്മാണ പ്രവർത്തനങ്ങൾ നടന്നത് അംഗീകൃത പ്ലാൻ, എസ്റ്റിമേറ്റ് എന്നിവ പ്രകാരം തന്നെയാണ്.

5. On going through the above details, it is clear that, the Enquiry Officer observed that the constructed foundation of the building stood intact as per the specification noted in the M-book which was check measured by Smt. Beena A, which is conveyed in the observations as mentioned above. The charge that the measurement duly check measured and noted as fabricated could not be established in the Enquiry conducted in the year 2023. The fact is that the foundation of the building stood intact, even when the wall collapsed; i.e. there does not seem to be any irregularity in the construction/check-measurement of the foundation. Hence there is no case for initiating prosecution against Smt. Beena, as requested by the Vigilance. Besides, after completion of the enquiry, a penalty of withholding of annual increment for 6 months without cumulative effect has already been awarded against Smt. Beena as per Government order read as 5th paper above.

6. In view of the above and on the basis of the observations in the Enquiry Report of the Technical Officer, Government find no reason to proceed any action against Smt Beena A on the same allegation which stands already finalised. Therefore, Smt Beena A, then Assistant Executive Engineer (now SE, due to retire on 31-5-25) is exonerated from the charges levelled against her and it is ordered that no prosecution sanction is required further in her case.

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

To

1. The Director, Vigilance & Anti Corruption Bureau, Thiruvananthapuram.
2. Principal Director, LSGD
3. Chief Engineer(LID & EW) , LSGD (Through PD)
4. LSG(EWB)Department
5. Vigilance Department
6. The Accountant General (A&E)/Audit) Kerala, Thrissur
7. The Web & New Media, I&PRD
8. Stock File/Office Copy.

Forwarded /By order

Section Officer