



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing – OA No.1950/2012 filed by Sri. Bijumon. B, Overseer Gr III - Order dated 12.08.2016 of the Hon'ble Kerala Administrative Tribunal- Complied with - Orders issued

LOCAL SELF GOVERNMENT (EW) DEPARTMENT

GO(Rt) No.657/2018/LSGD.

Dated, Thiruvananthapuram, 11/03/2018

- Read :
- 1 Representation dated 13.03.2013 from Sri. Bijumon. B.
 - 2 Order dated 12.08.2016 of the Hon'ble Kerala Administrative Tribunal in OA No.1950/2012.
 - 3 Letter no.E6/2620/2016/CE/LSGD dated 11.08.2017 from the Chief Engineer, LSGD.

ORDER

As per the Order read as 2nd paper above, the Hon'ble Kerala Administrative Tribunal have disposed of OA No.1950/2012 filed by Sri. Bijumon. B, Overseer Gr III directing the 1st respondent, the Government to consider and pass appropriate orders on Annexure A8 appeal read as 1st paper, preferred by the applicant after affording an opportunity of personal hearing to him within a period of four months from the date of receipt of a copy of the order.

2. In pursuant to the Hon' KAT direction, the Under Secretary, LSGD heard the applicant on 6.3.2018.

3. The applicant entered in service as Overseer Gr III in Irrigation Department on 18.02.2002. Subsequently he was advised to the post of Work Superintendent in Kerala Municipal Common Service through KPSC and accordingly he joined in the said post on 08.12.2004. Later, in compliance with the orders of the Hon'ble High Court dated 11.04.2011 in WP(C)No. 6606/2011, his pay in the Irrigation Dept has been protected vide GO(Rt)No. 2183/2011/LSGD dtd 24.09.2011. The grievance of the applicant is with regard to a seniority list issued by the Chief Engineer, LSGD, which it is pleaded, is being modified from time to time without notice to him. The relief sought for is for setting aside the Annexure A4 seniority list.

4. During hearing, the applicant contented that he had been lowered in the seniority list published by the Chief Engineer, LSGD many times. He argued that he is eligible for seniority, considering his service from the irrigation department.

5. The Chief Engineer, LSGD as per the letter read as 3rd paper, has reported that LSGD Engineering wing was formed drawing personnel from various other

department including Municipal Common Service, where the applicant belonged to. As per para 2(v) of the Special Rules, the rank and seniority of a person absorbed into the Kerala Local Self Government Engineering Service and included in a category in that service shall be determined on the basis of his date of appointment and seniority in the respective category in the former service. In the instant case, the applicant has been assigned seniority as per the seniority set in the Municipal Common Service and his salary and service benefits including Grade, from his service in irrigation department were protected as per GO(Rt) No. 2183/11/LSGD dated 24.9.2011. It is further reported that the staff of the Engineering wing of the Municipal Common Service were compulsorily absorbed to the LSGD Engg Wing, which was formed on 01.01.2008 and therefore, their service seniority in the Municipal Common Service can only be protected as per the existing rules and the same has been accorded to the applicant.

6. Government have examined the matter in detail and found that, the contentions put forth by the applicant to set aside the Annexure A4 seniority list deserves no merit as the same was prepared as per rules. Hence the Annexure A8 appeal is hereby declined.

7. The order of the Hon'ble KAT in OA No.1950/2012 read as 2nd paper above, is complied with accordingly.

(By Order of the Governor)
SREEJITH.V.P
Under Secretary to Govt.

To

- 1 Sri. Bijumon. B, Overseer Gr III (*through the Chief Engineer, LSGD*)
- 2 The Advocate General, Thiruvananthapuram (*with Covering Letter*).
- 3 The Chief Engineer, LSGD, Thiruvananthapuram. (*with Service Book*)
- 4 The Accountant General, (A&E/Audit) of Kerala, Thrissur
- 5 The Executive Director, Information Kerala Mission.
- ✓ 6 The Web & New Media, I & PRD.
- 7 Stock File/Office Copy.

Forwarded/By Order



Section Officer

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