



GOVERNMENT OF KERALA

Abstract

Health & Family Welfare Department -Health Services - Order dated 24.06.2022 of Hon'ble KAT in OA 978/2022 filed by Dr. Padma Kesari - Complied with -Orders issued.

HEALTH & FAMILY WELFARE (A) DEPARTMENT

G.O.(Rt)No.2068/2022/H&FWD Dated, Thiruvananthapuram, 21-08-2022

- 1 GO (Rt) No 1213/2022/H&FWD dated 27.05.2022
- Read
- 2 Representation dated 30.05.2022 received from Dr.Padma Kesari ,Civil Surgeon
- 3 Order dated 24.06.2022 of Hon'ble KAT in OA No 978/2022 filed by Dr.Padma Kesari
4. Letter No BP2/1682/2022/VPM dated 11.08.2022 received from Secretary Vamanapuram Block Panchayath

ORDER

Dr.Padma Kesari , Civil Surgeon in Community Health Centre, Kallara was transferred to Community Health Centre, Palathara Kollam as per the order read as 1st paper above. Against this order she filed an appeal before government as per 2nd above. Aggrieved by the order she also filed OA 978/2022 before Hon'ble KAT and obtained an interim stay against relieving of the applicant from Community Health Centre Kallara if she is not already relieved till the next posting date. In the order read as 3rd above Hon'ble KAT directed 1st respondent to consider and pass orders on Annexure A5 (the representation read as 2nd), in accordance with law after affording an opportunity for personal hearing to the applicant and other affected persons ,with in a period of one month from the date of receipt of the copy of the order. It is also made clear that the interim order will continue to be in force till such time as final orders are issued on Annexure A5 appeal .

2. Accordingly Dr.Padmakesari ,and the respondents 3 to 5 namely Dr.Ajitha ,who is under posting to Community Health Centre Kallara, Dr.Justin George ,who was posted to Community Health Centre, Kanyakulangara & the Secretary, Block Panchayat, Vamanapuram were heard . The contentions raised by the applicants and respondents 3 to 5 were examined in detail .

3.In the draft list of General Transfer 2021 the applicant was proposed to be transferred and posted to Community Health Centre Kanyakulangara, Thiruvananthapuram.When the appeals received from the Medical Officers, Dr Justin Jose who had only 2 years remaining service for retirement applied for a posting at Community Health Centre Kanyakulangara, Thiruvananthapuram and he was considered to that institution. The 3rd respondent, Dr Ajitha P Community Health Centre Kanjeettukara, Pathanamthitta who has been working in that institution from 7/8/2018 and submitted appeal for transfer to Thiruvananthapuram district and she was considered to Community Health Centre Kallara, Thiruvananthapuram. As per the order read as 1st paper the 3rd respondent relieved from Community Health Centre, Kanjeettukara, Pathanamthitta, but she could not join duty at Community Health Centre Kallara because of the stay order of Hon'ble KAT.

4.The applicant, who has been working at Thiruvananthapuram district in the cadre of Civil Surgeon from 5/3/2014 and in the present station, Community Health Centre Kallara with effect from 23/5/2015. She completed more than 6 years in that institution, so she is liable for General Transfer 2021 .

5.Further, as per the resolution No.6/6 dated 17/1/2022 Vamanapuram Block Panchayat Committee, requested Government to transfer the applicant from Kallara Community Health Centre for the smooth functioning of the institution. Secretary, Block Panchayat, Vamanapuram (5th respondent) as per his letter read as 4th paper above requested Government to implement the transfer order of the applicant for the smooth functioning of the institution and for the smooth conducting of Public Health Care activities.

6.From the above, it is clear that the applicant has no preferential

claim over respondents 3 and 4. Further, objections raised by the 5th respondent needs to be given due weightage since close coordination between officials and concerned Local Self Government Institutions is crucial for the smooth conducting of public health activities.

7. In the circumstances, Annexure A5 representation submitted by the applicant cannot be considered and hence rejected. Accordingly the order dated 24.06.2022 of Hon'ble KAT in OA 978/2022 is here by complied with.

(By order of the Governor)
MANU S
UNDER SECRETARY

To:

Advocate General, Kerala, Thiruvananthapuram (with C/L)

Director of Health Services, Thiruvananthapuram.

Dr. Padma Kesari Civil Surgeon, Community Health Centre
Kallara TVPM

Dr. Ajitha .P, Civil Surgeon, Community Health Centre, Kanjeettukara
Pathanamthitta 689616

Dr. Justin George, Community Health Centre, Kanyakulangara-695615
Secretary, O/o Block Panchayath, Vamanapuram, Venjaramoodu. P.O
695067

Accountant General (A&E/Audit) Kerala, Thiruvananthapuram.
Stock File

Forwarded /By order
Signed by Manjula G
Date: 23-08-2022 13:51:13
Section Officer

Encl. Lr. No. EA2-41854/2022/DHS Dated:

Copy of Govt. order communicated to concerned DMOC(H)s and civil surgeons for information and urgent action.

To,

1) DMOC(H), TVPM, PTA

2) Dr. Padma Kesari, CHC, Kallara, TVPM.

3) Dr. Ajitha P., CHC, Kanjeettukara, PTA

4) Dr. Justin George, CHC, Kanyakulangara

For Director of Health Services