

PROCEEDINGS OF THE DIRECTOR OF HEALTH SERVICES
THIRUVANANTHAPURAM

Sub: Estt:- HSD- Judgement dtd 17.03.2022 in OA No. 347/2022 filed by Dr. Bijoy S, Junior Consultant (Paediatrics), before the Honourable Kerala Administrative Tribunal -Compliance orders issued:

- Read: 1. Online transfer application submitted by Dr Bijoy S, Junior Consultant dtd 15.11.2021
2. Order No. EA1- 89242/2021/DHS dtd 31.01.2022
3. Representation submitted by Dr Bijoy S dtd 03.03.2022
4. Judgement dtd 17.03.2022 in OA No. 347/2022 of the Honourable Kerala Administrative Tribunal
5. Objection filed by Dr Bijoy S against the draft transfer list

ORDER NO. EA1- 15764/2022/DHS Dated 30.04.2022

Dr Bijoy S, Junior Consultant (Paediatrics), now working at Taluk Head Quarters Hospital Sasthamkotta, Kollam has submitted online application for getting transfer to his native district, Thiruvananthapuram. But he has not included in the draft transfer list published vide order read as 2nd paper above. Then he submitted a representation to Director of Health Services and filed an OA regarding this before the Honourable Kerala Administrative Tribunal.

The Honourable Kerala Administrative Tribunal in OA 347/2022 dated 17.03.2022 ordered that the applicant is permitted to file his objections to the draft list within 7 days from the date of order and on receipt of such objections the 2nd respondent shall consider the claim of the applicant with reference to the compassionate ground urged by him while issuing the final transfer order. Accordingly the applicant filed his objections read 5th cited.

The main contentions in his objections are the following:

1. His father is presently aged of 76 years and is a cancer patient suffering from Carcinoma Prostate and is under treatment and reviews. His mother is suffering from Arthritis and hypertension and thus his presence at residence at Thiruvananthapuram is essential as there is no one else to take care and look after his ailing parents.
2. He will be constrained to travel up and down from his residence to the place of work, which would require more than 7 hours journey to and fro.
3. Out of the total service of 8 years he worked hardly for one year in Thiruvananthapuram his home district.
4. He is entitled to get a posting to Taluk Head Quarters Hospital Chirayinkeezhu or Taluk Hospital Attingal or Coastal Specialty Hospital Valiyathura or Community Health Centre Andoorkonam at the time of passing the final transfer order for the year 2021 as per clause 4(iii) of GO(P) No.03/2017/P&ARD dated 25.02.2017 and also by taking note of his continuous out station service of 7 years outside his home district, out of the total service of 8 years and thus render justice to him.

The objection filed by Dr Bijoy S has been examined in detail. Dr Bijoy S has transferred from Community Health Centre Irikkur, Kannur to Taluk Head Quarters Hospital Sasthamkotta, Kollam vide order No. EA1-14813/2020/DHS dated 14.05.2020 and joined duty at Taluk Head Quarters Hospital Sasthamkotta, Kollam on 25.07.2020. While issuing the General Transfer 2021 notification, it is stated that the incumbent who is completed 3 years service on the present station as on 31.08.2021 only be eligible for applying the General Transfer. Accordingly the request of the applicant is not eligible for considering in the General Transfer 2021. In addition to this there is no existing vacancy of Junior Consultant Paediatrics at Thiruvananthapuram district now. Moreover he has not submitted the relevant documents for considering his application on compassionate ground so far as per the clause 4(iii) of GO(P) No.03/2017/P&ARD dated 25.02.2017.

In the above circumstances, this respondent is not in a position to consider the objections filed by Dr Bijoy S against the draft General Transfer list 2021 and thus it is rejected.

The order of Honourable Kerala Administrative Tribunal in OA 347/2022 dated 17.03.2022 is complied accordingly.

Sd/-
Dr. V.R.Raju
Additional DHS (Planning)
Director of Health Services i/c

To

Dr Bijoy S, Junior Consultant (Paediatrics),
Taluk Head Quarters Hospital Sasthamkotta, Kollam

Copy to:

1. The Advocate General, Kerala Administrative Tribunal, Thiruvananthapuram (with C/L)
2. The District Medical Officer of Health, Kollam
3. The Superintendent /Medical Officers i/c concerned
4. File/ Stock File.

//Forwarded//


Superintendent