



## GOVERNMENT OF KERALA

### Abstract

Water Resources(Ground water) Department-Disciplinary action initiated against Sri. Udayakumar, Assistant Executive Engineer, and Vimalraj, District Officer, Ground Water Department, Alappuzha finalised- orders issued.

### WATER RESOURCES (GROUND WATER)DEPARTMENT

G.O.(Rt)No.309/2020/WRD Dated,Thiruvananthapuram, 15/05/2020

- Read 1 Quick Verfication Report No. QV-22/15/ALP dated 31/08/2016 of the Vigilance & Anti Corruption Bureau, Alappuzha
- 2 Memo of charges and Statement of Allegation dated 12/12/2017 served to Sri. Vimal Raj, District officer, Ground water Department ,Alappuzha.
- 3 Memo of charges and Statement of Allegation dated 12/12/2017 served to Sri. Udayakumar, Assistant Executive Engineer, Ground water Department ,Alappuzha.
- 4 Written Statement of Defence dated 04.04.2018 submitted by Sri. Udayakumar, Assistant Executive Engineer
- 5 Written Statement of Defence dated 11.05.2018 submitted by Sri. Udayakumar, Assistant Executive Engineer
- 6 Lr.No.E2-1521/2017/DGW,dated 24/05/2018 of Director, Ground water Department

### ORDER

1. Based on the allegation of corruption against the officials of Ground Water Department in District Office Alappuzha vide letter dated 20/4/2015 filed by Sri. Vinodkumar, Vigilance Department conducted Quick Verification into the complaint and furnished report dated 31/8/2016 by the Deputy Superintendent of Police Vigilance and Anti Corruption Bureau, Alappuzha.

2. Accordingly Sri. Udayakumar, Assistant Executive Engineer, and Vimalraj, District Officer, Ground Water Department, Alappuzha were served

with Memo of Charges and Statement of Allegations. In the reply to the Memo of Charges, the officers requested for personal hearing and as such the officers were heard by Deputy Secretary on 11/04/2019.

3. The complaint is that the officials of District Office, Alappuzha, Ground Water Department are misappropriating a huge sum of money by way of forged and unauthenticated cash bills on the pretext of expenses on spare parts and repair works in drilling units. The allegations are:-

- (i). The Officials of Ground Water Department, District Office, Alappuzha misappropriated huge amounts by way of forged and unauthentic cash bills in the name of various spare parts shops and workshops concerning the repair works of the drilling Units.
- (ii). Sri. D. Vinod, a Seasonal Labour of Ground Water Department Alappuzha has a contractor licence in the name of his son and as such he undertakes the contract works of GWD, Alappuzha
- (iii). There are Irregularities in the tender works of GWD Alappuzha
- (iv). Irregular CLR's are intended to be promoted as SLR's.

4. One of the main functions of the Ground Water Department is drilling wells for drinking water and irrigation purpose. Besides, the Department also undertakes construction of borewells. Four major rotary rig units viz Rotary No.III, Rotary No-V, Rotary No-VI and, Rotary No-IX, a Calyx Rig and two Filter Points are used under the district office of GWD Alappuzha for these works(W-41). Each unit is functioning under the charge of a permanent technical staff(W-22). Rotary Rigs are used for drilling tube wells having a depth of 60m to 200 meters, where as calyx rigs is used for drilling tube wells in remote places having a depth of 60 meter to 150 meters. Filter points are used for drilling wells upto 20 meters.

5. In connection with the same offences the Director, Ground Water Department has issued order No. E(6)-7331/17/GWD dated 27/2/2018 finalising action against SO1 Sri. Peterson P.V., Sr. Driller, Ground Water Department, Alappuzha and SO2 Sri. K.R. Syamlal, Driller Mechanic (Sr. Grade), Ground Water Department, Alappuzha. It is found that the bills produced by SO2 Sri. Syamlal, Sri. Udayakumar (SO3) Assistant Executive Engineer endorsed for payment and SO4 Sri. Vimalraj being the District Officer passed the bills.

6. SO3 & SO4 are involved in the allegation and works as corollary to

the decision taken vide proceedings 27/2/2018 above. The reply to the Showcause Notice submitted were examined in detail.

7. Sri. Udayakumar, Assistant Executive Engineer, Ground Water Department, District Office, Alappuzha offered his remarks as follows. In his reply dated 4/4/2018 (Annexure 1). The reply dated 11/05/2018 of SO4 Shri. Vimalraj was also examined. He stated that whenever the above unit incharge reports the necessity of the repair of particular unit occurs, his immediate subordinate, Assistant Executive Engineer/ Assistant Engineer inspects the necessity of the works, verifies the estimate of the reported repair work and when it is a major work, he being Executive Engineer (Mechanical Engineer) conducts direct inspection of the necessity of the works, technical feasibility and issues Essentiality Certificate, and Administrative Sanction within his delegatory powers. As per the Essentiality Certificate, the site in-charge is permitted for carryout the repairing works including the replacement of defective spares. It is done under the supervision of Assistant Executive Engineer/Assistant Engineer and technically qualified persons (staffs) at the particular sites.

8. When the completion of work is reported by the unit in charge the Assistant Executive Engineer/Assistant Engineer inspects the details, viz, (1) the proper completion of repair works (2) the replaced defective spares is taken into the stock of condemned register (3) Necessary entries are made in the concerned register & the purchased spares are fitted properly in the machinery.

9. It is his duty as Executive Engineer to inspect and clarify the following points before clearing payments to various firms.

- (1). The Essentiality Certificate was issued in each cases.
- (2). Administrative Sanction is issued for a particular works.
- (3). New spares were fitted in the repaired machineries and necessary entry has been made in its register.
- (4). The replaced defective spares were taken in stock and entered in the Condemned Register.
- (5). Overall the sanctioned repair works were completed satisfactorily enabling the smooth operation of the drilling activities.

10. After the above technical evaluation, he has passed the above bills submitted by various firms/in-charges of the units. Proper tax remittance is the duty of the firms who have collected it. It is also submitted that Vigilance & Anti Corruption Bureau has also not pointed out any physical losses and also

admits that the replacement of spares were essential.

11. It is evident from the report furnished by District Officer Sri. S. Vimalraj that whenever the necessity of the repair of a particular unit occurs which will be reported to the superior officers by the immediate subordinate officers and then conduct repairs and put the machine in running condition depending on the necessity. There is no physical losses and the V&ACB had admitted that replacement of defective parts were essential.

12. As per statement of allegation SO2 Shri. K.R Syamlal submitted false bills and based on the endorsement of SO3 Sri. Udayakumar, the District Officer Sri. Vimalraj SO4 passed the bills for Rs. 988.37/-. In this case SO1&SO2 were penalised vide order No. E(6)-7331/17/GWD dated 27/2/2018 of Director, Ground Water Department. Therefore SO3&SO4 are corollary to the offences by SO1 & SO2. Therefore they may be warned that they should be more vigilant in passing bills. As far as the point no. 2 in SoA, there is no specific charges levelled against SO3 and his reply is also not seen related. In the allegation No. 3 , SO1 has purchased and produced bill dated 11/1/2014 from m/s Shalimar tractors and the allegation is that the amount of Rs. 11,891/- had been misappropriated by SO1. It is stated that one among the arguments of the Assistant Executive Engineer is that the SO1 Sri. P.V. Peterson, driller had furnished a bill from M/s Shalimar tractors dated 11/1/2014. Therefore he absolved from the liability of this claim. In this connection he reported that while working with drilling activities in Lakshmithoppu in Thrikkunnapuzha Gramapanchayath in Alappuzha District on 10/1/2014 the gear box of Rotary III Machinery became defective.

13. As per the reply it is revealed that a 22 inch RR Bit, drill rad, kelly rod etc. worth Rs. 3 lakhs were in the bore hole. If the machine has not been immediately repaired and drilling operation continued these items would have been lost in the bore hole without recovery. Therefore immediate action was necessitated and the spare parts were used to complete the repair and proper functioning of the drilling unit. Accordingly SO3 has recommended for payment of Rs. 11891/-. From the reply it is also revealed that new parts were used for running machine and the old parts were taken into the stock and proper functioning of the drilling unit was established. Accepting this reply he may be absolved from the liability as the machinery worth Rs. 3 lakhs left at bore hole would have been lost, had it not been properly attended to. Therefore repair had really necessitated and the same had been executed in time. But the veracity of the bills could not have been checked.

14. As regarding the allegation No. 4 there is no evidence of charges against anyone except SO2. Against charge 5& 6 the non payment of tax to sales tax department is not the fault of the SO3 and SO4. Therefore they cannot be made liable for non -payment.

15. From the above evaluation it is found that the SO1 & SO2 had done grave irregularity and for that they were penalised by the Director of Ground Water Department vide order dated 27/2/2018.

16. By considering the reply and other details SO3 &SO4, the disciplinary action initiated against Sri Vimal Raj, Distict Officer and Sri Udayakumar,Assistant Executive Engineer are finalised by imposing a penalty of 'Censure' , under Rule 11(1) (i) KCS(CC&A) Rule 1960 , upon them. They should be more Vigilant in execution of any work and payment as far as possible they should satisfy themselves that the works have been executed in proper manner and as per rules.

(By order of the Governor)  
**MURALI. S.**  
**DEPUTY SECRETARY**

To:

The officers concerned(through the Director,Ground Water Department)

Director,Ground Water Department, Thiruvananthapuram.

Accountant General(Audit/A&E), Thiruvananthapuram

Vigilance Department(Vig-D2/654/2019-VIG dated 29/01/2020)

Information and Public Relations(Web&New media) Department

Stock file/ Office Copy.

Forwarded /By order

  
Section Officer

