



## GOVERNMENT OF KERALA

### Abstract

Local Self Government Department – Establishment – O.A No.2273/13 filed by Shri. N E Sooraj, L D Typist, Municipal Office, Eloor, Udyogamandal P O, Ernakulam – Order dated. 08.08.2016 of the Hon. Kerala Administrative Tribunal- Complied with - Orders issued.

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### **Local Self Government (E.U) Department**

G.O.(MS)No.256/17/LSGD Dated,Thiruvananthapuram, 21.12.2017

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- Read:**
1. Representation dated 15.11.2012 from Shri. N E Sooraj, L. D Typist, Municipal Office, Eloor to the Director of the Urban Affairs, Thiruvananthapuram
  2. Letter No. 9464/EU2/2013/LSGD dated 26.08.2013. (Annexure A1)
  3. Order dated. 08.08.2016 of the Hon. Kerala Administrative Tribunal in O.A No.2273/13 filed by Shri. N E Sooraj, L D Typist. (Annexure P1)
  4. G.O.(Rt)No.2601/17/LSGD dated 27.07.2017
  5. Order dated. 31.10.2017 of the Hon. Kerala Administrative Tribunal in CP(C) 197/17 in O.A No.2273/13 filed by Shri. N E Sooraj, L D Typist.

### ORDER

Sri. N.E Sooraj, L D Typist, Municipal Office, Eloor in his representation read as 1st paper above has requested to consider his prior service in Archeology Department for the period from 13.10.1999 to 20.02.2003 and in Kerala Civil Judicial Department from 21.02.2003 to 10.10.2012 for fixation of pay in Municipal Common Service and other service benefits including pensionary benefits related to those services. As per the letter read as 2nd paper above, Government rejected the request on the ground that as per G.O(MS) No. 211/2006/LSGD dated 12.09.2006, Government have cancelled

the GO(MS) No. 162/87/LSGD dated 13.07.1987 according sanction to reckon the prior service of the employees before their entry into Municipal Common Service for pay fixation.

2. Against the above decision of Government, Shri. N.E. Sooraj filed O.A 2273/13 before the Kerala Administrative Tribunal. In the order read as 3rd paper above, Hon'ble KAT disposed the case by setting aside the Government decision and directed to reconsider the case in the light of the judgement of the Hon'ble High Court in OP(KAT)4373/12 and GO (Ms) No.44/2016/LSGD dated 01.03.2016 wherein a similarly placed person was given pay protection, after affording an opportunity of personal hearing to the petitioner. Accordingly Government examined the matter afresh in the light of the observations of the Hon'ble Court and rejected the request as per the Government Order read as 4th paper above observing that there is no need to accord sanction to protect the prior service of Sri. N.E Sooraj as a special case in relaxation of GO (MS) 211/2006/LSGD dated 12.09.2006.

3. Consequent to the above decision of Government, Sri. N.E Sooraj filed Contempt Petition CP(C) No.197/17 before the Hon'ble Kerala Administrative Tribunal alleging the non-compliance of the order dated 08.08.2016 read as 3rd paper above.

4. The Hon'ble Tribunal in its order read as 5th paper above, observed that the directions in the order dated 08.08.2016 has not been complied with, and hence the plea of the applicant is justified and thus directed Government to pass proper order in terms of the findings in Annexure P1 (order of the Hon'ble Kerala Administrative Tribunal dated 08.08.2016) within one month.

5. In the light of the observations and directions of this Hon'ble Court in CP(C) 197/17, Government again examined the matter afresh and are

pleased to accord sanction to protect the prior service of Sri. N.E Sooraj, L D Typist, Municipal Office, Eloor, in Archeology Department for the period from 13.10.1999 to 20.02.2003 and in Kerala Civil Judicial Department from 21.02.2003 to 10.10.2012 for fixation of pay in Municipal Common Service and other service benefits including pensionary benefits related to those services. as a special case in relaxation of the G.O.(MS) No. 211/2006/LSGD dated 12.09.2006.

6. The direction contained in the Order of the Hon'ble Kerala Administrative Tribunal read as 5th paper above is thus complied with.

(By Order of the Governor)

**A AJITH KUMAR IAS**  
Secretary to Government

To

1. The Director of Urban Affairs, Thiruvananthapuram.
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3. The Advocate General, Kerala, Thiruvananthapuram( With C/L).
4. Shri. N E Sooraj, L D Typist, Municipal Office, Eloor,  
Udyogamandal P O, Ernakulam
5. The Executive Director, Information Kerala Mission,  
Thiruvananthapuram.
6. Web & New Media(For publishing the GO in the Website)
7. The Principal Accountant General (Audit),Thiruvananthapuram.
8. Finance Department( Vide remarks No. Dev-1/12/2014/Fin dated  
02.06.2017)
9. Personnel & Administrative Reforms Department( Vide remarks No.  
128/B2/2017/P&ARD dated 29.06.2017)
10. General Administration(SC) Department(Vide Item no. 1742)
11. Stock file/Office Copy.

Forwarded/By order

  
Section Officer