



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Directions of the Hon'ble High Court in judgment dated 11/10/2010 in WP(C)No. 30489/10-1 filed by Smt.C.K.Syamala, Surveyor Grade1 GCDA and in judgment in WP(C)No645/11 (E) filed by Smt.Bini K.P & others - Complied with - Orders issued.

LOCAL SELF GOVERNMENT (IA) DEPARTMENT

G.O.(Rt)No.684/2011/LSGD. Dated,Thiruvananthapuram, 04/03/2011.

- Read:-
1. Judgment dated 11.10.2010 of the Hon'ble High Court of Kerala in WP(C)No 30489/10-I filed by Smt.C.K.Syamala, Surveyor Grade1, GCDA Kochi.
 2. Letter No. 5866/Estt-1/2010/GCDA dated 25.11.10 from the Secretary, GCDA, Kochi
 3. Judgment dated 07/01/2011 of the Hon'ble High Court of Kerala in WP(C)No. 645/2011 (E) filed by Smt.Bini K.P & others.
 4. Letter No.A1- 3592/2010/TRIDA dated 28.01.2011 from the Secretary, TRIDA, Thiruvananthapuram.
 5. G.O. (Rt) No. 281/11/LSGD dated 28/1/2011.

ORDER

Smt. C.K.Shyamala Surveyor grade I, GCDA Kochi & others filed WP(C)No: 30489/10- I in Hon: High Court of Kerala requesting promotion to the higher post either in the Engineering Wing or Planning Wing of the GCDA by adopting a uniform promotion policy. The Hon: High Court of Kerala vide judgement read as 1st above has directed the 1st respondent to consider and pass orders on Exts.P7to P10 representations within a period of three months from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioners as well as a representative of the employees of the other departments.

Accordingly the petitioners as well as a representative of the Engineering Wing of GCDA and a representative of TRIDA were heard. In the meanwhile the Hon: High Court of Kerala vide judgment read as 3rd above has directed the 1st respondent to afford an opportunity of being heard to the 2nd petitioner viz. Smt.Shaini.E.K, 1st grade Overseer, GCDA representing all the petitioners before passing orders in Exhibit P1 Judgement (ie Judgement in WP(C)No 30489/10 filed by Smt.C.K.Shyamala) and as per the directions Smt.Shaini.E.K, 1st Grade Overseer, GCDA was also heard and the following points are observed.

The request of Smt.C.K.Syamala and Sri D. Sureshkumar is to promote them to the next higher post against the vacancies existing either in the Planning Department or in the Engineering Department in relaxation of the rules, else to take appropriate steps to unify the promotion policy by adopting the common Rules for both departments But it has been observed that the petitioners Smt. C.K. Shyamala & Sri. D. Sureshkumar were granted Time Bound Higher Grade scales and they were drawing scales of pay equal to or more than the scale of pay of Assistant Town Planner viz the post to which they have requested promotion. Also at present no post of Assistant Town Planner is vacant in the Planning Wing of GCDA. Moreover the contentions of the petitioners regarding granting of irregular promotions to the staff of Engineering Wing of GCDA including Smt.Jeby John is not relevant since the irregular promotions were cancelled vide Government Order read as 5th above.

Request of Sri.K.Ragesh and Smt. Ashalatha.S, is to promote them to the next higher post against the vacancies existing either in the Planning Department or in the Engineering Department in relaxation of the rules else take appropriate steps to unify the promotion policy by adopting the common Rules for both the departments namely the Engineering Department and or Planning Department.

Steps for merging the ministerial staff of all development authorities (including wound up) to Municipal Common Service and the Engineering Staff to LSGD Engineering Wing is under consideration of Government. Therefore the requests of peitioners merit no consideration at present.

In the circumstances Goverment are of the view that as there is no precedence for the unification of promotion policy to either Engineering or Planning Wing of GCDA, and also the steps for merging the ministerial staff of all development authorities (including wound up) to Municipal Common Service and the Engineering Staff to LSGD Engineering Wing is under consideration of Government the request of the petitioners to promote them to the higher post in Engineering Wing of GCDA in relaxation of rules or to unify the promotion policies to both wings of GCDA cannot be agreed to and order accordingly.

The directions of the judgement of the Hon'ble High Court of Kerala vide 1st & 3rd above are complied with accordingly.

By order of the Governor
P.SYAMALA
JOINT SECRETARY

To

The Secretary, GCDA, Kochi
The Secretary, TRIDA, Thiruvananthapuram
The Persons concerned (through the Secretary GCDA, Kochi)
The Advocate General, Ernakulam (with Covering Letter)
The Principal Accountant General (Audit), Kerala, Thiruvananthapuram
The Accountant General (A&E) Kerala, Thiruvananthapuram
The Director, Local Fund Audit, Thiruvananthapuram
SF/OC.

Forwarded/By Order


Section Officer

Copy to : PS to Hon'ble Minister (LSG)
PA to Secretary (LSGD)