



**Government of Kerala**

**Abstract**

Local Self Government Department-Urban Affairs-Order dated 18.09.2018 of the Hon'ble Kerala Administrative Tribunal in OA No. 1682/18 filed by Shri.M.Muhammed Huwaiz, Municipal Secretary Grade II-complied with- Orders issued.

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**LOCAL SELF GOVERNMENT (EU) DEPARTMNET**

G.O.(Rt)No:2471/2019/LSGD

Thiruvananthapuram,Dated 06.11.2019

- Read:-
1. Order dated 18.09.2018 of the Hon'ble Kerala Administrative Tribunal in OA No. 1682/18 filed by Shri.M.Muhammed Huwaiz, Municipal Secretary Grade II
  2. Letters No. B2/OA 1682/18/AGO dated 13.09.2019 and 15.10.2019 of the Advocate General, Ernakulam.

**ORDER**

The Hon'ble Kerala Administrative Tribunal as per the order read as first paper above disposed of OA No. 1682/2018 filed by Shri. M. Muhammed Huwaiz, Municipal Secretary Grade II with a direction to the first respondent (State of Kerala represented by Secretary to Government, LSGD) to consider and pass appropriate orders on Annexure A 18 revision petition, within a period of two months from the date of receipt of a copy of the order.

2) In the Annexure A 18 revision petition, the applicant has requested to place him in the seniority list above Shri. R. Rahesh Kumar and to rectify the defects in the select list and grant him the actual seniority and promotions, by considering the petition in the Adhoc DPC.

3) The DPC (H) met on 14.01.2019 examined the case of Shri.Muhammed Huwaiz in detail. The committee noticed that he was promoted to the cadre of Municipal Secretary Gr. II as per G.O(Rt) No. 3950/17/LSGD dated 08.12.2017. His probation in the cadre of Municipal Secretary Gr. II is not declared and two cases of disciplinary action are pending against him. The committee also

considered the merit, suitability, and eligibility of Shri. M. Muhammed Huwaiz, as provided in Note 1 to Rule 28 (b) (i) (7) of KS&SSRs. The Committee noticed that declaration of probation in the feeder category is a pre requisite for considering the case for promotion to higher category as per Rule 28 (a) (i), Part II, KS&SSRs. His probation in the cadre of Municipal Secretary Gr. II is not declared. Hence he is not eligible for inclusion in the select list for promotion to the cadre of Municipal Secretary Gr. I. Moreover, disciplinary action for minor penalty is pending against him based on the Vigilance and Anti corruption Bureau recommendation. Hence the committee decided not to revise the select list prepared during 2018 by including the name of the applicant.

4) The Adhoc DPC (H) met on 02.09.2019 also did not consider the name of the applicant since disciplinary action for minor penalty is pending against him.

5) In the above circumstances, Annexure A 18 revision petition preferred by the applicant is hereby rejected and the order dated 18.09.2018 of the Hon'ble Kerala Administrative Tribunal in OA No. 1682/2018 is thus complied with.

(By order of the Governor)  
Remani Mathew  
Additional Secretary

To,

The Advocate General, Ernakulam (with covering letter)  
The Director of Urban Affairs, Thiruvananthapuram  
The Principal Accountant General (A&E)/(Audit), Kerala, Thrissur  
The Director, Kerala state Audit Department, Thiruvananthapuram  
Shri. M. Muhammed Huwaiz, Municipal Secretary Grade III (through the  
Director of Urban Affairs)  
The Director, Information Kerala Mission, Thiruvananthapuram  
Stock File/Office Copy.

Forwarded by order

  
Section Officer