

GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Kochi Corporation – WP(C)No.30736/12 filed by Sri. E.P.Shajeth, Legal Assistant – Judgment – complied with - Orders issued.

LOCAL SELF GOVERNMENT (EU) DEPARTMENT

GO(Rt)No. 1808/2013/LSGD.

Dated, Thiruvananthapuram 9/07/2013

Read:-

1. Judgment dated 01/01/2013 of the Hon.'ble High Court of Kerala in WP(C)No. 30736/12 filed by Sri. E.P.Shajeth.
2. Representation dated 28/02/2013 of Sri. E.P.Shajeth.
3. Letter No. E3-20591/12 dated 19/04/2013 of the Director of Urban Affairs, Thiruvananthapuram.

ORDER

Sri. E.P.Shajeth, Legal Assistant, Kochi Corporation filed WP(C)No.30736/12 before the Honorable High Court praying for a direction for the grant of parity of pay scales to Legal Assistant in Kerala Municipal Common Service with that of Legal Assistants in the State service and grant the scale of pay of Rs.13210-22360/- as being granted to the post of Legal assistant in other departments.

2.The Honorable High Court in the judgment read as 1st paper above has directed Government, the secretary, Local Self Government Department to consider the representation if it is filed by the petitioner and take an appropriate decision thereon expeditiously and in any event within an outer limit of six months from the date of submission of the representation.

3.Accordingly, the Government have examined the representation read as 2nd paper in detail the posts of Legal Assistant in Kerala Municipal Common Service and UD Clerk belong to different establishments and are regulated by different Special Rules. There are more than 4000 categories of posts under the State Government Services whose pay is regulated in less than 30 scales of pay and so it is quite natural that more than one category of post have the same scale of pay in any pay revision. This does not mean that the posts are similar. Moreover, UD clerk is a post coming under common category and is a promotion post. The other department in which the post of Legal Assistant exists are the Drugs Control Department and Law Department, Government Secretariat. In the drugs Control Department, the scale of pay of the post as per 7th and 8th Pay Revision orders are Rs.4500-7000 and Rs.7480-11910 respectively. In Pay Revision 2009, the post has been given normal revision of

Rs.13210-22360. In Law Department, Government Secretariat, the scale of pay of the post of Legal Assistant Grade II in 7th and 8th Pay Revisions are Rs.4600-7125 and Rs.8390-13270 respectively. The scale of pay of Legal Assistant in Municipal Common Service in the previous pay revision are Rs.4600-6090 and Rs.6680-10790 respectively. The post of Legal Assistant is not seen included in Pay Revision order 2009 under Municipal Common Services. From this it is clear that the difference in scale of pay was there in the previous pay revisions also and so it is not the result of Pay Revision 2009. Hence there exists no anomaly in the scale of pay of the post of Legal Assistant in Municipal Common Service in Pay Revision 2009.

4. In the above circumstances the request of the petitioner is rejected and the judgment of the Hon.'ble Court read as 1st paper above is complied with accordingly.

By Order of the Governor,

J.STANLY,
DEPUTY SECRETARY

To

The Advocate General, Ernakulam (With C/L).

The Director of Local Fund Audit, Thiruvananthapuram.

The Director of Urban Affairs, Thiruvananthapuram.

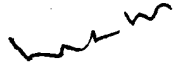
The Secretary, Kochi Corporation.

Sri. E.P.Shajeth, Legal Assistant, Kochi Corporation

✓ The Director, IKM, Thiruvananthapuram.

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Forwarded/By Order,


Section Officer