



**GOVERNMENT OF KERALA**

**Abstract**

Health & Family Welfare Department – Order dated 27.09.2021 in OA(EKM)No. 1538/2021 filed by Smt. Binu P.C, Junior Health Inspector Grade-I, Community Health Centre, Koduvayur, Palakkad, before the Hon'ble Kerala Administrative Tribunal – Complied with - Orders Issued.

**HEALTH & FAMILY WELFARE (C) DEPARTMENT**

G.O.(Rt)No.409/2022/H&FWD Dated,Thiruvananthapuram, 22-02-2022

Read 1 G.O(P)No.36/91/P&ARD dated 02.12.1991.

2 Proceedings No.ES2/47321/2000/DHS dtd 09.01.2002 of the Director of Health Services, Thiruvananthapuram.

3 Proceedings No.EG3-21437/2002/DHS dtd 29.05.2002 of the Director of Health Services, Thiruvananthapuram.

4 Proceedings No.ES1/20074/2010/DHS dated 27.04.2013 of the Director of Health Services, Thiruvananthapuram.

5 Proceedings No.ES1/14462/15/DHS dated 08.11.2018 of the Director of Health Services, Thiruvananthapuram.

Representation dated 18.08.2021 submitted by Smt. Binu P.C., Junior Health Inspector Grade-I, Community Health Centre, Koduvayur, Palakkad (Annexure A5).

7 Order dated 27.09.2021 in OA(EKM)No. 1538/2021 of Hon'ble Kerala Administrative Tribunal.

8 Letter No. E.S.1-59265/2021/DHS dated 03.01.2022 of the Director of Health Services, Thiruvananthapuram.

**ORDER**

The Hon'ble Kerala Administrative Tribunal in the order dated 27.09.2021 in OA(EKM)No. 1538/2021 filed by Smt. Binu P.C., Junior Health Inspector Grade-I, Community Health Centre, Koduvayur,

Palakkad has directed the first respondent to consider and pass appropriate orders on Annexure A5 petition preferred by the applicant under Rule 27B Part II KS & SSR. It was also directed that the first respondent, shall consider the application for condonation of delay and pass appropriate orders on merits and in accordance with law after affording an opportunity of hearing to the applicant and other affected persons if any, within a period of three months from the date of receipt of a certified copy of the order.

2. In compliance with the direction of the Hon'ble Tribunal, the applicant was heard on 05.01.2022. The applicant has stated that she joined service as Junior Health Inspector Gr.II on 17.08.1999 in Ernakulam district as advised by Kerala Public Service Commission. She was placed as Sl.No.910 in the seniority list published for the period from 01.01.1997 to 31.03.2000 issued by the Director of Health Services vide proceedings read as 2nd paper above. Being dependent of Jawan, she was granted Inter District Transfer to Palakkad district vide proceedings read as 3rd paper above. She was posted in Palakkad district as per order No.7/3611/2002 of the District Medical Officer, Palakkad. She has stated that her name was not included in the seniority list, however, the names of her juniors were included. Accordingly, she has made several representations to Director of Health Services, but the same were not considered. Therefore, the applicant has submitted a petition on 18.08.2021 under Rule 27 B of KS & SSR for including her name in the seniority list. But as no action was taken on her petition, she filed the above Original Application before the Hon'ble Kerala Administrative Tribunal.

3. In this connection, the Director of Health Services as per letter read as 8th paper above has reported that Smt.Binu P.C joined service on 17.08.99 as Junior Health Inspector Grade II in Ernakulam District as per Public Service Commission Advice No.EV(3) 1132/96 dated 26.07.1999. She was given inter district transfer to Palakkad district vide proceedings read as 3rd paper above, without insisting 5 years of service in that district on consideration of her priority as dependent of Jawan and she joined in Palakkad district as Junior Health Inspector Grade II on 31.07.2002. As she being a dependent of Jawan, the provision in para 4(i) and (ii) of order read as 1st paper above was not applicable to her. But her seniority can be considered only from the date of joining in the new district. Therefore, even though she had joined service on

17.08.1999 she was not included in the seniority list for the period from 01.01.1997 to 31.03.2000, published as per proceedings read as 5th paper above. Her name was included in the seniority list of Junior Health Inspector Grade II for the period from 01.01.1997 to 31.03.2000 in Palakkad district, considering her date of joining in Palakkad district on 31.07.2002, published vide proceedings read as 4th above, as SI no.235.

4 .The case has been examined in the light of the report of the Director of Health Services and Government orders in force. As per Para 4 (ii) in paper read as (1) above, any inter-district transfer, except the one, of candidates advise to headquarters vacancies to the district of his choice will entail loss of seniority. Service prior to the transfer will count towards increment, leave and pension benefits. As Smt. Binu P.C., was transferred to Palakkad district as per Inter District Transfer, and joined in Palakkad district, she will lose seniority from the date of advice in Ernakulam district and her seniority will be considered only from the date of joining in Palakkad district. In the above circumstances, the request of the applicant in Annexure A5 petition, read as 6th paper above, does not merit consideration and the same is rejected.

5 .The Annexure A5 representation in OA(EKM)No. 1538/2021 is disposed of as above and the direction of Hon'ble Kerala Administrative Tribunal in the order dated 27.09.2021 is complied with accordingly.

(By order of the Governor)  
SATHEESH.S  
UNDER SECRETARY

To:

- ✓ The Director of Health Services, Thiruvananthapuram.
- The Advocate General, Ernakulam(With C/L).
- Smt. Binu P.C., Junior Health Inspector Grade -I, Community Health Centre, Koduvayur, Palakkad(Through Director of Health Services).
- The Principal Accountant General (A&E)/(Audit), Kerala, Thiruvananthapuram.
- Stock File.

Endt No: ES, - 59265/2021/DHS Dtd 4/3/2022 Forwarded /By order

Communicated for information and  
necessary action

*[Signature]*  
Section Officer

*[Signature]*  
For Director of Health Services