



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

Pay Revision 2009 - Order dated 23.09.2016 of the Hon'ble KAT in OA No. 588/15 filed by Sri.K.Satheesan and two others - complied with - orders issued.

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**Finance (Pay Revision Cell- D) Department**

G.O(Rt)No. 8781/2017/Fin

Dated, Thiruvananthapuram 23.11.2017

- Read: 1. G.O(P)No. 85/2011/Fin dated 26.02.2011 read with  
G.O(P)No.143/2011/Fin dated 30.03.2011.  
2. G.O. (Ms) No. 311/12(82)/Fin Dated 29.05.2012.  
3. Circular No.22/2011/Fin dated 07.04.2011.  
4. Circular No. 6/2013/Fin dated 17.01.2013.

**ORDER**

As per Government Order read as 1<sup>st</sup> paper above, the pay and allowances of State Government Employees and teachers were revised. Subsequently, the scale of pay of the post of Tester Inspector(HG) in Finger Print Bureau of Police Department was revised as per Government Order read as 2<sup>nd</sup> paper above. Sri.K.Satheesan and two others, Tester Inspectors of Finger Print Bureau of Police Department filed OA No. 588/15 before Kerala Administrative Tribunal to set aside Annexure A<sub>12</sub> (order passed by the 2<sup>nd</sup> respondent rejecting the claim of the applicant in Review Petition A<sub>11</sub>) and to issue a direction to the respondents to re-designate the post of Tester Inspector as Assistant Director and to grant scale of pay of Rs. 22360-37940 and 20% of the Assistant Directors may be placed as Assistant Director (HG) in the corresponding scale of pay of 16650-23200 as recommended by the 9<sup>th</sup> Pay Revision Commission. In the order dated 23.09.2016 of the Hon'ble KAT in the above OA, the Tribunal has directed the first respondent to consider Annexure A<sub>11</sub> (Review Petition) afresh, after

affording an opportunity of hearing to the applicant and for the purpose of enabling such consideration, Annexure A<sub>12</sub> (issued by the 2<sup>nd</sup> respondent) order is set aside and to pass and communicate fresh orders in Annexure A<sub>11</sub> within 3 months from the date of receipt of a certified copy of this order.

The request in Annexure A<sub>11</sub> Review Petition is to enhance the scale of pay of Tester Inspector and Tester Inspector (HG) to 24040 - 38840 and 29180-43640 respectively as intended by the 9<sup>th</sup> Pay Revision Commission. It has been reported that Tester Inspector is the third promotion post in the line of promotion and is included in the Kerala Police Service by Special Rule. Even though 9<sup>th</sup> Pay Revision Commission recommended the scale of pay of Rs. 22360-37940 corresponding to the pre revised scale of pay of the post of Deputy Superintendent of Police, ie Rs. 12930-20250, to the post of Tester Inspector no hike in the scale of pay was allowed to the post in the Pay Revision Order and enhanced pay scales were allowed to the posts in General Executive, as per the recommendation of the pay commission. This has disturbed the equality in scale of pay existed between the posts of Tester Inspector and Circle Inspector of Police. The 9<sup>th</sup> Pay Revision Commission has recommended undue and unexplainable hike in the scale of pay to certain categories of posts. Since the rectification of anomalies in the scale of pay of all those posts was not feasible at that stage, it was decided by the Council of Ministers to limit the hike in the scale of pay to a maximum of two level except for Medical Officers (Allopathy) and direction were issued to All Heads of Departments so as to adhere to the same as per the circular instruction read as 3<sup>rd</sup> paper above. Based on the above direction, most of the categories in the Finger Print Bureau were given hike in scale of pay except Tester Inspector to which scale hike has been given to its higher grade, vide G.O. read as 2<sup>nd</sup> paper above. The corresponding scale of pay for the post of Tester Inspector in 10<sup>th</sup> Pay Revision Order is 42500-87000. If the scale of pay of these category is further increased, it will create an undue

enjoyment of benefits by a particular wing and hence only normal revision was given to the post of Tester Inspector.

The 9<sup>th</sup> Pay Revision Commission proposed a scale of pay of Rs.22360-37940 corresponding to the pre revised scale of pay of Rs. 12930-20250 and to place 20% of the post in the Higher Grade in the scale of pay corresponding to Rs. 16650-23200. The same Commission recommended the scale of pay of 24040-38840 to the post of Deputy Superintendent of Police. Also, the ratio higher grade admissible to the post of Deputy Superintendent of Police is 25%. 9<sup>th</sup> Pay Commission had recommended different pay scales to Tester Inspector and Deputy Superintendent of Police. The Commission had no intention to equate the post of Tester Inspector with Deputy Superintendent of Police. The duties and responsibility, qualifications, method of appointment and promotion prospects of the posts in Finger Print Bureau are entirely different from those of the posts in other branches of Police Department. Tester Inspectors are the scientific investigation team of the Kerala Police Department, provides various crime investigation agencies and co-operate emergency work with General Executives. The police officers in the general branch of Police Department are entrusted with the vital functions of maintaining law and order. The functions and duties of police officers have direct impact on the fundamental freedom guaranteed and ensured by the constitution. Besides the extremely rigorous and arduous nature of work performed by them, they are compelled to perform their duties many more than the mandatory hours of work. Also they are forced to work under great stress and in utmost tense situation. Hence the posts in Finger Print Bureau is not at all comparable or interchangeable with any post in the general branches of Police Department. Besides no parity had existed between those posts in previous Pay Revision Orders. The Commission recommended the scale of pay of Rs. 22360-37940 [corresponding to 12930-20250] against a pre-revised scale of pay of Rs. 11070-18450 to the post of

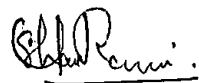
Tester Inspector. The Cabinet Sub Committee examined the recommendations of the Pay Revision Commission and the Council of Ministers had not approved the scale hike and so a normal revision of Rs. 19240-34500 was given in the Pay Revision Order. Regarding the request to re-designate Tester Inspector as Assistant Director, as per Circular read as 4<sup>th</sup> above, redesignation is allowed wherever administrative necessity and functional requirement is necessary. In this case there isn't any administrative necessity and functional requirement. Moreover 2 level hike has been granted to the post of Tester Inspector (HG) as per the general decision taken in Pay Revision 2009, vide G.O. read as 2<sup>nd</sup> paper above.

In these circumstances the request in Annexure A<sub>11</sub> representation to redesignated the post of Tester Inspector as Assistant Director and to grant scale of pay of 22360-37940 deserves no merit and the same is rejected. The order dated 23.06.2016 of the Hon'ble KAT in OA No. 588/15 is complied with accordingly.

(By order of the Governor)  
**LETHI.S**  
Additional Secretary

To

The Principal Accountant General (A&E) Kerala, Thiruvananthapuram.  
The Principal Accountant General (G&SSA), Kerala, Thiruvananthapuram.  
The Accountant General (E&RSA) Kerala, Thiruvananthapuram.  
The Advocate General, Kerala, Office of the Advocate General,  
Thiruvananthapuram, Vanchiyoor.  
Sri.K.Satheesan, Tester Inspector, Finger Print Bureau, Police Department.  
✓ The Nodal Officer, [www.finance.kerala.gov.in](http://www.finance.kerala.gov.in)  
The Stock File/Office copy.

Forwarded/by Order  
  
Section Officer