



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Establishment - judgment dated 13-2-2024 in WP(C)No.36045/2023 filed by Smt Sheeba Joy, Part Time Sweeper, Keerampara Grama Panchayath, Ernakulam - service regularised w.e.f. 07.04.2005 - Sanction accorded - Compliance Orders issued.

LOCAL SELF GOVERNMENT (EPA) DEPARTMENT

G.O.(Rt)No.1619/2024/LSGD Dated, Thiruvananthapuram, 03-09-2024

Read 1 GO(P)No. 501/2005/Fin dated 25.11.2005

2 GO(Rt)No.1742/2020/LSGD, dated 24.09.2020.

3 Judgment dated 13.02.2024 in WP(C)No.36045/2023 filed by Smt. Sheeba Joy

4 Letter No. LSGD/PD/13444/2024-DEF5 dtd 03.07.2024

ORDER

Smt Sheeba Joy, Part Time Sweeper, Keerampara Grama Panchayath, Ernakulam District was originally appointed as Part-Time Sweeper w.e.f. 7.4.2005 at Keerampara Grama Panchayat against a sanctioned post of Part Time Sweeper when the regular employee was transferred to another office. Later she was terminated on 23.12.2010 to accommodate a regular Part Time Sweeper against which she filed WP(C)No 2/2011 before Hon'ble HC and the same was renumbered as TA No 5776/2012 before Hon'ble KAT. As per the judgment dated 14.09.2018 the Hon'ble KAT has held that the petitioner is entitled for regularisation as per the provisions of GO(P)No 501/2005/Fin dated 25.11.2005 which allowed continuation of all existing Part-Time Sweepers as on date and for the regularisation if the sweeping area is more than 100sq.mtr, and also directed to transfer the Part Time Sweeper appointed in the place of the petitioner in order to reinstate

her. Even though the order of tribunal was challenged by filing OP(KAT) No 426/2019 the same was dismissed as per judgment dated 10.02.2020 by observing that the applicant was entitled to be regularised since her appointment was prior to 25.11.2005 and hence issued the order regularizing the applicant vide GO read 2nd paper above effecting the regularization with effect from the date of the order.

3. Smt Sheeba Joy filed WP(C)No.36045/2023 with a prayer to regularise her service w.e.f the date of joining ie, 07.04.2005. And the Hon'ble High Court as per judgment read as 3rd paper above has directed to issue necessary orders in this regard for granting all consequential monetary benefits, including higher scale to the petitioner, if she is eligible, within three months from receipt of a copy of the judgment.

4. Government have examined the matter in detail and are pleased to accord sanction to regularise the service of Smt. Sheeba Joy, Part Time Sweeper, Keerampara Grama Panchayat w.e.f. 07.04.2005 as on which date she was initially appointed as casual sweeper against the sanctioned post of Part Time Sweeper, subject to the condition that the period during which the applicant was out of service (ie from 23.12.2010 to 24.09.2020) cannot be counted for any purpose.

5. The judgment of Hon'ble High Court of Kerala read as 3rd paper above is thus complied with accordingly.

(By order of the Governor)
LEENA N P
ADDITIONAL SECRETARY

To:

The Advocate General, Kerala, Ernakulam(with CL)
The Principal Director, Local Self Government Department,
Thiruvananthapuram
The Joint Director, Ernakulam

(Through the Principal Director, Thiruvananthapuram)
The Secretary, Keerampara Grama Panchayath, Ernakulam

(Through Principal Director, Thiruvananthapuram)
Smt. Sheeba Joy, Part Time Sweeper, Keerampara Grama Panchayat

(Through Principal Director, Thiruvananthapuram)
The Principal Accountant General (A&E)/(Audit),
Thiruvananthapuram
The Executive Director, IKM (for publishing in the website of LSGD)
Finance Department(Dev-1/89/2024/Fin, dated 15.08.2024)
I&PRD (Web& New media)
Office copy (File No.LSGD-EPA2/212/2023-LSGD)/ Stock File

Forwarded /By order
Signed by

Danuja M S

Date: 03-09-2024 16:32:03

Section Officer

