

PROCEEDINGS OF THE DIRECTOR OF HEALTH SERVICES,
THIRUVANANTHAPURAM

Sub:- Estt: HSD- Revision of seniority list of JHI Gr.II/Field Asst./Insect Collector for the period from 1/1/97 to 31/3/00 in compliance of the judgement of the Hon'ble High Court in WP(C)25898/05 – Final list – Publishing - Orders issued –

- Read:-
1. Order No.ES2-47321/00/DHS, dtd. 22/11/03
 2. WP(C)No.10496/04 filed by Tom Varghese Pothan.
 3. Judgement dtd.24/11/03 in writ appeal No.2284, 2750 & 2848 of 2000
 4. Order No. ES2-47321/00/DHS, dtd. 30/11/04
 5. Order No. ES2-47321/00/DHS, dtd. 5/1/08
 6. Judgement dtd.30/6/10 in WP(C) No.14886/05-V, 15535/05-Y and 25898/05 filed by Sri. Biju.K., JHI Gr.II and Others.
 7. G.O.(Rt)No.893/10/H&FWD, dtd. 4/3/11
 8. ES2-(Spl.Cell)69286/10/DHS, dtd.16/6/11
 9. Lr.No.18413/(2)/12/H&FWD, dtd.10/7/12
 10. Order dated 14/7/11 in WP(C) No.19142/11 filed by Sri. Thomas Mathew & others.
 11. Order No.ES2(Spl. Cell)-69286/10/DHS, Dated, 24/7/2012.

ORDER NO. ES2(Spl.Cell)-69286/10/DHS, DATED: 22/11/2012

As per order read as 1st paper above, a revised/combined gradation list of Junior Health Inspector Grade-II/Field Assistant/Insect Collector, for the period from 1/1/1997 to 31/3/2000 was published. But the list was challenged in various OPs.

In compliance of the orders in the judgement in WP(C) No.10496/04 filed by Tom Varghese & others a revised/combined gradation list of Junior Health Inspector Grade-II/Field Assistant/Insect Collector published dated 22/11/2003 was separated into two lists vide order read as 5th paper above.

In the mean time, Sri. Biju.K., Junior Health Inspector Grade-II and ten others filed a writ petition before the Hon'ble High Court challenging the order read in 5th, in which the seniority list of Junior Health Inspector Grade-II for the period from 1/1/1997 to 31/3/2000 was published.

In the judgement read as 6th paper above the Hon'ble Court has ordered with direction to the Govt and the DHS to pass consequential orders fixing seniority, considering the period of training also as the part of service. It was also ordered therein that, the seniority will be arrived applying Rule 27 (C), Part-II of KS &SSRs ie, as per the order of appointment.

Government, in G.O. read as 7th paper above, ordered that the seniority list of Junior Health Inspector Grade-II for promotion to the cadre of Junior Health Inspector Grade-I, has to be revised according to the provisions under Rule 27, Part-II KS&SSRs by taking the date of advice, in the case of direct recruitment by KPSC, the date of occurrence of vacancy and qualified seniority and date of order of appointment in the case of persons appointed by transfer. As per letter read as 9th paper above Government has further directed to prepare the seniority list by taking date of advice in the case of PSC hands, date of joining in the case of IDT and the date of promotion order in the case of by transfer appointment.

In this connection, the details of Junior Health Inspector Grade-II who were appointed with effect from 1/1/1997 to 31/3/2000 have been collected vide letter read as 8th paper above and examined in detail. After thorough verification, a draft seniority list of Junior Health Inspector Grade-II who entered in service with effect from 1/1/1997 to 31/3/2000 was prepared as per the direction from Hon'ble High Court/Govt., and published as per order read as 11th paper above and invited appeals from the aggrieved party.

The appeals were scrutinised and necessary corrections have been made in genuine cases on merit.

The finalized seniority list of Junior Health Inspector Grade-II for the period from 1/1/1997 to 31/3/2000 is appended herewith.

Any action taken pursuant to G.O.Rt. No.893/2010 / H&FWD / Dated 04.03.2011 will be subject to the outcome of the W.P.(C) No.19142/2011 filed by Sri. Thomas Mathew and others.

Sd/-
Dr. P.K.Jameela
Director of Health Services

Copy to:-

1. The District Medical Officer of Health, Thiruvananthapuram/Kollam/ Pathanamthitta/Kottayam/Alappuzha/Idukki/Ernakulam/Palakkad/ Thrissur/Malappuram/Kozhikode/Wayanad/Kannur/Kasaragode.
2. The Secretary to Government with C/L.
3. Website- www.dhs.kerala.gov.in
4. File/S.F.