



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Urban Affairs - OA No. 773/2013 and OA (EKM) 973/14 filed by Shri. T.P. Satheesan, Municipal Secretary Grade I - Order dated 26.03.2014 and Interim Order dated 29.01.2015 - Complied with - Orders Issued.

LOCAL SELF GOVERNMENT (EU) DEPARTMENT

GO(Rt)No: 1387/15/LSGD.

Dated, Thiruvananthapuram, 08.05.2015

- Read :**
- 1) Order dated 26.03.2014 of the Hon'ble Kerala Administrative Tribunal in OA No. 773/13 filed by Shri.T.P. Satheesan.
 - 2) Representation dated 12.04.2014 of Shri.T.P. Satheesan.
 - 3) Minutes of the Adhoc Departmental Promotion Committee (Higher) met on 07.08.2014.
 - 4) Interim Order dated 29.01.2015 in OA [EKM] No. 973/2014 filed by Shri. T.P. Satheesan.
 - 5) Representation dated 20.02.2015 of Shri. T.P. Satheesan.

ORDER

Shri.T.P. Satheesan, Municipal Secretary, Grade I, Thalassery Municipality has filed OA No.773/2013 before Hon'ble Kerala Administrative Tribunal praying to issue an interim order directing Government to include his name in the Departmental Promotion Committee to be convened for promotion to the cadre of Additional Corporation Secretary. The Hon'ble Kerala Administrative Tribunal in the order dated read as 1st paper above has disposed OA No.773/13 quashing Annexure A12 [Government letter No.9786/EU1/13/LSGD dated 16.02.2013] as the point raised by the applicant is covered in his favour by decision in Janakiraman's case (AIR 1991 SC 2010) and Sasidharan case (2008(4) KLT 149). The court has also directed to take fresh decision on Annexure A7 representation submitted to the Convenor of DPC in accordance with law by placing the same before the review DPC with in three months from the date of receipt of a copy of order. The petitioner as per the representation read as 2nd paper above has submitted a copy of order of the Hon'ble Kerala Administrative Tribunal for compliance.

The Adhoc DPC (Higher) for Urban Affairs Department met on 07.08.2014 for considering the review petition filed by Shri.T.P. Satheesan against his supersession from the select list and observed that he is legally entitled to get notional promotion to the post of Corporation Secretary/Additional Corporation Secretary since he is not charg sheeted so far.

Therefore the Committee decided to revoke his supersession from the select list to the post of Corporation Secretary/Additional Corporation Secretary. The Committee also decided to restore his seniority position in the above cadre subject to the assessment of eligibility as per existing rules.

In the meantime, Shri. T.P.Satheesan, Municipal Secretary Grade I has filed OA(EKM) 973/14 praying to direct Government not to promote any of his juniors to higher post till a decision is taken on the application and promote him with retrospective effect pending disposal of the OA. The Hon'ble Kerala Administrative Tribunal in its interim Order read as 4th above has directed Government to take a decision on the question of approval of the select list prepared by the DPC in accordance with law with in six weeks from the date of receipt of a copy of the order. As per the representation read as 5th above, the applicant has submitted a copy of interim Order dated 29.01.2015 for compliance.

Government have examined the matter in detail and are pleased to promote Shri. T.P. Satheesan, Municipal Secretary Grade I, Thalassery Municipality notionally to the cadre of Corporation Secretary/Additional Corporation Secretary in the scale of pay of 36140-49740 with effect from the date on which his immediate junior viz. Shri.C.C. Sasidharan is promoted to the above cadre.

Posting orders in respect of the officer promoted will be issued separately.

Order and interim Order of the Hon'ble Kerala Administrative Tribunal read as 1st and 3rd paper above respectively are complied with accordingly.

By Order of the Governor,

**FINNY ZACHARIAH,
ADDITIONAL SECRETARY.**

To

The Accountant General (A&E/Audit), Thrissur Branch.

The Advocate General, Kerala, Thiruvananthapuram.

The Director of Local Fund Audit, Thiruvananthapuram.

The Director of Urban Affairs, Thiruvananthapuram.

Shri. T.P. Satheesan, Municipal Secretary Grade I,

Thalassery Municipality.

The Director, Information Kerala Mission, Thiruvananthapuram.

Stock File/Office Copy.

Forwarded by Order



Section Officer