



**GOVERNMENT OF KERALA**



**Abstract**

Home Department- Forensic Science Laboratory- Order of Hon'ble Kerala Administrative Tribunal in O.A 1923/2023 filed by Smt. Sabeena. N, Scientific officer (Chemistry)- Compliance - Orders issued

**HOME(K)DEPARTMENT**

G.O.(Rt)No.1050/2024/HOME Dated,Thiruvananthapuram, 05-04-2024

- Read 1 G.O.(Ms)No.128/2023/Home dated 19.05.2023  
2 G.O.(Rt)No.1791/2023/Home dated 05.07.2023  
3 G.O.(Rt)No.2134/2023/Home Dated 28.07.2023  
4 G.O.(P)No.67/2023/Home dated 22.08.2023  
Representation dated 19.10.2023 submitted by Smt. Sabeena. N,  
5. Scientific officer (Chemistry), Forensic Science Laboratory  
(Annexure A4)  
6 Order dated 16.02.2024 of Hon'ble Kerala administrative Tribunal  
in O.A 1923/2023  
7 G. O. (Ms) No. 68/2024/Home dated 06.03.2024  
9. G. O.(Rt)No/856/2024/Home dated 21.03.2024.

**ORDER**

Smt. Sabeena. N, Scientific officer (Chemistry), Forensic Science Laboratory filed O.A 1923/2023 with a sole prayer to direct the first respondent (Government ) to grant promotion to the cadre of Assistant Director on account of the Select list issued, as per the Government Order read as 4<sup>th</sup> paper above. The Hon'ble KAT, as per the Order read as 6<sup>th</sup> paper above, directed the first respondent (Govt) to consider and pass orders on Annexure A4 representation, submitted by the applicant before Government, for promotion on the basis of her inclusion in the select list , as and when vacancy is available , at the earliest / in the next arising vacancy . In the Annexure A4 representation, read as 5<sup>th</sup> paper above, the Applicant stated that due to the promotion of Sr. Abdul Rasak.T, Assistant Director (Chemistry), Forensic Science Laboratory to the cadre of Joint Director, one vacancy of Assistant Director (Chemistry) exists since 05.07.2023 and requested to grant promotion to the cadre of Assistant

Director (Chemistry) on account of the Select List issued as per G.O.(P)67/2023/ Home dated. 22.08.2023.

2. The DPC (H) meeting held on 29.03.2023 for preparation of select list of Assistant Director fit for promotion as Joint Director for the year 2023 , decided to defer Dr. Simi. S and Smt. Sreevidya K.V (serial No.1 & 4 in the field of Choice) , Assistant Directors, due to pending disciplinary actions against them and decided to include Dr. Sumi Mithra.S, Lali. T.A and Abdul Rasak.T, who is junior to Smt. Sreevidya.K.V., in the select list of Assistant Directors fit for promotion as Joint Director. Based on the decision taken by the DPC(H), Select List was issued, as per the Government Order read as 1<sup>st</sup> paper above. Sri. Abdul Rasak.T, Assistant Director (Chemistry), who is junior to Smt. Sreevidya.K.V, Assistant Director, Biology was super ceded and was given promotion to the cadre of Joint Director, as per the Government Order read as 2<sup>nd</sup> paper above. Later, as per Government order read as 3<sup>rd</sup> paper above, the disciplinary action pending against the Smt.Sreevidya.K.V was disposed off, with a warning, on finding the fact that the allegation leveled against the Officer had not been completely proved.

3. Smt.Sreevidya.K.V, Assistant Director (Biology) had submitted representation requesting to include her in the Select List of Assistant Directors fit for promotion as Joint Director on the vacancy arose on 31.05.2023 , in which Sri.Abdul Rasak.T was promoted, as the disciplinary action disposed off with a warning. Subsequently, she file O.A 1797/2023 before the Hon'ble KAT with the same prayer. The Hon'ble KAT directed the 1<sup>st</sup> respondent (Additional Chief Secretary, Home &Vigilance ) to place the case of the applicant before the review DPC to be convened for considering her case for inclusion in the Select List for promotion to the cadre as joint Director. Based on the order of Hon'ble KAT , Ad hoc DPC convened on 08.12.2023 . The Ad hoc DPC examined the case in accordance with note (v) under Rule 28(b)(i)(7) of KS&SSR Part II which specified that A censure under Rule 11 (1) (i) of the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960 or a warning awarded or proposed to be awarded to an Officer need not be taken into account while considering his case for promotion under Note (ii), (iii) and (iii a) above and decided to include her in the Select List as Sl. No.2(a) in between Smt. Lali. T.A and Sri.Abdul Rasak.T in the Select List issued as per G.O(Ms)128/2023/Home dated 19.05.2023 and based on the decision of ad hoc DPC, notification was also issued, as per the Government Order read as 7<sup>th</sup> paper above. subsequently, as per Government Order read as 9<sup>th</sup> paper above,

Smt. Sreevidya.K.V, Assistant Director (Biology) was promoted to the cadre of Joint Director by demoting Sri.Abdul Rasak.T. to the cadre of Assistant Director (Chemistry) .

4. Based on the above facts and order of Hon'ble Kerala Administrative Tribunal, Government examined the matter in detail. Smt. Sreevidya K. V, Assistant Director (Biology) was promoted as Joint Director in place of Sri. Abdul Rasak. T, who was demoted to the cadre of Assistant Director (Chemistry) and was posted at Regional Forensic Science Laboratory, Kochi .Due to the demotion of Sri. Abdul Rasak. T, the vacancy in the cadre of Assistant Director (Chemistry) cease to exist, and hence there is no scope for promoting the petitioner . Hence the request of the applicant in Annexure A4 representation deserves no merit and is here by rejected .

4. Thus the order of Hon'ble KAT , read as 6<sup>th</sup> paper above, is complied with accordingly.

(By order of the Governor)  
SYAM T K  
DEPUTY SECRETARY

Smt.Sabeena.N, Scientific officer (Chemistry), State Forensic Science  
Laboratory, Thiruvananthapuram.

The State Police Chief, Thiruvananthapuram.

The Director,Forensic Science Laboratory, Thiruvananthapuram.

Advocate General , Kerala, Thiruvananthapuram.

Information Officer, Web & New Media

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Signed by  
Smitha K P  
Date: 08-04-2024 01:18:39  
Section Officer