

GOVERNMENT OF KERALA
ABSTRACT

Public services – Re- Fixation of seniority of physically handicapped Provisional (temporary) employees regularised in Government Services- Orders issued.

PERSONAL ADMINISTRATIVE REFORMS (ADVICE-C) DEPARTMENT

G.O.(P) No. 19/88/P&ARD

Dated , Trivandrum 2-5-1988.

- Read:-
1. G.O. (P) No. 67/76/ PD Dated 25-2-1976.
 - 2 G.O. (P). No. 25/82/ GAD Dated 27-1-1982.
 - 3 G.O. (P) No. 147/84/ GAD. Dated 11-5-1984
 - 4 G.O. (P) No. 421/85/ GAD. Dated 28-9-1985
 - 5 Letter No . AII (i) 12068/83/GW dated 15-5-1987 of the Secretary, Kerala Public Service Commission, Trivandrum.

O R D E R

In the G.O. read as first paper , orders were issued for the regularisation with effect from 29-4-74, of the services of the physically Handicapped provisional / temporary employees who were appointed in various departments by direct recruitment under rule 9 (a) (i) of the Kerala State and subordinate Service Rules., 1958 and who were in service on any day from 22-12-1973 to 1-1-1974 subject to certain conditions specified therein.

2. In the G.O. read as second paper, orders were issued for the regularisation of the provisional services of physically Handicapped employees appointed through Employment Exchanges under Rule 9 (a) (i) of the General Rules who had put in a total provisional (temporary) service of one year (including broken periods) to their credit during the period from 1-1-1968 to 31-12-79 subject to certain conditions stipulated therein.

3. In the G.O. read as third paper , orders were issued for the regularisation of the provisional services of the physically handicapped employees appointed through Employment Exchanges under Rule 9(a) (i) of the General Rules, 1958 in the International Disabled year of 1981 subject to certain conditions stipulated therein.

4. In the G.O. read as fourth paper , orders were issued for the regularisation of provisional services of all the physically handicapped provisional/ temporary employees appointed to the public Services through Employment Exchanges under rule 9 (a) (i) of the Kerala State and Subordinate Service Rules, 1958, and who had to their credit one year of total service (including broken periods) as on 5-1-1934 from 1-1-1968 (excluding 1981) in one or more categories of post in the same or different departments subject to certain conditions stipulated therein.

5. A common condition that the inter-se-seniority of the physically handicapped provisional/ temporary employees whose services were to be regularised would be fixed according to the length of service i.e. persons having longer services being declared as senior to persons having lesser service has been stipulated stipulated in all the orders read

above. It has now been pointed out that this particular condition is against the provisions in sub –rule (a) of Rule 27 of the General Rules, PART II Kerala State and Subordinate Service Rules, 1958 which lays down that seniority of a person shall be determined by the date of the order of his first appointment and sub rule (b) of the said rules stipulates that the appointing authority shall be at the time of passing an order, appointing two or more persons simultaneously to a service, fix the order of preference among them and seniority shall be determined in accordance with it.

6. Government have examined the matter in detail and are pleased to amend Para 3 (iii) of G.O. (P) 67/ 76 /PD dated 25-2-76. Para 2 (iii) of G.O. (P) No. 25/82/GAD dated 27-1-82, Para 2 (iii) of G.O. (P) No. 147/84/GAD dated 11-5-1984 and Para 3 (iii) of G.O. (P) 421/85 GAD dated 23-9-1985 as under for the purpose of fixation of inter-se-seniority.

“ Select list of the candidates from the panel furnished by the Employment Exchanges will be prepared by the appointing authorities for appointment based on the written test/ interview etc. and the rank given to them on merit. While issuing orders appointing the provisional hands under rule 27 (b) the appointing authorities, may fix the order of preference of such provisional hands according to the rank given to them in the select list. If there is more than one appointing authority in a department and a few more candidates have been appointed by those appointing authorities , the order of preference will be determined while regularising their services based on the dates of appointment order and order of candidates by which their name are arranged therein. If the dates of appointment orders are one and the same then the date of birth of the candidates will be taken as the criterion for determining the order of preference, that is older will be the senior.

The Seniority of the Physically Handicapped provisional hands regularised as per the Government orders read will be fixed from the date of the Government order of regularisation and this regularisation shall not affect the seniority of the persons advised by the Public Service Commission on that date or earlier.”

The G.Os read above will stand modified to the above extent.

By order of the Governor
V. GOPALAKRISHNAN NAIR
Addl. Secretary to Government.

To All Heads of Departments and Officers.

/ True Copy/

Office of the Chief Conservator of
Forests , Trivandrum,

Endt. On E4-19329/88 dated 19-5-1988

Copy forwarded to all Conservators of Forests & Divisional forests Officers for information on.

Copy to all Sections in E Section.

For Chief Conservator of Forests.

Cjf/ 30/5/