



## GOVERNMENT OF KERALA

### Abstract

Local Self Government – Panchayat Department – Order dated 06.12.2017 in OA (EKM) No. 2366/2017 filed by Sri. Ramesh kumar. K.R before the Hon'ble Kerala Administrative Tribunal - Complied with - Orders issued.

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### LOCAL SELF GOVERNMENT (EPA) DEPARTMENT

G.O.(Rt)No. 377/2018/LSGD

Dated, Thiruvananthapuram, 08.02.2018

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- Read : 1. G.O(P) No. 03/2017/P&ARD, dated 25.02.2017.  
2. Order dated 06.12.2017 in OA (EKM) No. 2366/2017 filed by Sri. Ramesh kumar. K.R before the Hon'ble Kerala Administrative Tribunal.  
3. E3-101/14 dated 13.10.2017 of the proceedings of the Director of Panchayats, Thiruvananthapuram.  
4. E3-101/14 dated 29.12.2017 of the proceedings of the Director of Panchayats, Thiruvananthapuram.  
5. Letter No. E3-6630/2017 dated 24.01.2018 of the Director of Panchayats, Thiruvananthapuram.

### ORDER

Sri. Ramesh kumar. K.R has filed OA (EKM) No. 2366/2017 before the Hon'ble Kerala Administrative Tribunal with a prayer to cancel the proceedings of the Director of Panchayats read as 3<sup>rd</sup> paper above and requested to repost him in convenient place in the district as Head Clerk.

2. By disposing the OA (EKM) No. 2366/2017 filed by Sri. Ramesh kumar. K.R, the Hon'ble Kerala Administrative Tribunal in their order read as 2<sup>nd</sup> paper above have directed the 1<sup>st</sup> respondent, the Government to take a decision on Annexure A3 representation produced along with MA 2226 of 2017, after hearing the applicant within a period of 2 months from the date of receipt of a certified copy of this order and directed the applicant to produce a certified copy of the order along with a copy of the Original Application.

3. The applicant Sri. Rameshkumar K.R, Head Clerk is aggrieved by Annexure A1 Order No. E3/101/2014 Dated 13.10.2017 issued by the Director of Panchayats by which he was transferred from Thekkumkara Gramapanchayat in Trissur to Nannambra Grama Panchayat in Malappuram District. On 20.10.2017 an interim order had been granted by the Tribunal staying the operation of Annexure A1 order as far as the applicant is concerned for a period of three weeks. It is seen that a substitute was posted and the applicant had been relieved by the secretary, Thekkumkara Grama Panchayath. Thereafter he submitted Annexure A3 appeal dated 23.10.2017 before the Government. The applicant's case is that he was transferred for giving posting to a junior in service and the present place of posting is inconvenient to him. As substitute has entered into leave preparatory to retirement, it is requested that he may be posted back to Thekkumkara Grama Panchayath or any other nearby panchayats, in existing or arising vacancies.

4. In pursuance to the direction of the Hon'ble Kerala Administrative Tribunal, the applicant was heard in person by the Under Secretary to Government on 25.01.2018. During hearing, the applicant deposed that he was transferred to Nannambra Grama Panchayath, Malappuram which is 120 kms. away from his residence and he was relieved of his duties forcefully by Smt. T.P. Sindhu, Secretary in Charge, on 20.10.2017 AN, when the stay order of the Tribunal was in force. The substitute posted Smt. Daisy has joined duty on 21.10.2017 and entered into LPR. The applicant was again transferred on administrative convenience to Nellaya Gramapanchayat in Palakkad District as per order read as 4<sup>th</sup> paper above of the Director of Panchayats, Thiruvananthapuram.

5. The Director of panchayats has reported that the applicant Sri. Rameshkumar K.R. was transferred on the basis of a complaint received from the President, Thekkumkara Grama Panchayat. It is reported that the behaviour of the applicant is against the code of conduct prescribed for Government Servants, which caused lot of problems in the smooth functioning of the office and there by adversely affected the implementation of the projects. Hence the department was forced to transfer him immediately on administrative convenience vide proceedings of the Director of Panchayats read as 3<sup>rd</sup> paper above. A good and healthy relationship between the elected representatives and officials in a Grama Panchayat office is an inevitable factor for the smooth functioning of the office. Otherwise it will lead to miseries to public to provide needful service.

6. Government have examined the matter in detail. It is inferred that the transfers of the applicant is purely on administrative grounds, as envisaged as per Government order read as 1<sup>st</sup> paper above, so as to maintain decorum and smooth functioning of the office. Hence the Annexure A3 representation dated 23.10.2017 preferred by the applicant before the Government is declined and are pleased to order that the Director or Panchayats will consider the request for transfer in respect of the applicant favourably and post him in a place other than the Thekkumkara Gramapanchayat during the General Transfer 2018.

7. The order of the Hon'ble Kerala Administrative Tribunal read as 2<sup>nd</sup> paper above is thus complied with accordingly.

(By Order of the Governor)

**SREEJITH. V.P**

UNDER SECRETARY TO GOVT.

To

1. The Advocate General, Kerala, Thiruvananthapuram Branch (with covering letter).
2. The Director of Panchayats, Thiruvananthapuram.
3. The Deputy Director of Panchayats, Palakakd. (Through the Director of Panchayats).
4. The Deputy Director of Panchayats, Malappuram. (Through the Director of Panchayats).
5. Secretary, Nellaya Gramapanchayat, Palakakd. (Through the Director of Panchayats).
6. Secretary, Nannanpra Gramapanchayat, Malappuram. (Through the Director of Panchayats).
7. Sri. Ramesh kumar. K.R, Head Clerk, Nellaya Grama Panchayat, Palakakd (Through the Director of Panchayats).
8. Web & New media, I&PRD.
9. The Director, Information Kerala Mission (for publishing on official Website)
10. Stock File/Office Copy (File No. 308/EPA1/17/LSGD)

Forwarded/By Order

  
Section Officer