



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing - Establishment – Sri. K.T. Rajan, Executive Engineer provisionally promoted to the cadre of Superintending Engineer- Orders of the Hon' KAT in OA(EKM)no. 875/2017 dated 26.05.2017- Complied with- Orders issued.

LOCAL SELF GOVERNMENT (EW) DEPARTMENT

G.O. (Rt) No...../2017/LSGD. Dated, Thiruvananthapuram, 30-05-2017.

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- Read :
- 1 GO(P)no.37/2016/LSGD dated 27.10.2016.
 - 2 GO(Rt)no. 1184/2017/LSGD dated 18.04.2017.
 - 3 Order of Hon' KAT dated 26.05.2017 in OA(EKM)no.875/2017.
 - 4 Representation dated 29.05.2017 of Sri. K.T. Rajan, Executive Engineer.
 - 5 Letter no. E1/7307/2017/CE/LSGD dated 29.05.2017 from the Chief Engineer, LSGD.

ORDER

As per the GO read as first paper above, select list for promotion to the cadre of Superintending Engineer was published without including Sri. K.T. Rajan as the DPC(H) held on 01.10.2016 has superseded him over his juniors due to the prevalence of disciplinary action for major penalty in connection with the irregularities in the construction of bus shelters while he was working in Thrissur Corporation. The disciplinary action for major penalties pending against the incumbent was finalised by absolving him from charges as per the GO read as 2nd paper above. The Hon' KAT as per the order read as 3rd above has ordered to grant provisional promotion to Sri. K.T. Rajan on or before 30.05.2017 as the disciplinary action against Sri. K.T. Rajan has been finalised by absolving him of charges levelled against him and as he is due to retire on 31.05.2017. The above orders of Hon' KAT dated 26.05.2017 was made available by the applicant to the Government only on 29.05.2017 vide

representation read as 4th paper above, though the certified copy of the order was delivered on 26.05.2017 itself.

2. The probation of the applicant in the cadre of Executive Engineer has not been declared so far for want of Vigilance clearance. Sri. K.T. Rajan is the 2nd accused in CC 6516/16, which is under trial in Vigilance Court, Thalassery. Government could not bring forth the above facts before the Hon' KAT as the ex-parte order along with the copy of the OA has been received in Government only on 29.05.2017.

3. On receipt of the orders of the Hon' KAT, the legal opinion of the Law Department was sought for. The legal opinion obtained is as follows:

“As per the Order dated 26.05.2017 in OA(EKM) 875/2017 Hon'ble Kerala Administrative Tribunal has directed the first respondent to promote the applicant provisionally as Superintending Engineer and grant him a posting forthwith, at any rate on or before 30.05.2017. Since he is due to retire tomorrow(31.05.2017), it is advisable to provisionally promote him in compliance of the order of the Tribunal and then challenge that order after examining the entire aspects of the case.”

4. Government have examined the matter in detail. There is no vacancy in the cadre of Superintending Engineer at present. However, the Chief Engineer, LSGD, vide letter read as 5th above, has informed that Sri. K.D. Ajayaghosh, Superintending Engineer, Thrissur Corporation went on Earned Leave for a limited period.

5. In the above circumstances, Sri. K.T. Rajan, Executive Engineer, Thrissur Corporation is provisionally promoted to the post of Superintending Engineer in the scale of pay of Rs 85000-117600 as per Rule 31(a)(i) of Part II of KS&SSRs, 1958 for the purpose of complying the order of the Hon' KAT. On promotion, Sri. K.T.Rajan is posted in Thrissur Corporation in the Leave vacancy available there. On superannuation of Sri. K.T. Rajan on 31.05.2017

or after the expiry of the Earned Leave applied for, Sri. K.D.Ajayaghosh will rejoin as the Superintending Engineer at Thrissur Corporation.

(By Order of the Governor)

T. K. JOSE

Principal Secretary to Government

To

1. Sri. K.T. Rajan, Executive Engineer, Thrissur Corporation.
2. Sri. K.D. Ajayaghosh, Superintending Engineer, Thrissur Corporation.
3. The Chief Engineer, LSGD, Thiruvananthapuram.
4. The Secretary, Thrissur Corporation.
5. The Advocate General, Ernakulam (With covering letter)
6. The Accountant General (A&E), Kerala, Thiruvananthapuram/Thrissur.
7. The Director, Information Kerala Mission, Thiruvananthapuram.
8. The Web and New Media, I & PRD.
9. Stock File/Office Copy.