



GOVERNMENT OF KERALA

Abstract

Pay Revision 2014 – Municipal Common Service – Scale of Pay of Legal Assistant – Sanctioned - Orders issued

FINANCE (ANOMALY RECTIFICATION CELL) DEPARTMENT

G.O(Ms)No. 133/2017/(45)/Fin. Dated, Thiruvananthapuram, 06/03/2017

Read :- 1. G.O.(P) No. 145/2006/Fin Dated 25.03.2006.

2. G.O.(P) No.85/2011/Fin. Dated 26.02.2011.

3. Judgment dated 01/01/2013 of Hon'ble High Court of Kerala in WP(C) No. 30736/2012.

4. Representation dated 28/02/2013 of Sri. E.P.Shajeth, Legal Assistant, Cochin Municipal Corporation

5. G.O.(Rt) No. 1808/2013/LSGD Dated 9/7/2013.

6. Order dated 16/03/2016 of the Hon'ble Kerala Administrative Tribunal in O.A.No.2731/2013.

7. G.O(P)No.7/2016/Fin dated 20/01/2016.

ORDER

In the Government Order read as 1st above orders were issued revising pay and allowances of State Government employees and teachers w.e.f 01.07.2004 wherein the post of UD Clerk under Common Category and the post of Legal Assistant existing in Cochin Corporation under Municipal Common Service were placed in the scale of pay of Rs.6680-10790. The pay and allowances of State Government employees and teachers were further revised w.e.f 01.07.2009 vide Government Order read as 2nd above wherein the post of UD Clerk was placed in the scale of pay of Rs.13210-22360, while the post of Legal Assistant referred to above was not included therein.

Aggrieved by this Sri.E.P.Shajeth, the person who has manned the only one post of Legal Assistant, filed WP(C)No.30736/2012 before the Hon'ble High Court pleading to include the post of Legal Assistant under the schedule of Municipal Common Service in the Government Order read as 2nd above with scale of pay at par with that of UD Clerk in Common Category. The Hon'ble High Court disposed of the case vide its judgement read as 3rd above directing the Government to consider the representation filed by the applicant and to take an appropriate decision there on. Accordingly the Government examined the representation filed by the petitioner referred to as 4th above and issued orders there on vide Government Order read as 5th above rejecting the claims of the petitioner. Aggrieved by the orders the petitioner filed OA No. 2731/2013 seeking to set aside the orders issued vide 5th above and asserted the request raised in the earlier petition filed before Hon'ble High Court. The Hon'ble KAT vide its judgement read as 6th above set aside the orders in the Government Order read as 5th above and directed inter alia, the Government to fix an appropriate scale of pay to the post of Legal Assistant in Municipal Common Service with certain other points for consideration of Government after affording an opportunity of hearing to the petitioner.

2.The petitioner was heard on 24.11.2016 and he deposed his grievances. Government have examined the grievances of the petitioner and the points put forward by the Hon'ble KAT for consideration in detail and are of the view that, in the wake of issuance of 10th Pay Revision Order w.e.f 01.07.2014, vide G.O 7th and taking into account the fact that the petitioner was given the scale of pay of Rs.11620-20240 after 9th Pay Revision, it is not prudent and fructuous to include the post of Legal Assistant in the schedule Municipal Common Service in the Government Order read as 2nd above.

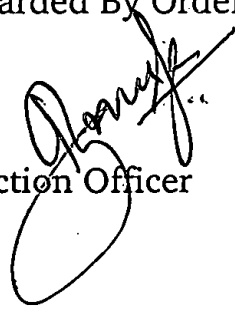
However extending a lenient view the claims of the petitioner and taking cue from the points put forward by the KAT in the order, Government are pleased to incorporate the post of Legal Assistant in the schedule of Municipal Common Service in the G.O read as 7th above as first entry under the caption 'Miscellaneous' appearing on page 279 with pre-revised and revised scale of pay of Rs.11620-20240 and 25200-54000 respectively.

BY ORDER OF THE GOVERNOR
G.ASOK KUMAR
JOINT SECRETARY(FINANCE)

To

The Principal Accountant General(A&E/G&SSA)
Kerala,Thiruvananthapuram
The Accountant General(E&RSA)Kerala,Thiruvananthapuram
The Advocate General Kerala,Thiruvananthapuram
All Secretaries, Special Secretaries, Additional Secretaries,
Joint Secretaries, Deputy Secretaries and Under Secretaries
to Government
The Director of Urban Affairs Department
The Director of Treasuries
The Director of Public Relations
The Nodal Officer, WWW.finance.kerala.gov.in
The Web & New Media,
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Forwarded By Order


Section Officer