



GOVERNMENT OF KERALA

Abstract

Social Justice Department – Order dated 30.05.2024 of the Hon'ble Kerala Administrative Tribunal in Original Application No. 204/2023 filed by Smt. Sethulakshmi. M. S. & 4 Others – Complied with - Orders issued

SOCIAL JUSTICE (A) DEPARTMENT

G.O.(Rt)No.14/2025/SJD Dated,Thiruvananthapuram, 17-01-2025

Read 1. Government Order G. O. (Rt) No. 501/2014/SJD dated 08.08.2014.

Letter No. B(TVM)4-OA 204/2023 dated 11.07.2023, 2. 30.10.2023, 29.11.2023 19.12.2024 from the Office of the Advocate General, Kerala, Thiruvananthapuram.

Final Order dated 30.05.2024 of the Hon'ble Kerala Administrative Tribunal in Original Application No. 204/2023 filed by Smt. Sethulakshmi. & 4 Others

4. Letter No SJD/931/2023-E3 dated 20.11.2024 from Director, Kerala State Social Justice Department, Thiruvananthapuram.

ORDER

Smt Sethulakshmi M.S and others, working as Ayahs in various institutions under Social Justice Department, filed OA No. 204/2023 before the Hon'ble Administrative Tribunal requesting to fix their duty hours to 8 hours a day and 48 hours per week. The Hon'ble Kerala Administrative Tribunal, Thiruvananthapuram Bench in its order dated 30.5.2024, read as

3rd paper above, pronounced as follows:-

" In the circumstances, it is declared that compelling the Ayahs like applicants to perform duties for 24 hours a day continuously and 6 days in a week without break is arbitrary and unconstitutional.

There shall be direction to the Respondents 1 (Secretary, Social Justice Department, Government of Kerala) and 2 (Director, Kerala State Social Justice Department, Thiruvananthapuram) to see that the number of duty hours of Ayahs like applicants are rationalized and to see that the working hours are limited to 8 hours in a day and 48 hours in a week. The Superintendents of the institutions shall be directed to implement such duty hours in the case of the Ayahs, if necessary, by modification of the Management Manual or otherwise. The Respondents 1 and 2 shall take all steps for implementing the shift system, as aforesaid within a period of 4 months from the date of receipt of a copy of this order."

3. The Director, Kerala State Social Justice Department, Thiruvananthapuram vide letter read as 4th paper above has reported that there are 33 posts of Ayahs in 15 welfare institutions under the Social Justice Department. The primary duty of the Ayahs is to ensure the care and protection of the residents and to treat them with kindness. The Ayahs working under the Social Justice Department have not been assigned a fixed duty time until now. Since the Ayah post was considered a residential post, most of the employees were residing in the institutions and providing services. Consequent to the order of the Hon,ble Kerala Administrative Tribuna , the Director, Social Justice Department has submitted a proposal vide letter read as 4th paper above, for regulating the duty of the Ayahs in the following manner, and also for prohibiting the Ayahs from residing and working in the institutions for more than 8 hrs. with the introduction of a shift -based bio-metric punching system in the institution.

First shift: 8 hours from 8 AM to 4 PM for 6 days.

Second shift: 8 hours from 12 Noon to 8 PM for 6 days.

Third shift: 12 hours from 8 PM to 8 AM for 4 days.

4. Government have examined the matter in detail and are pleased to allow the Director, Social Justice Department to implement the following shift-based bio-metric punching system for the post of Ayah, who are working in various Welfare Institutions under the Social Justice Department. This will be accompanied by a working hours regulation on Ayahs residing within the institutions, as follows:

First shift: 8 hours from 8 AM to 4 PM for 6 days.

Second shift: 8 hours from 12 Noon to 8 PM for 6 days.

Third shift: 12 hours from 8 PM to 8 AM for 4 days.

5. The Department will utilize the existing resources to implement this system, ensuring no additional financial burden on the exchequer. The Director, Social Justice Department, shall take steps to amend the Management Manual issued vide G.O read as 1 st paper above, if necessary. The directions of the Hon'ble Kerala Administrative Tribunal, Thiruvananthapuram in its order dated 30.05.2024 in Original Application No. 204/2023 has been complied with accordingly.

(By order of the Governor)

SUNDEV N

JOINT SECRETARY

The Director, Social Justice Department, Thiruvananthapuram.

The Advocate General, Thiruvananthapuram (With Covering Letter)

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

Smt. Sethulakshmi. M. S. Ayah, Old Age Home for Physically
Handicapped, Muthalakodam P.O.Thodupuzha, Idukki-685605

Smt. Sandhya O. R. Ayah, Home for Mentally Deficient Children
Vellimadukunnu P.O, Kozhikode-673012

Smt. Sandhyamol. K. K.. Ayah, Old Age Home for Physically
Handicapped, Muthalakodam P.O Thodupuzha, Idukki-685605

Smt. Sheela. T., Ayah, Pratheeksha Bhavan (Custodial Care Home)
Thrikkannapuram P.O,Thavanur, Malappuram-679573

Smt. Sulkhi. T. S. Ayah, Asha Bhavan (Women), Ramavaramapuram
P.O.,Thrissur-680631

Law (Suit III) Department (vide that Department U O No.
STIII.2/284/2023/LAW dated 05.10.2023)

Finance (Welfare Wing) Department (vide that Department U O No.
WW-WW.2/208/2024/Fin dated 26.12.2024)

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