

**GOVERNMENT OF KERALA****Abstract**

AYUSH Department – WP(C) No. 725/2026 filed by Dr. Sailendra Kumar G.L. – Interim Order dated 23.01.2026 – Payment of admitted salary – Contempt Case CCC 894/2026 – Compliance – further orders issued.

AYUSH (B) DEPARTMENT

G.O.(Rt)No.223/2026/AYUSH Dated,Thiruvananthapuram, 06-04-2026

Read 1 G.O.(Rt) No. 214/2026/AYUSH dated 30/03/2026

2 Letter No.124/B2/2026/GHMCT dated 01/04/2026 from the Principal & Controlling Officer,Thiruvananthapuram.

ORDER

With the compliance of interim order dated 23/01/2026 in WP© No.725/2026 filed by Dr. Sailendra Kumar G L, Government Order read as 1st paper above has been issued as follows.

- i. The Principal & Controlling Officer shall disburse the admitted salary to Dr. Sailendra Kumar G.L. with effect from 01.02.2026, in parity with similarly situated persons in Sree Vidyadhiraja Homoeopathic Medical College.
- ii. The disbursement shall be strictly limited to admitted salary and shall not be interpreted as recognition of any disputed claim regarding designation, promotion, pay revision, or staff fixation.
- iii. The payment shall be made subject to the final outcome of the writ appeals pending before the Hon'ble High Court in connected matters.
- iv. A specific entry shall be recorded in the service records and sanction proceedings to the effect that: "The payment of salary is subject to the outcome of the writ appeals pending before the Hon'ble High Court and shall be liable to adjustment/recovery as per final orders."

- v. The Finance Department shall take necessary steps for enabling appropriate modifications in SPARK for facilitating the disbursement of salary as ordered above.
- vi. The Principal & Controlling Officer shall report compliance to Government within a week.

2) The Principal & Controlling Officer as per letter read as 2nd paper above has requested clarification regarding the post, scale of pay and pay revision applicable to the petitioner. The PCO has reported that Dr. Sailendra Kumar was not included in the earlier staff fixation orders, G.O. (MS) No. 376/2009/H&FWD dated 30/10/2009 or G.O.(MS) No. 185/2012/H&FWD dated 28/06/2012, as in the case with other teaching staff of the college. However, he was included in G.O.(MS) No. 346/2008/H&FWD dated 09/07/2009 (Table V), but was categorized under the list of teachers without the prescribed qualifications. PCO has also reported that except Dr. Sailendra Kumar G. L., all other teachers presently working in the said college are drawing salary in the post of Tutor. Among them, all teachers except 10 are drawing salary as per the 9th Pay Revision, while the remaining 10 teachers are drawing salary as per the 11th Pay Revision. In contrast, Dr. Sailendra Kumar G. L. had been drawing salary under the 7th Pay Revision (with a basic pay of ₹7,650/-) up to December 2021. In the above circumstances, based on the directions contained in the Government Order read as 1st paper above, clarification has been sought on the post and pay revision under which salary is to be sanctioned to Dr. Sailendra Kumar G. L., with effect from 01/02/2026, in parity with similarly placed teachers working in Sree Vidyadhiraja Homoeopathic Medical College. It has also requested to clarify whether his present designation in SPARK, where he is included under the post of Professor, may be modified to that of Tutor in line with other employees.

3) Government have examined the matter in detail and are pleased to order as follows in continuance with the Government Order read as 1st paper above.

- a. Sanction is accorded for the disbursement of salary to the petitioner in the entry cadre post of Tutor with effect from 01.02.2026 (to be fixed on the basis of 9th Pay Revision).
- b. The Principal & Controlling Officer shall verify the eligibility of the petitioner strictly in accordance with the regulations of Central Council of Homoeopathy and the provisions of the DPS Agreement, and submit a compliance report to Government.
- c. Since the appointment of the petitioner was not in accordance with the DPS Agreement and CCH Regulations, any financial liability arising therefrom shall be fixed on the Management. The Principal & Controlling officer is entrusted to calculate the financial liability and to take necessary action to recover the amount from the Management.
- d. The Principal & Controlling Officer shall take urgent steps, in coordination with the SPARK PMU and concerned authorities, to effect necessary corrections in SPARK and ensure immediate drawal and disbursement of salary without any delay.
- e. This sanction is subject to the outcome of the writ appeals and connected cases pending before the Hon'ble High Court.

4) This Government Order is issued in continuation of the Government Order read as 1st paper above.

(By order of the Governor)
Dr. Rajan Namdev Khobragade I A S
ADDITIONAL CHIEF SECRETARY

To:
The Advocate General, Kerala, Ernakulam (with covering letter)
The Principal & Controlling Officer, Govt. Homoeopathic Medical College,

Thiruvananthapuram.

The Principal, Sree Vidyadhiraja Homoeopathic Medical College, Nemom,
Thiruvananthapuram.

Dr. Sailendra Kumar G.N, Sree Vidyadhiraja Homoeopathic Medical
College, Nemom, Thiruvananthapuram.

The Principal Accountant General (Audit/A&E), Kerala,
Thiruvananthapuram

Finance Department (U.ONo.3437834 /HLT-B2/20/2026-FIN dated
06/04/2026)

I&PR (Web & New Media) Department

Stock File / Office Copy

Forwarded /By order

Section Officer