

PROCEEDINGS OF THE DIRECTOR OF HEALTH SERVICES  
THIRUVANANTHAPURAM

Sub:- OA No 826/2025 filed by Dr.Shanin Bava, Assistant Surgeon- Order dated 26-05-2025 of the Hon'ble Kerala Administrative Tribunal -Complied with -Orders issued.

Read:- 1.Representation dated 23-05-2025 submitted by Dr.Shanin Bava (Annexure A6 ).

2.Order dated 26-05-2025 of the Hon'ble Kerala Administrative Tribunal in OA No. 826/2025.

3.Order No.EA2-9330/2025/DHS Dated:20.05.2025

ORDER NO :EA2-13808/2025 DHS DATED : 04-06-2025

Dr Shanin Bava Assistant Surgeon, Primary Health Centre Parippally, Kollam has been transferred and posted to Community Health Centre,Kulathupuzha Kollam in the General Transfer 2025 of Assistant Surgeons of Health Services Department.

2. Aggrieved by this order he filed an OA No.826/2025 before the Honourable Kerala Administrative Tribunal. In the order read as 2nd paper above, the Hon'ble Kerala Administrative Tribunal directed the 2nd respondent (Director of Health Services ) to consider and take appropriate decision on Annexure A6 within a period of 2 weeks.

3. In the Annexure A6 representation read as 1 st paper above, the applicant submitted the following.

He is working at Primary Health Centre Parippally Kollam from

07.09.2021 onwards. He is a divorced person, and his 75-year-old mother is a cancer patient, who resides with him and is currently undergoing treatment at Regional Cancer Centre (RCC), Thiruvananthapuram. Both he and his mother are staying in a rental house at Parippally for the treatment of his mother and for his convenience to attend his official duty. In these circumstances he did not submit application for the General Transfer 2025. In Draft list of General Transfer he was proposed to be transfer to Community Health Centre Kulathupuzha, Kollam. However, without considering his representation he was transferred to Community Health Centre Kulathupuzha Kollam in Final order of General Transfer. He pointed out that Dr. Sudhir Jacob, Assistant Surgeon, Primary Health Centre Chadayamangalam Kollam was posted to PHC Parippally in his place. He further pointed out that Dr. Sudhir Jacob is included in the select list for the promotion to the post of Civil Surgeon. Considering his family circumstances and health issues of his Mother and upcoming promotion of his substitute Dr. Sudhir Jacob to the post of Civil Surgeon post, he requested to retain him at Primary Health Centre Parippally.

4. The above Annexure A6 representation has been examined in detail.

The applicant has been working at Primary Health Centre Parippally, Kollam since 08-09-21. He did not apply for the General Transfer 2025 even though he completed 3 years continuous service at the present station. In that circumstances, he was liable to be transferred as per the existing norms and guidelines, vide G.O.(P) No. 03/2017/P&ARD dated 25.02.2017. After considering the options of eligible incumbents, Dr. SUDHIR JACOB, Assistant Surgeon, Primary Health Centre, Chadayamangalam Kollam has been posted to PHC

Parippally, Vice the applicant. But now it is noted that even though the applicant completed 3 years at present station, he is eligible to retained there under the protection granted to legally divorced person as per the norms of General Transfer in GO(P) No.3/2017/P&ARD dated 25.02.2017. The applicant has also produced valid evidence of divorce and a certificate of non-remarriage in support of his claim.

5. In the above circumstances, the transfer of Sl.No.75 Dr. Shanin Bava to the post of Assistant Surgeon, Community Health Centre, Kulathupuzha Kollam as per order read 3rd above is hereby cancelled and he is retained at Primary Health Centre Parippally Kollam itself on the basis of the protection available to the divorcee who has not re-married.

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

Director Of Health Services

To :- The Advocate General, Thiruvananthapuram (with C/L)  
Copy to 1. Dr. Shanin Bava, Primary Health Centre Parippally Kollam,  
:- 2. Dr. SUDHIR JACOB, Assistant Surgeon, Primary Health  
Centre, Chadayamangalam, Kollam  
3. District Medical Officer of Health Kollam  
4. The Medical Officer(i/c) PHC Parippally, Kollam  
5. The Accountant General (A&E), Kerala,  
Thiruvananthapuram