

GOVERNMENT OF KERALA

Abstract

Public Service – Physically handicapped provisional employees who were in service during the Period from 1.1.93 to 31.7.94 – regularization of service – ordered:-

PERSONNEL & ADMINISTRATIVE REFORMS (ADVICE.C)

DEPARTMENT

G.O.(P)No.6/95/P&ARD

Dated, Trivandrum 30.3.1995.

Read: 1) Circular No.14443/Adv.C1/93/P&ARD dated 22.10.1994.
2)Lr.No.AV(3) 22380/94/GW/ dated 15.10.94 & 25.1.95:-

ORDER

The question of regularizing the services of the physically handicapped provisional (temporary) employees who were engaged in service during the SAARG year of the handicapped has been engaging the attention of the Government for some time past. Pending final decision and orders in the matter, the following instructions were issued in the circular read as 1st paper above.

(i) Physically handicapped provisional (temporary) employees who were engaged in Public Service through the Employment Exchanges under Rule 9(a) (i) of the Kerala State and subordinate Service Rules. 1958 during the period from 1.1.93 to 31.7.94 and who are still continuing in service will be retained in service on a purely provisional basis until further orders.

(ii) The Physically handicapped provisional (Temporary) employees who were engaged in Public Service through the Employment Exchange under Rule 9(a) (i) of the K.S.& S.S.R. 1958 during the period from 1.1.93 to 31.7.94 and ousted from service (on completion of 180 days of service or on account of expiry of vacancies consequent on joining duty of nominees of P.S.C. or for such other reasons) will be reappointed on a purely provisional basis and allowed to continue until further orders.

(iii) The reappointment of such retrenched physically handicapped persons mentioned above will be in the same Department and against the same category of post.

(iv) In case such retrenched personnel as mentioned above had worked in more than one department during the period from 1.1.93 to 31.7.94 the reappointment will be in the department where he had worked last.

(2) The question of regularization of the service of the physically handicapped provisional employees covered by the circular read above was examined by Government in consultation with the K.P.S.C. The K.P.S.C. vide their letters read as 2nd paper above have declined to agree to the proposal.

(3) Government have carefully considered the views expressed by the P.S.C. in the matter. The services of the physically handicapped provisional employees who were in service during the International year of the Disabled. i.e. In 1981, were regularized in the past. It was, therefore, felt that it is only appropriate to extend a similar treatment to the physically handicapped provisional employees in connection with the SAARC year of the physically handicapped also. Having examined all the relevant aspects in a humanitarian angle Govt. are pleased to issue the following orders overruling the advice of the P.S.C.

(i) The Services of the physically handicapped provisional employees covered by the circular read above will be regularized with effect from the date of this order or from the date on which the physically handicapped rejoined/rejoin duty consequent on reappointment whichever is later.

(ii) Such regularization shall be in the same category of post and in the same department where the physically handicapped provisional employees were allowed to continue or reappointed.

(iii) Candidate, if any, advised by the P.S.C. on the date of regularization of the services of the physically handicapped provisional employees will be declared as their seniors.

(iv) The inter-so-seniority of the physically handicapped provisional employees will be fixed with reference to length of service in the same department and in the same category of post.

(4) Sanction is also accorded for the creation of supernumerary posts for Accommodating the physically handicapped provisional employees covered by the circular rend above of the P.S.C. nominees advised to the posts held by such physically handicapped in the absence of regular vacancies. Provided that such supernumerary posts created temporarily will be absorbed in future and arising vacancies and provided further that, if more than one person had worked in one post and if the P.S.C. had advised another candidate to the same post, only the first provisional handicapped candidate who had manned the post in the said period mentioned in this G.O. and the PSC advised candidate need be given regular appointment and given the benefit of supernumerary post (Restricting the creation of supernumerary post to one against one vacancy)

(5) The question as to whether the service of the physically handicapped employees who have put in similar provisional services in Public Sector Undertakings, Local Bodies and autonomous bodies during the period from 1.1.93 to 31.7.1994 should be regularized or not can be decided by these bodies themselves taking into consideration the interest of the organizations and to that extent permissive sanction is also granted.

(By order of the Governor)
K.Uppiliappan,
Commr. & Secretary to Govt.

Endt. On E4-50512/94 dt. 18.4.1995.

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(Sd) for Chief Conservator of Forests (P)

Endt. on E2-8753/94. dt. 19.6.1995.

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(Sd) for Conservator of Forests

Approved for issue,
SUPERINTENDENT.

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