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GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department-Irregularities in the timber operations carried out during 1992-94 in Naduvathumoozhy Range of Konni Division-Disciplinary action against Shri.K.T.Hariharan, Assistant Conservator of Forest (Rtd) – Finalized Orders issued.

FOREST & WILDLIFE (A) DEPARTMENT

G.O.(Rt) No.174/2017/F&WLD

Dated, Thiruvananthapuram 05.05.2017

- Read:-
- 1) Memo of Charges & Statement of Allegations No. 12168/A2/99/F&WLD dated 25.08.2001.
 - 2) Written Statement of Defence dated 14.12.2001 submitted by Sri.K.T.Hariharan
 - 3) G.O.(Rt) No. 327/2002/F&WLD dated 30.09.2002.
 - 4) Letter No. VE2-5490/94 dated 02.09.2006 of Chief Conservator of Forests (FMIS)
 - 5) G.O.(Rt) No. 546/06/F&WLD dated 21.12.2006.
 - 6) Letter No. PCM1-10/2007 dated 21.11.2008 of Chief Conservator of Forests (Wild Life)
 - 7) Show Cause Notice No.4568/A1/2011/F&WLD dated 27.08.2011.
 - 8) Explanation dated 19.01.2012 and 17.06.2014 submitted by Sri.K.T.Hariharan
 - 9) Letter No.B2-19688/95 dated 18.10.2014 from the Additional Principal Chief Conservator of Forest (Administration)
 - 10) Government letter No.4568/A1/2011/F&WLD dated 25.05.2016
 - 11) Letter No. AI(2)4410/16/GW dated 14.03.2017 of Secretary, Kerala Public Service Commission, Thiruvananthapuram.

ORDER

Vigilance Wing of the Forest Department had made an enquiry into the irregularities in the disappearance of teak wood, Poles etc in Naduvathumoozhy Range of Konni Division during the period 1992-94. It is estimated that Government sustained a loss of Rs.59,96,694/- in this case. Memo of Charges and Statement of Allegations were served to 76 officers by the Chief Conservator of Forests.

As per the reference read as 1st paper above, Government issued Memo of charges to Sri.K.T.Hariharan, Assistant Conservator of Forest for the following charges:

- (i) Deliberately colluded with the irregularities in the collection, Protection and disposal of timber/ poles related to final felling/thinning in various teak plantations resulting in huge monetary loss to Government.
- (ii) False reports were prepared and submitted.

- (iii) Failed to recover the lost timber/poles and not taken sincere efforts for recovering it.
- (iv) Petitions were not filed before the police for the theft of timber/poles in stock.
- (v) Timber/poles taken to stock were deteriorated due to personal lapse.
- (vi) Failed to conduct suitable investigation.
- (vii) Due to the above actions Government has sustained a loss of Rs. 59,95,005/-

2) Government ordered a formal enquiry as per the reference read as 3rd paper above. Though the formal enquiry was ordered to bring out evidence in the irregularities committed by all the forest officials involved and to quantify the loss sustained to Government, the Enquiry authority has not made any reference in the enquiry report to the irregularities alleged to have committed by Sri.K.T.Hariharan, Assistant Conservator of Forests (Retired), former Range Officer, Naduvathumoozhy Range against whom charge memo was served by Government. As such vide reference read as 5th paper above Government directed to conduct formal enquiry against Hariharan.

3) Among the 7 charges, Charge No.3 & 5 were proved in the enquiry and the Chief Conservator of Forest (Administration) has recommended to recover the proportionate Government loss amounting to Rs.1,98,669/- from him.

4) Accordingly, as per the reference read as 7th paper above, Show Cause Notice was issued to Sri.K.T.Hariharan, Assistant Conservator of Forests (Retired), proposing recovery of proportionate Government loss amounting to Rs.1,98,669/- from his DCRG and to reduce Rs.300/- from this monthly pension permanently under Rule 3, Part III Kerala Service Rules.

5) In reply to the Show Cause Notice, as per the reference read as 8th paper above, Sri.K.T.Hariharan explained that the entire loss sustained to the Government i.e., Rs.12,24,793/- had been completely recovered from the thirty six officers who were found involved, responsible and liable in the irregularities as decided by the Government while accepting the recommendation of the formal enquiry Authority in this regard. He further submitted that the timber and poles were lost while his predecessor Sri. D.Rajeendranath was holding the charge of the Range during 1990-94. Immediately after taking his charge in April 1994, he had detected the irregularities and reported to the Divisional Forest Officer, Konni and higher authorities. As these irregularities including loss of timbers were taken place during the period of his predecessor, he had sought the advice of his superior officers on the course of action and none of these Superior Officers had advised to file compliant with the police.

6) As per the reference read as 9th paper above, Additional Principal Chief Conservator of Forest (Administration) has reported that the averment made by the accused is not sustainable and is clear that the accused neglected his duties and further recommended to finalize the Disciplinary Action against Sri.K.T.Hariharan, Assistant Conservator of Forests (Retired) taking a lenient view, considering the fact that the accused has been retired from service and the entire Government loss amounting to Rs.12,24,793/- has been recovered from the 36 delinquent officers.

7) Government examined the matter in detail and decided to finalise the Disciplinary Action against Sri.K.T.Hariharan, Assistant Conservator of Forest (Rtd) as mentioned in the Show Cause Notice, since 2 charges levelled against him were proved in the Formal Enquiry conducted in this case and sought the advice of the Kerala Public Service Commission vide Government letter read as 10th paper above. The Commission agreed to the tentative decision taken by the Government vide their letter read as 11th paper above.

8) In the circumstances, the disciplinary action initiated against Shri.K.T.Hariharan, Assistant Conservator of Forest (Rtd), vide 1st paper read above, is finalized by reducing Rs.300/- from his monthly pension permanently under Rule 3 Part III Kerala Service Rules.

(By Order of the Governor)
P.Marapandiyam
Additional Chief Secretary to Government

Additional Principal Chief Conservator of Forest (Administration).
Shri. K.T.Hariharan, Assistant Conservator of Forest (Rtd) (through the Additional
Principal Chief Conservator of Forest (Administration))
The Secretary, Kerala Public Service Commission, Thiruvananthapuram (with C/L)
(vide Letter No.A1(2) 4410/16/GW dated 14.03.2017)
The Principal Accountant General (Audit/A&E), Kerala Thiruvananthapuram
The Information & Public Relations (Web & New Media) Department
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Forwarded/By Order


Section Officer