



GOVERNMENT OF KERALA

Abstract

Health & Family Welfare Department - Health Services - Establishment - Order of the Hon'ble Kerala Administrative Tribunal dated 23-07-2024 in OA(EKM) No. 979/2024 filed by Dr. Rincy Antony - Complied with - Orders issued.

HEALTH AND FAMILY WELFARE (A) DEPARTMENT

G.O.(Rt)No.2712/2024/H&FWD Dated,Thiruvananthapuram, 12-11-2024

- Read:- 1 Appeal dated 17.07.2024 submitted by Dr. Rincy Antony, Assistant Surgeon. (Annexure A5)
- 2 Order of the Hon'ble Kerala Administrative Tribunal dated 23.07.2024 in OA(EKM) No. 979/2024.
- 3 Letter No. EA2-18609/2024/DHS dated 31.08.2024 from the Director of Health Services, Thiruvananthapuram

ORDER

Dr Rincy Antony filed OA(EKM) 979/2024 before the Hon'ble Kerala Administrative Tribunal aggrieved by the Annexure A4 transfer order . As per order read as 2nd paper above, the Hon'ble Kerala Administrative Tribunal has directed the first respondent to consider and pass appropriate orders on Annexure A5 appeal within a period of two months from the date of receipt of the copy of the order.

2. In the Annexure A5 appeal read as 1st paper above the applicant submitted the following. The applicant is working as Assistant Surgeon at CHC, Koduvally, Kozhikode from 05-10-2023. As per the draft transfer order of Assistant Surgeons, she has been

transferred to PHC, Padinharethara, Wayanad. She submitted appeal against this. But her appeal was not considered and as per the transfer order she was transferred to PHC, Padinharethara, Wayanad. It has stated that she has only completed one year in the present station. She requested to cancel the order and allow her to continue in CHC, Koduvally.

3. The Director of Health Services as per letter read as 3rd paper above reported the following. Dr. Rincy Antony is working at CHC, Koduvally, Kozhikode since 17-01-2019. She joined in Health Services Department on 03-11-2009 and joined at present district on 03-11-2009. She did not apply for general transfer 2024 and completed more than five years in the present station with protection of inter caste married employee and the protection period has been elapsed. She is fully aware of the fact that she is liable to get transferred in General Transfer 2024 as per the existing norms. Dr. Harish C. R., THQ, Thamarassery, Kozhikode (SC/ST protection) has been posted at CHC, Koduvally, Kozhikode vice Dr Rincy Antony. While considering the online transfer, some incumbents from Kozhikode were transferred to other districts in order to give the opportunity to eligible incumbents to work in their home district Kozhikode. Dr.Rincy was continuously working at Kozhikode district since 3.11.2009 ,so Director of Health Services recommended to reject the appeal petition.

4. Government have examined the matter in detail. Dr. Rincy Antony is working at CHC, Koduvally , Kozhikode since 17-01-2019. She joined in Health Services Department on 03-11-2009 and joined at present district on 03-11-2009. Dr.Rincy did not applied for General Transfer 2024. But she has completed more than five years in

the present station with protection of inter caste married employee and the protection period elapsed. Moreover, there were requests from other eligible employees for getting a transfer to their home district Kozhikode. Equal opportunities need to be provided to eligible incumbents. So, Dr. Harish C R, THQ, Thamarassery, Kozhikode (SC/ST protection) has been posted at CHC, Koduvally, Kozhikode vice Dr. Rincy Antony.

Under the said circumstances, the appeal petition submitted by the applicant deserves no merit. Hence, Annexure A5 appeal read as 1st paper above is rejected.

5. The order of Hon'ble Kerala Administrative Tribunal read as 2nd paper above is thus complied with.

(By order of the Governor)
CHITHRA K DIVAKARAN
JOINT SECRETARY

The Advocate General, Ernakulam (with C/L)
The Director of Health Services, Thiruvananthapuram.
Dr. Rincy Antony, Assistant Surgeon, Community Health Centre,
Koduvally, Kozhikode.
The Principal Accountant General (Audit/A&E), Kerala,
Thiruvananthapuram.
Stock File.

Forwarded /By order

Signed by Section Officer
Anupama G Nair
Date: 12-11-2024 16:37:42

Endt.Lr.No:EA2-18609/2024/DHS Dated:20-11-2024

Copy of Government Order communicated to incumbent and Concerned DMOH for information and necessary action.

Signed by V. Gopakumar
Director of Health Services
Date: 20-11-2024 08:03:59

CLIPATOC