

GOVERNMENT OF KERALA
Personnel & Administrative Reforms (Advice C) Department

CIRCULAR

No. 8043/Adv.C1/88/P&ARD dated Trivandrum 18th June 1988.

Sub:- Provisional employees appointed under Note 9 (a) (i) of General Rules, Kerala State and subordinate service Rules 1958- Continuance in service- Further classification issued.

Ref:- 1. Circular No. 119890/SD1/82/GAD dated 3-5-1984
2. Circular No. 94482/SD1/84/GAD dated 22-10-1984
3. Circular No. 11651/SC1/87/P&ARD dated 19-10-1987

As per the orders contained in the Circulars first and second cited the benefit of continuance beyond 130 days till regular hands advised by the Kerala Public Service Commission join duty is allowed to those provisional employees appointed through Employment Exchange who have been in continuance employment on 24-11-1983 and the provisional appointments made after 24-11-1983 will be governed by the provision under rule 9 (a) (i) of the Kerala State and subordinate service Rules. In the circular 3rd cited, it has been ordered that the provisional employees appointed under entitled to continue in service beyond 180 days as provided in the rules. A doubt has since arisen as to whether the circular dated 19-10-1987 was issued in super session of all orders issued consequent on the judgment of the Supreme Court of India reported in A. I. R 1984 SC 534 or not.

2. Government wish to clarify that the direction contained in the circular dated 19-10-1987 are not in super session of the circulars first and second cited. Governments also wish to reiterate that;

- (i) The benefit of continuance beyond 180 days till regular hands advised by the Kerala Public Service Commission join duty is allowed only to those temporary (provisional) employees who have been in continuous employment on 24-11-1983, the date of the Supreme Court judgment.
- (ii) The temporary (provisional) appointments made after 24-11-1983 will be governed by the provisions under rule 9 (a) (i) of the Kerala State and subordinate service rules 1958
- (iii) It is also made clear as observed in the last Para of the circular dated 19-10-1987 third cited that these orders will not apply to

those individual provisional employees who have obtained orders from the supreme court of individual for continuance till public service commission handled report for duty.

3. All Heads of Department and all Appointing Authorities are requested to make note of the above clarification and act accordingly.

S. NARAYANASWAMY,
Chief Secretary to Government.

To

All Heads of Departments and Offices.

All Departments (all sections) of the secretariat.

The secretary, Kerala Public Service Commission. (With C L)

The Registrar, University of Kerala, Trivandrum. ;

The Registrar, University of Calicut, Calicut ;

The Registrar, University of Cochin, Cochin ;

The Registrar, Kerala Agricultural University, Trichur ;

The General Manager, Kerala State Road Transport Corporation,
Trivandrum.

The Secretary, Kerala State Electricity Board, Trivandrum;

The Registrar, High Court of Kerala, Ernakulam. ;

The Account General, Trivandrum. ;

The Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and under Secretaries to Government.

The secretary to Governor.

The Private Secretaries to the Chief Minister And other Ministers.

The General administration (service A,E, and H) Department.

The personal and Administrative Reforms (Advice A)(Advice B)
(Advice C),Rules

The personnel & Administrative Reforms (D) Department.

The Stock File.