



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Final order dated 30.7.2021 in Original Application No. 1337/2021 filed by Shri. Pradeep V.L, Senior Clerk, Block Development Office, Devikulam, Idukki District before the Hon'ble Kerala Administrative Tribunal, Thiruvananthapuram - complied with - Orders issued.

LOCAL SELF GOVERNMENT (ERA) DEPARTMENT

G.O.(Rt)No.2035/2021/LSGD Dated, Thiruvananthapuram, 20/10/2021

- Read 1. G.O. (P) No. 3/2017/P&ARD dated 25.07.2017.
 2. Order No. 102/Estt.C3/2020/CRD dated 20.10.2020.
 3. Order No.4772/Estt.C3/2021/CRD dated 07.07.2021.
 4. Appeal dated 17.07.2021 filed by Shri. Pradeep V.L before the Secretary, Local Self Government Department.(Annexure A14).
 5. Letter No.8588/Estt.C3/2021/CRD dated 24.09.2021.
 6. Final order dated 30.07.2021 Original Application No. 1337/2021 filed by Shri. Pradeep V.L.

ORDER

Shri. Pradeep.V.L joined as a Lower Division Clerk in Idukki district in Rural Development Department as per his option during recruitment.He has been promoted as Senior Clerk and retained in Idukki District as per Order read as 2nd above. Meanwhile, the incumbent has filed an appeal as per 4th paper read above challenging the transfer order of Commissioner for Rural Development read as 3rd above.The appeal has been filed for considering him for posting in the available vacancy in Commissionerate for Rural Development. It is also submitted that he has been included in the draft transfer list as Serial No. 23 and marked as on deputation which was a factual error.

While the said Appeal is pending with Government, the incumbent has filed an Original Application No. 1337/2021 before the Hon'ble

Kerala Administrative Tribunal, Thiruvananthapuram which has been finally disposed of as per the Order read as 6th paper above. In the Order, Hon'ble Court has directed the first respondent, Secretary, Local Self Government Department to consider Annexure A14 representation and pass appropriate orders within a period of two months from the date of receipt of a copy of the Order.

A report in this regard has been submitted by the Commissioner for Rural Development as per the 5th paper read above, who is the competent authority to decide on transfer and posting of the incumbent. The Commissioner for Rural Development has reported that in the general transfer list, Serial No. 11: Sri. Nujmudheen A and Serial No: 12 Smt. Saija N are the employees who opted Thiruvananthapuram district as their home district for recruitment through PSC. They have been transferred to other districts from Thiruvananthapuram district for maintaining the 1:1 ratio as per the order read as 2nd paper above. Hence these employees were given priority while considering for General transfer to Thiruvananthapuram district as per the guidelines issued vide 1st paper above. It is also reported that the number of Senior Clerk posts in Commissionerate of Rural Development Head Quarter is above the ratio 1:1 and hence for maintaining the said ratio the number of Senior Clerks has to be reduced gradually. Hence the transfer request of the applicant to Commissionerate of Rural Development could not be considered during general transfer.

Government has examined the matter in detail. As per the General Transfer guidelines of Govt officials read as 1st paper above, while considering the options for general transfer, priority should be given to incumbents who were compulsorily transferred. It is also stated that those who have been transferred to districts other than opted/home station due to non availability of vacancy shall be given priority to return to that district, for which 3 years of service in a station is not applicable. Here, the Applicant, Sri. Pradeep.V.L had joined as a Lower Division Clerk in Idukki district in Rural Development Department as per his option during recruitment. As per Order read as 2nd above, he has been promoted as Senior Clerk and retained in Idukki District. Shri. Nujmudheen.A and Smt. Saija N who opted Thiruvananthapuram district during recruitment through PSC, have been transferred to other

districts for maintaining the 1:1 ratio of Clerks/Senior Clerks. In accordance with the general transfer guidelines issued by Government, these incumbents were given priority while considering for general transfer to Thiruvananthapuram district. Also all the defects noted in the draft transfer order have been rectified in the final transfer order read as 3rd paper above.

In the above circumstances, the Appeal filed by the Applicant is rejected and the final order dated 30.7.2021 in Original Application 1337/2021 is complied with accordingly.

(By order of the Governor)
Balumahendra B
Under Secretary

To:

Shri. Pradeep V.L, Senior Clerk, Block Development Office, Devikulam, Idukki District.

The Commissioner of Rural Development, Thiruvananthapuram.

Shri. Nujmudheen.A, Senior Clerk, O/o the Assistant Development (General) ^{Commissioner} Padamughal, Kakkanad, Ernakulam. (through CRD)

Smt. Saija N, Senior Clerk, Block Development Office, Alangad, Ernakulam. (through CRD)

The Advocate General, Kerala, Ernakulam (with C/L)

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.

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

✓ The Director, Information Kerala Mission, Thiruvananthapuram.

The Information and Public Relations (Web & New media) Department (for publishing in the Government website).

The Stock File/Office Copy.

Forwarded /By order


 Section Officer