



## GOVERNMENT OF KERALA

### Abstract

Local Self Government Department –Establishment- O.A No. 1805/16 filed by Smt. Padmavathy K E, former Revenue Inspector, Changanassery Municipality, Kottayam– Order dated. 03.08.2016 of the Hon. Kerala Administrative Tribunal- Complied with - Orders issued.

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### **Local Self Government (E.U) Department**

G.O.(Rt)No. 3207/16/LSGD

Dated,Thiruvananthapuram.25.11/2016.

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Read:

1. Order No. E6-16358/16 dated 22.07.2016 of the Director of Urban Affairs, Thiruvananthapuram.
2. Appeal petition dated 23.07.2016 submitted by Smt. Padmavathy K E, former Revenue Inspector, Changanassery Municipality before the Government (Annexure A7).
3. Order dated. 03.08.2016 of the Hon. Kerala Administrative Tribunal in O.A No.1805/16 filed by Smt. Padmavathy K E, Revenue Inspector, Chengannur Municipality.
4. Letter. No. E6-19998/2016 dated 05.11.2016 from the Director of Urban Affairs, Thiruvananthapuram.

### **ORDER**

As per order read as 1<sup>st</sup> paper above, the Director of Urban Affairs issued transfer and postings and promotions in the cadre of Head Clerk/ Revenue Inspectors of Municipal Common Service. In the appeal petition read as 2<sup>nd</sup> paper above, Smt. Padmavathy K.E, the then Revenue Inspector, Municipal Office, Changanassery complained that while issuing transfer order in the cadre of 'Head Clerk/ Revenue Inspector', the Director of Urban Affairs did not consider her request for transfer to Thodupuzha. She

submitted that many of her colleagues got transfer. She added that she belong to Scheduled Tribe Community and without considering her preferential claim on transfer, transfer and posting in the cadre of Revenue Inspector has been issued by the Director of Urban Affairs against the stipulation in the transfer norms that 'post should be first filled up by transfer and then the resulting vacancies should be filled up through promotion'. She submitted that without considering her legitimate claim, Sri. S.A Vinod Kumar, and Smt. C.N. Rejani were promoted to the cadre of Revenue Inspector and posted in Thodupuzha. She therefore requested to review the transfer order issued by the Director of Urban Affairs and post her in Thodupuzha Municipality.

2. In connection with the above transfer, Smt. K.E. Padmavathy filed O.A No. 1805/2016 before the Kerala Administrative Tribunal. The Hon. Tribunal in the order read as 3<sup>rd</sup> paper above directed the 1<sup>st</sup> Respondent, Secretary to Government, Local Self Government department to consider and pass orders on Annexure A7 representation in accordance with law, after giving an opportunity of being heard to the applicant and any other person likely to be affected by the decision, including respondent 3 &4, within two months from the date of receipt of a copy of the order.

3. In accordance with the direction of the Hon. Kerala Administrative Tribunal, the Under Secretary, Local Self Government Department heard Smt. K.E Padmavathy, Sri. S.A Vinod Kumar and Smt. Rejani. C.N, Revenue Inspectors on 3/10/2016. In the hearing Sri. S.A Vinod Kumar submitted that even though he was posted in Thodupuzha Municipality as per Order dated 22/7/2016 of the Director of Urban Affairs, he could not join there as

there was no vacancy and he was subsequently posted in Attingal Municipality. In the circumstances, he is not a claimant for the post of Revenue Inspector in Thodupuzha Municipality. In the hearing Smt. C.N. Rejani submitted that her Home Station is Perumbavoor (Ernakulam) and in the promotion order dated. 22/7/2016 she was posted in Thodupuzha. She submitted that she is willing to be posted in Kothamangalam Municipality or Perumbavoor Municipality. In the hearing Smt. K.E Padmavathy submitted that at the time of transfer there were 2 vacancies in the Thodupuzha Municipality. But the Director of Urban Affairs issued promotion and transfer order in a single order and denied her legitimate opportunity.

4. Government examined the matter in detail with the report of the Director of Urban Affairs read as 3<sup>rd</sup> paper above and transfer norms of Local Self Government Department issued under GO(Ms) No. 105/2007/LSGD dated. 4/4/2007. As per Para 13 of the said transfer norms SC/ST employees have preferential claim. As per GO(P) No. 36/2014/P&ARD dated. 30/10/2014, the order of preference of various categories are published. In that list SC/ST is the first preferential category. In this case the Director of Urban Affairs has submitted that Smt. K.E Padmavathy can be provided in Koothattukulam Municipality and it is convenient to her. Smt. Padmavathy is also willing to be transferred to that place. However she requested to post her in Thodupuzha in the next arising vacancy of Revenue Inspector.

5. In the above circumstances, the Director of Urban Affairs will take immediate action to transfer Smt. K.E Padmavathy, Revenue Inspector



Municipal office Chengannur to the vacancy of Révenue Inspector in Koothattukulam Municipality. The Director of Urban Affairs also directed to consider the claim of Smt. K.E Padmavathy for posting in Thodupuzha Municipality as per norms as and when vacancy arise.

6. The appeal petition read as 2<sup>nd</sup> paper above is disposed of as noted above and the direction contained in the Order read as 3<sup>rd</sup> 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. Smt. Padmavathy K E, Revenue Inspector, Chengannur Municipality.
5. Shri. S A Vinod Kumar, Revenue Inspector, Attingal Municipality.
6. Smt. Rajani C N, Revenue Inspector, Thodupuzha Municipality.
7. The Principal Accountant General (Audit), Thiruvananthapuram.
8. The Executive Director, Information Kerala Mission, Thiruvananthapuram.(For publishing this order in the Website).
9. Stock file/Office Copy.

Forwarded /By Order

  
Section Officer