



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Urban Affairs - Order dated 17.11.2015 in O.A. No.1637/15 filed by Shri.S.Jayakrishnan, Senior Superintendent, Directorate of Urban Affairs, Thiruvananthapuram - Complied with - Orders Issued.

LOCAL SELF GOVERNMENT (EU) DEPARTMENT

GO(Rt)No: 1864/16/LSGD. Dated, Thiruvananthapuram, 07.06.2016.

- Read :**
- 1) Proceedings No. E1-22560/2014 dated 09.01.2015 of the Director of Urban Affairs, Thiruvananthapuram.
 - 2) Government Letter No. 1555/EU1/15/LSGD dated 13.01.2015.
 - 3) Proceedings No.VI-23541/2014 dated 19.06.2015 of the Director of Urban Affairs, Thiruvananthapuram.
 - 4) Government letter No. 1555/EU1/15/LSGD dated 21.08.2015.
 - 5) Representation dated 05.09.2015 submitted by Shri.S. Jayakrishnan.
 - 6) Order of Hon'ble Kerala Administrative Tribunal dated 17.11.2015 in O.A. No.1637/15 filed by Shri.S.Jayakrishnan, Senior Superintendent, Directorate of Urban Affairs, Thiruvananthapuram.
 - 7) Proceedings No.VI-23541/2014 dated 19.01.2016 of the Director of Urban Affairs, Thiruvananthapuram.
 - 8) Letter No. C2/O.A. 1637/2015/AGO dated 19.01.2016 from the Advocate General, Kerala Administrative Tribunal, Thiruvananthapuram.
 - 9) Letter No. E1-22560/2014 dated 11.04.2016 of the Director of Urban Affairs, Thiruvananthapuram.

ORDER

The Hon'ble Kerala Administrative Tribunal, as per the order read as 6th paper above has directed the first respondent to consider and pass orders on Annexure A7 in accordance with law after giving an opportunity of being heard to the applicant, within three months from the date of receipt of a certified copy of the order. The Hon'ble Court also stated that the interim order issued by the Tribunal on 07.09.2015 shall remain in force till the

disposal of the representation, if the applicant produces a copy of the order before Ist Respondent viz. Secretary, Local Self Government Department within 3 weeks. Shri.Jayakrishnan, Senior Superintendent, Directorate of Urban Affairs submitted a representation before Government on 30.01.2016.

2) In the Annexure A7 of O.A No. 1637/2015, the applicant states that the disciplinary proceedings are fabricated and that in view of finalization of disciplinary action, there is no need or necessity to transfer him from the Directorate and as such necessary direction may be given to the Director of Urban Affairs not to transfer him from the Directorate as per the Government letter dated 21.08.2015 read as 5th paper above.

3) As per the direction of the Hon'ble Kerala Administrative Tribunal, Shri. S. Jayakrishnan, Sr. Superintendent was heard on 12.04.2016. Shri.A.Premkumar, Senior Superintendent from Directorate of Urban Affairs also attended the hearing. The applicant stated that the disciplinary action taken against him was over and he was exonerated of all the charges and his transfer is unwarranted and biased.

4) As a part of the disciplinary action initiated against Shri. S. Jayakrishnan, Senior Superintendent, Directorate of Urban Affairs, Thiruvananthapuram, based on the enquiry report of Law Officer, Directorate of Urban Affairs, he was transferred to Regional Joint Director, Urban Affairs, Kochi as per the proceedings read as Ist paper above and the same was stayed as per the letter read as 2nd paper above. The disciplinary action against Shri.S. Jayakrishnan was finalized by barring one annual increment without cumulative effect for a period of one year, vide proceedings read as 3rd paper above. Shri. S. Jayakrishnan has submitted an appeal petition against this order and after examining the matter, the Director of Urban Affairs exonerated him completely from the disciplinary actions against him, vide proceedings read as 7th paper above.

5) The matter was examined in detail with the relevant records available and considering the Annexure A7 and the details explained by the petitioner during the hearing.

6) The transfer order issued by the Director of Urban Affairs may be due to administrative convenience or due to administrative reasons or be due to the reasons misconduct/ misbehaviour of the petitioner in the office as pointed out by the enquiry officer as part of disciplinary action. Now, the disciplinary action initiated against the applicant has been finalized vide proceedings read as 7th paper above.

7) In the circumstances, Government doesn't find any valid reason to interfere with the transfer order read as 1st paper above in respect of Shri. S. Jayakrishnan, Senior Superintendent, issued by the Director of Urban Affairs and orders that the Director of Urban Affairs can take appropriate decision in the matter and pass orders that deems fit considering the administrative convenience of that Department.

8) Hence the Annexure A7 representation is rejected forthwith and the order of the Hon'ble Kerala Administrative Tribunal read as 6th paper above is complied with accordingly.

(By Order of the Governor)

BINU KUMAR. V,

UNDER SECRETARY TO GOVERNMENT

To

The Advocate General, Kerala Administrative Tribunal,
Thiruvananthapuram. (With C/L)

The Director or Urban Affairs, Thiruvananthapuram.

The Director, Local Fund Audit Department,
Thiruvananthapuram.

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

Shri. S. Jayakrishnan, Senior Superintendent, Directorate of
Urban Affairs, Thiruvananthapuram.

The Director, Information Kerala Mission, Thiruvananthapuram.

Stock File/Office Copy.

Forwarded/By order



Section Officer.