



IN THE KERALA ADMINISTRATIVE TRIBUNAL AT
THIRUVANANTHAPURAM
(ADDITIONAL BENCH, ERNAKULAM)

Present:

The Honourable Mrs. M R Sreeletha, Judicial Member

&

The Hon'ble Dr Pradeep Kumar, Administrative Member

Dated this the 23rd of November 2023

OA/EKM-171/2023

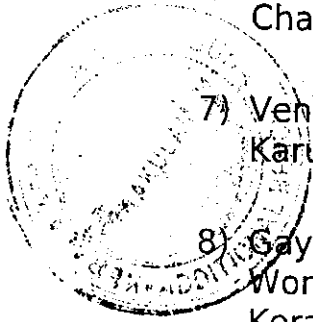
Applicant(s):

- 1) Shaji K.P., S/o Apputty K.P., aged 50 years, working as Senior Clerk, Government ITI, Beypore, Kozhikode - 673015 residing at Kadathil Puruth House, Veliparamba Post, .., Keezhmadu, Kozhikode - 673008., Kozhikode, Kerala.

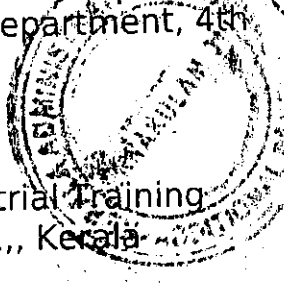
By Advs. PRATHAP S R K

Respondent(s):

- 1) State of Kerala represented by the Secretary, Department of Labour & Skills, Government Secretariat, Thiruvananthapuram - 695 001. ,, Kerala
- 2) The Director, Directorate of Industrial Training Department, 4th Floor, Labour Complex, PMG Junction, Vikas Bhavan, Thiruvananthapuram - 695033.,, Kerala
- 3) The Administrative Officer, Directorate of Industrial Training Department, 4th Floor, Labour Complex, PMG Junction, Vikas Bhavan, Thiruvananthapuram - 695033. 22.,, Kerala
- 4) Varghese C.T., Head Clerk, Government Industrial Training Institute, Mala, Thrissur District - 680732.,, Kerala
- 5) Subair K.H., Head Clerk, RI centre, Kalamassery, HMT Colony P.O., Ernakulam District - 683503.,, Kerala



- 6) Anicy Alexander, Head Clerk, Government Industrial Training Institute, Chandanathoppou, Kollam, District - 691014.,, Kerala
- 7) Venu Stephen, Head Clerk, RI Centre Kozhikode, Mallikadavu, Karuvasseri P.O., Kozhikode District - 673010.,, Kerala
- 8) Gayathri S., Head Clerk, Government Industrial Training Institute, for Women, Mallikadavu, Karuvasseri P.O., Kozhikode District - 673010.,, Kerala
- 9) Hafsa Beevi P.P., Senior Clerk, Government Industrial Training Institute, Railway Station Road, Chalakudy P.O., Thrissur District - 680307. ,, Kerala
- 10) Kala T.K., Senior Clerk, Government Industrial Training Institute, Koduvally, Koduvally P.O., Kozhikode District - 673572.,, Kerala
- 11) Nazeer A., Senior Clerk, Government Industrial Training Institute, 4th & 5th Floor, Labour Complex, PMG Junction, Vikas Bhavan, Thiruvananthapuram - 695033.,, Kerala
- 12) Manoj M.K., Senior Clerk, Government Industrial Training Institute, Malambuzha, Palakkad District - 678651.,, Kerala
- 13) Saritha K.S., Senior Clerk, Government Industrial Training Institute, Chathamangalam, Kozhikode - 673601. ,, Kerala
- 14) Baiju G., Senior Clerk, Govt.ITI Vayalar, Cherthala, Cherthala P.O., Alappuzaha - 688586. ,, Kerala
- 15) Sham Kishor M., Senior Clerk, Government Industrial Training Institute, Karuvassery P.O., Kozhikode District - 673601.,, Kerala
- 16) Reshma S.U., Senior Clerk, Government Industrial Training Institute, Chalakudy, Railway Station Road, Thrissur District - 680307. ,, Kerala
- 17) Minimol K.U., Senior Clerk, Government Industrial Training Institute, Chenganoor South, Alappuzha District - 689122.,, Kerala
- 18) Shami J., Senior Clerk, Government Women Industrial Training Institute, Chenganoor South, Alappuzha District - 689122. ,, Kerala

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- 19) George Bernad B., Senior Clerk, Industrial Training Department, 4th Floor, Labour Complex, PMG Junction, Vikas bhavan, Thiruvananthapuram - 695033. ,, Kerala
 - 20) Lekha Krishna M.K., Senior Clerk, Government Industrial Training Institute, Chandanathoppu, Kollam District - 691014.,, Kerala
 - 21) Suneesh P., Senior Clerk, Government Industrial Training Institute, Poruvazhi, Chathamkulam P.O., Poruvazhi, Kollam District - 690520.,, Kerala
 - 22) Ajikumar K. Senior Clerk, Government Industrial Training Institute, Kattappana P.O., Idukki District- 685508. ,, Kerala
 - 23) Zainaba S., Senior Clerk, Government Industrial Training Institute, Gangothri Charitable Trust Building, New Village, Nenmara P.O., Palakkad - 678508.,, Kerala
 - 24) Chithralekha K.S., Senior Clerk, Industrial Training Department, 4th Floor, Labour Complex, PMG Junction, Vikas Bhavan, Thiruvananthapuram - 695033.,, Kerala
 - 25) Sreekanth R., Senior Clerk, Government Industrial Training Institute, Chakkai Beach P.O., Thiruvananthapuram - 695007. ,, Kerala
 - 26) Randev S.D., Senior Clerk, Government Industrial Training Institute, Muthucadu, Perambra, Kozhikode District - 673528.,, Kerala
 - 27) Parvathy C., Senior Clerk, Government Industrial Training Institute, Kottarakkara, Kollam District - 691 506.,, Kerala
 - 28) Bindu A.K., Senior Clerk, Government Industrial Training Institute, Madai, Pazhayangadi P.O., Kannur District - 670303.,, Kerala
 - 29) Praveen Raj R.V., Senior Clerk, Government Industrial Training Institute, Elamadu, Ayoor, Kollam District - 691539. ,, Kerala
 - 30) Abhishek Kumar T., Senior Clerk, Government Industrial Training Institute, Dhanavachapuram, Neyyattinkara, Thiruvananthapuram District - 695503. ,, Kerala
 - 31) Sindhumol, Senior Clerk, Government Industrial Training Institute, Arakuzha, Muvattupuzha, Ernakulam District - 686672. ,, Kerala

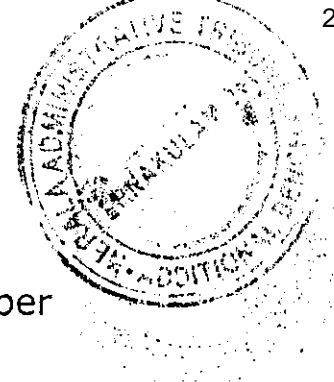


32) Jose M.P., Senior Clerk, Government Industrial Training Institute,
Kattappana, Kattappana P.O., Idukki District - 685508. , Kerala

33) Umesh G., Senior Clerk, Government Industrial Training Institute,
Vellamunda, Manathavady, Wayanad District - 670731., Kerala

SRI BEJOY CHANDRAN, SENIOR GOVERNMENT PLEADER FOR
RESPONDENTS 1 TO 3

This Original Application having been finally heard on
23rd of November 2023, the Tribunal on the same day passed the
following:



M.R.Sreeletha, Judicial Member
&
Dr.Pradeep Kumar, Administrative Member

O.A.(Ekm) No.171 of 2023

Dated, this the 23rd day of November, 2023


ORDER

M.R.Sreeletha, Judicial Member

This Original Application is filed mainly for a direction to quash Annexure A7 final seniority list of Upper Division Clerk and for directing the 2nd and 3rd respondents to re-arrange the seniority of the applicant. Annexure A14 produced by the applicant is an order in O.A.(Ekm)No.1700 of 2022 dated 9.10.2023. The above Original Application was disposed of with the following directions:

" 3. In the circumstances, there will not be any objection for the 2nd respondent for revising the seniority list. The Original Application is therefore disposed of with a direction to the 2nd respondent to take steps for revision of Annexure A7 seniority list in accordance with law. It is made clear that the promotions made on the basis of Annexure A7 seniority list would be purely provisional and subject

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to the revision of seniority list. The process of revision of seniority list shall be completed within a period of 3 months from the date of receipt of a copy of this order."

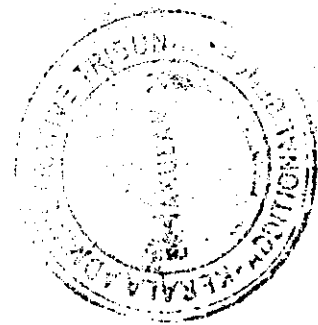
2. Annexure A7 seniority list referred to in Annexure A14 is the Annexure A7 seniority list produced in this Original Application. Now that there is already a direction to revise Annexure A7 seniority list in accordance with law no further orders are required in this Original Application as the grievance of the applicant will also be considered at the time of revising the seniority list as directed by this Tribunal in Annexure A14 order.

With the above observations this Original Application is closed.

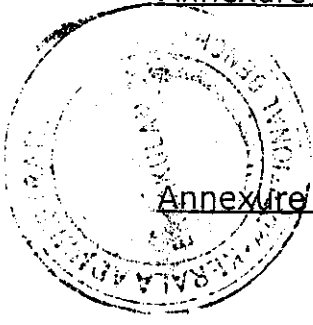
Sd/- M R SREELETHA, (JUDICIAL MEMBER)

Sd/- Dr.PRADEEP KUMAR (ADMINISTRATIVE MEMBER)

ahg.

APPENDIXOA[EKM]-171/2023APPLICANT'S ANNEXURES:

- Annexure A1- True copy of the advice memo Kerala Public Service Commission vide Order No. DIII(1) 390/05-1 dated 17.12.2008 issued by the District Officer, Kerala Public Service Commission, Kozhikode.
- Annexure A2- True copy of the appointment order bearing No. A3/34765/08(3) dated 29.12.2008 issued by the Administrative Officer, Industrial Training Department, Thiruvananthapuram with typed copy.
- Annexure A3- True copy of the Order No.A3/34765/08 dated 09.02.2009 issued by the 3rd respondent.
- Annexure A4- True copy of the Order No. A3/34765/08(11) dated 08.02.2010 issued by the Administrative Officer, Department of Industrial Training, Thiruvananthapuram along with legible typed copy.
- Annexure A5- True copy of the Order No. A3/33558/2010 dated 07.05.2011 issued by the 3rd respondent promoting officials from the post of LDCs to UDCs.
- Annexure A6- True copy of the final Gradation List of LD Clerk as on 31.07.2020 issued vide Order No. DT/3745/2019-A3 dated 18.06.2021 issued by the 3rd respondent.

Annexure A7-

True copy of the final gradation list of Upper Division Clerk as on 31.01.2016 published vide Order No. A3/3309/2016 dated 22.04.2016 by the 3rd respondent.

Annexure A8-

True copy of the representation dated 06.08.2021 ITI-BYP/100/2021-A addressed to the 2nd respondent along with the covering letter dated 12.08.2021 of the Principal, ITI Beypore.

Annexure A9-

True copy of the representation dated 05.11.2021 preferred by the applicant to the 2nd respondent along with the covering letter dated 12.11.2021 of the Principle, Govt. ITI, Beypore.

Annexure A10-

True copy of the Circular issued vide no. 524/R1/2014/P&ARD dated 10th March, 2014 issued by the Secretary, Personnel & Administrative Reforms (Rules) Department, Government of Kerala.

Annexure A11-

True copy of the Order No. C1/98/2022-Labour dated 06.10.2022 issued by the 1st respondent.

Annexure A12-

True copy of the letter No. DT/150/2022-A3 dated 03.12.2022 issued by the 2nd respondent.

Annexure A13-

True copy of the letter No. C1/217/2022-Labour dated 06.06.2023 issued by the 1st respondent.

Annexure A14-

True copy of the Order dated 09.10.2023 in OA(EKM)No. 1700/2022 passed by this Hon'ble Tribunal.

free copy was prepared on...1/12/23
and delivered on...1/12/23.....


Officer in charge of copying branch