

**GOVERNMENT OF KERALA****Abstract**

Health & Family Welfare Department - Health Services - Establishment - Order dated 09.02.2024 of the Hon'ble Kerala Administrative Tribunal in OA 2311/2023 filed by Dr.Gopikrishnan.P - complied with - Orders Issued.

HEALTH AND FAMILY WELFARE (A) DEPARTMENT

G.O.(Rt)No.1833/2024/H&FWD
2024

Dated,Thiruvananthapuram, 30-07-

- Read:- 1 Proceedings No.EA1-4607/2023/DHS Dated 19.12.2023
2 Representation dated 31.01.2024 submitted by Dr.Gopikrishnan.P
3 Order of the Hon'ble Kerala Administrative Tribunal dated 09.02.2024 in OA.No. 2311/2023 filed by Dr. Gopikrishnan.P
4 Letter No. EB2-526/2024/DHS dated 10.06.2024 from the Director of Health Services, Thiruvananthapuram.

ORDER

Dr.Gopikrishnan, Junior Consultant (General Surgery) was transferred from Taluk Head Quarters Hospital, Parassala to General Hospital, Muvattupuzha vide Proceedings read as 1st paper above on the basis of a departmental disciplinary proceedings. The medical officer filed an OA 2311/2023 before Hon'ble Kerala Administrative Tribunal challenging the above transfer Proceedings. The Hon'ble Kerala Administrative Tribunal as per Order read as 3rd paper above disposed the OA by directing the 1st Respondent, (State

of Kerala represented by Secretary to Government, Health & Family Welfare Department) to consider and to take an appropriate decision on Annexure A10 request submitted by the applicant, seeking for transfer to any of the stations in Thiruvananthapuram district and also directed to take the decision within a period of 2 months from the date of receipt of a copy of the order.

2) The Applicant in his representation read as 2nd paper above has stated that he has been working at Taluk Head Quarters Hospital, Parassala from 16.05.2022 as Junior Consultant in General Surgery and lived in a rented house near the hospital since he is residing at Idapazhinji which is 35 K.M. away from THQH, Parassala. Private practice was conducted in the rented room. It was alleged in the Memo of Charges that private practice was done contrary to the guidelines. Along with the reply, rent receipt, KSEB receipt etc. were submitted. But he was transferred to Moovattupuzha. Hence, Government may examine the process by which he was transferred. He joined Moovattupuzha on 03.01.2024 and is continuing there. He has many health problems. He has suffered from epilepsy during the period and long travel was restricted. He has to protect his aged mother. Therefore, requested to give him appointment in the home station as soon as vacancy occurs in Thiruvananthapuram taking into account of the above facts.

3) The Director of Health Services, as per letter read as 4th paper above reported that Government can transfer an employee as per the directions in Para No.3 in G.O(P) No.03/2017/P&ARD dated 25.02.2017 if it is convinced that it is found necessary. According to this Dr.Gopikrishnan was transferred. Disciplinary action against the applicant was still in process. In the Annexure A10 representation the applicant requested for transfer to his home station, Thiruvananthapuram. But presently there is no vacancy of Junior Consultant (General Surgery) in Thiruvananthapuram and steps are being under process for general transfer for the year 2024. Hence the Director of Health Services has recommended to reject the request of the applicant to post him in Thiruvananthapuram district.

4) Government have examined the matter in detail and are pleased to issue orders rejecting the request of the applicant in OA

2311/2023 basis there is no vacancy in the cadre of Junior Consultant (General Surgery) in Thiruvananthapuram district and also the General Transfer for 2024 is under process.

5) The order of the Hon'ble Kerala Administrative Tribunal read as 3rd paper above is complied with as above.

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

To:

The Advocate General, Thiruvananthapuram (With Covering Letter)
The Director of Health Services, Thiruvananthapuram.

Dr.Gopikrishnan, Junior Consultant (General Surgery), TC 27/943,
Athani Lane, Vanchiyoor P O, Pin- 695035

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

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Forwarded /By order
Signed by

Anupama G Nair

Date: 31-07-2024 01:18:16

ഭാരതീയ ന.ഇ.2-526/2024/ആ.ന. 01/08/2024

സർക്കാർ ഉത്തരവിന്റെ പേരിൽ വാർഡ് ഓഫീസിലേക്ക്
ഭാരതീയ ന.ഇ.2-526/2024/ആ.ന. 01/08/2024 നമ്പറിലുള്ള ഉത്തരവിനെക്കുറിച്ച് അറിയിക്കുന്നു.

ആ.ന. 01/08/2024 നമ്പറിലുള്ള ഉത്തരവിന്റെ പേരിൽ
വാർഡ് ഓഫീസിലേക്ക് അറിയിക്കുന്നു.