



## GOVERNMENT OF KERALA

### Abstract

Local Self Government Department - Establishment - OA.1678/2016 filed by Shri. Pradeep Kumar. B, Health Inspector Grade I - Attingal Municipality- Order dated 04.10.2016 of the Hon'ble Kerala Administrative Tribunal - Complied with - Orders Issued.

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#### LOCAL SELF GOVERNMENT (EU) DEPARTMENT

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GO(Rt)No: 1993/2017/LSGD. Dated, Thiruvananthapuram, 16.06.2017.

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- Read :**
- 1) Representation dated 14.07.2016 submitted by Shri. Pradeep Kumar, Health Inspector Grade-I, Attingal Municipality before Government. (Annexure 8)
  - 2) Order dated 04.10.2016 of the Hon'ble Kerala Administrative Tribunal in OA 1678/2016 filed by Shri. Pradeep Kumar.B, Health Inspector Grade-I.
  - 3) Letter No. E5-16635/16 dated 27.12.2016 from the Director of Urban Affairs, Thiruvananthapuram.

### ORDER

In the representation read as 1<sup>st</sup> paper above, Shri. Pradeep Kumar. B, Health Inspector Grade I, Attingal Municipality had submitted that his provisional service in the post of Health Inspector Grade I for a period of 1 year 11 months and 27 days before entering into regular service as Health Inspector Grade I in Attingal Municipality on 10.04.1991 has not reckoned for the purpose of granting increment. Shri. Pradeep Kumar. B has also submitted that inspite of repeated requests, the Director of Urban Affairs did not count his provisional service for annual increment. However he was given 2<sup>nd</sup> Time Bound Higher Grade on completion of 16 years on 01.04.2006 in the entry post reckoning his provisional service also. He added that he was entitled the 3rd Time Bound Higher Grade on completion of 22 years of service on 15.04.2011, but the same was granted only with effect from 01.04.2012. He complained that he was not given annual increments reckoning his provisional service and was not given 3rd Time Bound Higher Grade as per rules. He therefore requested Government to reckon his

provisional service of 1 year 11 months and 27 days for increments and revise his time bound higher grade and fixation of pay from time to time and to pay difference of salary and allowances.

2. In connection with the above, Shri. Pradeep Kumar. B file OA No. 1678/2016 before the Kerala Administrative Tribunal. The Hon'ble Tribunal in its Order read as 2<sup>nd</sup> paper above directed Government to consider and pass orders on Annexure A8, after hearing the applicant, as expeditiously as possible, at any rate within a period of two months from the date of receipt of a certified copy of the order.

3. As instructed, the Under Secretary, Local Self Government Department heard the applicant on 05.01.2017. During hearing the applicant submitted that as per the then prevailing rules, his provisional service could have been counted for increments, but the same has not been counted and is due to retire from service on 31.07.2018. He, therefore, requested to count his provisional service for increment, grade, service weightage and pension.

4. The Director of Urban Affairs as per his report read as 3<sup>rd</sup> paper above recommended to count the provisional service of Shri. Pradeep Kumar. B, Health Inspector Grade-I for increments and other service benefits.

5. Government examined the matter in detail with the report of the Director of Urban Affairs. Earlier there was a Government decision as "Government Decision No.2 under Rule 33 Part I KSRs, enabling to count provisional service on regularization or followed by regular appointment with or without break in the same category of post and to treat it as officiating service ab initio for the limited purpose of granting of increments, subject to the conditions stated therein. As per GO(P) No. 540/94/Fin. dated 30.09.1994, Government of Kerala have deleted the Government Decision No.2 under Rule 33 of Part I KSRs with effect from 01.10.1994. Later as per GO(P) No.2357/99/Fin dated 25.11.1999, Government have clarified that provisional service with or without break rendered by an employees up to 30.09.1994 which qualifies for earning increments in terms of Government Decisional No.2 under Rule 33 of Part I KSRs will be reckoned for qualifying service for pension.

6. In the circumstances, the request of Shri. Pradeep Kumar. B, Health Inspector Grade-I, Attingal Municipality to count his provisional service is admitted and sanction is accorded to the Director of Urban Affairs to count the provisional service of Shri. Pradeep Kumar. B, Health Inspector Grade-I from 08.09.1982 to 31.03.1983, 01.09.1983 to 05.04.1984 and 07.11.1990 to 03.04.1991 for increment in his regular service which commenced on 10.04.1991.

7. The order of the Hon'ble Kerala Administrative Tribunal read as 2<sup>nd</sup> paper above is thus complied with.

(By Order of the Governor)  
**S. MOHANDAS,**  
**JOINT SECRETARY.**

**To**

The Director of Urban Affairs, Thiruvananthapuram.  
(with Service Book of Shri. Pradeep Kumar. B)  
The Advocate General, Kerala, Thiruvananthapuram (with C/L)  
The Director, Kerala State Audit Department, Thiruvananthapuram.  
Shri. Pradeep Kumar. B, Health Inspector Grade I,  
Attingal Municipality.  
The Executive Director, Information Kerala Mission,  
Thiruvananthapuram.  
Stock File/Office Copy.

**Forwarded by Order**



**Section Officer**