



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing - OA 405/2018 filed by Smt. G. Rany, Asst. Exe.Engineer- Order dated 21.03.2018 of the Hon'ble Kerala Administrative Tribunal- Complied with - Orders issued.

**LOCAL SELF GOVERNMENT (EW) DEPARTMENT**

GO(Rt) No.2182/2018/LSGD.

Dated, Thiruvananthapuram, 07/08/2018

- Read: 1 Order of the Hon'ble Kerala Administrative Tribunal dated 21.03.2018 in OA 405/2018.  
2 Representation dated 05.03.2018 from Smt. G. Rany.

ORDER

Smt. G. Rany, Asst. Exe.Engineer has filed OA 405/2018 before the Hon'ble Kerala Administrative Tribunal aggrieved by non inclusion of her name in the select list for promotion to the post Executive Engineer by the DPC(H) 2018 which held on 14.12.2018, due to the prevalence of disciplinary action for minor penalty against her as per Vigilance recommendation in connection with the irregularities in Thiruvananthapuram Corporation in three different cases.

2. The Hon'ble Kerala Administrative Tribunal, vide Order read as 1<sup>st</sup> paper above, has directed the 1<sup>st</sup> Respondent, ie Government to cause the disposal of Annexure A11 representation, read as 2<sup>nd</sup> paper above, by placing the same before the review DPC(H) as expeditiously as possible and at any rate, within two months from the date of receipt of a certified copy of the order.

3. The request of the applicant in the Annexure A11 representation is to reconsider the above decision of the DPC and to include her in the modified select list 2018 for promotion to the post of Executive Engineer.

4. The review DPC(H) 2018 which convened on 10.07.2018 in pursuant to the above orders of the Hon' KAT after considering the case in detail has observed that the DPC(H) for the year 2018 had superseded the incumbent officer on the basis of the two disciplinary actions for minor penalties pending against her and the disciplinary action for major penalty proposed to be taken against her. Though the disciplinary actions in two minor cases prevailed against the incumbent were finalised without any serious conviction, charges for major penalty has been instituted against her in another case subsequently as per MOC/SOA dated 29.01.2018 in connection with the unauthorised construction of

building at Thakaraprambu in Thiruvananthapuram Corporation. The committee observed that the DPC(H) has to consider the merit and eligibility of the incumbent for inclusion in the select list by ascertaining the facts and events up to the date of review. Therefore, the Committee is of the view that the incumbent is not eligible for promotion to the post of Exe.Engineer due to the prevalence of charges for major penalty against her as per note(i) below Rule 28(b)(i)(7) of KS&SSR 1958. Accordingly the Committee decided not to include her in the modified select list 2018 for promotion to the post of Exe.Engineer.

5. In the above circumstances, in view of the decision of the review DPC(H) 2018 the demand of the applicant in Annexure A11 representation deserves no merit and is hereby declined.

6. The Order of the Hon'ble KAT in OA 405/2018 read as 1<sup>st</sup> paper above is complied with accordingly.

(By Order of the Governor)

**SREEJITH.V.P**

Under Secretary to Govt.

To

- 1 Smt. G. Rany, Asst. Exe.Engineer (*through the Chief Engineer, LSGD*)
- 2 The Advocate General, Thiruvananthapuram (*with Covering Letter*).
- 3 The Chief Engineer, LSGD, Thiruvananthapuram.
- 4 The Accountant General, (A&E/Audit) of Kerala, Thrissur
- ✓ 5 The Executive Director, Information Kerala Mission.
- 6 The Web & New Media, I & PRD.
- 7 Stock File/Office Copy.

Forwarded/By Order



Section Officer