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9/5/17



GOVERNMENT OF KERALA

Abstract

IAS – Dr. Raju Narayana Swamy IAS (KL 1991) – Promotion to Above Super Time Scale of IAS (Principal Secretary Grade of IAS) – Retrospective Effect – Orders Issued

GENERAL ADMINISTRATION (SPECIAL A) DEPARTMENT

G.O.(Rt)No. 2836/2017/GAD

Dated, Thiruvananthapuram 06/05/2017

Read: 1. Letter dated 15.03.2016 from Dr. Raju Narayana Swamy IAS.

2. G.O(Rt) No.253/2016/GAD dated 16.01.2016.

3. G.O(Rt) No.5709/2016/GAD dated 31.08.2016.

4. Letter No.PA 5/9/Agri dated 05.09.2016 from Dr. Raju Narayana Swamy IAS.

5. Final order dated 03.01.2017 of the Hon'ble CAT, Ernakulam Bench in OA No.180/1059/2016 filed by Dr. Raju Narayana Swamy IAS.

6. Letter No.11030/4/2009-AIS-II dated 10.04.2017 from Department of Personnel and Training, Government of India

ORDER

Dr. Raju Narayana Swamy IAS is an officer of 1991 batch and he was eligible to be considered for promotion to Principal Secretary grade w.e.f 01.01.2016. Even though the officer was considered for promotion to ASTS along with other 1991 batch officers, the Screening Committee did not recommend his promotion since 90% ACRs/PARs in respect of the officer were not available. Hence officers of 1991 batch, except Dr. Raju Narayana Swamy IAS, were promoted to Principal Secretary grade as per Government Order read as 2nd paper above.

2. Later the Screening Committee which met on 11.08.2016 recommended the inclusion of Dr. Raju Narayana Swamy IAS(KL 1991) in the panel for promotion to Principal Secretary grade. Accordingly, as per the Government Order read as 3rd paper above, Dr. Raju Narayana Swamy IAS(KL 1991) was promoted to Principal Secretary grade of IAS. As per the letter read as 4th paper above, Dr. Raju Narayana Swamy IAS has requested retrospective effect to his promotion to Principal Secretary grade w.e.f 01.01.2016, ie from the date when the promotion became due.

3. As per the final order dated 03.01.2017 in OA No.180/1059/2016 filed by Dr. Raju Narayana Swamy IAS, the Hon'ble CAT has directed to consider the officer's representations, read as 1st and 4th papers above, for promotion to Principal Secretary grade w.e.f 01.01.2016 within one month from the date of receipt of copy of the order.

4. Since the post of Principal Secretary is a functional post of IAS and promotion to functional posts cannot be given retrospective effect, the Department of Personnel and Training, Government of India was consulted for clarification in the matter. The DoPT, as

per letter read as 6th paper above, has informed that if the APARs available at the time of DPC held on 11.08.2016 were also available as on 01.01.2016, the promotion of Dr.Raju Narayana Swamy IAS to the Principal Secretary grade may be accorded with retrospective effect from the date of promotion of his junior in the batch.

5. Government have examined the matter in detail. As there was no material change in the APARs in respect of Dr. Raju Narayana Swamy IAS(KL 1991) available as on 01.01.2016 and at the time of the Screening Committee Meeting held on 11.08.2016 he is eligible for retrospective promotion w.e.f 01.01.2016 to the Principal Secretary grade as per the clarification issued by the Department of Personnel and Training. Hence Government order accordingly.

6. Government Order read as 3rd paper above is modified to the above extent.

7. The final order dated 3.01.2017 of the Hon'ble CAT, Ernakulam Bench in OA No.180/1059/2016 is thus complied with.

(By Order of the Governor)
Nalini Netto,
Chief Secretary to Government.

To

Shri.Raju Narayana Swamy IAS, Principal Secretary, Agriculture Department.
The Principal Accountant General (Audit) Kerala, Thiruvananthapuram.
The Accountant General (A & E) Kerala, Thiruvananthapuram.
The Secretary to Government of India, Ministry of Personnel, Public Grievances & Pensions,
Department of Personnel & Training, New Delhi.
The Advocate General Kerala, Ernakulam.
The Information and Public Relations Department.
✓ The Web and New Media Division, I&PRD, Thiruvananthapuram
(for uploading in www.gadsplais.kerala.gov.in).

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The Additional Secretary to Chief Secretary.
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Section Officer.