

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A. NO. 538 OF 2010**

Tuesday, this the 24<sup>th</sup> day of May, 2011

**CORAM:**

**HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER  
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

P.I.Sheik Pareeth, IAS  
Director of Fisheries, Vikas Bhavan  
Government of Kerala, Thiruvananthapuram  
Residing at Kariath, T.C.12/1237  
Thiruvananthapuram

... Applicant

(By Advocate Mr.P.V.Mohanan )

versus

1. The Union of India represented by the Secretary  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training  
New Delhi

2. The Chief Secretary  
Governments of Kerala  
Thiruvananthapuram

7 3. The Accountant General (A&E)  
Office of the Accountant General  
Thiruvananthapuram

... Respondents

(By Advocate Mr.Varghese P Thomas, SCGSC (R-1)  
Advocate Mr.N.K.Thankachan, G (R-2)  
Advocate Mr.V.V.Asokan (R-3) )

The application having been heard on 24.05.2011, the Tribunal  
on the same day delivered the following:

**ORDER**

**HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER**

The prayer made in the OA is to call for the records leading to  
Annexure A-4, Annexure A-5 and Annexure A-6 and to direct the  
respondents to fix the pay of the applicant at higher stage in the Senior  
Time Scale of pay in IAS cadre in Pay Band 3 ( ₹ 15600-39100/- ) with



effect from 01.01.2007 protecting the basic pay drawn by the applicant in the State Service (₹ 33100/-) at the time of his appointment to IAS (Kerala) cadre on promotion quota with all consequential benefits.

2. When the case was taken up today for consideration, Mr.N.K.Thankachan, the learned Government Pleader placed on record a communication received by him from the Chief Secretary, Government of Kerala, Trivandrum from the Ministry of Personnel, Public Grievances & Pensions dated 27.01.2011 wherein the Government of India has conveyed the approval under Rule 4(4) of the IAS (Pay) Rules, 2007 for fixation of pay of the applicant in Pay Band 4 at ₹ 44700/- plus Grade Pay of ₹ 8700/- with effect from 11.04.2008 in terms of provisions contained in para 1 of Schedule 1 of IAS (Pay) Rules, 2007, read with clarification issued vide Department's letter No.14021/5/2008-AIS-II dated 16.12.2008. He will be entitled to get DA in accordance with the Rule 3 inserted to All India Services (Dearness Allowances) Rules, 1972.

3. In the light of the above communication, Respondent No.3, viz., The Accountant General (A&E), Office of the Accountant General, Thiruvananthapuram will take necessary follow up action. OA is disposed of as above. A copy of the order be issued to the counsel appearing for all the parties. No costs.

Dated, the 24<sup>th</sup> May, 2011.

**K.NOORJEHAN**  
**ADMINISTRATIVE MEMBER**



**JUSTICE P.R.RAMAN**  
**JUDICIAL MEMBER**