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GOVERNMENT OF KERALA

Abstract

Health & Family Welfare Department - Implementation of PF Scheme to the employees of aided Homoeopathic Medical Colleges - Judgment dated 29/5/2007 in WP(C)No. 27580/2006 filed by Sri. Rajesh G. Kammath - Complied with - Orders issued.

HEALTH & FAMILY WELFARE (J) DEPARTMENT

G.O.(MS)No. 20/2008/H&FWD Dated, Thiruvananthapuram, 11/01/2008

- Read:-
1. G.O.(S)No. 511/1995/H&FWD dated 10/11/1995.
 2. G.O.(S)No. 100/2000/H&FWD dated 25/4/2000.
 3. G.O.(S)No. 328/2000/H&FWD dated 13/12/2000.
 4. G.O.(S)No. 184/2003/H&FWD dated 3/9/2003.
 5. G.O.(S)No. 3309/2004/H&FWD dated 24/11/2004.
 6. Judgment dated 29/5/2007 of the Hon'ble High Court in W.P.(C)No. 27580/2006 filed by Sri. Rajesh G. Kammath and 2 others.
 7. Letter No. 272/A2/05/GHMCT dated 15/1/2007 of the Principal & Controlling Officer, Government Homoeopathic Medical College, Thiruvananthapuram.
 8. G.O.(S)No. 3061/2007/H&FWD dated 30/8/2007.

ORDER

As per the Government Order read as third paper above, Government have issued "Kerala Private Homoeo Medical College Employees Provident Fund Rules, 2000" as a part of implementation of Provident Fund Scheme to the employees of the following private Homoeopathic Medical Colleges brought under Direct Payment System in the State

- (i) Athuramam N.S.S. Homoeopathic Medical College, Kurichi, Kottayam
- (ii) Dr. Par Memorial Homoeopathic Medical College, Chottanikkara, Ernakulam.

2. Direct Payment System in the above colleges were introduced as per the Government Order read as 1st and 2nd papers above respectively.

3. As per Order read as fifth paper above, Government had accorded sanction to create the following posts in the office of Principal & Controlling Officer, Government Homoeopathic Medical College, Thiruvananthapuram, for implementation of the above Provident Fund Scheme on condition that the posts would be filled by redeployment only.

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Name of Post

- (i) Accounts Officer - 1
- (ii) Head Accountant - 1
- (iii) Auditor - 1
- (iv) L.D. Clerk - 1

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 7125)
 6090)
 5230)

4. However, the Provident Fund employees of Homoeopathic Medical Colleges in the State were not available for recruitment as provided in the order brought before the Hon'ble High Court by Rajesh G. Kammath, Attender, Thiruvananthapuram, Chottanikkara and two others. The 6th paper above, has disposed of the matter in favour of the Government to ensure that the Provident Fund employees of private Homoeopathic Medical Colleges are recruited on or before 31/8/2007 after appointing...

5. As per the letter read as above, the Accounts Officer, Government Homoeopathic Medical College, Thiruvananthapuram reported to Government that there are no surplus posts in Homoeopathic Medical Education for deployment as per the 6th paper above and she has therefore requested Government to permit to fill up the same posts on or before 31/8/2007 after appointing...

6. However, considering the urgency of the matter, the Government have appointed the Administrative Officer, Office of the Principal & Controlling Officer, Government Homoeopathic Medical College, Thiruvananthapuram as envisaged under Rule 2(c) of the Provident Fund Rules 2006 as per the 3rd paper above.

7. Government have subsequently examined the directions of Hon'ble High Court in judgment in reference to connected records and relevant rules and have sanctioned for the creation of one post of Accounts Officer (7200 - 11400 (pre-revised) and one post of L.D. Clerk (5250 (pre-revised) in the office of the Principal & Controlling Officer, Government Homoeopathic Medical College, Thiruvananthapuram. The Government have sanctioned the Provident Fund Scheme to the staff of aided Homoeopathic Medical Colleges in the State with immediate effect. The post of Accounts Officer will be filled up through promotion from eligible candidates as per existing...

employees of private Homoeopathic Medical Colleges were not available for recruitment so far since the issue has not been decided by the Hon'ble High Court. The issue has been brought before the Hon'ble High Court by Rajesh G. Kammath, Attender, Thiruvananthapuram, Chottanikkara and two others. The 6th paper above, has disposed of the matter in favour of the Government to ensure that the Provident Fund employees of private Homoeopathic Medical Colleges are recruited on or before 31/8/2007 after appointing...

Principal & Controlling Officer, Thiruvananthapuram has reported to Government that there are no surplus posts in Homoeopathic Medical Education for deployment as per the 6th paper above and she has therefore requested Government to permit to fill up the same posts on or before 31/8/2007 after appointing...

and in deference to the directions of the Hon'ble High Court, Government have appointed the Administrative Officer, Office of the Principal & Controlling Officer, Government Homoeopathic Medical College, Thiruvananthapuram as envisaged under Rule 2(c) of the Provident Fund Rules 2006 as per the 3rd paper above.

Government have subsequently examined the directions of Hon'ble High Court in judgment in reference to connected records and relevant rules and have sanctioned for the creation of one post of Accounts Officer (7200 - 11400 (pre-revised) and one post of L.D. Clerk (5250 (pre-revised) in the office of the Principal & Controlling Officer, Government Homoeopathic Medical College, Thiruvananthapuram. The Government have sanctioned the Provident Fund Scheme to the staff of aided Homoeopathic Medical Colleges in the State with immediate effect. The post of Accounts Officer will be filled up through promotion from eligible candidates as per existing...

8. The Principal & Controlling Officer, Government Homoeopathic Medical College, Thiruvananthapuram will take immediate steps to fill up the above two posts and ensure that the Provident Fund Scheme as envisaged in the G.O. read as 3rd paper above are implemented and brought into force forthwith.

9. The directions contained in the judgment read as 6th paper is complied with as above.

By Order of the Governor,
Dr. USHA TITUS,
Special Secretary to Government

To

Sri. Rajesh G. Kammath (with Registered post).
 The Principal & Controlling Officer, Government Homoeopathic Medical College, Thiruvananthapuram.
 The Accountant General (A&E), Kerala, Thiruvananthapuram.
 The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.
 The Advocate General, Ernakulam (with Covering Letter).
 The Finance Department vide U.O.No. 76979/H&L-B1/07/Fin dated 12/11/2007.
 The General Administration (SC) Department vide item No. 1834 dated 2/1/2008.
 SF/OC.

Forwarded/By order,

Maney
 Section Officer

Copy to: PS to Minister (Health).
 PA to Secretary (Health).
 PA to Special Secretary (Health).