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GOVERNMENT OF KERALA
Abstract

Health & Family Welfare Department—Establishment—Cancellation of GO (MS) No.78/1995/H&FWD dated 31.03.1995 - Orders issued.

HEALTH & FAMILY WELFARE (C) DEPARTMENT

G.O. (MS) No. 69/ 2013/H&FWD

Dated, Thiruvananthapuram, 27.02.2013

Read:-1) GO (MS) No.78/1995/H&FWD dated 31.03.1995

2) Letter no.EG2-4935/12/DHS dated 11.05.2012 from the Director of Health Services, Thiruvananthapuram

3) G.O (Rt) No.2278/2012/H&FWD dated 07.07.2012

ORDER

Due to the introduction of Multi Purpose Health Scheme and India Population Project, there was dearth of properly trained candidates for appointment as Junior Health Inspectors in the Kerala State. In order to tide over the situation, Government decided to give Health workers training to qualified candidates, giving a monthly stipend and to appoint them provisionally as Junior Health Inspectors for a fixed period. After training, the candidates were provisionally appointed by the Director of Health Services without referring to Kerala Public Service Commission or Employment Exchanges, subject to condition that they will be terminated when regular Public Service Commission hands join duty.

2. While they were continuing in service, they filed various representations to regularise them in service. Even though the PSC disagreed to regularise them, 737 provisionally appointed departmental candidates were absorbed in to regular service vide GO read as 1st paper above. The said GO was subject to the judgment in OP No.13150/94. Later, the Hon'ble High Court has dismissed the OP. Though 737 candidates who were regularised in service, the list of candidates eligible for regularisation is not mentioned in the GO. Several cases were filed requesting to reckon provisional service in the light of GO read as 1st paper above.

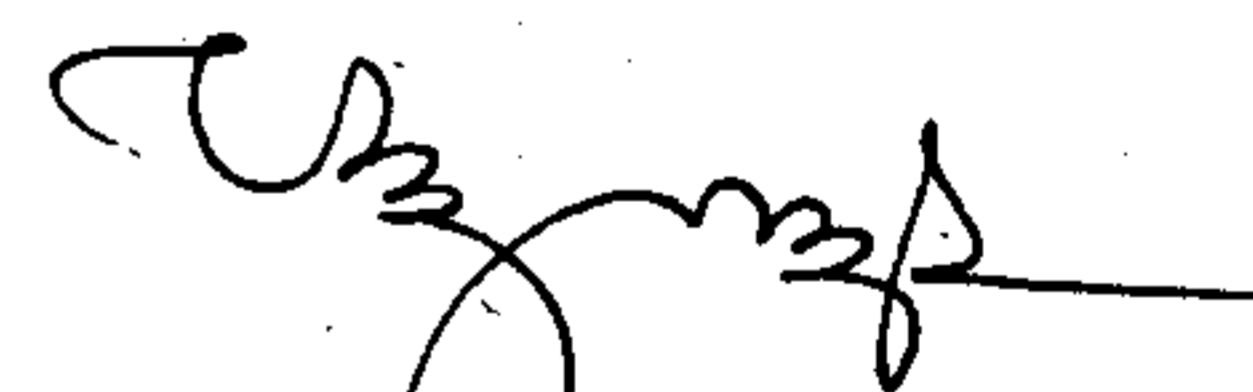
3. After years, Sri.Antony.K.T, Junior Health Inspector Grade-II and others filed WP(C) No.23535/2006 to regularise their provisional service w.e.f the date of commencement of provisional service on the strength of GO read as 1st paper above or from 22-11-1995, the date on which the last PSC hand was advised. In connection with that case, the Director of Health Services vide letter read as 2nd paper above has reported that the GO read as 1st paper above is not implemented in the department, since all temporary Junior Health Inspector Grade-II got permanent appointment before issuance of the GO. Accordingly vide GO read as 3rd paper above, the judgment in WP(C) No.5976 and 23536/2006 was complied with, by rejecting the request of the petitioners to regularise their provisional service.

3. Government have examined the matter in detail. The claim of all petitioners is that the ~~GO 73/10~~ paper above has not been re-called, set aside or modified. Since the order in GO read as 1st paper above is still valid, the incumbents may file representation/petitions again for regularising the provisional service. If such requests are allowed, after a lapse of 17 years, Government will be forced to extend the benefit to all 737 candidates. This will result in huge financial commitment to Government. Therefore, in view of the facts that the GO is not implemented in the Health Services Department, to avoid such requests in future, Government hereby order that the GO (MS) No.78/1995/H&FWD dated 31.03.1995, by which 737 departmental candidates was absorbed into regular service, is cancelled.

(By Order of the Governor),
RAJEEV SADANANDAN
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Health Services, Thiruvananthapuram
The Secretary, Kerala Public Service Commission, Thiruvananthapuram.
✓ All District Medical Officers (Health)-Through Director of Health Services
The General Administration (SC) Dept. (Vide item No.3042 dated 18.02.2013)
Stock File/Office Copy

Forwarded/By Order


Section Officer.

Encl. NO. E12/68285/2012/DHS Dt. 06.03.2013

Copy communicated to the following
institutions for urgent necessary action.

- ① All District Medical Officers (Health)
2. ^{All} Medical officers concerned (Through memo)

For DHS