

**PROCEEDINGS OF THE TRANSPORT COMMISSIONER,
TRANSPORT COMMISSIONERATE, THIRUVANANTHAPURAM**
PRESENT: S SREEJITH I P S

Sub:- Motor Vehicles Department - Estt. - Promotion and postings in the cadre of Motor Vehicle Inspectors - Orders issued.

Read:- 1. Order No. A4/14/2021/TC (iii) dated 09/08/2021.
2. Order No. A4/83/2023/TC dated 30/12/2023 and 06/02/2024.
3. Notification No. A1/396/2023-TC(i) dated 28/02/2024
4. Notification No. A1/396/2023-TC(ii) dated 28/02/2024.

ORDER NO. A4/83/2023/TC-Part (1) DATED:16-03-2024

Consequent to the retirement of two Motor Vehicles Inspectors, two vacancies of Motor Vehicle Inspectors arose in the department. The following are the senior most AMVIs included in the Select List as per Notification read as 3rd and 4th paper above, who are eligible for promotion as Motor Vehicles Inspectors in this Department in the scale of pay Rs. 55200 - 115300 under Rule 28(b)(ii) of the General Rules of Part II, KS & SSRs, subject to the decision in O.Ps/W.Ps/W.As, if any, pending before the Honourable Kerala Administrative Tribunal/Courts.

Sl No	Name	Present Station
1	Ayyappadas P T	SRTO Perumbavur
2	Ajayakumar R	SRTO Karunagappally
3	Sooraj Moorkkoth	RTO Kannur
4	Rajan S	SRTO Ottappalam

The Departmental Promotion Committee (Lower) held for the preparation of Select list of Assistant Motor Vehicle Inspectors for promotion to the cadre of Motor Vehicle Inspectors the years 2021, 2022 and 2023 decided to supersede Sri Ayyappadas P T, AMVI due to the pendency of disciplinary action initiated against him. He had filed OA(EKM) No. 532/2022 before Hon'ble Kerala Administrative Tribunal and the Tribunal in its order dated 24.08.2022 has ordered that, "the second respondent is directed to convene review departmental promotion committee forthwith, at any rate, within a period of 2 months from the date of receipt of the copy of this order and to assess

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the suitability of the applicant de hors Annexure A1 disciplinary proceedings initiated under rule 16 of the Kerala Civil Service (classification, control and appeal) rules, 1960 and to revise Annexure A2 select list accordingly. In the meanwhile the 2nd respondent will also ensure that the disciplinary proceedings initiated as per Annexure A1 memo of charges dated 21.09.2020 for a minor penalty proceedings is finalized without delay and at any rate, within a period of one month.” The disciplinary action initiated against Sri Ayyappadas P T, AMVI has been finalized by awarding a punishment of barring one increment for one year without cumulative effect as per order No. G4/5/2020-TC dated 08.06.2023. The punishment period is not over. No other disciplinary action is pending against him.

DPC met on 24.07.2023 had decided not to include him in the revised select list, 2021, since the currency period of punishment was not over. Subsequently he had filed Contempt petition and the Hon'ble KAT in its order dated 21.12.2023, in CP(Ekm) 71/2023 in OA(Ekm) No 532/2022, has observed that this Tribunal had categorically found that the documents produced, viz, minutes of adhoc DPC(L) meeting held on 19.10.2022 and letter No. A1/62/2022-TC dated 20.03.2023, rejecting his claim to include in the select list, are violation of terms of order dated 24.08.2022 in OA(Ekm) No. 532/2022. Thus in view of the order of Hon'ble Tribunal, the Departmental promotion Committee (Lower) held on 10/01/2024, revised the select list of AMVIs for promotion to the cadre of MVI for the year 2021. As per Note (iii) to Rule 28 (b) (i) (7) Part II, KS &SSRs 1958, " Officers whose names are included in the select list but against whom departmental proceedings for imposing a minor penalty are initiated subsequently, may be promoted on a temporary basis pending disposal of the proceedings against them. If the Officer is fully exonerated of the charges the temporary promotion shall be treated as regular promotion and if the officer is not fully exonerated of the charges, his case may be considered by the Departmental Promotion Committee on merits."

As Sri Ayyappadas P T was included in the revised select list of AMVIs for promotion to the cadre of MVI for the year 2021, in view of order of Hon'ble KAT in its order dated 24.08.2022 in OA(EKM) 532/2022 and at that time disciplinary action under

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Rule 16 was pending against him. In the above circumstances, Sri Ayyappadas P T is promoted temporarily as Motor Vehicle Inspector notionally with effect from the date of promotion of his immediate junior as per Note (iii) to Rule 28 (b) (i) (7) Part II, KS &SSRs 1958. His immediate junior Sreeraj S S (Sl No. 8(a)) was promoted as Motor Vehicle Inspector vide order read as 1st paper above. The disciplinary action against him was finalised by awarding a punishment of barring one increment for one year without cumulative effect as per order No. G4/5/2020-TC dated 08.06.2023. His suitability of regular promotion as Motor Vehicle Inspector shall be assessed by placing the case before the DPC.

In OA (EKM) 851/2023 filed by Sri Rajan S, AMVI, the Hon'ble Kerala Administrative Tribunal vide order dated 04/12/2023, directed the second respondent to place the case of the applicant along with Annexure A10 representation after convening a review DPC and to consider the same in tune with Note (iii) to Rule 28(b)(i)(7) of Part II KS &SSR. This shall be done within a period of two months from the date of receipt of a copy of this order. Thus the Departmental promotion Committee (Lower) held on 10/01/2024, revised the select list of AMVIs for promotion to the cadre of MVI for the year 2023 and placed Sri Rajan S as Sl No. 19(a) in the select list. Also, Departmental Promotion Committee (Lower) held on 10/01/2024, revised the select list of AMVIs for promotion to the cadre of MVI for the year 2023 and includes Sri Ajayakumar R, as Sl No. 11(a) and Sri Sooraj Moorkoth as Sl No. 13(a) in that select list. Their immediate juniors, viz, Sri Gurudas (Sl No. 12), Sri Premjith (Sl No. 14) and Sri Sajeev K Varma (Sl No. 20) were promoted as MVI vide order read as 2nd paper above. In the circumstances, the above said officers are promoted as MVI notionally w.e.f. the date of promotion of their immediate juniors.

There are only two vacancies of Motor Vehicle Inspector and hence to accommodate all the four above mentioned officers, two junior most Motor Vehicle Inspectors, viz, Sri Shameer M, RTO (Enforcement), Palakkad and Sri Manojkumar M K, RTO (Enforcement), Malappuram are reverted to their feeder category as Assistant Motor Vehicle Inspectors.

On promotion the officers are posted to the following stations:

Sl No	Name	Present Station	Station to which posted on promotion	Remarks
1	Ayyappadas P T	SRTO Perumbavur	RTO (E) Malappuram	Temporarily promoted (notionally) in the cadre of Motor Vehicles Inspector w.e.f. 09/08/2021
2	Ajayakumar R	SRTO Karunagappally	RTO (E) Alappuzha	Notional promotion is granted in the cadre of Motor Vehicles Inspector w.e.f. 06/02/2024
3	Sooraj Moorkkoth	RTO Kannur	RTO (E) Palakkad	Notional promotion is granted in the cadre of Motor Vehicles Inspector w.e.f. 06/02/2024
4	Rajan S	SRTO Ottappalam	RTO (E) Kottayam.	Notional promotion is granted in the cadre of Motor Vehicles Inspector w.e.f. 06/02/2024

Thus the order of Hon'ble Kerala Administrative Tribunal in OA (EKM) 851/2023 and OA(EKM) 532/2022 are complied with.

The postings of promotees will be reviewed during General Transfer 2024.

On reversion as Assistant Motor Vehicle Inspector, Sri Shameer M is posted to RTO(Enforcement) Kollam and Sri Manojkumar M K is posted to RTO(Enforcement) Malappuram in the existing vacancies, subject to General Transfer, 2024.

The controlling officers will report to this office the date of relief/ assuming charge of the officials in due course.

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S SREEJITH I P S
TRANSPORT COMMISSIONER

To

1. The Officers concerned (Through Head of Office)
2. The Accountant General (A&E), Thiruvananthapuram.
3. DTCs / RTOs/ JRTOs concerned
4. CA to TC, Additional TC, JTC & Secretary STA, Sr. DTC (Tax), Sr. AO
5. Stock file & Office Copy

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