



GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Order dated 20.02.2017 in OA 284/2017 filed by Sri. R. Shanavas, Senior Clerk, Purathur Grama Panchayat, Malappuram before the Hon'ble Kerala Administrative Tribunal - Complied with - Orders issued.

LOCAL SELF GOVERNMENT (EPA) DEPARTMENT

G.O.(Rt)No. 1192/2017/LSGD

Dated, Thiruvananthapuram, 18.04.2017

- Read:-
1. Order dated 20.02.2017 in OA 284/2017 filed by Sri. R. Shanavas before the Hon'ble Kerala Administrative Tribunal.
 2. Representation dated 21.02.2017 of Sri.R. Shanavas, Senior Clerk, Purathur Grama Panchayat, Malappuram
 3. Letter No. e4-6459/16, dated 09.03.2017 of the Director of Panchayats, Thiruvananthapuram.

ORDER

Sri. R. Shanavas, Senior Clerk, Purathur Grama Panchayat, Malappuram filed OA 284/2017 before the Hon'ble Kerala Administrative Tribunal requesting to recall his allotment to Malappuram and retain him at any of the vacancies available at Thiruvananthapuram district.

2. By disposing the OA, the Hon,ble KAT directed the additional third respondent ie, the Principal Secretary, Local Self Government Department to consider and pass on Annexure MA4 representation, in accordance with law, after affording an opportunity of being heard to the applicant, within four weeks from the date of receipt of a copy of this order or at any rate before filling up of the vacancy at Nallanad Gramapanchayat, whichever is earlier.

3. The applicant Sri. Shanavas was a Clerk (Higher Grade) in Navaikulam Gramapanchayat in Thiruvananthapuram. He is Physically Handicapped person with 65% permanent disability owing to Post Polio Residual Paralysis. On promotion as Senior Clerk, he has been posted to Malappuram district. It is pointed out that there were so many vacancies of Senior Clerks in Thiruvananthapuram and it was not at all necessary to transfer the applicant to Malappuram district. The applicant has submitted

Annexure MA4 representation dated 18.02.2017 before the Principal Secretary, Local Self Government Department, seeking a posting on promotion in Thiruvananthapuram district itself, specifically pointing out the open vacancy available in Nallanad Gramapanchayat.

4. In pursuance to the direction of the Hon'ble Kerala Administrative Tribunal, hearing was conducted by the Under Secretary to Government on 18.03.2017. The applicant didn't turn up for hearing or did not intimate his inability to attend hearing.

5. The Director of Panchayats informed that during promotion / conversion, the employees are given posting in their own district, if there exist open vacancy. In the case of the applicant, during his promotion, as there was no vacancy to accommodate him in the Thiruvananthapuram district, he was given posting in the Malappuram district. The request of the applicant to retain him in Thiruvananthapuram could not be considered as there were senior hands, otherwise eligible, in the district; who had opted for Thiruvananthapuram. Also there is no open vacancy of Senior Clerk in Nallanad Grama Panchayat, Thiruvananthapuram, as claimed by the applicant.

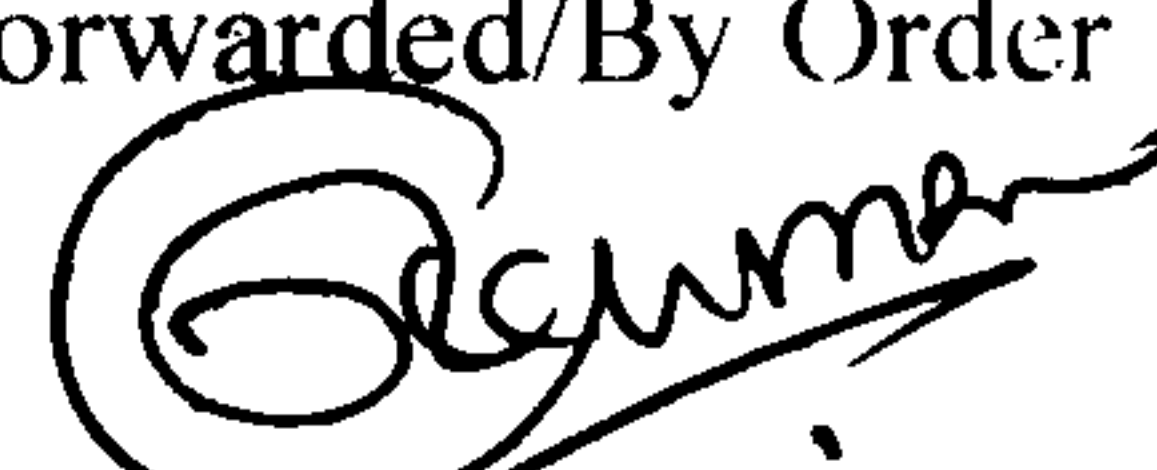
6. Government have examined the matter in detail and pleased to order that the Director of Panchayats will post Sri. R. Shanavas, Senior Clerk, Purathur Grama Panchayat, Malappuram in a suitable place in Thiruvananthapuram district during the General Transfer, 2017.

7. The order of Hon'ble Kerala Administrative Tribunal read as 1st paper above is complied with as above.

(By Order of the Governor)
PATSY STEPHEN
DEPUTY SECRETARY TO GOVT.

To

1. The Advocate General, Kerala, Thiruvananthapuram Branch. (with covering letter)
2. Sri. R. Shanavas, Senior Clerk, Purathur Grama Panchayat, Malappuram.
3. The Director of Panchayats, Thiruvananthapuram.
4. The Deputy Director of Panchayats, Malappuram.
(through the Director of Panchayats)
5. The Director, Information Kerala Mission. (for publishing on official Website)
6. Web & New media, I&PRD.
7. Stock File/Office Copy(File No. 67/EPA1/17/LSGD)

Forwarded/By Order

Section Officer