



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Disbursement of salary of Chairman and Member of erstwhile KRERA- Judgments of the Hon'ble High Court in WP (C) No. 26926 of 2020 filed by Shri. S. Ajayakumar, Chairman, erstwhile KRERA and in WP (C) No. 28911 of 2020 filed by Sri. T.K.Raj Mohan, Member, erstwhile KRERA respectively- Complied with - Orders issued.

LOCAL SELF GOVERNMENT (IB) DEPARTMENT

G.O.(Rt)No.2566/2021/LSGD Dated,Thiruvananthapuram, 15/12/2021

- Read 1 G.O.(P)No.260/2015/LSGD dated 17/08/2015 (S.R.O.No.560/2015).
2 G.O.(P) No.13/2016/LSGD dated 04/03/2016.(S.R.O No.243/2016).
3 D. O No. 6/2016/RERA dated 17/01/2017 from Shri. S. Ajayakumar, Chairman, KRERA.
4. Ordinance No. 5378/Leg C1/2017/Law dated 15/07/2017.
5. Judgement of the Hon. High Court dated 8/4/2021 in WP (C) No. 26926 of 2020 filed by Shri. S. Ajayakumar, Chairman, erstwhile KRERA.
6 Judgement of the Hon. High Court dated 22/07/2021 in WP (C) No. 28911 of 2020 filed by Sri. T.K Raj Mohan, Member, erstwhile KRERA .

ORDER

As per the Government Order read as 1st Paper above Sri. S. Ajayakumar, Chief Town Planner (Rtd) was appointed as the Chairman of Kerala Real Estate Regulatory Authority(KRERA) and further as per Government Order read as 2nd paper above Shri Rajmohan T.K IPS, retired Superintendent of Police was appointed as the Member of KRERA.

2. As per the letter read as 3rd paper above, Shri. S. Ajayakumar, Chairman, KRERA requested Government to take steps to fix the salary of the Chairman and Member of KRERA since the same was pending with Government.

3.Subsequently, as per the Ordinance read as 4th paper above, the Authority has become defunct with the repealing of the State Act.

4. Following this Shri. S. Ajayakumar, Chairman, erstwhile KRERA and Shri.T.K Raj Mohan, Member, erstwhile KRERA filed WP(C) 26926/2020 & WP(C)No.28911/2020 respectively before the Hon'ble High Court of Kerala requesting disbursement of their pay and allowances for their service in K-RERA.

5.The Hon'ble High Court as per its judgement read as 5th paper above in WP (C) No. 26926, has directed the respondents to ensure that the eligible pay and allowances to the petitioner; while he worked in the capacity as the Chairperson of the Kerala Real Estate Regulatory Authority during the period between 04/09/2015 to 16/09/2017, is disbursed to him on the scales applicable under the Act, or as per the KSR, as the case may be, as expeditiously as is possible, but not later than three months from the date of receipt of a copy of the judgement.

6. Further, Hon. High Court as per its judgement read as 6th Paper above in WP(C)No.28911/2020 has directed the respondents to ensure that the eligible pay and allowances to the petitioner while he worked in the capacity as the Member of the KRERA during the period between 5/03/2016 and 04/03/2021, is disbursed to him on the scales applicable under the act or as per the KSR as the case may be, as expeditiously as possible, but not later than three months from the date of receipt of a copy of the judgement.

7. Government have examined the matter in detail. The terms and conditions of the appointment of Chairman and Member of erstwhile RERA were not mentioned in the notifications for appointing the Petitioners. They were not at all appointed under re employment basis as per the provisions provided under KSR. In the circumstances Government are pleased to fix a consolidated amount of Rs.75,000/month(all inclusive) to Shri. S. Ajayakumar, Chairman, erstwhile KRERA and Rs.50,000/month (all inclusive) to Shri.T.K Raj Mohan, Member, erstwhile KRERA from their date of assumption of charge to the date of relieve of charge in the Authority and to meet consolidated amount/ honorarium payable to them from the HoA "2216-02-105-99-NV ". The Secretary (Technical/Administration), KRERA has been authorised to disburse the consolidated amount to the Chairperson and Member of erstwhile KRERA from their date of assumption of charge to the date of relieve of charge from the above Head of Account after deducting TDS.

8.Judgments of the Hon. High Court read as 5th and 6th paper above are complied with accordingly.

(By order of the Governor)
Biju Prabhakar
Secretary

To:

Shri. S. Ajayakumar, Chairman, erstwhile KRERA

9A-Skyline Eminence, Edappally Raghavan Pillai Road, Near Punnakkal Temple,
Ernakulam Pin 682024
Shri. T.K RajMohan , Member , Member , Erstwhile KRERA, Tejaswini House No.
38/2208A, Edakkad P.O, Kozhikode -673 005
Advocate General, Ernakulam (with C/L)
Principal Accountant General (A &E)/(Audit), Thiruvananthapuram
Principal Accountant General (E&RSA)/(GSSA), Thiruvananthapuram
Secretary (Tech / Admn), KRERA
Finance Department(Vide Computer No. 71267, File No. DEV-1/32/2018/ FIN dated
1/12/2021)
Information &Public Relations (Web &New Media) Department
Stock File/ Office Copy

Forwarded /By order



Section Officer