

PROCEEDINGS OF THE PRINCIPAL DISTRICT JUDGE, TIRUCHIRAPPALLI.

Present: Thiru. S. Kumaraguru, B.L.,
Principal District Judge,
Tiruchirappalli.

No. 19/2016

Dated: 23.12.2016

Sub: Public Services - T.N.J.M.S - Selvi. M. Shameem Rahmath, D/o. Late. A. Bibi John, formerly Deputy Nazir, District Munsif Court, Musiri - Appointed temporarily as Junior Assistant, on compassionate grounds, Judicial Magistrate Court No.IV, Tiruchirappalli - Proposal for regularisation of the services of the individual - Submitted to the Government through the Hon'ble High Court, Madras - Returned for regularising the services - Citing the delegation of powers - Regularisation of Services of the individual - Orders issued - Regarding.

- Ref:
1. Application of Thiru. M. Mahaboob Basha, H/o. (Late) A. Bibi John, dated: 27.04.2006.
 2. Application of Selvi. M. Shameem Rahmath, D/o. Late A. Bibi John, dated: 27.04.2006.
 3. Proceedings of this court in A.No.28/2008, dated: 28.02.2008.
 4. G.O. Ms.No. 225, Labour Department, dated: 15.01.1972.
 5. G.O. Ms. No.23, Labour and Employment, dated: 10.02.1993.
 6. G.O. Ms. No. 120, Labour and Employment Department, dated: 26.06.1995.
 7. G.O. Ms. No. 61, Labour and Employment Dept, dated: 19.07.2006.
 8. G.O. Ms. No. 154, P&AR(P) Department, dated: 19.09.2006.
 9. Letter of the Government in No.19205/Q-1/2010-2, dated: 03.08.2010.
 10. Letter of this court in D.No.3313, dated: 04.08.2008 submitting the proposal for regularising the services of Selvi. M. Shameem Rahmath.
 11. G.O. Ms.No. 235, Labour and Employment (Q-1) department, dated: 26.09.2013.
 12. Letter of the Hon'ble High Court, Madras in ROC No. 3287/2008/C4, dated: 24.11.2016.
 13. G.O. Ms.No. 80, Labour and Employment (Q-1) Department, dated: 02.03.2016.
 14. Office note of this court, on 02.12.2016.

ORDER:

Tmt. A. Bibi John, while working as Deputy Nazir, in the District Munsif Court, Musiri, died on 02.04.2006. Thiru. M. Mahaboob Basha, H/o. (Late) A. Bibi John, the spouse of the deceased nominated her daughter Selvi. M. Shameem Rahmath, for being provided with provide employment assistance to her on compassionate ground vide his application cited in the reference No.1. Selvi. M. Shameem Rahmath, D/o. (Late) A. Bibi John, submitted an application,

dated:27.04.2006, s... employment assistance on compassionate grounds due to the sudden demise of her mother Tmt. A. Bibi John.

Based on her application, Selvi. M. Shameem Rahamath, D/o.(Late) Tmt. A. Bibi John, has been appointed temporarily as Junior Assistant on compassionate ground in Category 5 of Class IV of T.N.J.M.S in the time scale of Rs.5200-20200-PB1+GP 2400/- and posted as Junior Assistant in Judicial Magistrate Court No.IV, Tiruchirappalli, as per the proceedings of this court, in A.No. 28/2008, dated: 28.02.2008, cited in the reference No.3. The individual joined duty on the F.N. of 05.03.2008.

The applicant Selvi. M. Shameem Rahmath has passed X Standard in the year 1992, as per S.S.L.C. No. AA 0354597 dated: 16.06.1992 and she has passed H.Sc in the year 1994 as per the Certificate No. AB 0971489, dated: 29.05.1994. The certificates are also declared to be genuine as per the letter of the Joint Director, Directorate of Government Examination, Chennai in R.C. No. 202438/B5/2010 dated: 06.07.2010.

Her date of Birth is 14.02.1977, and she has completed 18 years of age as prescribed, taking into account the date 27.04.2006, the date of submission of the application, as the crucial date, as enunciated in Government Letter No. 86/Q-1/2010, dated:04.05.2010. The applicant has fulfilled the condition regarding her age as stated in the G.O Ms. No.9, Labour and Employment, dated: 19.01.1998.

Her mother died on 02.04.2006, and Selvi. M. Shameem Rahmath, D/o. (Late) A. Bibi John has submitted her application for seeking Employment assistance on 27.04.2006 i.e., within the time limits as enunciated in the G.O. Ms. No. 120, Labour and Employment, dated: 26.06.1995. Thiru. M. Mehaboob Basha, who is the Husband of spouse of the deceased Government servant, has also nominated the applicant, Selvi. M. Shameem Rahmath for being appointed on compassionate grounds. The younger sister Selvi.M. Haseena Rahmath and her younger brother Thiru. M. Sheik Abdullah has submitted No Objection Certificate regarding the appointment of the applicant on compassionate grounds.

According to the Integrated Certificate in No.Mu.Mu. A5-4778/2011, dated:19.07.2011, the applicant's family is in indigent condition. The applicant has also furnished a declaration regarding the correctness of the particulars furnished by her in the proforma application as per G.O Ms. No.29, Employment (Services) Department, 07.03.1988. Further, Selvi. M. Shameem Rahamath, has also submitted the prescribed format containing 18 columns in regard to seeking employment assistance on compassionate grounds.

The proposal for regularisation of the services of the individual has already been submitted to the Hon'ble High Court, Madras for submission to the Government, as per the letter of this court in D.No:3313, dated:04.08.2008. The Government has returned the proposal for regularising the services of Selvi. M. Shameem Rahamath, D/o. (Late) A. Bibi John to the Hon'ble High Court, Madras vide the letter in No:58079/Cts.V/2014-1, dated:03.06.2016, citing the Government Order in No:80, Labour and Employment (Q-1) Department, dated:02.03.2016, and the Hon'ble High Court, Madras is pleased to return the same to this court, vide the letter in ROC No:3287/2008/C4, dated:24.11.2016, for issuance of proceeding for regularising the services of the individual.

The Government has ordered for regularising the services of the officials, who have already been appointed upto and before 01.02.2016, where there is no need for relaxation of Rules or exemption of Government orders, as per the order in the G.O. No:80, Labour and Employment (Q-1) Department, dated: 02.03.2016 in Paragraph No.6.1. In the case of Selvi. M. Shameem Rahamath, there is no need for relaxation of Rule or exemption of Government Orders, and with reference to the Government Order, it is hereby ordered that the services of Selvi. M. Shameem Rahamath, D/o. A. Bibi John who has been appointed as Junior Assistant on compassionate grounds, be regularised w.e.f. 05.03.2008, the date of her joining in the post of Junior Assistant, subject to the condition that she is physically fit for such appointment, and subject to the concurrence of Tamil Nadu Public Service Commission, Chennai. In view of the retrospective regulation, the individual is eligible to draw the annual increments and arrears of pay and allowances, if any, as per rules.

It is further ordered that the necessary steps be taken in this regard to receive the concurrence of Tamil Nadu Public Service Commission with reference to 16(b) of Tamil Nadu Public Service Commission Regulations, as ordered in G.O. Ms. No.80, Labour and Employment (Q1) Department, dated: 02.03.2016.

It is further ordered that the necessary entries regarding the regularisation of the services of the individual be made in the Service Register of the individual.

The receipt of this proceedings is required to be acknowledged by the Principal Subordinate Judge, Tiruchirappalli.

Sd./- S. Kumaraguru,
Principal District Judge,
Tiruchirappalli.

/t.c.f.b.o//

[Signature]
Chief Administrative Officer.

Encl: Service Register of the individual.

DNO: 9777
26.12.16