



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing – OA 532/2018 filed by Sri. A. K. Abdul Vahab, Assistant Executive Engineer (Rtd) - Order dated 06.12.2018 of the Hon'ble Kerala Administrative Tribunal- Complied with - Orders issued.

LOCAL SELF GOVERNMENT (EW) DEPARTMENT

G.O.(Rt)No.2822/2019/LSGD Dated, Thiruvananthapuram, 10/12/2019

Read 1 Order of the Hon'ble Kerala Administrative Tribunal dated 06.12.2018 in OA 532/2018 filed by Sri. A. K. Abdul Vahab, Asst.Exc.Engineer (Rtd)

2 Letter nos. E1/12299/16/CE/LSGD dated 15.03.2019, 02.07.2019, 17.08.2019, 26.09.2019 & 21.10.2019, from the Chief Engineer, LSGD.

ORDER

The Hon'ble Kerala Administrative Tribunal, as per its order dated 06.12.2018 in OA no.532/2018 filed by Sri. A.K. Abdul Vahab, Assistant Executive Engineer (Rtd) have disposed of the OA, with a direction to the respondents that the necessary proposal for fixation of pay of the petitioner and to sanction his eligible increments, higher grade, pay revision arrears etc. It has also been directed that the revision of his pensionary benefits shall be processed, finalised and disbursed within a period of three months from the date of receipt of a copy of the order, taking note of Annexure A9.

2. The Chief Engineer, LSGD has therefore reported that consequent to the declaration of probation of Sri. A.K. Abdul Vahab, who retired from service on 31.05.2015, in the cadre of Asst.Exc.Engineer, he was sanctioned with the increment and the revised pensionary benefits were disbursed to him, as per letter dated 19.12.2018 from the Accountant General, Tvm. Also, pay revision arrears, Terminal Surrender arrear and salary arrears were disbursed to him in compliance with the KAT direction in OA no.532/2018. Hence all the benefits as directed by the KAT have been sanctioned to the petitioner and the higher grade benefit has yet to be granted.

3. Later, the Chief Engineer, vide letter dated 21.10.2019 has furnished a proposal for granting ratio based higher grade to Asst.Exc.Engineers based on the seniority list, in the wake of the Hon'ble KAT direction in OA no.532/2018, to the extent of granting higher grade to the petitioner. As per the 9th pay revision ordered vide GO(P)no.85/2011/Fin dtd 26.02.2011 (Annexure A9), ratio based higher grade promotion was initially introduced to Asst.Exc.Engineers in the department, in the ratio of 1:2, w.e.f 01.02.2011, in the pay scale of Rs 24040-38840. The Chief Engineer has reported that the cadre strength of Asst.Exc.Engineers in the department as on 2011 is 164 and therefore 55 Asst.Exc.Engineers are eligible for ratio based higher grade promotion w.e.f 01.02.2011. 21 Asst.Exc.Engineers are also eligible for ratio promotion w.e.f 18.04.2012 as 65

more Asst.Exe.Engineers posts were created as per GO(Ms)no.227/2012/Fin dated 18.04.2012.

4. The Chief Engineer has also reported that in the seniority list of Asst.Exe.Engineer ordered vide GO(Ms)no.344/2013/LSGD dtd 23.10.2013, promotions to the cadre of Exe.Engineers were granted to officials up to Sri. K.V. Sajeevan (Rank no. 53) on 07.01.2011. As, Sri. V.A. Babujan (Rank no.23) was promoted to the cadre of Exe.Engineer only on 01.10.2011, he is also eligible for the ratio promotion w.e.f 01.02.2011. The Chief Engineer has also proposed to allow ratio based promotion to 3 Asst.Exe.Engineers in the retirement vacancies in respect of AEEs, who are eligible to be granted the ratio promotion but retired from service before 18.04.2012.

5. Government have examined the matter in detail and found that among the 79 Assistant Executive Engineers as proposed by the Chief Engineer for ratio based higher promotion, Sri. A.K. Abdul Vahab, who is positioned at serial no. 58 is eligible for the said promotion w.e.f 18.04.2012. Hence, considering the specific direction of the Hon' KAT in OA no. 532/2018, ratio based higher grade promotion in the cadre of Assistant Executive Engineer is granted to Sri. A.K. Abdul Vahab in the pay scale of Rs 24040-38840/- w.e.f 18.04.2012, as per provisions in GO(P)no.85/2011/Fin dated 26.02.2011 and orders issued accordingly. Regarding ratio based higher grade promotion to other 78 Asst.Exe.Engineers as proposed by the Chief Engineer, the matter will be examined in detail and ordered separately.

6. The order of the Hon' KAT in OA 532/2018, read as 1st paper above, is complied with accordingly.

(By order of the Governor)
BIJUKUTTAN.M.S
ADDITIONAL SECRETARY

To:

- 1 Sri. A. K. Abdul Vahab, Asst.Exe.Engineer (Rtd), Edayila Veedu, Chavara. P.O, Kollam – 691583.
- 2 The Advocate General, Thiruvananthapuram (with Covering Letter).
- 3 The Chief Engineer, LSGD, Thiruvananthapuram.
- 4 The Accountant General,(A&E/Audit) of Kerala, Thrissur
- 5 The Executive Director, Information Kerala Mission.
- 6 The Web & New Media, I & PRD.
- 7 Stock File/Office Copy.

Forwarded /By order

Signature valid
Digitally signed by SREEKANTH G
Date: 2015.04.24 12:24:02 IST
Reason: Approved

Section Officer