



GOVERNMENT OF KERALA

Abstract

Consumer Affairs Department- Salary of the Members (non judicial) of the State Consumer Disputes Redressal Commission- Judgement of Hon'ble High Court of Kerala in WP(C) 8054/2012 dated 02.06.2023- Complied with - Orders Issued

CONSUMER AFFAIRS DEPARTMENT

G.O.(Rt)No.65/2023/CAD Dated,Thiruvananthapuram, 28-10-2023

- Read 1 GO(Ms) No.2/2011/CAD dated 19.01.2011
- 2 Judgement of the Hon,ble High Court of Kerala in WP(C) No 8726/2011 dated 28.6.2011
 - 3 GO(Ms) No 1/2012/CAD dated 11.01.2012
 - 4 GO(Rt) No 6/2012/CAD dated 12/1/2012
 - 5 GO(Rt) No 19/2012/CAD dated 7/2/2012
 - 6 Judgement of the Hon'ble High Court of Kerala in WP(C) No.8054 of 2012 dated 02.06.2023

ORDER

As per the Govt Order read (1) above, Government have issued notification amending the Consumer Protection Rules enhancing the remuneration of the members of the State Consumer Disputes Redressal Commission and District Consumer Disputes Redressal Commissions to Rs.32,000/- per month against the then existing remuneration of Rs.17,000/- and Rs.11,000/- respectively. Shri S.Chandramohan Nair and Shri M.K.Abdulla Sona, former Members of State Consumer Disputes Redressal Commission filed WP(C) No.8726/2011 claiming that State Commission is the appellate body over District Commissions and hence the members of State Commission deserves a higher pay than that of the members of the District Commissions. As per the judgement read (2) above, the Hon'ble High Court directed Government to consider the representation put in by the petitioners regarding the enhancement of their remuneration. Accordingly in compliance to the order, Government as per order read (3) above, amended Consumer Protection Rules 2005 and a hike of Rs.5000/- was given to the members of the

State Commission. Subsequently as per Government Order read (4) above, Government issued compliance order giving the effect of the rule amendment from 19.01.2011. Later as per Government Order read (5) above, an erratum to the earlier Order was issued changing the date of effect as 12.01.2012 instead of 19.01.2011, i.e., the date on which the order was issued.

2. Against the decision taken by Govt in the order read as (5) above, Shri S Chandramohan Nair and Shri M.K. Abdulla Sona, Members of State CDRC (Retired) filed WP(C)8054/2012 before the Hon'ble High Court of Kerala for revising their salary with effect from 19.01.2011. The Hon'ble High Court as per the judgement read (6) above, in WP(C) No 8054/2012 ordered that " the anomaly existed in 19.01.2011 when similar benefits were extended to the members of the District and State Commissions while it was to be different, thus it has relate back from 19.01.2011 and not from 12.01.2012. Accordingly Ext P22 is quashed. Writ petition is allowed, writ of mandamus is issued to the respondents to give the benefits of difference of pay vis-a-vis the Members of District Commissions and State Commission with effect from 19.01.2011 to the petitioners though they are retired".

3. The Hon'ble High Court as per the judgement dated 18.08.2023, extended the time limit to comply the judgment up to 30.10.2023.

4. Government have examined the matter in detail and are pleased to order to give the benefits of the difference of pay vis-a-vis the members of District Commissions and State Commission (granted as per the government order read (3) above) to the petitioners with effect from 19.01.2011 .

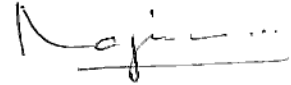
5. The Judgement of the Hon,ble High Court in WP(C) No 8054/2012 dated 02.06.2023 is thus complied with.

(By order of the Governor)
Ajit Kumar I A S
SECRETARY

To:

The Principal Accountant General (Audit), Kerala
The Accountant General (A&E), Kerala
The Advocate general of Kerala, Ernakulam(with C/L)
The Registrar, High Court of Kerala, Ernakulam(with C/L)
The Secretary & Registrar, State Consumer Disputes Redressal
Commission, Thiruvananthapuram
The Commissioner of Civil Supplies & Consumer Affairs Department
Sri.S.Chandramohan Nair, S/o Sadasivan Nair, Meena Bhavan, Kumara
Bhavan, Medical College P.O., Thiruvananthapuram
Sri.M.K.Abdulla Sona, S/o M.K.Bapputty, Civil Lane road, Attanthole
P.O., Thrissur
The Sub Treasury Officer, Vellayambalam, Thiruvananthapuram
The Stock File/Office copy

Forwarded /By order



Section Officer