

PROCEEDINGS OF THE ADDL. DIRECTOR OF HEALTH SERVICES
(MEDICAL), DIRECTORATE OF HEALTH SERVICES,
THIRUVANANTHAPURAM

Sub:- Estt: HSD- Anomalies in the seniority list of Staff Nurse Gr.II, Staff Nurse Gr.I and Head Nurse – Rectified – Orders issued - Reg-

- Ref:-
1. Representation dated 23/12/2013 submitted by the petitioners.
 2. Judgment dated 9/12/13 of Hon'ble KAT in OA No 2749/2013 filed by Smt Savithri K.S and others
 3. GO(Rt) NO 654/2014 H&FWD Dated 26/02/2014
 4. Letter no J3/2421/14 DME dated 12/03/2014
 5. Order No.ES3-121541/01/DHS, dtd. 24/12/2002
 6. Order No.EE5(Spl.Cell)78047/08/DHS, dt.26/11/08
 7. Order No.ES3-59608/07/DHS, dtd. 27/3/09
 8. This Office Notice dated 20/03/2014.

ORDER NO. ES3-4406/2014/DHS, DATED: 07/04/2014.

Smt. K. S. Savithri, Smt. E.C Lilly, Smt. N.D Alice and Smt. Smt.P.V Annie are now working as Nursing Superintendent in Medical College, Thrissur, Alappuzha, Kottayam and Thiruvananthapuram respectively, under the Directorate of Medical Education. They filed O.A No. 2749/2013 before the Honorable Kerala Administrative Tribunal, Thiruvananthapuram in having aggrieved by Annexure A5 seniority list of Head Nurses as on 31.03.2011 published by the Directorate of Medical Education.

The Honorable Kerala Administrative Tribunal vide judgment dated 09.12.13, directed the 1st respondent, Government, to consider and pass orders on the appeals submitted by the applicants in accordance with Law after affording an opportunity of being heard to the applicants and other affected persons within 4 months from the date of receipt of a copy of the order.

Accordingly Government vide paper read as 3rd above, ordered that the Directorate of Medical Education and Directorate of Health Services would initiate steps to refix the seniority of the petitioners, considering all the facts and materials of the case before 31.03.14.

The petitioners alleged that the rank number of Smt. P.N Vijayakumari and Smt. K. Remababy assigned in the seniority list of Head Nurse prepared by DME is wrong. The DME prepared the same on the basis of the seniority list in Health Services Department. Hence the service particulars of Smt. P.N Vijayakumari and Smt. K. Remababy were obtained from DME.

The points raised in the petitioners request have been examined in detail. The rank positions in each category of the alleged persons in this department are shown below.

| Name | Rank No. in the Seniority List of Staff Nurse Gr.II (1978-90) | Rank No. in the Seniority List of Staff Nurse Gr.I (as on 1/11/99) | Rank No. in the Seniority List of Head Nurse (1998-2007) |
|-------------------|---|--|--|
| P. N Vijayakumari | 1244 | 740 | 848 |
| K. Remababy | 1245 | 740 A | 849 |

The Health Service Department was bifurcated to Department of Medical Education in 2009. The Staff of Health Services Department were given option to choose any of the department without losing their seniority in the Health service department. Accordingly the above 2 incumbents opted to DME.

On verification of the service particulars of the above 2 incumbents, it was found that the Rank No. of Smt. P.N Vijayakumari assigned in each cadre was wrong. She availed Leave without allowance for the period from 3/11/1994 to 2/11/2004 and rejoined duty on 3/11/2004. Unfortunately, her rank No. was assigned in the cadre of Staff Nurse Grade-I with effect from 1/11/99 by mistake, without considering the Leave without allowance availed by her. Date of assignment of seniority in the cadre of Staff Nurse Gr I can be reckoned only with effect from 3/11/2004 instead of 1/11/1999, since she was on leave during 1994-2004. Accordingly the rank No in the cadre of Head Nurse will also be lowered.

As per Circular No 72/2005 Fin dated 30/12/2005, an incumbent who availed Leave without allowance under Appendix XIIA, XIIB and XIIC, will lose his seniority/ promotion during the currency of leave.

Accordingly vide paper read as 8th above, a notice has been issued from this office intimating the provisional decision to rectify the rank No of Smt P.N Vijayakumari in the cadre of Staff Nurse Gr I and Head Nurse as shown below.

| Name | Rank No. in the Seniority List of Staff Nurse Gr.II (1978-90) | Rank No. in the Seniority List of Staff Nurse Gr.I (as on 1/11/99) | Rank No. in the Seniority List of Head Nurse (1998-2007) |
|-------------------|---|--|--|
| P. N Vijayakumari | 1244 (No change) | 1735A | 1675A |

In this connection Smt P.N Vijayakumari was personally heard on 28/03/2014, in which she could not substantiate anything against lowering her rank No and no other genuine appeals are seen received in this regard also.

In this circumstance the provisional decision to rectify the rank No of Smt P.N Vijayakumari in the cadre of Staff Nurse Gr I and Head Nurse as shown in the above table is finalized.

The complaint against the rank position of Smt Remababy has also been examined in detail and it is found that no anomalies have occurred regarding her rank assignment. Hence the compliant deserves no merit

This office orders read as 6th and 7th papers are modified to this extend.

sd/-
Dr. P.N Remani
Addl. Director of Health Services (Medical)

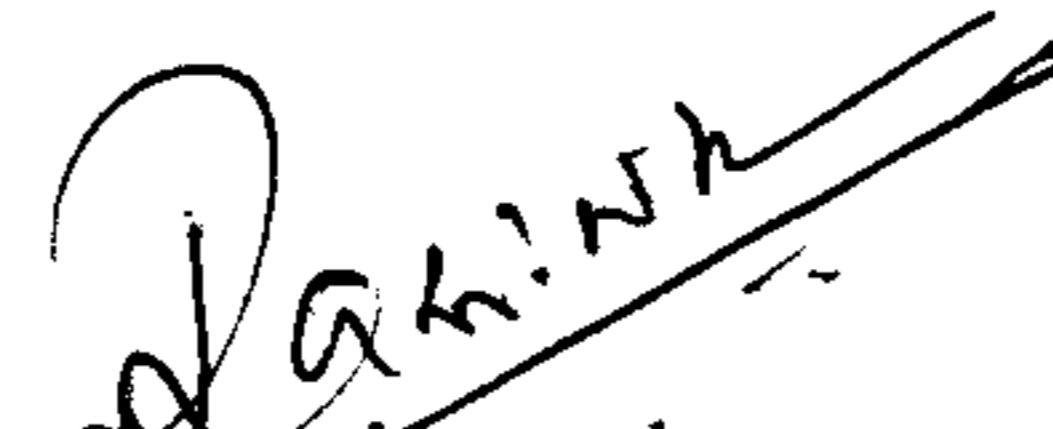
To

The incumbents concerned.

Copy to:-

1. The Secretary to Government, Health & FW Department.
2. The Director of Medical Education, Thiruvananthapuram (You are requested to take necessary steps to re-fix the seniority of Smt P.N Vijayakumari on the basis of her revised seniority positions in this department)
3. The website of DHS (www.dhs.kerala.gov.in)
4. EE1/ EE2/EE5/Sections/File/S.F.

//Forwarded//


Superintendent