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GOVERNMENT OF KERALA
Abstract

Forest & Wildlife Department-Irregularities in the collection of Timber for Tribal House construction - Disciplinary Action against Ibrahim Kutty(deceased)- Order dated 13-10-2017 of Hon Kerala Administrative Tribunal -complied with-Orders issued

FOREST & WILDLIFE (A) DEPARTMENT

G.O.(Rt)No.

97/2018/F&WLD Dated,Thiruvananthapuram,28/02/2018

- Read: 1) Letter No.VE4-97/IDK dated 30.07.1997 of the
Vigilance & Anti Corruption Bureau
2) Government letter No.1401/A2/98/F&WLD
dated 03.02.1998
3) Proceedings No. B3/5240/99 dated 14.03.2001 of
Chief Conservator of Forest (Administration)
4) GO(Rt) No. 519/02/ F&WLD dated 04.12.2001
5) Judgment dated 11.07.2006 of Hon'ble High Court of
Kerala in OP. No. 21207/02 filed by Ibrahimkutty.
6) GO(Rt) No. 62/07/ F&WLD dated 02.02.2007
7) Representation dated 04.03.2011 of Smt. Majida
Beevi, wife of late Ibrahimkutty.
8) Order dated 12.03.2013 in TA No. 3053/12 filed
by Ibrahimkutty & another before the Kerala
Administrative Tribunal.
9) Order dated 13.10.2017 in TA No. 3053/12 filed
by Ibrahimkutty & another before the Kerala
Administrative Tribunal.

ORDER

Ibrahimkutty, while holding the post of Deputy Ranger at Valara Forest Station of Neriamangalam Range in Munnar Forest Division had committed certain irregularities in the collection of timber for the construction of tribal Houses at Elamplasserri tribal settlement. The Vigilance & Anti Corruption Bureau enquired the allegations and submitted the enquiry report as per the letter read as 1st paper above. Based on this, the Government instructed the Chief Conservator of Forests (Administration) to take disciplinary action against the delinquent

officials as per the letter read as 2nd paper above. As per the order read as 3rd paper above, the disciplinary action initiated against Ibrahimkutty was finalized by the Chief Conservator of Forest (Administration) by recovering the liability of Rs.82,870/- from his DCRG. Against the said order Ibrahimkutty filed an appeal before Government and Government rejected the appeal vide order read as 4th paper above.

2. As per the judgment read as 5th paper above, in OP No.21207/02 filed by Ibrahimkutty, the Hon'ble High Court, directed Government to disburse the amount of Rs 34664/- to the petitioner with 8% interest and to consider the appeal afresh. As per the order read as 6th paper above, Government had complied with the judgment and rejected the appeal petition. Ibrahimkutty then filed WP (C) 18644/07 before the Hon'ble High Court and during the pendency of this WP (C) Ibrahimkutty died on 06.09.2010

3. Later Smt. Majida Beevi, wife of late Ibrahim Kutty vide reference read as 7th paper above requested to release the withheld amount of Rs.82870/- towards the DCRG. The WP (C) No. 18644/07 was transferred to Kerala Administrative Tribunal as TA 3053/12. The Kerala Administrative Tribunal as per the order read as 8th paper above closed this transferred application as abated since the applicant is no more. Again, Smt. Majida Beevi, filed a fresh representation dated 20.05.2013 before Government to disburse the withheld amount of DCRG due to her husband. Government after examining the case, rejected the representation submitted by Smt. Majida Beevi and the fact was intimated to Hon'ble Kerala Administrative Tribunal. Then a Miscellaneous Application has been filed by Smt. Majida Beevi, to set aside the abatement by condoning the delay, and to recall the order dated 12.03.2013 in TA No. 3053/12. Accordingly the delay has been condoned by the Hon'ble Kerala Administrative Tribunal.

4. As per the order read as 9th paper above, the Hon'ble Kerala Administrative Tribunal, has set aside the disciplinary proceedings against Ibrahimkutty and directed Government to disburse the amount of Rs.82,870/- withheld towards the DCRG to the second applicant, ie Smt. Majida Beevi, within a period of three months from the date of receipt of a copy of the order.

5. Government have examined this case in detail and hereby orders to disburse the amount of Rs.82,870/- (Rupees eighty two thousand eight hundred and seventy only), withheld towards the DCRG of late Ibrahimkutty to Smt.Majida Beevi (wife of Ibrahim Kutty). Thus the order read as 9th paper above is complied with.

6. Additional Principal Chief conservator of Forest (Administration) shall take further urgent necessary action in this regard.

By order of the Governor
AJITH K JOSEPH
JOINT SECRETARY

To:-

The Additional Principal Chief Conservator of Forest
(Administration)
Smt.Majida Beevi, wife of late Ibrahimkutty,
(through Additional Principal Chief Conservator of Forest
(Administration)
Advocate General, Kerala , Thiruvananthapuram(with C/L)
The Principal Accountant General (A&E/Audit),
Thiruvananthapuram
Information & Public Relations (Web&New Media) Department
Stock File/Office Copy.

Forwarded/By order


Section officer
