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**GOVERNMENT OF KERALA**

Abstract

IAS – All India Services (Discipline and Appeal) Rules 1969 – Disciplinary action against Shri. Jose Issac IAS(Rtd) – Finalised – Orders issued.

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**GENERAL ADMINISTRATION (SPECIAL A) DEPARTMENT**

**G.O.(Rt)No.7552/2017/GAD**

**Dated, Thiruvananthapuram, 27/11/2017.**

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- Read: 1. Letter No.2306/D3/2013/Vig dated 20.06.2013 from Principal Secretary, Vigilance Department.
2. Articles of Charges and Statement of Imputations dated 09.09.2013.
  3. Written Statement of Defence dated 29.01.2015 from Shri. Jose Issac IAS
  4. Additional Statement of Defence dated 30.03.2015 from Shri. Jose Issac IAS
  5. Final order dated 28.04.2017 of the Hon'ble Enquiry Commissioner and Special Judge, Thalassery in VC 03/2008/WYD.

**ORDER**

The Director, Vigilance and Anti-Corruption Bureau has furnished a factual report in VC 03/2008/WYD regarding the irregularities in the construction of the building for the Women Industrial Unit at Angadivayal in Paramaram Grama Panchayat in Wayanad District during 2003-04. The Vigilance Department had recommended departmental action against Shri. Jose Issac IAS (now retired), former Secretary, District Panchayat, Wayanad.

2. The allegation against Sri.Jose Issac IAS is that the officer while working as Secretary District Panchayat, Wayanad and as the implementing officer of two industrial units for women in Panamaram Grama Panchayat abused his official position, connived and conspired with the other accused, implemented the project and constructed the buildings at Angadivayal, a paddy field prone to flood in a substandard manner without calling for suitability of the land which resulted in a loss of Rs.11,99,569/- and the project was not started in the constructed building defeating the very purpose of the project.

3. The Articles of Charges and Statement of imputations were served on the officer read as 2<sup>nd</sup> paper above with the following charge;

- That the Officer, while working as Secretary, District Panchayath, Wayanad and as the implementing officer of two Industrial Units for

Women in Panamaram Grama Panchayath abused his official position, connived and conspired with the other accused, implemented the project and constructed the buildings at Angadivayal, a paddy field prone to flood in a substandard manner without verifying suitability of the land which resulted in a loss of Rs.11,99,569/- and the project was not started in the constructed building defeating the very purpose of the project.

4. Shri. Jose Issac IAS has furnished a detailed written statement of defence in the matter read as 3<sup>rd</sup> and 4<sup>th</sup> papers above. He has denied all the allegations levelled against him in the Articles of Charges and Statement of Imputations. He has informed that while working as the Secretary, District Panchayat, Wayanad he had paid the final bill of the alleged project. The officer has submitted that during 2003-04 the District Panchayat had undertaken more than 200 construction and the Secretary was the implementing officer of all the projects. But as the implementing authority he does not have, nor required to have any technical knowledge of the constructions. It is the Assistant Executive Engineer and other officials, after proper scrutiny have prepared estimate, after visiting those sites. The decision of District Officer, SC Development Department, not to issue feasibility certificate for the project, was overruled by the District Panchayath. The Officer has further submitted that the Manager, District Industries Centre, Wayanad was the officer responsible for completion of the alleged project and hence any loss in the implementation cannot be attributed to the Secretary. The Officer retired from service on superannuation on 30.04.2015.

5. Government have examined the matter in detail. The Legal Advisor in Vigilance and Anti-Corruption Bureau, in his report has opined that poor selection of site is the main reason for the non use of building for the purpose for which the same was constructed. It has been also reported that there is no evidence of conspiracy, malefide intention or irrelevant considerations are revealed in the investigation. As the Secretary the Officer had limited involvement in the selection of sites compared to the role of the District Panchayath Board and the engineering

wing. Further it was found that none of the co-accused faced the departmental action.

6. The Director, Vigilance and Anti-Corruption Bureau has reported that report in VC 3/08/WYD was submitted before the Enquiry Commissioner and Special Judge, Thalassery recommending 'no further action' in the matter. The Hon'ble Court has accepted the recommendation and issued final order dated 28.04.2017 dropping further action in the matter.

7. Considering the above facts, Government are pleased to drop disciplinary action initiated against Shri. Jose Issac IAS(Rtd) on the alleged irregularities in the construction of building for Women Industrial Unit in Panamaram Grama Panchayath and the orders issued accordingly.

(By Order of the Governor)

Dr. K M Abraham,  
Chief Secretary to Government.

To

Shri. Jose Issac IAS(Rtd), Snehatheeram, Medathil Lane,  
Thottakkattukara P O, Aluva 683 108.

Secretary, Department of Personnel and Training, Government of India,  
New Delhi 110001.

The Director, Vigilance and Anti-Corruption Bureau, Thiruvananthapuram  
The General Administration (SC) Department.

The Vigilance Department(vide U.O(R) No.13630/D3/2012/Vig dated  
10.09.2015).

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The Private Secretary to Chief Minister.

The Additional Secretary to Chief Secretary.

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Section Officer.