



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - LID&EW - Establishment- Order of the Hon'ble Kerala Administrative Tribunal in OA No.319/2025 filed by Sri. Aju. B, Executive Engineer - Complied with - Orders issued.

LOCAL SELF GOVERNMENT(EWB)DEPARTMENT

G.O.(Rt)No.693/2025/LSGD Dated,Thiruvananthapuram, 14-03-2025

Read 1 Representation dated 10.2.2025 from Sri Aju B,Executive Engineer,PIU,Kasargod(Annexure A9)

2 Order of the Hon'ble Kerala Administrative Tribunal dated 17.02.2025 in OA 319/2025.

ORDER

Sri. Aju. B, Executive Engineer while working as an Assistant Executive Engineer at Vaikom Block Panchayat in Kottayam, was promoted to the post of Executive Engineer and posted at PIU Kasargod. Aggrieved by this transfer, he filed the O A No. 319/2025 before the Hon'ble Kerala Administrative Tribunal with a prayer to transfer him to Kottayam District.

The Hon'ble KAT vide order read as 2nd paper above, disposed the OA with a direction to the 1st respondent to consider and pass orders on Annexure A9 representation, within a period of one month from the date of receipt of a copy of this order, preferably before filling up the vacancy stated to be available at RKI, Kottayam.

The Annexure A9 is the request of the applicant for a transfer to the existing vacancy in RKI-Kottayam, stating that he is the primary

caregiver for his elderly mother, who has health issues.

As directed by the Hon'ble Court, Government have examined all aspects of the matter in detail. In 2023, the applicant, while working as Assistant Executive Engineer was transferred to Kunnummel Block Panchayat, Kozhikode District. He had challenged the said order in O.A. No. 730/2023, citing the same reason that he is the lone care taker of his sick mother. Government after having considered his plea had transferred him back to Vaikom Block Panchayat, Kottayam as per his convenience. It was while working as Assistant Executive Engineer Vaikom Block Panchayat, Government promoted the petitioner to the post of Executive Engineer in the LSGD and posted him at PIU in Kasargod district for administrative convenience.

As per the established government transfer policies, employees are subject to periodic transfers based on public exigencies, seniority, availability of vacancies, and administrative convenience. The fact that the petitioner was once allowed to serve at his home station does not entitle him to remain there indefinitely. Government policies on postings and transfers apply equally to all employees to ensure fairness and administrative efficiency. As per this policy, senior employees are given preference for transfers to their preferred locations, while junior employees, including newly promoted are assigned to distant stations. Since the petitioner is a newly promoted employee, he does not have a claim to be placed in his home station. Therefore, granting an exception in this case would set an undesirable precedent.

Furthermore, the vacancy that is existing in the Rebuild Kerala Initiative (RKI) in Kottayam is not a cadre post and the tenure of RKI PMU is extended only upto June 2025 as per GO(Rt) No 2587/2024/LSGD dtd 31.12.2024. Therefore, transferring of the applicant to such a non-cadre post would create a vacancy in the cadre

post to which posting can be done only after convening of DPC, as the select list 2024 for promotion to the post of Executive Engineer stands exhausted. Moreover, considering of the transfer request of the applicant at this fag end of the financial year would significantly impact the overall performance of the Local Self Government Department institution. Executive Engineers play a crucial role in the implementation and execution of various development projects, and any disruption in their placement could hinder progress and efficiency.

In view of the above facts, Government find that, the request of the applicant in Annexure A9 for a transfer to RKI, Kottayam deserves no consideration and hence is rejected.

The orders of the Hon'ble KAT in OA No.319/2025 read as 1st paper above is complied with accordingly.

(By order of the Governor)
SUMI SANDIPIKA G MASTERLY
UNDER SECRETARY

1. The Advocate General, Thiruvananthapuram (with Covering Letter).
2. The Principal Director, LSGD, Thiruvananthapuram.
3. The Chief Engineer, LSGD, Thiruvananthapuram.
4. Sri.Aju. B, Executive Engineer (Through PD,LSGD)
5. The Accountant General,(A&E/Audit) of Kerala, Thrissur
- ✓ 6. The Executive Director, Information Kerala Mission.
7. The Web & New Media, I & PRD.
8. Stock File / Office Copy.

Forwarded /By order

Signed by
Section Officer

Date: 14-03-2025 16:08:01

