

**PROCEEDINGS OF THE ADDITIONAL DIRECTOR OF HEALTH SERVICES
(A&T), DIRECTORATE OF HEALTH SERVICES, THIRUVANANTHAPURAM**

Sub:- Estt- HSD – Anomaly in the final (combined) seniority list of JPHNs from 21.01.94 to 31.12.2006 – Reassignment of Rank – Order issued – reg

- Ref:-
1. Judgment of Honourable Supreme Court of India in the judgment dated 11.07.2001 in civil appeal Nos. 4127-28/2001, 4129,4130,4131,4132,4133 arising out of SLP(C) No. 17057/2000,19681/2000,715/2001,21345/2000, 3512/2001 filed by Girija M.V and others.
 2. Order no. FWA4-42998/2000/DHS dated 22.02.2006 of the Director of Health Services, Thiruvananthapuram
 3. Order no. A3-13509/2001/DMO(H) Kasargode dated 05.08.2006
 4. G.O (MS) No. 246/2005/H&FWD dated 30.09.2005 H&FW(c) Dpt
 5. Order no. A3-8575/2000/DMO(H) Kasargode dated 12.02.2007.
 6. This office notice of even no. dated 24.10.13

ORDER NO. ES5-75341/13/DHS, DATED :10.06.14

As per the verdict of the Honourable Supreme Court of India, Government have ordered vide G.O read above, to regularize the provisional service of the Junior Public Health Nurses those who were appointed purely on provisional basis and continued for long period on the basis of court order and those who approached the Honourable Supreme Court in adherence to the following conditions.

- (1) The absorption will only be against clear open vacancies.
- (2) In the case of petitioners who were terminated during the pendency of the proceedings before the court, benefit continuity in service shall be given in the matter of regularization. The period for which they were kept out of service shall be treated as non-duty. However the salary for the period they were out of service shall not be paid to them.
- (3) It is also ordered that the regularization in service will have effect only from 09.05.95 (Date of judgment).
- (4) The period of provisional service prior to termination will be counted for the purpose of seniority, increment, higher grade, pension and accumulation of leave etc with effect from 09.05.95. All the benefits given as per the GO (MS) No. 379/96/H&FWD dated 07.12.96 shall be extended to these appellants also.
- (5) Those who have got regular appointment through PSC will be treated to have entered in service with effect from the date of advice of PSC.

In stipulation with the above conditions Government have issued G.O (MS) No. 246/2005/H&FWD dated 30.09.2005 for regularizing the provisional service of Smt. K.N. Ramani with effect from 09.02.96. Her probation in cadre of JPHN also declared with effect from 09.02.98 vide order. A3/8575/2000/DMO(H) Kasargode dated 12.02.2007.

As per para 8 (V) of the G.O (MS) No. 246/2005/H&FWD dated 30.09.2005, the incumbent is eligible to get her seniority assigned with effect from 09.12.96 i.e, from the date of her joining duty. But the seniority of the incumbent is fixed as rank no. 3259 in the seniority list of JPHN for the period of 21.01.94 to 31.12.2006. This was by mistake. Now Smt. K.N. Ramani requested to assign her seniority with effect from 09.12.96 as ordered in the Government order.

On verification of the service records, it is found that Smt. K.N. Ramani is eligible to get seniority with effect from 09.02.96 on the basis of Honourable Supreme Court direction and Government order read above. Therefore it was provisionally proposed to assign rank no. 334 (a) in between (334) Savithriamma A.K and (335) Devaki Amma.V in the seniority list of JPHN for the period from 21.04.94 to 31.12.2006. Vide referece sixth above. The rank no.3259 in the seniority list of Jr.PHN for the period from 21.01.94 to 31.12.2006 is also deleted.

The details are shown below.

Name	Date of Birth	Qualification	Date of entry in service	Date of commencement of service	Date reckoned for seniority	Details of appointment order
Ramani K.N	15.05.70	SSLC, ANM	09.02.96	09.02.96	09.02.96	GO (MS) 246/2005 dated 30.09.05

The appeals received in this regard deserve no merit. Accordingly the provisional decision to reassign the rank no of Smt.Ramani.K.N, issued vide notice referred 4th above is hereby confirmed.

Sd/-
Dr. Saritha .R.L
Additional Director of Health Services (A&T)

To
Smt. Ramani K.N

Copy to
The DMO(H)/.....
The FWA Section
File/Stock File

(All, DMOCH)

// Forwarded by //

Supersintendent