



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Engineering Wing - Establishment- Order dated 17/11/2016 of the Honourable Kerala Administrative Tribunal in O.A. No. 1297/2012 filed by Sri. R. Prasad, Overseer Gr III- Complied with -orders issued.

LOCAL SELF GOVERNMENT (EW) DEPARTMENT

G.O. (Rt) No.615/2017/LSGD. Dated, Thiruvananthapuram, 06/03/2017

- Read:
1. Order dated 17/11/2016 of the Hon' KAT in O.A. No. 1297/2012.
 - 2 Representation dated 19.12.2016 submitted by Sri. R. Prasad, Overseer Gr III, Panamaram Grama Panchayath, Wayanad.
 - 3 Letter No. E6/9637/16/CE/LSGD dated 17/01/2017 from the Chief Engineer, LSGD, Thiruvananthapuram.

ORDER

As per the Order read as 1st paper above, the Honourable Kerala Administrative Tribunal has directed the Government to consider the representation read as 2nd paper above in respect of Sri. R. Prasad, Overseer Gr III, Panamaram Grama Panchayath, Wayanad and pass appropriate orders within a period of three months from the date of receipt of the representation. The representation along with a copy of the said order was received in Government on 23.12.2016.

2. The petitioner, who was originally appointed as Overseer Gr III in Public Works Department and subsequently deployed to the Engineering wing of LSGD. His application for repatriation to the Public Works Department was rejected as per GO(Rt)No. 820/2015/LSGD dated 23.03.2015. The petitioner contents that in cases of similarly situated persons, i.e Overseer Gr I and Gr II favourable orders repatriating them to PWD were issued earlier. Therefore, it is requested to consider his request for repatriation to PWD.

3. The Chief Engineer, LSGD as per the letter read as 3rd paper above, has reported that the Engineering Wing in LSGD was created on 01.01.2008 by combining the posts which were found in excess in Departments such as PWD, Irrigation etc for the effective implementation of schemes consequent to the transfer of functions, responsibilities and schemes to the three tier Panchayats and the Municipal Bodies as provided in the Panchayat Raj Act, 1994 and the Kerala Municipalities Act, 1994. As such, 116 AEs, 64 Overseer Gr I, 78 Overseer Gr II and 250 Overseer Gr III posts along with employees from PWD were compulsorily deployed(non option) to LSGD. Sri. R. Prasad, Overseer Gr III too had joined duty in LSGD on such compulsory deployment from PWD. Since the posts which were deployed from PWD had

been discontinued there, the repatriation of the incumbent is not at all feasible and if the request of the applicant is approved, it will badly affect the organisational set up and functioning of the LSG Department.

4. The Chief Engineer has further reported that there exists 362 vacancies at present in Overseer Gr III, and the shortage of staff is affecting the implementation of plan schemes and hence the request of Sri. R. Prasad for repatriation need not be considered.

5. Government have examined the matter in detail and are of the consistent view that further repatriation of staff from the newly created Engineering wing of the LSGD will create bad precedence and thereby severely affect the functioning and organisational set up of the Engineering Wing of the LSGD. Also the Government resorts to fill up the existing vacancies in the Engineering wing of LSGD by way of recruitment through the Public Service Commission. In view of the above, the prayer of the petitioner is declined and the Order dated 17/11/2016 of the Honourable Kerala Administrative Tribunal in O.A. No. 1297/2012 filed by Sri. R. Prasad, Overseer Gr III is complied with.

(By Order of the Governor)

A. SHAHJAHAN
Secretary to Government

To

1. Sri. R. Prasad, Overseer Gr III, Pananmaram Grama Panchayath, Wayanad.
2. The Chief Engineer, LSGD Thiruvananthapuram.
3. The Advocate General, Thiruvananthapuram (with Covering Letter)
4. The Accountant General (Audit/A&E), Kerala, Thrissur.
5. The Director, Information Kerala Mission, Thiruvananthapuram.
6. The Web & New Media, I & PR Department.
7. Stock File/Office Copy.

Forwarded/By Order


Section Officer.