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6/12/17



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Rural Development Department - Establishment - Order of the Hon'ble Kerala Administrative Tribunal dated 23.08.2016 in TA No.1103/2012 (WP(C) No.29298/05) filed by Sri.C.M.Joseph, Block Development Officer (Rtd) - Complied with - Orders issued.

LOCAL SELF GOVERNMENT (ERA) DEPARTMENT

G.O(Rt) No.3855/2017/LSGD

Dated, Thiruvananthapuram, 30.11.2017.

- Read:
- 1) Order of the Hon'ble Kerala Administrative Tribunal dated 23.08.2016 in TA No.1103/2012 (WP(C) No.29298/05) filed by Sri.C.M.Joseph, Block Development Officer (Rtd)
 - 2) Proceedings No.18635/Estt.B1/2015/CRD dated 10.03.2017 of the Commissioner for Rural Development, Thiruvananthapuram.
 - 3) Minutes of the Ad-hoc Departmental Promotion Committee held on 23.11.2017.

ORDER

Sri.C.M.Joseph, Block Development Officer (Rtd) filed WP(C) No.29298/05 before the Hon'ble High Court praying for a direction to the 1st respondent (Secretary, Rural Development Department) to promote him to the post of Assistant Development Commissioner with effect from 13.05.2005. The case was later transferred to Kerala Administrative Tribunal and renumbered as TA No.1103/2012.

2. The Hon'ble Kerala Administrative Tribunal in its order dated 23.08.2016 in the above T.A., directed the 1st and 2nd respondents to consider the claim of the applicant for appointment to the post of Assistant Development Commissioner, at least on a notional basis with effect from 13.05.2005, the date on which his immediate junior was appointed to the said post.

3. The Departmental Promotion Committee held on 2005 superseded Sri.C.M.Joseph since disciplinary action was pending against him. Due to the pendency of disciplinary action his probation was not declared. Later, on 20.04.2006, the disciplinary action against him was finalised by barring one increment without cumulative effect for six months. He retired from service on 30.04.2006.

4. Sri.Rajasekharan Nair B., the immediate junior to Sri.C.M.Joseph was promoted as Assistant Development Commissioner as per G.O.(Rt) No.1969/2005/LSGD, dated, 13.05.2005. As part of compliance of the order of the Hon'ble Kerala Administrative Tribunal dated, 23.08.2016 in TA No.1103/2012, the probation of Sri.C.M.Joseph has been declared with effect from 13.05.2005. He was also granted senior grade promotion with effect from 13.05.2005, as per order read as 2nd paper above.

6. The Ad-hoc Departmental Promotion Committee held on 23.11.2017 carefully reviewed the service particulars of Sri.C.M.Joseph and decided to include his name in the Select list for promotion to the category of Assistant Development Commissioner notified vide Notification No.1698/EA3/2005/LSGD, dated, 16.03.2005 as Serial No.11 (A), in between Sri.Babukumar G. (Sl. No.11) and Sri.Rajasekharan Nair B. (Sl. No.12).

7. The Commissioner for Rural Development shall forward necessary proposal for giving notional promotion to the post of Assistant Development Commissioner to the applicant, forthwith.

8. The directions contained in the order of the Hon'ble Kerala Administrative Tribunal read as 1st paper above is thus complied with.

By Order of the Governor

A. SHAJAHAN
Secretary to Government

To

Sri.C.M.Joseph, Block Development Officer (Rtd), Thazhethondil House,
Perumbavoor-P.O, Ernakulam

The Commissioner for Rural Development, Thiruvananthapuram.

The Advocate General, Kerala, Thiruvananthapuram (with covering letter)

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram

The Accountant General (A&E), Thiruvananthapuram/Thrissur.

The Director, Information Kerala Mission, Thiruvananthapuram.

Information & Public Relations (Web & New Media) Department (For
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Section Officer