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GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department- Vigilance Factual report in connection with registering a forest case by Shri.Rahul.B, Forest Range Officer in Adimali Range-Disciplinary action Finalized-Orders issued.

FOREST & WILDLIFE (A) DEPARTMENT

G.O.(Rt)No.

96/2018/F&WLD Dated,Thiruvananthapuram,28/02/2018

Read: 1

Letter No.C6 (VC 13/2012/IDK) 39099/12 dated 18.06.2015 from the Director, Vigilance and Anti-corruption Bureau, Thiruvananthapuram.

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- 2 Memo of Charges No.10232/A2/2015/F&WLD dated 10.10.2015.
 - 3 Written statement of defence dated 11.12.2015 submitted by Shri.B.Rahul.
 - 4 Letter No.B8-3228/13 dated 04.12.2016 of Additional Principal Chief Conservator of Forest(Administration).

ORDER

Shri. K.Mukesh Kumar, Section Forest Officer ,Adimali Range demanded Rs.20,000/- as bribe on 11.12.2012 and accepted an advance bribe amount of Rs. 10,000/- that evening for permitting one Robin Thomas to transport the logs that he has purchased for sale from the patta land owned by one Benny at Mankuva and subsequently the remaining amount was negotiated and reduced to Rs. 5,000/- and demanded to bring the amount on 15.12.2012 and accordingly the accused has accepted the bribe amount of Rs. 5,000/- on 15.12.2012 at 5.30 pm and thereby the accused have committed the offence. The bribe money was recovered from the pant's pocket of the accused by the vigilance. The accused was arrested and produced before the court.

2) The then Forest Range Officer Shri. Rahul.B, registered a Forest Case as OR 17/12 u/s.5(2) of KPT Act 1986 against the land

owner, who cut down the trees without prior sanction from the forest department, on 17.12.2012 ie, on the next day of the trap.

3) The Director, Vigilance and Anti-corruption Bureau, Thiruvananthapuram as per the letter read as 1st paper above has recommended to take departmental disciplinary action against Shri. Rahul.B, Forest Range Officer, Adimali for registering a Forest Case just one day after the trap, out of vengeance, against the complainant.

4) As per letter read as 2nd paper above Memo of Charges/Statement of Allegations has been served to Shri.B.Rahul, Forest Range Officer for minor penalty vide Rule 16 of Kerala Civil Services (Classification, Control & Appeal) Rule 1960 with the charges that

(i) he registered a forest case, OR 17/12 U/S 3(2) of KPT Act 1986 on 17-12-12 against the complainant Sri.Robin Thomas and the land owner as a vengeance measure for arresting Shri.K.Mukesh Kumar, Section Forest Officer in a vigilance case just one day after the trap.

(ii) he failed to detect the fact that Sri.K.Mukesh Kumar, Section Forest Officer was maintaining an office unauthorisedly for his convenience at his rental room parallel to Mudakkayam Forest Office that shows his supervisory lapse or his connivance with the accused in pecuniary advantage.

(iii) His above act tantamount to grave dereliction of duty and gross indiscipline.

5) Shri.B.Rahul, Forest Range Officer has furnished the written statement of defence as per reference read as 3rd paper above. In the written statement of defence he had denied all the allegations against him. The Additional Principal Chief Conservator of Forest (Administration) has furnished his opinion upon the statement of defence as per letter read as 4th paper above that the incident spot is inside of the cardamom hills in Udumbanchola, located at the Konnathadi village. As per the Gazette Notification dated 14.05.1987, Konnathadi village is under the KPT Act 1986. As per this notification, cutting down trees is not permitted. Hence the action to register case by the Range Officer is legally valid. There is no justification to the argument that the motive of the Range Officer was a revenge. Forester is resided in a rented house at Kambilikkandam. It is not mandatory for Range Officer to search the rented premises occupied by the Forester, hence the name plate of forest office installed at the rented premises might not have come to the Range Officer's notice. The said office had no official permission for working as Forest Office. It is a fact that the officials were not able to arrange office residence for section staffs at Mukkadam Section. Section Forest Officer's act of installing the


board to take advantage of this situation should be regarded as his intention to indulge in corruption.

6) Government have examined the case in detail. In considering the explanation of Shri.B.Rahul and the remarks of the Additional Principal Chief Conservator of Forest (Administration) therein and in considering the fact that Shri.B.Rahul is not arrayed as an accused in the vigilance case, Government orders to exonerate him from the charges levelled against him and the disciplinary action is finalized accordingly.

By order of the Governor
AJITH K JOSEPH
JOINT SECRETARY

To :- The Additional Principal Chief Conservator of Forest (Administration)
Shri.B.Rahul, ~~Range~~ Forest Officer
(through Additional Principal Chief Conservator of Forest
(Administration))
The Principal Accountant General (A&E/Audit), Thiruvananthapuram
Director, Vigilance and Anti-corruption Bureau, Thiruvananthapuram.
✓ Information Public Relations (Web & New Media) Department
Stock File/Office Copy.

Forwarded/By order


Section officer