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GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Interim Order dated 01.06.2017 in CP(c)91/17 in OA 284/2017 filed by Sri. R. Shanavas, Senior Clerk, Purathur Grama Panchayat, Malappuram before the Hon'ble Kerala Administrative Tribunal - Complied with -- fresh Orders issued.

LOCAL SELF GOVERNMENT (EPA) DEPARTMENT

G.O.(Rt)No.2101/2017/LSGD

Dated, Thiruvananthapuram, 22.06.2017

Read:- 1. G.O.(Rt) No. 1192/17/LSGD dtd 18.04.2017.

2. Interim Order dated 01.06.2017 in CP(c)91/17 in OA 284/2017 filed by Sri. R. Shanavas before the Hon'ble Kerala Administrative Tribunal.

ORDER

The Government as per Government Order read as first paper have complied with the order dated 20.02.2017 of the Hon'ble Kerala Administrative Tribunal in OA. 284/2017 filed by Sri. R. Shanavas, Senior Clerk, Purathur Gramapanchayat, Malappuram, whereby directed the Director of Panchayats to post the incumbent in a suitable place in Thiruvananthapuram district during General Transfer, 2017. As ordered by the Hon,ble Tribunal hearing was scheduled on 18.03.2017 by the Under Secretary. Hearing Notice was sent to his mailing address in Thiruvananthapuram. Eventhough the applicant did not respond for the hearing, Government after considering various aspects of the case had took a lenient view and issued GO(Rt) No. 1192/17/LSGD dtd 18.04.2017 in favour of the applicant. But the applicant has filed CP(c) No. 91/17 & MA. No. 1355/17 in OA 284/2017 for non compliance or Annexure P1 order of the Hon'ble Tribunal ie, order dated 20.02.2016 of the Hon'ble KAT in OA No. 284/2017.

2. By disposing the CP(c)91/17, the Hon'ble KAT as per second paper above have directed the respondent to pass fresh orders after hearing the applicant.

3. The applicant Sri. R. Shanavas, Clerk (Higher Grade) in Navaikulam Gramapanchayat in Thiruvananthapuram, 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. The applicant pointed out that there were so many vacancies of Senior Clerks in Thiruvananthapuram district and it was not at all necessary to transfer him to Malappuram district.

4. In pursuance to the direction of the Hon'ble Kerala Administrative Tribunal read as 2nd paper above hearing was conducted by the Deputy Secretary to Government on 08.06.2017. During the course of hearing the applicant deposed that he was posted in the far away Malappuram district which is an inconvenient place for him considering his bad health and family conditions. 65% permanent disability owing to Post Polio Residual Paralysis is not at all considered and he was denied posting in neighbouring Panchayats to his residential area in Thiruvananthapuram district.

5. Government have examined the matter in detail and as permitted by the Hon'ble Tribunal are pleased to issue fresh orders to comply with the orders of Government read as first paper above with immediate effect and directed Director Of Panchayats to furnish the compliance report to Government.

6. 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. Web & New media, I&PRD.
6. The Director, Information Kerala Mission. (for publishing on official Website).
7. Stock File/Office Copy (File No. 139/EPA1/17/LSGD)



Forwarded/By Order


Section Officer