



## GOVERNMENT OF KERALA

### **Abstract**

Local Self Government Department –regularisation of contingent workers included in the substitute list- judgment dated 17/10/2012 in WP(C) 21541/2012 filed by Shri.Madaswami & others – Complied with – orders issued

### LOCAL SELF GOVERNMENT (EU) DEPARTMENT

GO(Rt)No. 1892 /2013/LSGD.

Dated, Thiruvananthapuram ,17/07/2013

Read:- 1. Judgment dated 17/10/2012 in WP(C) 21541/2012 filed by Shri.Madaswami & others

2. Judgment dated 8/10/2007 in WP(C) 24393/2007

3. Letter no.C-2709/2012 dated 28/1/2013 from the Regional Joint Director, Kollam

4. Letter no.3588/D1/2013 dated, 11/07/2013 from the Vigilance Department addressed to the Director, Vigilance & Anti Corruption Bureau.

### ORDER

Shri.Madaswami and 10 others, presently working as substitute contingent workers in Kottayam municipality, filed WP(C) 21541/12 before the Honorable High Court with prayer to regularise their service. The above writ petition was disposed of by the Honorable court directing the Government to consider and finalise proceedings pursuant to Ext P2 and P3 by passing appropriate orders in accordance with law at the earliest, at any rate within three months from the date of receipt of copy of the judgment. The time limit fixed by the Honorable court was further extended by 3 months with effect from 13/4/2013.

In compliance with the judgement in WP(C) 28595/01(D) dated 25/12/2006, 30738/05 dated 23/11/2006, 4259/07 dated, 07/02/07 the Secretary Kottayam municipality, as per proceedings no.H1-4874/03 dated 24/7/2007 (Ext P2) issued orders to include 17 persons including the present petitioners Shri.Madaswami & others below the already enlisted 47 persons. As per letter No.H1-8870/84 dated 9/5/2012 ( Ext P3) the Secretary Kottayam municipality has requested to regularise service of 17 persons included in the list. As per the judgment read as 2<sup>nd</sup> paper above the Honorable High Court directed the Government to pass orders on the resolution dated 6/7/2007 passed by Kottayam municipality. As per the said resolution, the Kottayam municipality has recommended the Government to conduct a Vigilance enquiry into the allegations levelled against the list of

temporary employees consisting of 17 substitute contingent workers. The main allegation against the list is that some persons find their place in the list through forged documents.

Government have examined the issue in detail with particular reference to the judgments mentioned above. The complaint against the list of substitute workers was enquired by Government through the Regional Joint Director of Urban Affairs, Kollam to know, prima facie, whether there is any substance in the allegations. In the report as per the letter read as 3<sup>rd</sup> paper above, the Regional Joint Director of Urban Affairs has recommend a vigilance enquiry in the matter. Accordingly Government have decided to conduct a vigilance enquiry into the allegation levelled against the list of substitute workers in Kottayam municipality and direction has already been given to the Director of Vigilance & Anti Corruption Bureau as per letter read as 4<sup>th</sup> paper above.

A decision regarding the regularisation of the petitioners like Madaswamy and others can be taken only after ascertaining the findings of the Vigilance enquiry. As such Government is not in a position to take a decision in pursuant to the Ext P2&P3 of WP(C) 21541/12 filed by Shri.Madaswamy & others. Government therefore order that any decision regarding regularisation of the contingent workers listed in the list of substitute workers in Kottayam Municipality will be kept in abeyance till Vigilance enquiry in the matter is over.

Judgment read as 1<sup>st</sup> paper above is thus complied with.

By Order of the Governor.

**J. STANLY,**  
DEPUTY SECRETARY.

To

- The Advocate General, Kerala, Ernakulam
- The Director of Urban Affairs, Thiruvananthapuram,
- The Director of Local Fund Accounts, Thiruvananthapuram,
- The Accountant General (A&E)/Audit, Kerala, Thiruvananthapuram
- The Secretary, Kottayam Municipality
- ✓ The Director, Information Kerala Mission, Thiruvananthapuram
- Stock file/Office Copy.

Forwarded/By Order.

  
Section Officer