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GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department- Judgment of Hon'ble Court of Enquiry Commissioner and Special Judge, Thiruvananthapuram, in CC8/2006 - Disciplinary action against Shri.R.Rajendran, Deputy Conservator of Forest (Rtd) - Finalized - Orders issued.

FOREST & WILDLIFE (A) DEPARTMENT

G.O.(Rt)No. 182/2018/F&WLD Dated, Thiruvananthapuram, 21.04.2018

- Read:-
1. Judgment dated 30.11.2010 of Enquiry Commissioner & Special Judge, Thiruvananthapuram in CC8/2006
 2. Letter No.F1-7948/2006 dated 20.10.2011 of Additional Principal Chief Conservator of Forest (Administration).
 3. Show Cause Notice No.8621/A1/2011/Forest dated 13.12.2011
 4. Explanation dated 12.03.2012 submitted by Shri.R.Rajendran, Deputy Conservator of Forest (Rtd.)
 5. Government letter No. 8621/A1/2011/F&WLD dated 11.04.2012
 6. Letter No.A1(1) 2480/17/GW dated 21.07.2017 of the Secretary, Kerala Public Service Commission, Thiruvananthapuram.
 7. Letter No.A1(1) 2480/17/GW dated 21.07.2017 of the Secretary, Kerala Public Service Commission, Thiruvananthapuram.

ORDER

As per the judgment of Hon'ble Court of Enquiry Commissioner & Special Judge, Thiruvananthapuram, read as 1st paper above, Shri.R.Rajendran, Formerly Wildlife Warden, Thiruvananthapuram and two other accused were guilty of the offence u/s. 13(2) r/w 13(1)(d) of PC Act 1988 and S.120-B.IPC and sentenced them to undergo rigorous imprisonment for a period of two years each. In addition they were fined Rs.25,000/- each in default, to undergo rigorous imprisonment for a period of six months each.

For the offence u/s.120-B.IPC, they were sentenced to undergo rigorous imprisonment for a period of one year each.

2) The case against Shri.R.Rajendran was that while he was working as Wildlife Warden, Thiruvananthapuram he had entered into criminal conspiracy with the other two, a petty contractor and Government contractor respectively with the intention of cheating the Government and Forest Department and to obtain pecuniary advantage; and in furtherance of the conspiracy they forged documents as genuine and thereby obtained sanction for the removal of 1000 m³ sand from Chemmankala, a reserved forest area in Peppara Wildlife Sanctuary at the rate of Rs.60/M³ from the Government. In between 12/94 and 06.05.1995 the accused lifted a total quantity of 400 m³ sand from the forest area and sold it in the open market at the rate of Rs.1400/M³ and thereby obtained pecuniary advantage to the tune of Rs.1,54,280/- for themselves and caused a total loss of Rs.1,309/- to Government due as the leakage of subsidiary pass and thereby committed the offences punishable under S.13(2) r/w 13(1)(d) of PC Act 1988 and Ss. 420, 468, 471 of 120-B.IPC.

3) The court found that the offences committed by the accused were grave in nature. Based on the report of Additional Principal Chief Conservator of Forest (Admn.) as per the reference read as 2nd paper above, Government provisionally decided to reduce Rs.300/- (Rupees three hundred only) from the monthly pension of Shri.R.Rajendran for a period of one year under Rule 2 Part III Kerala Service Rules. A Show Cause Notice in this regard has been issued to Shri.R.Rajendran, Deputy Conservator of Forest (Rtd) vide reference third paper above.

4) Shri.R.Rajendran has submitted his explanation as per reference read as fourth paper above. He has requested for exoneration from the charges, as in 2010 the sentence is suspended by the High Court and the appeal is still pending before the Court.

5) In the meantime Government have given direction to Additional Principal Chief Conservator of Forest (Administration) to release the DCRG by deducting the amount equivalent to deduction of Rs.300/- per month for one year in lump from the incumbent as per letter read as 5th paper above.

6) Government have further examined the matter in the light of the contentions raised by the accused officer in his explanation and found it unsatisfactory. As the Hon'ble Court convicted Shri.R.Rajendran in this case after conducting detailed prosecution, Government have decided to finalize the disciplinary proceedings against Shri.R.Rajendran as decided in the Show Cause Notice and sought the advice of Kerala Public Service Commission.

7) The Commission has agreed to the tentative decision of the Government and directed to ensure that the amount had already been

deducted in lump from DCRG vide their letter read as 6th paper above. As per the letter read as 7th paper above, Additional Principal Chief Conservator of Forest (Administration) has reported that the DCRG of Shri.R.Rajendran has released after withholding an amount equivalent to deduction of Rs. 300/- per month for one year in lump proposed in the Show Cause Notice and another liability of Rs. 13,993/-.

8) Government examined the matter in detail and Disciplinary Action initiated against Shri. R. Rajendran, Deputy Conservator of Forest (Rtd.) vide third paper above, is finalised by reducing Rs. 300/- from his monthly pension for a period of one year under Rule 2, Part III, Kerala Service Rules.

9) The Additional Principal Chief Conservator of Forest (Administration) is directed to release the withheld DCRG amount of Rs. 3600/- of Shri.R.Rajendran, Deputy Conservator of Forest (Rtd.) immediately.

By Order of the Governor
Ajith K. Joseph
Joint Secretary

The Additional Principal Chief Conservator of Forest (Administration)
Shri.R.Rajendran, Deputy Conservator of Forest (Rtd)

(through Additional Principal Chief Conservator of
Forest (Administration))


The Secretary, Kerala Public Service Commission,
Thiruvananthapuram (with C/L).

The Principal Accountant General (A&E/Audit), Thiruvananthapuram
Director, Vigilance and Anti-corruption Bureau, Thiruvananthapuram.

The Vigilance Department

✓ Information & Public Relations (Web&New Media) Department
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Section Officer
