



GOVERNMENT OF KERALA

Abstract

Health & Family Welfare Department- Medical Education- Order dated 06/08/2024 of Hon'ble Kerala Administrative Tribunal in OA EKM 425/2022 filed by Sri.Prasanna kumar and others- Complied with- Orders issued.

HEALTH & FAMILY WELFARE (S) DEPARTMENT

G.O.(Rt)No.196/2025/H&FWD Dated,Thiruvananthapuram, 24-01-2025

Read 1 G O.(Ms).No.52/2021/H&FWD dated 19/02/2021.

2 G O.(Ms).No.313/2023/H&FWD dated18/11/2023.

3 Letter dated 25/11/2023 in NC4-1410/2020/DME from the
Director of Medical Education,Thiruvananthapuram

4 Order dated 06/08/2024 of Hon'ble Kerala Administrative
Tribunal in OA (EKM)425/2022

5 Letter dated 31/12/2021 in NC4-1414/2020/DME from the
Director of Medical Education,Thiruvananthapuram

6 G O(Rt).No.125/2025/H&FWD dated 18/01/2025.

7 G O(Rt).No.169/2025/H&FWD dated 23/01/2025.

8 Letter dated 13/01/2025 in CP (E) No 165/2024 in OA (EKM)
425/22/G2 from Sr.Govt.Pleader,O/o the Advocate General,
Ernakulam.

ORDER

In accordance with the Kerala Co-Operative Hospital Complex , the Academy of Medical Sciences and Allied Institutions (Taking over and Administration) Act, 2019, the Pariyaram Medical College and its affiliated institutions, which were functioning under the Co-operative societies, were fully taken over by the Government w.e.f 02/03/2019 and brought under the control of the Directorate of Medical Education. To accommodate/absorb the nursing staff, dental teaching/non-teaching staff, pharmacy instructors, paramedical staff, nursing assistants/trolley workers/tailors, ministerial/other category employees from the erstwhile Pariyaram Medical College, 772 posts were created in the Kannur Government Medical College as per the

Government Order read as 1st paper above.

2) Among the 772 posts sanctioned for the accommodation of taken over employees, as per the Government Order read as 2nd paper above, 209 posts were earmarked for the accommodation of Paramedical Staff of the erstwhile Pariyaram Medical College, Kannur. Categorization of these posts were also issued as per the said Order. The salary scales for the posts were not incorporated in the said order due to the reason that some of the posts of para medical staffs in the erstwhile Pariyaram Medical College are not existing in the Medical Education Department. Consequently, a revised order incorporating the salary scales was requested by the Director of Medical Education as per the letter read as 3rd paper above. Subsequently ,as per the Government Order read as 6th and 7th and paper above, revised orders were issued fixing the pay scale for the posts, excluding those posts for which re-examination regarding Qualification/ Designation etc are required.

3) Sri.Prasanna kumar and others, paramedical staff of the erstwhile Pariyaram Medical College, filed OA (EKM) 425/2022 before the Hon'ble KAT seeking regularization in their posts in the Government Medical College . As per the Order read as 4th paper above , the Hon'ble Kerala Administrative Tribunal ordered as follows:

"There shall be a direction to respondents 1 , 2 and addl. respondent No.4 to issue orders with respect to regularization of the applicants against the posts sanctioned in Annexure A13, within a period of one month from the date of receipt of a copy of this order. Respondents shall also see that the applicants are paid pay and allowances attached to the posts."

4) For the regularization of the service of the accommodated employees in Government service, as a first step categorization orders and accommodation orders are to be issued. Once the accommodation order is issued , the accommodated employees to be given the opportunity of submitting the option form ie, Stand alone/Entry Cadre, to the accommodated post. After obtaining the duly filled option form from the employees, temporary appointment order will be issued. The Regularization of the staffs so accommodated will be completed only after the receipt of police Verification report and concurrence from the Kerala Public Service Commission.

5) The educational qualification of the applicants in OA (EKM) No. 425/2022 ,viz, Sri. P. Prasanna Kumar, Smt.Lakshmi R Nair and Sri. P.Madhusudhanan are verified by the Director of Medical Education and furnished report read as 5th paper above. Sri.P.Prasanna Kumar, Sri. P.Madhusudhanan were working in the erstwhile Pariyaram Medical College as Physiotherapist Grade II in the scale of pay of Rs. 25,200 – 54,000 whereas Smt.Lakshmi R Nair was working in the institution in the same post in the scale of pay of Rs. 22,200–48000. Physiotherapist Grade II post is not existing under Medical Education Services and the post, existing in Medical Education Services is Scientific Assistant (Physiotherapy) in the scale of pay of Rs. 35,700 – 75,600. Sri. P.Prasanna Kumar have the required qualification for occupying the post of Scientific Assistant (Physiotherapy) whereas Sri.P.Madhusudhanan did not have PDC qualification, which is a mandatory one for the said post and Smt. Lakshmi R Nair had required qualification to be posted as Scientific Assistant (Physiotherapy). As such the Director of Medical Education has recommended to create two post of Scientific Assistant (Physiotherapy) and one post of Physiotherapy Assistant to accommodate Sri. P.Prasanna Kumar, Smt. Lakshmi R Nair and Sri.P.Madhusudhanan respectively.

6) As per the categorization Order , two posts of Scientific Assistant (Physiotherapy) (Regular) and one post of Physiotherapy Assistant (Physiotherapy) (vanishing category), were created for the accommodation of the applicants.

7) In the mean time , Sri.P. Prasannakmar and others filed Contempt Petition before the Hon'ble KAT alleging the non-compliance of Order dated 06/08/2024 in OA EKM 425/2022 . As per the letter read as 5th paper above, the Senior Government Pleader has informed that when the Contempt Petition came up for consideration on 20.01.2025, the Hon'ble Tribunal with great displeasure observed that the respondents are willfully disobeying the the directions of the Tribunal by seeking extension of time and the Hon'ble Tribunal ordered personal appearance, in case, the directions are not fully complied on or before 31.01.2025.

8) From the preceding paragraphs it is evident that all the concerned officers have been taking actions for regularization by following the

procedures. Government have examined the matter in detail and observe that some more time is required to complete the procedures as per Rule for regularization of the para medical staffs taken over to Medical Education Services from the erstwhile Pariyaram Co-operative Medical College. However, in view of the directions issued by the Hon'ble Administrative Tribunal, Government are pleased to accommodate the applicants in OA (EKM) No. 425/2022 Sri. P. Prasanna Kumar and Smt.Lakshmi R Nair to the post of Scientific Assistant (Physiotherapy-Regular) in the Scale of Pay-50200-1,05,300 and Sri. P.Madhusudhanan to the post of Physiotherapy Assistant (Vanishing Category) in the Scale of Pay- 23700-52600. Their appointments to the said posts are also regularized as a special case in the entry cadre. The petitioners shall submit Option Form (Entry Cadre/Stand Alone) and the department shall get Police Verification done and seek concurrence of Kerala Public Service Commission.

i) Employees submitting Option (A) shall be integrated into the government service as new entrant in the Medical Education Department, w.e.f from 02.03.2019, the date on which the Government took over the institution.

ii) These employees shall be permitted to join the General Scheme in the Medical Education Department and will be considered the latest employees of the Medical Education Department from the date of takeover (02/03/2019).

iii) The previous service of these employees at the former Pariyaram Medical College will not be considered for any service or monetary benefits.

iv) The past service of these employees at Pariyaram Medical College will not be considered for seniority in the Medical Education Department.

v) These employees will only be eligible to be included in the seniority list of the Medical Education Department w.e.f 02/03/2019, from the date of integration into the department.

vi) From 02.03.2019 onwards, these employees will be treated on par with other employees in the Medical Education Department.

9) The order dated, 06/08/2024 of Hon'ble Kerala Administrative Tribunal in OA (EKM) No. 425/2022 filed by Sri. P. Prasanna Kumar and others read as 4th paper above is thus complied with.

(By order of the Governor)
Dr. Rajan Namdev Khobragade I A S
ADDITIONAL CHIEF 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 Concerned(through Principal ,GMC,Kannur)
The Principal ,Government Medical College, Kannur
The Information Officer, Web and New Media, I&PRD, Government
Secretariat, Thiruvananthapuram
Stock File/Office Copy (S1/21/2021/H&FWD)

Forwarded /By order

Section Officer