



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing - OA No.1/2022 filed by Sri. Manu Mohan. S, Assistant Engineer - Order dated 16.03.2022 of the Hon'ble Kerala Administrative Tribunal - Complied with - Orders issued:-

LOCAL SELF GOVERNMENT (EWB) DEPARTMENT

G.O.(Rt)No.2117/2022/LSGD Dated, Thiruvananthapuram, 30-08-2022

Read 1 Letter No.E22-420/2022/CE/LSGD dated 13.01.2022 from the Chief Engineer, LSGD.

2 Order dated 16.03.2022 of the Hon'ble Kerala Administrative Tribunal in OA No.1/2022.

3 Representation submitted by Sri. Manu Mohan. S, Assistant Engineer.

4 GO(Rt) No.1705/22/LSGD dated 18.07.2022.

ORDER

The applicant Sri.Manu Mohan.S, an Assist. Engineer in the LSGD, has filed OA No.1/2022 before the Hon.KAT, aggrieved by his supersession by the DPC(H) convened on 13.07.2021, for preparation of select list of eligible Assist Engineers fit for promotion as Assist Exe. Engineer. The Hon'ble KAT, in its Order dated 16.03.2022, directed the respondents to consider the eligibility of the applicant for promotion as Assist Exe. Engineer by convening an adhoc DPC (H) within a period of two months and the vigilance case, VC 06/18/KKD shall not be treated as an embargo in considering the eligibility as final report is not filed in it.

Sri. Manu Mohan.S, Assistant Engineer was superseded in the Select list 2021 for promotion to the cadre of Assistant Executive Engineer by the DPC (H) held on 13.07.2021, due to the pendency of disciplinary action for minor penalty as per report no D1/9771/2017 dated 01.11.2017 of the Director of Panchayaths. Also, a Vigilance Case VC 06/18/KKD was pending against him, but it was not charge sheeted and hence it was

not an embargo for considering his eligibility for promotion.

The case was examined in detail by the Review DPC (H) held on 10.05.2022. The Committee observed that he was superseded for promotion due to the pendency of disciplinary action and the disciplinary action pending against him has subsequently been finalized as per order no.E12/14952/17/CE/LSGD dated 28.10.2021 by barring one annual increment for a period of 6 months. Hence, the Committee decided to uphold the decision of the earlier DPC (H) and not to include him in the select list, 2021 for promotion to the cadre of Assistant Executive Engineer. But the DPC(H) held on 10.05.2022, included him in the select list 2022 for promotion to the cadre of Assistant Executive Engineer as no disciplinary action/vigilance case is pending against him at present. Subsequently, he was promoted to the cadre of Assistant Executive Engineer vide GO read as 4th paper above and the orders of the Hon'ble Kerala Administrative Tribunal, vide 2nd paper read above, is complied with accordingly.

(By order of the Governor)
BIJUKUTTAN.M.S
ADDITIONAL SECRETARY

To:

- 1.Sri. Manu Mohan.S, Assistant 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 Director, Information Kerala Mission Thiruvananthapuram.
- 6.The Web & New Media, I & PRD.
- 7.Stock File/Office Copy.

Forwarded /By order
Signed by Sreekanth G
Date: 31-08-2022 12:16:46
Section Officer