



GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Establishment – O.A No.1867/16 filed by Shri. Shahin. M, L D Clerk/Bill Collector, Thrissur Corporation – Order dated. 08.08.2016 of the Hon. Kerala Administrative Tribunal- Complied with - Orders issued.

Local Self Government (E.U) Department

G.O.(Rt)No.3206/16/LSGD Dated,Thiruvananthapuram. 25.11.2016.

Read:

1. Order No. E7- 13521/16 dated 04.08.2016 of the Director of the Urban Affairs, Thiruvananthapuram.
2. Appeal petition dated. 05.08.2016 submitted by Shri. Shahin. M before the Government (Annexure A3).
3. Order dated. 08.08.2016 of the Hon. Kerala Administrative Tribunal in O.A No. 1867/16 filed by Shri. Shahin.M, L D Clerk/Bill Collector.
4. Letter. No. E7-18393/2016 dated 24.09.2016 from the Director of Urban Affairs, Thiruvananthapuram.

ORDER

As per order read as 1st paper above, the Director of Urban Affairs transferred Sri. Shahin. M, LDC/B.C, Thrissur Corporation to Chalakkudy Municipality. Against this transfer order Shri. Shahin M filed appeal petition read as 2nd paper above before the Government. In the appeal petition he had submitted that he entered into service under Compassionate Employment Scheme and his mother and brother are his dependents. He submitted that he cannot take his mother with him who is on continuous treatment in Thrissur and that there are so many LDC/B.Cs in Thrissur

Corporation who have more service in that Corporation than him. He therefore requested to reconsider the transfer order.

2. In connection with the above transfer, Shri. Shahin filed O.A No. 1867/2016 before the Kerala Administrative Tribunal. The Hon. Tribunal in the Order read as 3rd paper above directed the 1st Respondent, Secretary to Government LSGD, to consider and pass order on Annexure A3 representation, in accordance with law, after giving an opportunity of being heard to the applicant and others, if any likely to be affected by the decision within four weeks from the date of receipt of a copy of the order. The Hon. Kerala Administrative Tribunal directed to keep in abeyance the implementation of the transfer order until 1st respondent takes a decision as directed above.

3. In accordance with the direction of the Hon. Kerala Administrative Tribunal, the Under Secretary, Local Self Government (EU) Department heard the applicant on 5/10/2016. In the hearing, the applicant submitted that even though he was transferred to Chalakkudy Municipality there was no vacancy to accommodate him there and if he is retained in the Thrissur Corporation, that action will not hamper the legitimate right of anybody.

4. Government have examined the case in detail with the report read as 4th paper above of the Director of Urban Affairs. The DUA has admitted that at the time of transfer there was no vacancy of LDC/B.C in Chalakkudy Municipality to accommodate the incumbent and he can be retained in the Thrissur Corporation itself and this action will not cause any administrative inconvenience. The DUA submitted that the incumbent has

already been allowed to continue in the Thrissur Corporation on the basis of the direction of the Hon. Kerala Administrative Tribunal.

5. In the above circumstances, Government are pleased to allow the request in the Annexure A3 appeal petition read as 2nd paper above. The Director of Urban Affairs will retain the incumbent in Thrissur Corporation.

6. This order will not be a bar for the subsequent transfer of the incumbent in general transfer in future.

7. The order read as 3rd paper above of the Hon. Kerala Administrative Tribunal is thus complied with.

(By Order of the Governor).

ABUL KALAM M
Under Secretary

To

1. The Director of Urban Affairs, Thiruvananthapuram.
2. The Director, Kerala State Audit Department, Thiruvananthapuram.
3. The Advocate General, Kerala, Thiruvananthapuram(With C/L).
4. Shri. Shahin. M, L D Clerk/Bill Collector, Thrissur Corporation Pin- 680001 (By Regd. Post).
5. The Executive Director, Information Kerala Mission, Thiruvananthapuram.(For publishing this order in the Website).
6. The Principal Accountant General (Audit),Thiruvananthapuram.
7. Stock file/Office Copy.

Forwarded/By Order



Section Officer

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