



**GOVERNMENT OF KERALA**

**Abstract**

Local Self Government Department - O.A.No.33/2019 filed by Smt. L. Sheela, District Women's Welfare Officer, O/o the Assistant Development Commissioner (General), Collectorate, Thiruvananthapuram - Order dt. 16.01.2020 of the Hon'ble Kerala Administrative Tribunal - Complied with - Orders issued.

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**LOCAL SELF GOVERNMENT (I.B.) DEPARTMENT**

**G.O.(Ms)No.87/2021/LSGD** Dated,Thiruvananthapuram,  
20/04/2021

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Read 1 Order dt. 16.01.2020 of the Hon'ble Kerala Administrative Tribunal in O.A. No.33/2019 filed by Smt. L. Sheela, District Women's Welfare Officer.

2 Lr.No.Estt.C4/10256/2018/CRD dt. 18.06.2020 from the Commissioner for Rural Development, Thiruvananthapuram.

3 Judgment dt. 11.01.2021 in OP (KAT) No.10/2021 of the Hon'ble High Court of Kerala.

4 C.P.(C) No.161/2020 in O.A.No.33/2019 filed by Smt.L.Sheela.

**ORDER**

Smt. L. Sheela, District Women's Welfare Officer, Rural Development Dept. had filed O.A.No. 33/2019 with a prayer to grant the annual increments due to the applicant for her service as Lecturer from 05/09/2008 to 16/07/2013, the period during which she served as Junior Lecturer (Home Science) in Extension Training Centre under Rural Development Department and to stop further action on the basis of Annexure A12 order , cancelling the probation of the applicant after 13 years.

(2) The Hon'ble Kerala Administrative Tribunal vide order read 1<sup>st</sup> paper above directed Respondents 1 and 2 (i.e. Principal Secretary, LSGD and Commissioner for Rural Development) to fix the pay of the applicant in the cadre of Lecturer from 05.09.2008 to 16.07.2013 granting the annual increments and all consequential benefits and issue consequential orders sanctioning the benefits and

disburse the same within a period of four months from the date of receipt of a certified copy of the order.

(3) The Appeal filed by Government vide OP (KAT) No.10/2021 was dismissed by the Hon'ble High Court vide judgment read 3<sup>rd</sup> paper above. Meantime, the applicant had filed CP (C) No. 161/2020 alleging the non compliance of judgment dated 16.01.2020.

(4) Government have examined the matter in detail. The Appointing Authority can declare the probation of an employee using delegation of powers if he is fully convinced that the employee is qualified in all respects for satisfactorily declaring the probation. However KS&SSR does not stipulate anything regarding cancellation of probation after years, once it is declared. In the circumstance, Commissioner for Rural Development (i.e. the Appointing Authority) is directed to declare the probation of Smt. L. Sheela in the cadre of Lecturer, if she is found eligible. In the event of declaration of probation, consequent increment can be sanctioned accordingly. However if she was reverted at any time to the original cadre, her pay should be fixed at what she would have drawn had she continued in the original cadre without appointment to the other service.

(5) Thus the Order dt. 16.01.2020 of the Hon'ble KAT in O.A. No.33/2019 and Judgement dt. 11.01.2021 in O.P. (KAT) No.10/2021 of the Hon'ble High Court of Kerala, is complied with accordingly.

(By order of the Governor)  
**JAYASREE M**  
**DEPUTY SECRETARY**

The Advocate General, Kerala, Thiruvananthapuram / Ernakulam  
(with Covering Letter)

Smt.L.Sheela, District Womens Welfare Officer (Rtd), Rural Development Department, Thiruvananthapuram (through the Commissioner for Rural Development, Thiruvananthapuram.)

Commissioner for Rural Development, Thiruvananthapuram. (with Service Book of the incumbent)

Principal Accountant General (A&E), Kerala, Thiruvananthapuram.

Accountant General (E&RSA/G&SSA), Kerala, Thiruvananthapuram.

Executive Director, Information Kerala Mission, Thiruvananthapuram.

Law Department (Vide U.O.No.3082/Suit II(1)/2021/Law dated

08.02.2021)

Personnel & Administrative Reforms Department (Vide U.O.No.Adv-B2/39/2021-PandARD dated 15.03.2021)

Finance Department (Vide U.O.E.No.1700746/Dev-1/58/21-FIN dated 24.03.2021)

Information & Public Relations (Web & New Media) Department.

Stock File / Office Copy.

Forwarded /By Order,

Section Officer.