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GOVERNMENT OF KERALA

Abstract

Health & Family Welfare Department - Health Services - Establishment – Order of the Hon'ble Kerala Administrative Tribunal dated 07.08.2015 in OA No.1385/2015 filed by Dr.Moideen Kutty Ullat – Complied with - Orders issued.

HEALTH & FAMILY WELFARE (A) DEPARTMENT

G.O.(Rt) No.3760/2015/H&FWD.

Dated, Thiruvananthapuram, 23.11.2015.

- Read:-1) Appeal petition dated 27.07.2015 of Dr.Moideen Kutty Ullat, Junior Consultant (Orthopaedics), Taluk Head Quarters Hospital, Ponnani.
2) Order dated 07.08.2015 of the Hon'ble Kerala Administrative Tribunal in OA No.1385/2015 filed by Dr.Moideen Kutty Ullat.
3) Letter No.16169/2015/DHS dated 19.10.2015 of the Director of Health Services, Thiruvananthapuram.

ORDER

The Hon'ble KAT in their order read as 2nd paper above has directed the Government, 1st respondent in the OA to consider and pass orders on Annexure A13 read as 1st paper above in accordance with law after affording an opportunity of being heard to the applicant within two months from the date of receipt of copy of order. It has also been directed to afford an opportunity of being heard to the 3rd respondent. Dr.Nizar.U, Junior Consultant (Ortho), District Hospital, Nilambur.

2. Annexure A13 is an appeal petition filed by Dr. Moideenkutty Ullat seeking posting at District Hospital Nilambur or Taluk Head Quarters Hospital, Malappuram or Government Hospital Manjeri or Taluk Hospital, Perinthalmanna considering his seniority and also on humanitarian grounds.

3. Grievances of the applicant in Annexure A13 are as follows:

The Medical Officer had applied for general transfer in the year 2014 and was included in the provisional transfer list for posting at Taluk Hospital, Perinthalmanna. But he was excluded from the final order and another Doctor who was junior to him and had not even completed 3 years in the present station was posted in the station of his choice. Though he filed appeal before the Director of Health Services, his case was not considered. His junior Dr. Nisar.U was allowed to continue in District Hospital, Nilambur though he had already completed 3 years service there. He states that he has been working as Junior Consultant at Taluk

Hospital, Ponnani for the last 5 years which is more than 75 Km away from his native place.

4. As directed by the Tribunal the Applicant and Dr.Nizar.U, Junior Consultant (Ortho), District Hospital, Nilambur the third respondent in the OA was also heard. Dr.Moideen Kutty Ullat reiterated his arguments mentioned in Annexure A13 representation and requested that he may be posted at District Hospital, Nilambur or Taluk Head Quarters Hospital, Malappuram or Taluk Hospital, Perinthalmanna.

5. The Director of Health Services has reported that Dr.Nizar.U has got Jawan protection and hence he can continue in the same station for 5 years ie, till 16/08/2016.

6. Government have examined the matter in detail. At present, there is no vacancy to transfer the applicant to the stations requested. In the circumstance, Dr.Moideenkutty Ullatt, Junior Consultant (Ortho), Taluk Hospital Ponnani, Malappuram is posted at Taluk Head quarters Hospital Hospital, Malappuram on working arrangement basis for six months or till his next promotion which is due within six months, retaining his lien in the regular post Director of Health Services will make suitable arrangements for posting a substitute on Adhoc / working arrangement basis at Taluk Head Quarters Hospital, Ponnani, so that the working arrangement of Dr.Moideenkutty Ullat will not hamper the functioning of the hospital. Dr.Nizar.U, Junior Consultant (Ortho) is retained at District Hospital, Nilambur till next general transfer.

7. The order of the Hon'ble Kerala Administrative Tribunal is thus complied with.

(By Order of the Governor)

D.Santhosh Kumar

Deputy Secretary to Government

To

The Advocate General, Thiruvananthapuram (with C/L).

The Director of Health Services, Thiruvananthapuram.

The District Medical Officer (Health), Malappuram.

Dr.Moideen Kutty Ullat, Junior Consultant (Ortho), Taluk Hospital, Ponnani,
Malappuram.

Dr.Nizar.U, Junior Consultant (Ortho), District Hospital, Nilambur.

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.

The Accountant General (A&E), Kerala, Thiruvananthapuram.

Stock File, Office Copy.

Forwarded / By Order

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Section Officer

Encl. on EA-1/16169/2015/DHS dt. 03-12-2015

*Copy of Government order communicated
for information and necessary action*

For Director of Health Services

To

All concerned.