



## GOVERNMENT OF KERALA

### Abstract

Local Self Government Department – Establishment – O.A No.2495/16 filed by Smt. Raseena K M, Junior Public Health Nurse Grade-2, Piravam Municipality, Ernakulam – Order dated 04.11.2016 of the Hon. Kerala Administrative Tribunal- Complied with - Orders issued.

### LOCAL SELF GOVERNMENT (EU) DEPARTMENT

GO(Rt)No. 734/2017/LSGD. Dated, Thiruvananthapuram, 17.03.2017

Read:-

1. Order No. E5- 11964/16 dated. 24/10/2016 of the Director of Urban Affairs, Thiruvananthapuram.
2. Appeal petition dated 01.11.2016 submitted by Smt. Raseena K M, Junior Public Health Nurse Grade-2, Piravam Municipality, Ernakulam before Government (Annexure A4).
3. Order dated 04.11.2016 of the Hon. Kerala Administrative Tribunal in O.A No.2495/16 filed by Smt. Raseena K M, Junior Public Health Nurse Grade-2, Piravam Municipality
4. Letter.No.E5-6985/2016 dated 14.02.2017 from the Director of Urban Affairs, Thiruvananthapuram.

### ORDER

As per Order read as 1<sup>st</sup> paper above, the Director of Urban Affairs made transfer and postings in the cadre of Junior Public Health Nurse Grade- II post of Municipal Common Service. In that Order, one Smt. K.M. Raseena, Junior Public Health Nurse Grade- II, Kochi Corporation has been transferred and posted in Piravam Municipality. Against this Order, Smt. K.M. Raseena filed appeal petition read as 2<sup>nd</sup> paper above before the Government. In that appeal she submitted that she is residing in Fort Cochin and many of her colleagues who have more service in Cochi Corporation than her are still continuing there. She has three

children at the age of 4 years, 6 years and 8 years and nobody is available to look after them. Her husband is working abroad. She requested to re-post her in Kochi Corporation cancelling the Order No. E5- 11964/16 dated. 24/10/2016 of the Director of Urban Affairs. In connection with the above transfer, Smt. K.M. Raseena filed O.A No. 2495/2016 before the Kerala Administrative Tribunal. The Hon. Tribunal in the Order read as 3<sup>rd</sup> paper above, directed the 1<sup>st</sup> Respondent, to consider and pass orders on Annexure A4 representation in accordance with law, after affording an opportunity of being heard to the applicant and others, if any, likely to be affected by the decision, within a period of two months from the date of receipt of a certified copy of the order.

2. In accordance with the direction of the Hon. Kerala Administrative Tribunal the Under Secretary, Local Self Government Department heard the applicant on 13/01/2017. During the hearing the appellant reiterated her contentions in the appeal and further requested to grant mutual transfer to her with one Smt. P.P Mini, Junior Public Health Nurse Grade- II, Kochi Corporation who is a native of Kolancherry.

3. Government examined the matter in detail with the report read as 4<sup>th</sup> paper above of the Director of Urban Affairs and with the transfer norms of LSGD (GO (Ms) No 105/2007/LSGD dated. 4/4/2007. As per Para II and III of this order an employee who completed 3 years service can be transferred out. In this case, the applicant Smt. K.M. Raseena joined in Kochi Corporation as Junior Public health Nurse Grade- II on 30/8/2007. As per the transfer Order of the Director of Urban Affairs, she was relieved from Cochi corporation on 01/11/2016. As such she had continued in Cochi Corporation for more than 9 years and there is no violation of norm in her transfer. In this case the appellant has transferred from Cochi corporation on administrative convenience after a period of 9 years continuous service. Her date of retirement is 30/04/2034. At

present there is no vacancy of Junior Public Health Nurse Grade- II in Kochi Corporation. As per the report of the Director of Urban Affairs, many other officers who are working other districts in that cadre are waiting for transfer to Kochi Corporation. At this stage Government cannot direct the Director of Urban Affairs to grant mutual transfer to Smt. K.M. Raseena to Cochi Corporation.

4. In the above circumstances, Government found that there is no need to interfere with the transfer order read as 1<sup>st</sup> paper above of the Director of Urban Affairs and therefore Government order that the request in the Annexure A4 appeal petition read as 2<sup>nd</sup> paper above of Smt. K.M. Raseena, Junior Public Health Nurse Grade- II, Piravam Municipality is hereby rejected.

5. The direction contained in the Order read as 3<sup>rd</sup> paper above of the Hon. Kerala Administrative Tribunal in O.A No.2495/2016 is complied with accordingly.

(By Order of the Governor)

**S MOHANDAS**  
Joint Secretary

To

1. The Advocate General, Kerala, Thiruvananthapuram( With C/L)
2. The Director of Urban Affairs, Thiruvananthapuram
3. The Director, Kerala State Audit Department, Thiruvananthapuram
4. Smt. Raseena K M, Junior Public Health Nurse Grade-2, Piravam Municipality, Ernakulam- 682011
- ✓ 5. The Executive Director, Information Kerala Mission, Thiruvananthapuram (For publishing this order in the web-site).
6. Stock file/Office Copy.

Forwarded/By Order

  
Section Officer