

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

Sub:- Motor Vehicles Department - Estt. - Judgment dated 11/04/2024 of the Hon'ble High Court in OP(KAT) No. 08/2024 filed by Sri Binu George, Motor Vehicle Inspector - Compliance order issued.

- Read:-
1. Order No. A4/26/2022/TC dated 27/03/2023.
 2. Order dated 15/09/2023 of Hon'ble Kerala Administrative Tribunal in OA No. 675/2023.
 3. Judgment dated 11/04/2024 of Hon'ble High Court in OP(KAT) No. 08/2024.

ORDER NO. A4/11/2024/TC DATED:13-06-2024

Sri Binu George, Motor Vehicle Inspector while working at Regional Transport Office, Palakkad, the inspection conducted by the Transport Commissioner's Squad detected certain irregularities in issuing certificate of fitness. A Heavy Contract Carriage vehicle, bearing registration number KL-26-B-5353 registered at RTO Muvattupuzha whose application for fitness was rejected at SRTO, Uzhavoor on 21/11/2022 due to defects and CFRR was issued to the vehicle. On verification in the VAHAN module (Online portal for rendering the services of Motor Vehicles Department) it was seen that Fitness certificate for the vehicle KL-26-B-5353 was issued on 24/11/2022 from RT Office, Palakkad by Sri Biju P V, AMVI and Sri Binu George, MVI. On detailed enquiry by the Transport Commissioner's Squad, on 26/11/2022, the vehicle was again inspected by the MVI at SRTO Uzhavoor and reported that all the defects noticed in the CFRR notice was still existing, which revealed that the Certificate of fitness was issued by Sri Binu George, MVI without inspecting the vehicle properly. In view of the above irregularities, it was necessary to kept the officer away from the Fitness/ driving license related activities. Thus as per order read as 1st paper above, he was transferred and posted to the Regional Transport Office (Enforcement) Pathanamthitta.

Aggrieved by this transfer he filed an OA No. 675/2023 before the Hon'ble Kerala Administrative Tribunal. Hon'ble Tribunal vide order read as 2nd paper above disposed the same with the findings that "Annexure A1 order is a well reasoned order and the

transfer given to the applicant along with the 8 others on the ground of public interest does not call for any intervention by this Tribunal. The remarks before the posting to the applicant indicate that already these officers have been kept away from the Fitness/driving licence related duties."

Subsequently, he filed O.P(KAT) No. 08/2024 before the Hon'ble High Court. As per the judgment dated 11/04/2024 the Hon'ble High Court of Kerala disposed of the same as follows: " We direct the respondents to post the petitioner to Sub RT Office, Chittoor, Palakkad within two weeks. However the petitioner's request to transfer to Kollam in a vacancy arise in September shall be considered. The petitioner shall make a request in this regard within one month."

In compliance to the order of Hon'ble High Court, Sri Binu George, Motor Vehicle Inspector, Regional Transport Office (Enforcement), Pathanamthitta is transferred and posted to Sub Regional Transport Office, Chittur in the existing vacancy.

Thus the Judgment of the Hon'ble High Court dated 11/04/2024 in OP(KAT) No. 08/2024 is complied with.

S SREEJITH I P S
TRANSPORT COMMISSIONER

To

1. Sri Binu George, Motor Vehicle Inspector, Regional Transport Office (Enforcement), Pathanamthitta (Through Head of Office)
2. The Advocate General, Ernakulam
3. The Accountant General (A&E), Thiruvananthapuram.
4. The Regional Transport Officer (Enforcement), Pathanamthitta
5. DTCs/ RTOs/ JRTOs concerned
6. Stock file / Office Copy