

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A. No. 286/13**

Tuesday, this the 17th day of June, 2014.

**CORAM :**

**HON'BLE MR.JUSTICE A.K.BASHEER, JUDICIAL MEMBER  
HON'BLE MR. SHASHI PRAKASH, ADMINISTRATIVE MEMBER**

Biju Prabhakar, s/o Late Thachadi Prabhakaran  
Aged 48 years, Managing Director,  
Kerala Medical Service Corporation Ltd.  
Thycad P.O., Thiruvananthapuram-695 014  
(now working as Director of Public Instructions,  
Thiruvananthapuram) .... **Applicant**

(By Advocate Mr.Jaju Babu )

**Vs.**

1 Union of India, represented by Secretary to  
Ministry of Personnel, Public Grievances and Pension,  
Department of Personnel & Training,  
North Block, New Delhi-110 001.

2 State of Kerala, represented by the  
Chief Secretary to Government of Kerala,  
Government Secretariat,  
Thiruvananthapuram -695 001.

3 The Accountant General (A&E) Kerala,  
Indian Audit and Accounts Department,  
M.G.Road,  
Thiruvananthapuram -695 039 .... **Respondents**

(B Advocates Mr.Thomas Mathew Nellimoottil (R1)

Mr.M.Rajiv, GP( R2)  
Mr.V.V.Asokan (R3)

The application having been heard on 17.06.2014, the Tribunal on the same  
day delivered the following :



**ORDER****HON'BLE Mr. JUSTICE A.K.BASHEER, JUDICIAL MEMBER**

Applicant was inducted into Indian Administrative Service in the year 2008 while he was working in the cadre of Deputy Collector in the Revenue (Kerala Civil Service Executive) Department. His primary grievance is that after such induction into the IAS, he has been denied initial pay fixation and pay revision applicable in the case of IAS officers as stipulated in Annexure A12 issued by the Department of Personnel & Training. He has filed this Original Application for the following reliefs:-

- i) direct the respondents 1 and 2 to disburse the pay fixation already sanctioned as per Annexure -A12 to the applicant pending finalization of the queries as per Annexure-A13.
- ii) direct the 1<sup>st</sup> respondent to consider Annexure-A19 and Annexure A20 and make appropriate recommendation to the 1<sup>st</sup> respondent fixing his pay in the cadre of Deputy Collector in the Kerala Civil Service (Executive) as per Annexure A4 to A7 and at the time of his appointment to the Indian Administration Service as per Annexure-A10 and A11 and further direct the 1<sup>st</sup> respondent to furnish appropriate reply to Annexure -A13 based on such recommendations for regularizing the pay of the applicant pursuant to Annexure-A12.
- iii) direct the respondents to regularise the pay of the applicant pursuant to Annexure-A12 after considering the grievances in Annexure-A19 without any delay.

2 When this case is taken up for consideration today, it is submitted by learned counsel for Respondent No.2 that the Government of Kerala by its order



dated November 1, 2012 has addressed to the Department of Personnel & Training to redress the grievances of the applicant. It is further submitted that A19 representation submitted by the applicant has been forwarded to the Department of Personnel & Training. As regards pay fixation in terms of Annexure A-12, it is brought to our notice that the Department of Personnel & Training by its letter dated February 03, 2014 addressed the Government of Kerala with copy to the Principal Accountant General(A&E) had directed to fix the initial pay in tune with Department's letter of even number dated September 02, 2011. Subsequently Principal Accountant General has fixed the pay of the applicant w.e.f. March 16, 2009 at the rates applicable to the IAS in terms of Annexure A-12.

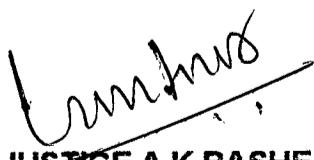
3 In view of the subsequent development, learned Senior Counsel who appears for the applicant submits that the applicant does not intend to pursue the matter any further. However he prays that a direction may be issued to respondent No.1 to take a decision on Annexure A-19 without further delay.

4 The Original Application is disposed of with a direction to respondent no.1 to take a decision on Annexure A19 strictly on its merits and in accordance with law as expeditiously as possible, at any rate within three months from the date of receipt of a copy of this Order.

(Dated, this the 17th day of June, 2014)

  
SHASHI PRAKASH  
ADMINISTRATIVE MEMBER

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JUSTICE A.K.BASHEER  
JUDICIAL MEMBER