



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Establishment - Koothuparamba Municipality - Vigilance Surprise Check - Operation Service Rights - Disciplinary action initiated against Dr. Samji David, Secretary - Finalized - Orders Issued.

LOCAL SELF GOVERNMENT (EU) DEPARTMENT

GO(Rt)No: 334/2017/LSGD.

Dated, Thiruvananthapuram, 06.02.2017.

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- Read :**
- 1) Letter No. E13(SC52/13/KNR) 27601/2013 dated 02.04.2014 from the Director, Vigilance & Anti Corruption Bureau, Thiruvannathapuram.
 - 2) Memo of charges No. 74342/EU1/14/LSGD dated 31.12.2014 served on Dr. Samji David, Secretary, Koothuparamba Municipality.
 - 3) Written Statement of Defense dated 20.04.2015 submitted by Dr. Samji David.
 - 4) Letter No. V2-862/15 dated 07.06.2016 from the Director of Urban Affairs, Thiruvananthapuram.

ORDER

As part of State Wide Surprise Check under the caption "Operation Service Rights", the Vigilance & Anti Corruption Bureau, Kannur Unit conducted a Surprise Check (No. SC 52/13/KNR) in the Municipal Office, Koothuparamba on 09.09.2013 and the following irregularities were detected.,

- (1) The Board showing the services rendered at the Municipal Office as per Right to Services Act is not exhibited anywhere in the Municipal Office.
- (2) The Cash Book in manual form is not maintained in the office even if it is customary to maintain in the office.

- (3) A delay is noticed in disbursing the wages, salaries and pensions to the employees. An amount of Rs.1,92,409 encashed on 03.09.2013 is pending in the office for disbursement.
- (4) Personal Register of each section is not maintained in the office.
- (5) Municipal Secretary, Dr. Samji David and Food Inspector, Vijayan were absent on duty in the office. their absence is anywhere accounted.
- (6) Columns regarding the attendance of Shri. Jayarajan Kommeri, U.D. Clerk, Shri. Rajeevan, Peon, Shri. Subhash T.P., Peon, Shri. V. Satheeshan, Peon, Shri. V. Satheesan, Peon, Shri. K. Rajeev, Peon and Smt. Devi. K are kept blank in the attendance register on 09.09.2013 and their absence were not properly accounted.
- (7) Inordinate delay is noticed in performing various services.
- (8) Ten Building Application files are pending in the office violating the Kerala Right to Services Act.
- (9) Sixty One birth certificate applications are pending in the office violating the Kerala Right to Services Act.
- (10) Eighty five applications for various pensions are pending in the office violating the Kerala Right to Services Act.
- (11) Ten appeal petitions for assessing professional tax are pending in the office violating the Kerala Right to Services Act.
- (12) Six D & O (Dangerous & Offensive) license applications are pending in the various sections violating the Kerala Right to Services Act.
- (13) Cash declaration Register and attendance Register are not maintained properly.

2) The Director, Vigilance & Anti Corruption Bureau, as per the letter read as 1st paper above, has recommended to take departmental action against the officers responsible for the irregularities.

3) Based on the recommendation, disciplinary action was initiated against Dr. Samji David, former Secretary, Kuthuparamba Municipality and Memo of Charges was served to him as per the letter read as 2nd paper above. In the Written Statement of Defence read as 3rd paper above, the accused submitted that the details of services available and the names of designated officers under RTI Act were already displayed in the Ground floor and the said touch screen was inaugurated by the Local MLA. He submitted that cash book is maintained in the software on direction from the Government. Some

contingent employees were reluctant to accept the bonus as part of their agitation and the practice is that cash will be remitted back to the treasury within days if not disbursed. The Personal Register is well maintained in the Municipality. He is on the stand that the Food Inspector is not an Employee of that office and he need not come to Municipality on all days. Regarding his absence on 09.09.2013, he submitted that he went to Directorate of Urban Affairs on 06.09.2013 for receiving digital signature and returned on 09.09.2013. He is on the stand that the explanation on the absence of other officers would have sought for from the Superintendent concerned who was in charge in his absence. Absentees were granted Casual Leave on their request. He submitted that the building permit applications up to 300 Meter Square has to be decided at the level of Assistant Engineer who was non-cooperative and later he was suspended as per direction from the Chairperson. He contended that issuance of the death and Birth Certificate is under the control of Health Inspector under delegation of power. He added that appeal on professional tax assessment has to be considered by the Finance Standing Committee and its Chairman being the Vice Chairman. And thus he is not responsible for the delay in deciding those appeals. He submits that more time is required to the Health Inspector to dispose the D&O License applications and in his tenure cash declaration register and attendance register were strictly maintained.

4) The Director of Urban Affairs as per letter read as 4th paper above, has informed that the explanation of the accused is partially admissible. But has pointed out that as per the tour dairy, there was no official tour to the accused on 09.09.2013, but the relevant column in the attendance register was blank. More over Smt. Devi, Health Inspector was granted casual leave for 09.09.2013 (ie. the date of surprise check). But she had already availed all the 20 casual leaves before that date.

5) The Under Secretary, Local Self Government (EU) Department conducted a hearing the matter on 29.08.2016. During the hearing, the accused could not put forth any valid explanation for the absence on 09.09.2013 and the action in having granted further causal leave to Smt. Devi, Health Inspector. Government have examined the matter in detail with the report of Director of Urban Affairs. Government are of the view that Dr. Samji David deserves penalty. In the circumstances the disciplinary action initiated against Dr. Samji David for the irregularities detected by the Vigilance and Anti Corruption

Bureau in the Surprise Check under the caption "Operation Service Rights" is finalized by withholding his one increment without cumulative effect for a period of 6 months under Rule 11(1) (iii) of KCS(CC & A) Rules 1960.

(By Order of the Governor)

**S. MOHANDAS,
JOINT SECRETARY.**

To

The Director of Urban Affairs, Thiruvananthapuram.

The Director, Vigilance and Anti Corruption Bureau,
Thiruvananthapuram.

The Director, Kerala State Audit Department, Thiruvananthapuram.

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

The Secretary, Koothuparamba Municipality

Dr. Samji David, Former Secretary, Koothuparamba Municipality.

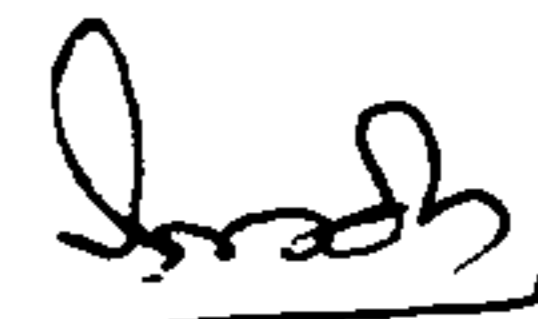
(Through Director of Urban Affairs)

Vigilance Department (vide U.O.(O) No. 10745/D1/16/Vig.
dated 09.12.2016.

~~The Executive Director, Information Kerala Mission,~~

Thiruvananthapuram. (For publishing this order in the website)
Stock File/Office Copy.

Forwarded/By Order



Section Officer