



GOVERNMENT OF KERALA

Abstract

Local Self Government-Notional Promotion to the post of Municipal Secretary Gr II, Municipal Secretary Gr I and Corporation Secretary to Sri. Muhammed Huwaiz M - Granted- Order dated 12.06.2020 in MA - 2019/2019 in OA No.1682/2018 - Complied with - Orders issued

LOCAL SELF GOVERNMENT(EU)DEPARTMENT

G.O.(Rt)No.2574/2022/LSGD Dated, Thiruvananthapuram, 22-10-2022

Read 1 Order dated 12.06.2020 in OA 1682/2018 of the Hon'ble Kerala Administrative Tribunal

2 G.O.(Rt)No. 728/2021/LSGD dtd.19.03.2021

ORDER

As per the Order dtd.12.06.2020 in MA - 2019/2019 in OA No.1682/2018, read as 1st paper above, the Hon'ble Kerala Administrative Tribunal directed the third respondent (DPC) to place the case of the applicant for promotion before the DPC as Municipal Secretary Grade II during the year 2013 as well as the promotion to higher posts during the subsequent years within two -months of receipt of a copy of the order and on receipt of the recommendation of the DPC, the first respondent(Principal Secretary, LSGD) shall pass appropriate orders within one month there from, granting the applicant eligible promotion and consequential benefits.

2. The Adhoc Departmental Promotion Committee (Higher) for Urban Affairs Department for the year 2021 convened on 12.03.2021 for considering the review petition of Shri. Muhammed Huwaiz M has decided to review his position in the select list prepared for promotion to the post of Municipal Secretary Grade II for 2013, Municipal

Secretary Grade I for 2017 & Corporation Secretary / Additional Corporation Secretary for 2018 and to restore his seniority in each post and to promote him notionally.

3. Accordingly As per GO(P) No.20/2021/LSGD dated. 17.03.2021, Shri. Muhammed Huwais has been placed as Sl.No. 1(a) above the name of Shri. A.S. Subhagan (Sl No. 2) in the revised select list for Municipal Secretary Grade II for the year 2013, as per GO(P) 19/2021/LSGD dated. 17.03.2021, he has been placed as Sl.No. 1(a) above the name of Shri. A.S. Subhagan(Sl No. 2) in the revised select list for Municipal Secretary Grade I for the year 2017 and as per GO(P) No. 18/2021/LSGD dated. 17.03.2021, Shri. Muhammed Huwaiz has been placed as Sl.No. 1 above the name of Shri. R. Rahesh Kumar (Sl No. 1(a)) in the revised select list for Corporation Secretary for the year 2018. Consequently he was promoted to Corporation Secretary vide Government Order read as 2nd above and posted as Additional Corporation Secretary in Corporation of Kochi.

4. Regarding the consequential benefits, as per Rule 23(c) under Part I of KSRs, back arrears of pay and allowances are not admissible for notional promotions, since an Officer becomes eligible for pay and allowances attached to a post only from the date of assumption of charge in that post as per Rule 23(a) Part I of KSRs. Hence Sri. M. Muhammed Huwaiz is eligible for notional promotion to the post of Corporation Secretary/Additional Secretary w.e.f the date, his immediate junior has assumed the charge, subject to the condition that he shall not be eligible for back arrears of pay and allowances.

5. Government have examined the matter in detail and are pleased to grant Notional promotion to Shri M. Muhammed Huwaiz in the post

of Municipal Secretary Gr II and Municipal Secretary Gr I with effect from 15.11.2013 and 18.05.2017 respectively, the date of promotion of his immediate junior, Shri. Subhagan S assumed the charge of the post of Municipal Secretary Gr II & Municipal Secretary Gr I and Corporation Secretary with effect from 21.06.2018, the date of promotion of his immediate junior, Shri. R.Rahesh Kumar assumed the charge of the post of Corporation Secretary, subject to the condition that he shall not be eligible for back arrears of pay and allowances as per Rule 23(c) under Part I KSRs.

6. The order dated 12.06.2020 in MA - 2019/2019 in OA No.1682/2018 of the Hon'ble Kerala Administrative Tribunal is complied with accordingly.

(By order of the Governor)
ANIL KUMAR G
ADDITIONAL SECRETARY

To:

The Accountant General(A&E),Kerala,Thrissur

The Director of Urban Affairs, Thiruvananthapuram

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

Shri.M.Muhammed Huwaiz,Corporation Secretary(through Director of Urban Affairs,Thiruvananthapuram.)

The Director, Kerala State Audit Department, Thiruvananthapuram

✓ The Executive Director, Information Kerala Mission,
Thiruvananthapuram

Finance Department (vide UO(r) No.DEV-5/54/2022-FIN dated
19.10.2022

SF/OC

Forwarded /By order

Signed by Sonu Jacob

Date: 22-10-2022 17:06:08

Section Officer