



## GOVERNMENT OF KERALA

### Abstract

Food & Civil Supplies Department - Judgement dated 05.03.2024 in WP(C) No. 3986/2023 filed by Sri. Jayarajan N.K. and others before the Hon'ble High Court of Kerala –Ext P18 representation - Complied with – Orders issued.

---

### FOOD & CIVIL SUPPLIES (C) DEPARTMENT

G.O.(Rt)No.395/2024/F&CS Dated,Thiruvananthapuram, 10-12-2024

---

- Read
1. GO(P) .No137/2016/Fin Dated.09.09.2016.
  2. G.O.(Ms) No 11/2012/F&CSD dated 14/05/2012.  
Letter No.C3/130/2017 F&CSD Dated 11.11.2019.
  - 3.
  - 4 G.O.(Ms.) No. 06/2022/F&CSD dtd 01/03/2022.  
The representation dated 7/12/2022 by Sri. Jayarajan N.K. and others to the CMD Supplyco on 13.12.2022. (Ext P18)
  - 5 Judgement dated 05.03.2024 in WP(C) No. 3986/2023
  - 6 filed by Sri. Jayarajan N.K and others before the Hon'ble High Court of Kerala.
  7. Government Letter No. FCSD-C3/21/2024-FCSD dated 29/08/2024 addressed to the Petitioners.
  8. Letter No. KSCSC/3998/2024-D3(ADMN)dated 07/09/2024 of Supplyco.  
G.O. (Ms) No. 8/2024/F&CSD dated 02.08.2024.
  - 09.
  10. Letter CC(Civil)1842/2024/X1Dated 14/08/2024 from the Advocate General Ernakulam.
  11. Letter No. C3/21/2024/FCSD Dated 29/08/2024 addressed to the Advocate General Ernakulam.

### ORDER

The Honorable High Court of Kerala,in its judgment read as 6th paper above, directed the 2<sup>nd</sup> respondent Supplyco to forward a

copy of Ext.p18 petition dated 13/12/2022, to the 1<sup>st</sup> respondent Secretary to Government, Food and Civil Supplies Department within two weeks from the date of judgment and the 1<sup>st</sup> respondent shall take a decision within a period of 2 months after affording an opportunity of hearing to the petitioners.

2.The petitioners,drivers of Supplyco have filed the above writ petition alleging the exploitation by the respondents taking advantage of petitioners by reducing their pay guaranteed by the pay revision, denying 1:1:1 Ratio Promotion without complying retrospective date, time bound grade promotion, higher grades, TA,DA, special allowance etc,.

3. The Petitioners were appointed in the Scale of pay of Rs.3350-80-3830-85-5275. The Scale of pay of the Corporation employees including the Petitioner drivers were revised in 2006 with effect from 2004, comparative scale of Rs 5650-8790 was fixed in the usual course and fixed the remuneration accordingly. The scale of pay of Rs.5650-8790 was again revised to Rs 9940-16580 in the year 2011 w.e.f. 01/07/2009. And as per the Government Order read as 2nd paper above (Ext:P6), the above scale of pay was reduced from Rs 9940-16580 to 9190-15780.

4. As per the pay revision 2009, the existing time span of 8,16 and 23 years for allowing grade promotions were correspondingly modified as 8,15,22 and 27 years coming under the scale of pay of Rs 8500-13210 to 9940-16850. The Reduction of pay guaranteed by the pay revision, denying 1:1:1 Ratio Promotion without complying effective date 03/06/2013, rejection of time Bound Grade Promotion, higher grades, TA/DA /special allowances/extra duty wage.,etc led the petitioners to approach the Hon.Court.

5. As per the Hon Court direction ,as the matter being examined by Government, the petitioners filed Contempt Case (C) 1842/2024 before the Ho'ble High Court of Kerala. The Selection grade driver posts have already been included in the Supplyco Special Rule dated 11.02.2021. As per the Government Order read as 4th paper above, Government have sanctioned 1:1:1 ratio promotion similar to common category driver post and selection grade for 10% senior grade driver posts in the pay scale of Rs 27800-59400 (Pre revised). Based on this, as per Government Order read as 9th paper above, the pay scale of selection grade drivers are revised from 27800-59400 (pre-revised) to 39300-83000 by revising the pay scale of selection grade drivers'

effecting the pay revision order. Therefore the Advocate General was requested to take necessary steps to close the Contempt of Court Case proceedings as per the letter read as 11th paper above.

6. The petitioners have submitted before the Hon'ble Court that they were not heard before issuing the said order and also submitted that certain other grievances has been projected in the Ext P18 representation. Therefore, the Hon'ble Court has opined that though the pay revision order has been issued, the petitioners shall be heard since there was specific direction to consider and pass appropriate orders on Exhibit P18 representation after affording an opportunity of hearing to the representative of the petitioners. As directed by the Hon. Court, vide read 7th paper above, the petitioners were heard in person on 09/09/2024. The ARM from the office of the Supplyco was also turned up for the personal hearing. Government have heard the arguments of both the petitioners and the Supplyco.

7. The major claim of the petitioners were (i) To settle the anomalies in the pay scale of drivers in the pay revision 2019, (ii) To give retrospective effect to the Selection Grade promotion and 1:1:1 ratio promotion, (iii) To Lift the TA ceiling, (iv) To grant extra duty wage. The petitioners disclosed that, even if some of the demands raised by them were redressed, the plea on granting retrospective effect to the 1:1:1 Ratio Promotion, lifting the TA ceiling and to grant extra duty wage is to be redressed.

8. The Selection grade driver posts have already been included in the Supplyco Special Rule dated 11.02.2021. Government have also sanctioned 1:1:1 ratio promotion similar to common category driver post and selection grade for 10% senior grade driver posts in the pay scale 27800-59400 (Pre revised) as per G.O. (Ms.) No. 06/2022/F&CSD dtd 11.03.2022. Based on this, it was decided to revise pay scale of selection grade drivers 27800-59400 (pre-revised) to 39300-83000 by effecting the pay revision order, vide G.O. (Ms) No. 8/2024/F&CSD dated 02.08.2024. Therefore the major grievances of the petitioners, ie the settlement of pay revision anomalies in the scale of pay of drivers in the pay revision order 2019 has been redressed.

9. The plea on granting retrospective effect to the 1:1:1 Ratio Promotion, lifting the TA ceiling and to grant extra duty wage is to be redressed. As per the letter read as 3rd paper above it was already

instructed to Supplyco that salaries and additional wages can be granted only with the approval of government. Travelling Allowance is granted to Supplyco employees as per KSCSC CSRR 2021(G.O. (P).No.3/2021/F&CSD Dated 11.02.2024) ) and TA ceiling has been fixed as per the order read as 1st above. In the stringent financial situation of Supplyco, it is not possible to consider the other demands of the petitioners (ie., give retrospective effect to selection grade promotion, lifting in TA ceiling, extra duty wage) **for the time being** and therefore the remaining demand of the Ext P18 read as 5th paper above is hereby rejected.

10. The judgment read as 6th paper above is complied with accordingly.

(By order of the Governor)  
RAJENDRAN CHETTIYAR K  
DEPUTY SECRETARY

The Advocate General Kerala, Ernakulam. (With Covering letter)  
The Chairman & Managing Director, Kerala State Civil Supplies Corporation Ltd, Gandhi Nagar, Kochi – 682 020.  
The Petitioners (through CMD, Supplyco)  
The Finance Department  
The Accountant General (A&E / Audit) Kerala, Thiruvananthapuram.  
Web & New Media Division, I&PRD  
Stock File

Forwarded /By order

Section Officer