



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing - Order of Hon'ble Kerala Administrative Tribunal in OA(EKM) no.1698/2020 filed by Smt. Anju Krishnan, Asst.Engineer - Complied with - Orders issued

LOCAL SELF GOVERNMENT (EWA) DEPARTMENT

G.O.(Rt)No.1349/2021/LSGD

Dated,Thiruvananthapuram, 16/07/2021

Read 1 Order of the Hon'ble Kerala Administrative Tribunal dated 12.11.2020 in OA(EKM) no.1698/2020.

2 Representation dated 25.10.2020 from Smt. Anju Krishnan.

3 Letter no.E22-4358/2020/CE/LSGD dated 15.03.2021 from the Chief Engineer, LSGD.

ORDER

The Hon'ble Kerala Administrative Tribunal, as per its order read as 1st paper above, has disposed of OA(EKM) no.1698/2020 directing the 1st respondent, Govt, to consider and pass appropriate orders on Annexure A10 appeal, read as 2nd paper above, in accordance with law and after affording an opportunity of hearing to the applicant and other affected persons, within a period of two months from the date of receipt of a copy of the order.

2. In the Annexure A10, the applicant has requested to refix her seniority in the cadre of Asst. Engineer as per her first effective date of advice of KPSC. The Chief Engineer, LSGD, vide letter read as 3rd paper above, has reported that Smt.Anju Krishnan was appointed as Asst.Engineer as per KPSC advice vide his proceedings dated 05.01.2012. She was granted extension of joining time for 45 days upto 18.02.2012 as per her request, vide proceedings of the Chief Engineer dated 21.01.2012. Later as per GO(Rt)no. 935/2012/LSGD dated 29.03.2012, she was granted further extension of joining time upto 10.04.2012. On completion of the joining time, she joined duty as Asst. Engineer in the department on 10.04.2012, vide proceedings dated 09.04.2012, ie after 96 days of her appointment order (05.01.2012).

(P.T.S)

3. As directed by Hon'ble Tribunal, the applicant was heard in person by the Under Secretary, on 13.07.2021. The applicant reiterated her arguments in the Annexure A 10 appeal during the hearing also.

4. Government have examined the matter in detail. As per 1st proviso to Rule 27(c) Part II KS&SSRs, the seniority of candidates who have been granted extension of time to join duty beyond three months from the date of the appointment order, except those who are undergoing courses of study or training which are prescribed as essential qualification for the post to which they are advised for appointment, shall be determined by the date of their joining duty. Here, the date of the appointment order of the applicant is 05.01.2012. She was granted a total joining time of 96 days for completing the Post Graduation Course, which was not an essential qualification for the post. Hence, her seniority can be fixed only with effect from the date of her joining duty, ie, wef 10.04.2012. Hence, the request of the applicant in Annexure A10 appeal to refix her seniority in the cadre of Asst. Engineer as per the effective date of advice of KPSC is devoid of merit and is hereby declined, thereby disposing of the Annexure A10 appeal.

5. The order of the Hon'ble KAT in OA(EKM) no.1698/2020 read as 1st paper above, is thus complied with.

(By order of the Governor)
Bijukuttan.m.s
Additional Secretary

To:

1. Smt. Anju Krishnan, Asst. Engineer (*through the Chief Engineer, LSGD*)
2. The Advocate General, Ernakulam (*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

Signed by Sreekanth G
Date: 19-07-2021 11:14:36
Reason: Approved