



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - OA No.736/16 filed by Smt. Neethu K.S and others - Order dated 01.04.2016 of the Hon'ble Kerala Administrative Tribunal - Complied with - Orders Issued.

LOCAL SELF GOVERNMENT (EU) DEPARTMENT

GO(Rt)No: 1026/2017/LSGD. Dated, Thiruvananthapuram, 31.03.2017.

- Read :**
- 1) G.O(P) No.13/2015/P&ARD dated 21.03.2015.
 - 2) Representation dated 18.02.2016 submitted by Shri. Neethu.K.S and other before Government (Annexure A3).
 - 3) Order dated 01.04.2016 of the Hon'ble Kerala Administrative Tribunal in OA 736/16 filed by Shri. Neethu K.S and others.
 - 4) Representation from Shri. Sudhir Raman dated 09.01.2017 to Government .
 - 5) Letter No. E7-4079/2017 dated 15.03.2017 from the Director of Urban Affairs, Thiruvananthapuram.

ORDER

In the representation read as 2nd paper above, Smt. Neethu K.S. and others submitted that they were included in the ranked list for the post of Lower Division Clerk - (Kozhikode) Category No.477/2010) in various departments, which was brought into force with effect from 30.03.2012. The said ranked list expired on 31.03.2015, when the new ranked list came into force on 01.04.2015.

2. The applicants also submitted that as per Order read as 1st paper above the Government took a policy decision to fill up the anticipated vacancies that may arise during the month of April, May and June to the Public Service Commission from the existing ranked list and directed the

head of departments to report the anticipated vacancies for the months of April, May and June 2015 before 30.03.2015. But, certain appointing authorities failed to implement the above said Government Order and did not report the anticipated vacancies. Hence they requested Government to invoke its extra ordinary power under Rule 39 of Part II KS & SSR and give appointments to the applicants without being advised by the Public Service Commission.

3. Smt. Neethu K.S. and others have also filed OA No. 736/16 before the Hon'ble Kerala Administrative Tribunal with the same prayer and the Hon'ble Tribunal in its order read as 3rd paper above, directed the respondents 2 to 10, to take decision on Annexure A3 and similar representations after hearing the applicants within a period of four months from the date of receipt of a certified copy of the Order.

4. In accordance with the direction of Hon'ble Kerala Administrative Tribunal to the 2nd respondent, the Under Secretary, Local Self Government Department heard Smt. Neethu K.S, the representative of the applicants on 15.03.2017. At the time of hearing she submitted that the Director of Urban Affairs did not report all vacancies in Kozhikode District due as on 30.06.2015 including those reserved for Compassionate Employment Scheme and By Transfer appointments which is in violation of the directions in Circular Nos. 6126/Adv.C3/P&ARD dated 25.03.2015.

5) The Director of Urban Affairs in his letter read as 5th paper above had reported that all the vacancies in the post of LDCs, Kozhikode District (12 Nos.) identified to arise by 31.03.2015 was reported to Kerala Public Service Commission. It is also reported that no vacancies were reserved for appointment under Compassionate Employment Scheme or By Transfer and also reported that all the expected vacancies were reported within the prescribed time limit.

6. Government examined the case in detail with the report of Director of Urban Affairs and with all relevant details in this regard. Since the Director of Urban Affairs had reported the vacancies in time, there is no need to invoke Rule 39, KS & SSR as requested by the appellant. Accordingly the

request in the representation read as 2nd paper above does not deserve any merit and is rejected.

7. The direction contained in the Order read as 3rd paper above of the Hon'ble Kerala Administrative Tribunal is complied with as noted above.\

(By Order of the Governor)

S. MOHANDAS,
JOINT SECRETARY TO GOVERNMENT.

To

The Director of Urban Affairs, Thiruvananthapuram.

The Advocate General, Kerala, Thiruvananthapuram. (with C/L)

The Director, Kerala State Audit Department, Thiruvananthapuram.

Smt. Neethu K.S., Vadakkam Veetil House (H),

MIE (Kunnamangalam) P.O., Kozhikode-673 751.

Shri. Sudhir Raman, Amritha, Jail Road, Puthiyara P.O.,

Kozhikode-673 004.

Smt. Sheeja.M., Narangatil (H), Vydarangadi P.O., Ramanattukara,

Kozhikode-673 633.

Smt. Prajula. P, Ponarasserri (H), Veluthedath Kandy,

Velliparamba P.O., Kozhikode - 673 008.

✓ The Executive Director, Information Kerala Mission,
Thiruvananthapuram.

• Stock File/Office Copy.

Forwarded by Order



Section Officer