



GOVERNMENT OF KERALA

Abstract

Health & Family Welfare Department - Medical Education- Order dated 12.04.2024 of Hon'ble Kerala Administrative Tribunal in OA(EKM) 611/2024 filed by Dr.Shakeel M and Others - Complied with - Orders issued.

HEALTH & FAMILY WELFARE(S) DEPARTMENT

G.O.(Rt)No.2599/2024/H&FWD Dated, Thiruvananthapuram, 01-11-2024

Read 1 G.O(Ms) 101/2019/H&FWD dated 08.07.2019

2 G.O(Ms) No.80/2020/H&FWD dated 18.05.2020

3 G.O(Rt)No.2905/2023/H&FWD dated 06.11.2023

4 Representation dated 08.01.2024 submitted by the
Dr.Shakeel M and others

5 Order dated 12.04.2024 of Hon'ble Kerala Administrative
Tribunal in OA(EKM) 611/2024

6 Letter No.DME/2858/2020-B9 dated 08.05.2024, 23.06.2024
& 2307.2024

ORDER

The applicants in OA(EKM) No.611/2024 were appointed as Resident Doctors in various Medical Colleges in Kerala during 2019-2020 based on their bonded obligations. The applicants filed OA(EKM) No.611/2024 before the Hon'ble Kerala Administrative Tribunal seeking the same benefits granted to the applicants in OA (EKM) No.660/2021

as per the GO read as 3rd paper above. The prayer of the applicants is to declare that they are entitled to be re designated as Senior Residents and to be paid stipend in the scale of Senior Residents w.e.f 16.08.2019.

2) In the Order read as 5th paper above, the Hon'ble KAT allowed the Original Application and directed the Government to consider and pass orders on the representations submitted by the applicants with the same prayer, after affording an opportunity of hearing, either personally or through virtual mode, to a representative of the applicants.

3) As per the GO read as 1st paper above, sanction was accorded for the enhancement of stipend to the House Surgeons /Resident Doctors in various Government Medical /Dental Colleges in the State w.e.f 01.07.2019. The Junior Residents were not granted the above benefits at that time. Subsequently, the MCI, as per the Notification dated 16.08.2019, notified that the Senior Residents would include those Doctors who are doing their residency after completion of their PG Degree as well as diploma. Subsequently, as per the GO read as 2nd paper above, Government have issued orders stating that the Junior Resident Doctors who have completed their PG Diploma will be treated at par with Senior Residents and sanctioned stipend at the rate of Rs.70,000/-. The said Order was given effect from 01.04.2020 only. The said order was challenged by the applicants in OA(EKM) No.660/2021 with a claim that they are entitled to get the enhanced stipend from 16.08.2019. In compliance with the order dated 06.06.2023 of Hon'ble KAT in OA(EKM) No.660/2021, sanction was accorded to the DME to disburse the stipend (at enhanced rate) w.e.f 08.07.2019 to the applicants in OA(EKM) No.660/2021 as per the GO read as 1st paper above.

4) As per the direction of Hon'ble KAT, the representative of the applicants in OA(EKM) No.611/2024 was heard by the Deputy

Secretary ,Health and Family Welfare Department on 04.09.2024 .

5) As per the Letter read as 6th paper above,the Director of Medical Education has reported that the applicants were working as Senior Residents in various Government Medical Colleges in the state for different time period since 16.08.2019 and they are eligible for stipend of Senior Residents at the enhanced rate w.e.f 16.08.2019 for the period they worked as senior resident in the Govt. Medical Colleges.

6) Government have examined the matter in detail and are please to accord sanction to disburse the stipend at the rate of Rs.70,000/- with effect from 16.08.2019 to the applicants in the OA(EKM)No.611/2024. The Director of Medical Education, Kerala, is directed to take necessary action to disburse the arrears due to each applicant in OA(EKM) No.611/2024 to their respective bank accounts from the fund allotted for disbursement of stipend to the Senior Residents urgently.

7) The order dated 12.04.2024 of Hon'ble Kerala Administrative Tribunal in OA(EKM) 611/2024 is complied with accordingly.

(By order of the Governor)

SALINI O G

DEPUTY SECRETARY

The Advocate General, Kerala, Ernakulam (with C/L)

The Director of Medical Education, Thiruvananthapuram.

The Principal Accountant General (A&E/Audit), Thiruvananthapuram.

The Applicants in OA(EKM) No.611/2024 (Through DME)

The Finance Department (No:2831882/HLT-B2/185/2024-FIN)

Web & New Media, I&PRD, Secretariat, Thiruvananthapuram.

Stock file /Office copy (S3/103/2024/Health)

Forwarded /By order

Section Officer