



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing – OA no.908/2018 filed by Sri. Biju Viswam, Asst.Exe.Engineer - Order dated 24.06.2019 of the Hon'ble Kerala Administrative Tribunal- Complied with - Orders issued.

LOCAL SELF GOVERNMENT (EWA) DEPARTMENT

G.O.(Rt)No.2158/2020/LSGD

Dated,Thiruvananthapuram, 17/11/2020

Read Order of the Hon'ble Kerala Administrative Tribunal dated 24.06.2019 in OA no.908/2018.

ORDER

The Hon'ble Kerala Administrative Tribunal, as per its order read above, has disposed of the OA no.908/2018 filed by Sri. Biju Viswam, Asst.Exe.Engineer directing the 1st respondent, i.e., the Govt, to ensure that the disciplinary proceedings pending against the applicant, as per Annexure A6, is finalised as early as possible, at any rate, within a period of three months from the date of receipt of a certified copy of the order. It has also been directed to consider the eligibility of the applicant for further promotion subject to the orders rendered in finalizing the disciplinary action.

2. The applicant was superseded in the DPC(H) held on 2019 & 2020 for promotion to the post of Exe.Engineer due to the prevalence of Disciplinary action for major penalty, pending in connection with the irregularities in the construction of Kottarakkara Taluk Hospital, in Govt File. 277/EW1/15/LSGD. Later, the disciplinary action for major penalty pending against the applicant in file no.EW1/277/2015/LSGD was finalised by barring one annual increment with cumulative effect for two years, vide GO(Rt)No.975/2020/LSGD dated 26.05.2020.

3. Regarding the direction of the Hon'ble Tribunal, to consider the eligibility of the applicant for further promotion upon finalization of the disciplinary proceedings, the matter was placed before the review DPC(H) held on 25.09.2020. The Review DPC(H) considered the proposal for promotion in respect of the applicant to the cadre of Exe.Engineer and observed that though the disciplinary action against him was finalized as per GO(Rt) No. 975/2020/LSGD dated 26.05.2020 by barring one annual increment with cumulative effect for a period of two years, the currency of penalty of the punishment will expire only on 25.05.2022. Hence, the Committee observed that he is not eligible for promotion to the post of Executive Engineer and decided not to include him in the select list.

4. As the eligibility of the applicant for further promotion has been considered by the DPC(H), the order of the Hon'ble KAT in OA no.908/2018 read above, is complied with accordingly.

(By order of the Governor)
BIJUKUTTAN.M.S
ADDITIONAL SECRETARY

To:

1. Sri. Biju Viswam, Asst.Exe.Engineer (through the Chief Engineer, LSGD).
2. The Advocate General, Thiruvananthapuram (with Covering Letter).
3. The Chief Engineer, LSGD, Thiruvananthapuram.
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
Signature valid

Digitally signed by SHEEKANTH
G
Date: 2020.11.17 19:40:51 IST
Reason: Approved

Section Officer