

പതിനാറാം സമ്മേളനം

നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നം. 589

29-10-2019 ൽ മറുപടിക്ക്

ഷൊർണ്ണൂർ മെറ്റൽ ഇൻഡസ്ട്രീസ്

ചോദ്യം

ഉത്തരം

ശ്രീ. ഷാഫി പറമ്പിൽ

ശ്രീ. ഇ.പി. ജയരാജൻ
(വ്യവസായവും സ്പോർട്സും യുവജനകാര്യവും
വകുപ്പ് മന്ത്രി)

എ) ഷൊർണ്ണൂർ മെറ്റൽ ഇൻഡസ്ട്രീസ് എന്ന പൊതുമേഖലാ സ്ഥാപനത്തിൽ നിലവിൽ എത്ര ജീവനക്കാരുണ്ടെന്നും അതിൽ ഓഫീസർ / തൊഴിലാളികളുടെ എണ്ണവും പ്രത്യേകം നൽകുമോ;

എ) ഷൊർണ്ണൂർ മെറ്റൽ ഇൻഡസ്ട്രീസ് എന്ന പൊതുമേഖലാ സ്ഥാപനത്തിൽ നിലവിൽ 40 ജീവനക്കാരുണ്ട്. അതിൽ 4 പേർ ഓഫീസർമാരും 36 പേർ തൊഴിലാളികളുമാണ്.

ബി) പ്രസ്തുത സ്ഥാപനത്തിന്റെ 2016 മുതൽ 2019 വരെയുള്ള മൂന്ന് വർഷത്തെ ലാഭ നഷ്ട കണക്കുകൾ വ്യക്തമാക്കുമോ;

ബി) ലാഭ നഷ്ട കണക്ക്

വർഷം	നഷ്ടം (ലക്ഷത്തിൽ)
2016-17	(258.99)
2017-18	(234.35)
2018-19	(185.74) – (Unaudited)

സി) പ്രസ്തുത സ്ഥാപനത്തിലെ മാനേജിംഗ് ഡയറക്ടറുടെ തസ്തിക വിജിലൻസ് ഡയറക്ടറുടെ തസ്തികയ്ക്ക് തുല്യമാക്കി ഉത്തരവായിട്ടുണ്ടോ; ഉണ്ടെങ്കിൽ അതിനുള്ള കാരണമെന്താണെന്ന് അറിയിക്കുമോ?

സി) ഉണ്ട്. പ്രസ്തുത സ്ഥാപനത്തിലെ ചെയർമാൻ കം മാനേജിംഗ് ഡയറക്ടറുടെ തസ്തിക, 2016 ലെ ഐ പി എസ്(പേ) റൂൾസിലെ ചട്ടം 12 പ്രകാരം വിജിലൻസ് ആൻഡ് ആന്റികറപ്ഷൻ ബ്യൂറോ ഡയറക്ടറുടെ കേഡർ തസ്തികയുടെ പദവിയ്ക്കും ഉത്തരവാദിത്തങ്ങൾക്കും തുല്യമാക്കി ഉത്തരവ് പുറപ്പെടുവിച്ചിട്ടുണ്ട് (ഉത്തരവ് അനുബന്ധമായി ചേർക്കുന്നു). സംസ്ഥാനത്തെ വിജിലൻസ് ഡയറക്ടറുടെ തസ്തിക ഡയറക്ടർ ജനറൽ ഓഫ് പോലീസ് റാങ്കിലുള്ള ഉദ്യോഗസ്ഥരുടെ കേഡർ തസ്തികയാണ്. ശ്രീ.ജേക്കബ് തോമസ് ഐ പി എസ്, ഡയറക്ടർ ജനറൽ ഓഫ് പോലീസ് റാങ്കിലുള്ള ഉദ്യോഗസ്ഥനായതിനാൽ, ടിയാന് ഡയറക്ടർ ജനറൽ ഓഫ് പോലീസ് റാങ്കിലുള്ള

ഉദ്യോഗസ്ഥന്റെ ശമ്പളവും ആനുകൂല്യങ്ങളും ലഭിക്കുന്നതിന് വേണ്ടിയാണ് ടിയാനെ ഷൊർണ്ണർ മെറ്റൽ ഇൻഡസ്ട്രീസ് ലിമിറ്റഡിലെ ചെയർമാൻ കം മാനേജിംഗ് ഡയറക്ടറായി നിയമിച്ചുകൊണ്ടുള്ള ഉത്തരവിൽ ചെയർമാൻ കം മാനേജിംഗ് ഡയറക്ടറുടെ തസ്തിക വിജിലൻസ് ഡയറക്ടറുടെ തസ്തികയ്ക്ക് തുല്യമാക്കി ഉത്തരവ് പുറപ്പെടുവിച്ചിട്ടുള്ളത്.



സെക്ഷൻ ഓഫീസർ



പ്രമാണമുഖ



GOVT. Secretariat, Thiruvananthapuram

GOVERNMENT OF KERALA
Abstract

All India Services (Discipline & Appeal) Rules, 1969 – Revocation of Suspension of Dr. Jacob Thomas IPS (KL:1985), Director General of Police- Reinstatement – Orders issued.

GENERAL ADMINISTRATION (AIS-C) DEPARTMENT

G.O.(Rt.) No.5805/2019/GAD

Dated, Thiruvananthapuram, 05.10.2019

- Read: -1. G.O.(Rt.) No.203/2018/VIG dated 27.11.2018.
2. Letter No. C (VE6/2018/SRT)37083/2018 dated 05.12.2018 from the Director, Vigilance & Anti-Corruption Bureau, Thiruvananthapuram.
3. G.O.(Rt.) No.8299/2018/GAD dated 20.12.2018.
4. Articles of Charges and Statement of Imputations dated 11.01.2019 issued to Dr. Jacob Thomas IPS(U/S).
5. Letter No.C-VE6/2018/SRT dated 05.02.2019 from the Director, Vigilance & Anti-Corruption Bureau, Thiruvananthapuram.
6. Written Statement of Defence dated 22.01.2019 submitted by Dr. Jacob Thomas IPS.
7. G.O.(Rt.) No.758/2019/GAD dated 07.02.2019.
8. Special Report No. VC.01/2019/SIU-I dated 11.04.2019 of the Deputy Superintendent of Police, Vigilance & Anti-Corruption Bureau, Special Investigation Unit-I, Thiruvananthapuram.
9. G.O.(Rt.) No.3437/2019/GAD 13.06.2019.
10. Order of the Hon'ble Central Administrative Tribunal, Ernakulam Bench dated 29.07.2019 in OA No. 180/0004/2019.
11. GO (P) No. 546/80/GAD dated 01.12.1980.

ORDER

As per the Government Order read as 1st paper above, a detailed Vigilance Enquiry under Section 17(A) of the amended Prevention of Corruption Act, 2018 was ordered against Dr. Jacob Thomas IPS (KL:1985), Director General of Police on the basis of the findings of the Inspection Wing of the Finance Department that he, while working as Director of Ports, committed grave irregularities and acts of corruption in the purchase of a Cutter Suction Dredger for the Department of Ports in gross violation of existing rules and caused huge pecuniary loss to Government to the tune of Rs.14.96 Crores.

2. As recommended by the Director, Vigilance & Anti-Corruption Bureau in the letter read as 2nd paper above, Dr. Jacob Thomas IPS was placed under suspension as per Government Order read as 3rd paper above, under Rule 3(1)(a) of the All India Services (Discipline & Appeal) Rules, 1969 against contemplated disciplinary proceedings and pending Vigilance Enquiry on the above irregularities and acts of corruption committed by him. Articles of Charges and Statement of Imputations read as 4th paper above were issued to the officer. The Written Statement of Defence submitted as per reference read as 6th paper above is being examined in Government.

3. Suspension of Dr. Jacob Thomas IPS was subsequently extended by Government for a further period of 120 days with effect from 18.02.2019 as per Government Order read as 7th paper above, under Rule 3(8) of All India Services (Discipline & Appeal) Rules r/w DoP&T's notification dated 21.12.2015 on the recommendation of the Suspension Review Committee that met on 05.02.2019 which noted that the enquiry ordered against the member of Service was at the initial stage and revocation of suspension was likely to enable the officer to influence the enquiry.

4. As per reference read as 8th paper above, Government received the special report of the Deputy Superintendent of Police, Special Investigation Unit-I, Thiruvananthapuram wherein it was stated that the Vigilance enquiry ordered against Dr. Jacob Thomas IPS had revealed commission of offences u/s 13(1) (d)(ii) r/w 13(2) of Prevention of Corruption Act, 1988 and Section 120 (b) of Indian Penal Code by the member of Service and that a case was registered against him. As per the report, the First Information Report in the case was submitted before the Hon'ble Court of the Enquiry Commissioner & Special Judge (Vigilance), Thiruvananthapuram.

5. The Suspension Review Committee constituted to review the suspension of the member of Service under Rule 3(8) (b) of All India Services (Discipline & Appeal) Rules, 1969 met on 24.05.2019 noted that the vigilance enquiry ordered against Dr. Jacob Thomas IPS as per the reference read as 1st paper above is still under progress and so revocation of suspension at this stage is likely to enable him to influence the enquiry. The Suspension Review Committee accordingly recommended to the competent authority to continue the suspension of Dr. Jacob Thomas IPS for a further period of 180 days with effect from 18.06.2019 as per Rule 3(8) (d) of the All India Services (D&A) Rules, 1969 r/w DoP&Ts notification dated 21.12.2015. Accordingly, suspension of Dr Jacob Thomas IPS was extended for a further period of 180 days with effect from 18.06.2019 as per Rule 3(8) (d) of the All India Services (D&A) Rules, 1969 r/w DoP&Ts notification dated 21.12.2015.

6. Meanwhile, the Hon'ble Central Administrative Tribunal considered the Original Application No.180/00040/2018 filed by Dr Jacob Thomas IPS challenging his suspension and its subsequent extensions. The Hon'ble Tribunal observed that in so far as the suspension and its subsequent extensions are concerned, the Rules on the subject are very clear and no departure from the same can be alleged against the Government as all procedure adopted are strictly in compliance with the All India Service (Discipline & Appeal) Rules, 1969 as amended from time to time. However, the Hon'ble Tribunal noted that the circumstances of the case alleged against the member of Service led it to the conclusion that continuation of the suspension of Dr Jacob Thomas IPS is not necessary if the intention of the Government is to get at the truth of the allegations as all the documents connected with the Vigilance case are already in the hands of the Finance Department and the Vigilance & Anti-Corruption Bureau and s such, there is little chance of the officer thwarting the probe if he is reinstated in the service. The Tribunal also observed that if it is the case that the officer is not found fit to work in the police force or associate branches, the Government should consider accommodating him in any other post of equivalent rank. Accordingly, the Hon'ble Tribunal set aside the extension of suspension period of Dr Jacob Thomas IPS with effect from 18.06.2019 and directed the State Government to reinstate the officer in Service and to assign him an appropriate post of equivalent in rank.

7. Government examined the case in detail and are pleased to reinstate Dr Jacob Thomas IPS (KL:1985) in service without prejudice to the ongoing disciplinary proceedings and Vigilance enquiry and his service is placed at the disposal of Department of Industries for being appointed as the Chairman cum Managing Director, the Metal Industries Limited, Shomur on deputation basis.

8. The post of the Chairman cum Managing Director, the Metal Industries Limited, Shomur is declared equivalent in status and responsibility to the cadre post of the Director, Vigilance & Anti-Corruption Bureau under Rule 12 of IPS(Pay) Rules,2016.

9. The deputation will be governed by the terms and conditions prescribed in the Government Orders read as 10th paper above.

(By Order of the Governor)

Biswanath Sinha

Principal Secretary to Government.

To,

Dr.Jacob Thomas IPS (Through the State Police Chief, Thiruvananthapuram)

The Accountant General (G&SSA), Kerala, Thiruvananthapuram

The Accountant General (A&E), Kerala, Thiruvananthapuram

The Secretary to Government of India, Ministry of Home Affairs, North Block,
New Delhi.

The Director General of Police & State Police Chief, Kerala, Thiruvananthapuram

The Advocate General, Kerala, Ernakulam.

The Director, Vigilance & Anti-Corruption Bureau, Thiruvananthapuram.

✓ The Industries Department

The Vigilance Department

The General Administration (SC/Accounts J) Department.

The Home Department

The Web & New Media Division of I&PRD (for uploading the GO in the website-
www.gadsplais.kerala.gov.in)

The GA (Computer Cell) Department for uploading the GO in the website
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The Special Secretary to Chief Secretary

The P.A to Additional Chief Secretary, Home & Vigilance Department

The P.A to Additional Secretary, General Administration (AIS- A&C) Departments

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Forwarded/By order,



Section Officer.

Radhachan

മുഖ്യമന്ത്രിയുടെ കാമുകി.