



GOVERNMENT OF KERALA

Abstract

General Education – Judgment dated 11/08/2016 in W.P.(C) No. 26758/2016(T) filed by Smt. Khadeeja. K and others - Complied with - Orders issued.

GENERAL EDUCATION (B) DEPARTMENT

G.O.(Rt)No.

1010/2017/GEDN Dated,Thiruvananthapuram,06/04/2017

Read:-

1. Revision petition dated 06/08/2016 filed by Smt. Khadeeja.K., UPSA,NVAUPS, Panamanna South, Ottapalam, Palakkad.
2. Revision petition dated 06/08/2016 filed by Smt. Anitha.P.V, LPSA,AUPS, Keralassery.P.O, Parali, Palakkad.
3. Revision petition dated 06/08/2016 filed by Smt. Sheeja. K, UPSA,Unity AUPS, Thenkara, Aryangad.P.O, Mannarkad, Palakkad.
4. Revision petition dated 06/08/2016 filed by Smt. Beena.C.S., HSA(Hindi), Fathima Memorial HS, Karinkallathani.P.O, Mannarkad, Palakkad.
5. Judgment dated 11/08/2016 of the Hon. High Court of Kerala in W.P.(C) No. 26758/2016(T) filed by Smt. Khadeeja.K and others.

ORDER

As per the judgment read as 5th paper above the Hon'ble High Court of Kerala has directed the 6th respondent ie, State of Kerala represented by the Secretary to Government, General Education Department to consider and pass orders on Ext. P10 to P13 revision petitions preferred by the petitioners, within a period of two months from the date of receipt of a copy of this Judgment, after hearing the petitioner.

2. Ext.P(10) to P(13) are the revision petitions read as 1st to 4th paper above and the request of the petitioners in the above revision petitions are to sanction their annual increments.

3. As ordered by the Hon'ble Court the representative of the petitioner; Officers from the Director of Public Instruction; the Deputy Director of Education, Palakkad, the Assistant Educational Officer, Ottapalam; the Assistant Educational Officer Mannarkad and the Assistant Educational Officer Parali were heard on 26/10/2016. All the documents in the file concerned, hearing notes, claims put up at the time of hearing etc., are perused and analyzed.

4. The petitioners are teachers re-deployed to the Block Resource Center, Ottapalm as Cluster Co-ordinators with effect from 22/06/2012. The petitioners are denied annual increments and other service benefits. Government issued clarification as per the Circular No.45393/J2/12/G.Edn dated 01/08/2012, that the Cluster Co-ordinators are eligible for all kind of leave and other service benefits as in the case of regular teachers. The same kind of clarifications are seen in G.O.(P) No. 29/16/G. Edn dated 29/01/2016 to give direction to the concerned Controlling Officers to sanction their annual increments and other service benefits.

5. The Director of Public Instruction and the Assistant Educational Officer; Parali have reported that the break in service of the petitioners have not yet regularized.

6. Government have examined the whole case in detail and found that there are Government direction to regularize/grant all service benefits to the cluster Co-ordinator. But sanctioning of annual increments/other service benefits are not so sanctioned to the teachers as their break in service due to the retrenchment are not yet regularized. In the above circumstances the Deputy Director of Education, Palakkad is directed to regularized the break in service of the petitioners due to the retrenchment as per

sub clause(b) under Para(4) of main clause III of the G.O.(P) No. 29/10/G.Edn dated 29/01/2016.

7. The revision petitions read as 1st to 4th paper above, ie Ext.P(10) to P(13) in WP(C)No. 26758/2016(T) filed by Smt. Khadeeja.K and others are disposed accordingly and the direction of the Hon'ble High Court in the judgment read as 5th paper above is thus complied with.

By order of the Governor
AJITH K JOSEPH
DEPUTY SECRETARY

To:-

The Advocate General, Ernakulam (with CL).
The Director of Public Instruction,
Thiruvananthapuram.

The Deputy Director of Education, Palakkad.

The District Educational officer, Mannarkad.

The Assistant Educational Officer, Ottapalam, Palakkad.

The Assistant Educational Officer Mannarkad, Palakkad.

The Assistant Educational Officer, Parali, Palakkad.

Smt. Khadeeja.K., Upper Primary School Assistant,
NVAUPS,

Panamanna, South, Ottapalam,

Palakkad.

Smt. Anitha. P.V, Lower Primary School Assistant, AUPS,
Keralassery.P.O, Parali, Palakkad.

Smt. Sheeja. K, Upper Primary School Assistant , Unity
AUPS,

Thenkara,Aryangad.P.O, Mannarkad,

Palakkad.

Smt. Smt. Beena.C.S., High School Assistant(Hindi),
Fathima

Memorial HS Karinkallathani.P.O,
Mannarkad, Palakkad.

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