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3/4/17



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing - Sri.Narayanan Namboothiri.A.N, former Assistant Executive Engineer, Sri. Saravaneswar L.R, former Assistant Engineer and Smt. Sunil Kumari.P.M, former Overseer Grade III (under suspension) - reinstated into service - Orders issued.

LOCAL SELF GOVERNMENT (EW) DEPARTMENT

G.O.(Rt) No.948/2017/LSGD.

Dated, Thiruvananthapuram, 29.03.2017.

- Read:-
- 1 Govt. letter No. 11827/D1/2016/Vig. dated 15-12-16 of Vigilance (D) Department.
  - 2 GO (Rt) 89/2017/LSGD dated 11.01.2017.
  - 3 Judgment of the Hon. High Court of Kerala in CrI.MC711/17, dated.25-01-17, in CrI.MC No.728 & 729, dated 27-01-17 and in CrI.MC No.877/17, dated.01-02-2017.
  - 4 Appeal petition submitted by Shri. Saravaneswar.L.R dated 30-01-2017.
  - 5 Appeal petition submitted by Shri. Narayanan Namboothiri.A.N dated 30-01-2017.
  - 6 Letter from Smt. Sunil Kumari.P.M dated 06.02.2017.
  - 7 Order of the Hon. KAT in OA(EKM)-210/2017 dated 02.02.2017.
  - 8 Letter No.1752/D1/2017/Vig. dated 25-03-2017 of the Additional Chief Secretary, Vigilance (D) Department.
  - 9 Judgment of the Hon. High Court of Kerala in CrI.M.C. Nos.728,729 & 877 of 2017, dated.24-03-17.

ORDER

Based on the recommendation of Vigilance Department read as 1<sup>st</sup> paper above Government had suspended Sri. Narayanan Namboothiri.A.N, former Assistant Executive Engineer, Sri. S. Saravaneswar.L.R, former Assistant Engineer and Smt. Sunil Kumari.P.M, former Overseer Grade III of Pala Municipality from Service as per GO read as 2<sup>nd</sup> paper above, as a case has been registered in VC 9/16/ERK u/s13 (1) (d) (ii) r/w 13 (2) of PC Act and 120 (B) IPC before the Hon'ble Court of Enquiry Commissioner and Special Judge, Kottayam.

Sri Saravaneswar L.R , Sri.Narayanan Nampoothiri and Smt. Sunil Kumari.P.M challenged Government Order read above before the Hon'ble High Court of Kerala by preferring CrI.M.C.No.728/2017 , 729/2017 and CrI.MC No.877/17 respectively. The Hon'ble High Court of Kerala vide Judgments in CrI.MC711/17, dated 25-01-2017, in CrI.MC No.728 & 729, dated, 27-01-2017 and in CrI.MC No.877/17, dated 01-02-2017 has ordered that 'FIR against the petitioner shall not be reckoned for anything concerning their service benefits or promotion prospects or other matters including suspensions, if any, proposed, because, everything is really suspicious'. The Hon'ble High Court of Kerala vide Judgment read as 10<sup>th</sup> above has made it clear that, if the petitioner is not reinstated in view of the Court's order, proceedings of contempt of court shall be initiated. The Hon'ble Kerala Administrative Tribunal vide its order dated 2-02-2017 in OA (EKM) 165 & 210 of 2017 filed by Sri. Narayanan Namboothiri and Sri. Saravaneswar.L.R has directed

Government to consider and pass appropriate orders in the above appeals read as 4<sup>th</sup> and 5<sup>th</sup> above, preferred by the Officers against the Suspension order, within a period of one month.

The appellants were heard by the Additional Secretary to Government, LSGD on 16.03.2017. In the mean time, the Vigilance Department in Government has recommended to reinstate the suspended officers on condition that the accused officers shall not interfere the investigation in VC 09/2016/ERK, vide paper read as 9<sup>th</sup> above.

Government have examined the case in detail and are pleased to revoke the suspension of Sri. Narayanan Namboothiri.A.N, former Assistant Executive Engineer, Sri. Saravaneswar.L.R, former Assistant Engineer and Smt. Sunil Kumari.P.M, former Overseer Grade III of Pala Municipality, as per G.O.cited as 2<sup>nd</sup> above and to reinstate them into service with immediate effect on condition that the accused officers shall not interfere the investigation in VC 09/2016/ERK.

On reinstatement Sri.Narayanan Namboothiri, Assistant Executive Engineer is posted as such in Mulanthuruthy Block Panchayat.

The Chief Engineer, LSGD will issue necessary posting order to Smt. Sunil Kumari.P.M, former Overseer Grade III and Sri. Saravaneswar L.R, former Assistant Engineer out side Kottayam District forthwith.

The Judgments of Hon'ble High Court of Kerala and Hon'ble Kerala Administrative Tribunal is thus complied with. The appeals read as 4<sup>th</sup> abd 5<sup>th</sup> above are also disposed of accordingly.

(By order of the Governor)  
MINIMOL ABRAHAM  
Additional Secretary to Government.

To

1. The Chief Engineer, LSGD, Thiruvananthapuram.
  2. Sri. Narayanan Namboothiri.A.N, former Assistant Executive Engineer, Pala Municipality.
  3. Sri. S. Saravaneswar.L.R, formerAssistant Engineer, Pala Municipality.
  4. Smt. Sunil Kumari.P.M, former Overseer Grade III, Pala Municipality.
  5. Accountant General (A&E)/Audit) Kerala, Thrissur.
  6. The Advocate General Kerala, Ernakulam (With C/L).
  7. The Vigilance (D) Dept. (Vide letter no.1752/D1/17/Vig. Dated 25.03.17).
  8. The Director, V&ACB, Thiruvananthapuram.
  9. The Secretary, Pala Municipality.
  10. The Secretary, Mulanthuruthy Block Panchayat.
  11. The LSG (EW3) Department.
  12. The Web & New Media, I&PRD.
  13. Stock File/Office Copy.
- (Through  
Chief  
Engineer,  
LSGD)

Forwarded/By Order



Section Officer.