

**TENTH PAY REVISION  
COMMISSION  
KERALA**

**REPORT ON THE REVISION OF PAY  
AND ALLOWANCES OF EMPLOYEES  
OF THE HIGH COURT OF KERALA**

**July 2015**

## **ORGANISATION**

### **Commission**

- 1. Justice C.N.Ramachandran Nair, Chairman**
- 2. Sri.K.V.Thomas, Member Secretary**
- 3. Adv.T.V.George, Member**

### **Secretariat**

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2. Sri. N.M. Raveendran, Joint Secretary
3. Sri. M. Salim, Deputy Secretary
4. Sri. Santhosh S.S., Under Secretary
5. Smt.Latha M.S., Under Secretary
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12. Sri. Binukumar R.G., Assistant Section Officer
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15. Smt. ParvathyBaiK.,Assistant
16. Sri. Sujith G.R., Assistant
17. Sri. Deepu S.M., Assistant
18. Sri.Hashim M., Computer Assistant
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21. C.Suresh Babu, Confidential Assistant to Chairman
22. Smt. Kavitha A.L., Confidential Assistant
23. Smt. Veena Bose. S., Confidential Assistant

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32. Sri. K.V. Raj, Driver
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35. Sri. Abdul Irshad H., Driver
36. Sri.R.Sunil, Personal Security Officer (Chairman)
37. Sri.T.S.Vijayakumar (Security KEXCON)
38. Sri. Padmakumar G.(Security KEXCON)
39. Sri. Reghupalan B.S.(Security KEXCON)
40. Smt.Girija K., Casual Sweeper

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## CHAPTER 1

### INTRODUCTION

1.1 The Government of Kerala Vide G.O (Ms) No.583/2013/Fin dated 30/11/2013 , set up the tenth Pay Revision Commission with Justice C.N.Ramachandran Nair (Rtd) as Chairman, Sri.K.V.Thomas, former Director of Treasuries and Additional Secretary to Government (Rtd) as Member Secretary and Adv. T.V.George, Lawyer, High court of Kerala as Member, to consider and make recommendations on the following Terms of Reference (ToR).

- (i) To suggest modifications, if found necessary, for the pay and allowances of;
  - a) Posts under Government Service, including Part-Time Contingent Service and Casual Sweepers.
  - b) Posts under Education Institutions of the Government, Aided Schools and Colleges and also such Institutions covered by Direct Payment Scheme, including employees in part time posts and casual sweepers and excluding those posts covered by UGC/AICTE. Schemes of Scales of Pay and also posts for which, Central Scale of pay have already been allowed such as Teaching Staff in Medical Colleges, Judicial Officers etc., and
  - c) Posts under Local Bodies and Universities except those covered by AICTE/UGC/Central Schemes.
- (ii) To examine the present structure of Pay and Allowances and Other Emoluments and Service conditions including, Promotional Avenues and Fringe Benefits available to the above categories of employees and suggest changes, if any required.
- (iii) The Commission shall also examine the scope of introducing non-cadre promotion to various categories of both gazetted and non-gazetted posts who continue in the entry cadres for long periods of service in the lines of Career Advancement Scheme, which has been introduced for professional categories.
- (iv) To examine and suggest changes, if any, to the benefits available to Service Pensioners.
- (v) To consider the scope of extending the benefits which are available to Central Government employees at present and are not available to the State Government employees.
- (vi) To look into the anomalies created by the last Pay Revision, due to undue and unexplainable hike given to certain categories of employees and make suggestions to rectify the same.
- (vii) To look into the cases of anomalies in the last Pay Revision specifically referred to the Commission by Government and suggests remedial measures.
- (viii) To examine the scope and viability of introducing a new health package as in Central Government/any other State

Government/Other sectors for the employees and service pensioners of the State and make recommendations thereon.

- (ix) Feasibility of introducing a health insurance scheme for employees and pensioners by collecting premium from them.
- (x) To examine the present Civil Service set up as a whole and make suggestions to increase efficiency, social accountability and making Civil Service friendlier in the light of newly enacted Right to Service Act 2012.
- (xi) To review the existing systems of lateral entries to different categories of posts in State Government Service and to make recommendations for streamlining selection procedure for such lateral entries.
- (xii) To consider feasibility of deployment of IT enabled services with a view to reduction of cost of public services and to make suitable recommendations thereon.
- (xiii) To review the existing rules and procedures for fixation of pay and suggest methods for simplification thereof with a view to reduce cost and time spent on such exercises.
- (xiv) To assess and indicate the additional financial commitment on account of implementation of its recommendations, indicating the methodology/ assumptions adopted for such assessment.

1.2 The Commission assumed charge in December 2013 and commenced its work shortly thereafter. Sittings were held at Government Guest House and at Chairman's office at Ernakulam until the Commission started full time work with supporting staff at its office provided by the Government in Swaraj Bhavan at Nanthancode, Thiruvananthapuram in September 2014.

1.3 A comprehensive questionnaire covering all the points in the ToR was published in the official website [www.prc2014.kerala.gov.in](http://www.prc2014.kerala.gov.in) seeking opinions/suggestions from Head of Departments, Service Organizations and individuals who are interested on terms of reference of the Commission. Printed copies of the questionnaire were supplied from the office of the Commission. Simultaneously, copies of the questionnaire along with Proforma were sent to Head of Departments including Registrar of High Court, Registrars of various Universities and Secretaries to Government requesting to furnish their views and suggestions and also the staff details in the said Performa.

1.4 After making careful scrutiny of the representations / memoranda received, the Commission decided to hold discussions with the representatives of all the Associations who had submitted memoranda and the Heads of Departments as per a pre scheduled program.

- 1.5 In the meantime, the Hon'ble High Court wrote to the Government for directing the 10<sup>th</sup> Pay Revision Commission to study and submit recommendations regarding the revision of pay and allowances and other matters of High Court Employees along with the report regarding State Government Employees and pensioners. The request was considered by the Government and vide G.O (Ms) No.32/2015/Fin dated 16/01/2015 (Annexure I) issued orders entrusting the 10<sup>th</sup> Pay Revision Commission to study and submit recommendations regarding the revision of pay and allowances and other matters of High Court Employees confining to the Terms and References in G.O.(Ms) No.583/2013/Fin dated 30/11/2013. After the issuance of the above order dated 16/01/2015, Commission addressed the Registrar General to furnish the requisite details as detailed in the order dated 30/11/2013 with the representations of the approved service organizations of the employees of the High Court and individual representations from the employees with the grievances to be placed before the Commission.
- 1.6 The Commission made scrutiny of all the representations and after processing the same, discussions were held with the representatives of the various service organizations as well as individuals among the staff of High Court on 18/05/2015 at the Conference Hall of the High Court. Thereafter Commission held detailed discussion with the Registrar General regarding the recommendations made by the High Court Registry as well as to the points raised by the service organizations and individuals.
- 1.7 The Commission expresses its sincere gratitude to the Honourable Chief Justice of the High Court and the Government of Kerala for having entrusted the assignment, seeking recommendations on the revision of pay and allowances of the officers and staff of the High Court of Kerala. Commission further expresses its gratitude to the Registrar General and other officers of the Hon'ble High Court and also the office bearers of the Service Organizations and individuals for their valuable co-operation with the Commission.
- 1.8 Judiciary is one of the four estates of democracy and an important division of the State. As per Article 214 of the Constitution of India, there shall be a High Court for every state as the apex organ of the Judiciary in the State. The High Court shall consist of the Chief Justice and other such judges as the President may, from time to time deem it necessary to appoint. The High Court shall have original and appellate jurisdiction on Civil/Criminal cases and shall have Superintendence over all Courts and Tribunals including its staff throughout the territory in relation to which it exercises jurisdiction.
- 1.9 As per Article 229 of the Constitution, appointments of officers and servants of the High Court shall be made by the Chief Justice or such other Judges or officer of the Court, except Judicial Officers, provided that the Governor of the State may by the rule require in such cases, as may be specified in the rule, no

person not already attached to the court shall be appointed to any office connected with the court, save after consultation with the State Public Service Commission. The conditions of service of the officers and servants of High Court shall be such as prescribed by the rules made by the Chief Justice/ such other Judges authorized by the Chief Justice to make rules for the above purpose, subject to the provisions of any law made by the Legislature of the State. This is subject to the approval of the Governor of the State so far as those related to salaries, allowances, leave or pension. Regarding the recruitment and the conditions of service of the officials and staff of the High Court, The Hon'ble Chief Justice had framed the Kerala High Court Service Rules 2007, in supersession of the then existed Rules, in exercise of the powers conferred under Article 229 of the Constitution of India. The 2<sup>nd</sup> proviso to Rule 37 of the above Rule provide that the Chief Justice shall specifically issue orders sanctioning the grant of scales of pay and allowances to the members of the service in accordance with those sanctioned by the Government

- 1.10 The administrative expenses of the High Court, including all salaries, allowances and pensions payable to, in respect of the officers and servants of the High Court, shall be charged upon the consolidated fund of the State and any fees or other moneys taken by the Court shall form part of that fund under Article 229(3). Regarding the structure of Pay and Allowances of the employees, the High Court was following the pattern of Government Secretariat and other constitutionally recognized offices.
- 1.11 During the period under consideration, the High Court has full compliment of 27 permanent Judges and 11 Additional Judges.
- 1.12 The High Court establishment consists of a Registrar General and five Registrars below the Chief Justice and other Judges. The Registrar General is the officer deemed to report directly to the Chief Justice where other Registrars are assigned for control of Administration, Subordinate Judiciary, Vigilance, Judicial and Recruitment & Computerization etc to assist him. They are assisted by Joint Registrars, Deputy Registrars and Assistant Registrars etc. Including all other supporting staff, the total strength of the High Court establishment as on 01/04/2015 is 1628.
- 1.13 In exercise of the powers conferred by Article 229 of the Constitution of India, the Chief Justice is at liberty in framing rules for the appointment. The appointing authority for all the category of posts is the Hon'ble Chief Justice, who can however delegate the power to any other Judge or Judges and further delegate, subject to over all control, the responsibility of making appointment to certain categories in Division II,III and IV to the Registrar General.
- 1.14 The method usually adopted by the Hon'ble Chief Justice in fixing the pay and allowances of the officers and staff of the High Court was by adopting the

pay structure and allowances fixed by the employees of the State Government particularly that of the Government Secretariat. The State Pay Commission recommendations including allowances and allied matters approved by the Government were being accepted by the Chief Justice for the Officers and staff of the High Court. It was for the first time in 2006 that Hon'ble Chief Justice made a request for Pay Commission recommendations for the officers and staff of the High Court. Accordingly the 9<sup>th</sup> Pay Revision Commission submitted a comprehensive report before the Hon'ble Chief Justice and with due approval of the Hon'ble Chief Justice, Government issued orders vide GO (Ms) No.257/2011/Home dated 18/11/2011, revising the pay and allowances to the officers and staff of High Court.

- 1.15 The High Court service is different from other services in respect of duties and responsibilities attached to various posts; work load of the employees; time bound nature of work as well as integrity and discipline expected from the officers and staff. The High Court service is divided into 4 divisions. This is analogous to the State Government classification like class I, II, III and IV. Within the divisions between I & II there is I (A) which consists of Police personnel on deputation. They are borne on deputation from another department and hence no separate recommendations are being made. The detailed classification into divisions may be seen at Annexure II.
- 1.16 The Registrar General is the Administrative Head of the Institution which consists of two branches viz, Administration and Judicial. Besides the Registrar General there are five Registrars viz, Registrar (Subordinate Judiciary), Registrar (Vigilance), Registrar (Judicial), Registrar (Recruitment & Computerization) and Registrar (Administration) in addition to Director and Additional Director of Kerala Judicial Academy. The posts of Registrar other than (Registry, Subordinate Judiciary) ,Registrar (Vigilance) and Registrar (Recruitment & Computerization) can be filled up on deputation, promotion or direct recruitment, while the above two posts can only be filled through deputation from Kerala Higher Judicial Service. At present all the above posts except Registrar (Judicial) and Registrar (Administration) are on deputation from Kerala Higher Judicial Service.
- 1.17 In the hearing held on 18/05/2015, the representatives of the various service organizations and individuals of the staff of the Court expressed their view that the scales of pay of High Court employees need not be different from the State Service/ Secretariat Employees. As the High Court was adopting the pay structure of the State Service employees for the last so many years it would also be desirable to follow the same, so that the parity in the scales of pay among identical posts in the State Service and High Court Service also can be maintained. In the discussion held on 18/05/2015 with the Registrar General, the Registry is also of the opinion to follow the same structure recommended for the employees of the State Government Service. Accordingly Commission took the decision that a separate pay structure need

not be evolved and recommended for consideration of the Hon'ble Chief Justice the pay structure recommended for the employees of the State Government service, with suitable modifications wherever required.

- 1.18 The basic approach adopted by the Commission while formulating the pay scales of various posts in the Government Departments, was to evaluate the job responsibilities, job nature, educational qualifications required for the posts etc, special skill or training which are essential for the particular posts etc and fix the pay scales in accordance with the above parameters. Another approach taken by the Commission was to maintain the existing parity with the identical posts. It was after careful consideration of the demands raised during discussions and proposals made by the Hon'ble High Court and also all other relevant aspects that the Commission makes the recommendations.

## CHAPTER 2

### NEW PAY AND PAY SCALES

- 2.1 As the staff of the High court of Kerala is currently following the same scales of pay for State Government employees, the Commission finds it proper to extend the same revised pay scales proposed for State Government employees to the staff of High Court also. The Commission makes the following recommendations-
- 2.2 **Minimum Pay:** The Commission worked out different models and found that the minimum pay could be fixed at `16,400/-. However, the Commission recommends a higher minimum pay of `17,000/- so that lower level employees will start at a higher pay. It makes a difference of `1700 from the current minimum salary level ( $\text{`8500(BP)} + \text{`6800(DA)} = \text{`15,300}$ ).
- 2.3 **Maximum Pay:** The Commission after considering various aspects, decided on fixing the maximum pay at 7 times of the minimum pay. The existing pattern is also so. The Commission recommends a limit in maximum pay at `1,20,000/-. The Commission is aware that a few officials may stagnate at the maximum. The limit is fair enough and it is a conscious decision of the Commission not to go beyond that limit, especially as inflationary pressures are compensated by timely release of Dearness Allowance. The concept of top officials not getting increments is not new and it is already in force in Government of India.
- 2.4 **Increment:** The organisations have claimed percentage wise increments ranging from 3% to 5%. The existing rates ranges from 1.95% to 2.72% (the higher scales getting lower rates). The issue is that adding 80% DA to the existing Basic Pay and then providing increment at a progressive rate of 3% and above will result in considerable financial commitment. Also, fixed percentage of increments may not be practical in a master scale unlike in Grade Pay system. The practice has been to merge DA with existing basic pay and arrive at the new increment rates by upper rounding to the nearest ten. For instance, the existing minimum increment is `230 and adding 80% of DA will make it `414. Upper rounding it to ten would mean `420. The Commission recommends a minimum increment of `500, which nearly returns 3% (2.94%) on the minimum revised pay. The increment rates ranges between 2.04% and 2.94%, with the higher pay getting lower rates.
- 2.5 **Number of scales:** Currently, there are 27 scales spread over 82 stages. The various Commissions have tinkered with the number of scales, which has resulted in upsetting equations. Also, with concept of 'One Rank One Pension' (not implemented as such) the scales are having much importance now. Frequent changes in scales are upsetting the pensioners also. It would be better if the 27 scales are allowed to settle, which is neither too high nor too low. The Commission retains the same.

- 2.6 **Number of stages in master scale:** The existing pay scales have 82 stages, which is also followed in the revised scales. As there have been complaints about stagnation even in lower scales, 30 stages are allowed in lower scales and it tapers off to 11 stages in the highest scale (now it is between 11 and 26). The chances of stagnating in the new scales will be remote in lower and middle level scales but the same is not ruled out in higher scales.
- 2.7 **Spread between scales:** Existing scales provide increase of a minimum of one stage to a maximum of 8 stages between succeeding scales. The first four scales (lowest) are all having a difference of only one stage each. Also, two such cases are there in mid-level scales. The Commission has ensured a minimum of two stage increase in such cases.
- 2.8 **Master Scale:** Almost all the employees' organisations favoured the continuation of master scale. Taking in to account the current pay structure and periodicity of revisions, the Commission also favours the same. The Commission proposes the following master scale-
- 17000-500-20000-550-22200-600-25200-650-27800-700-29900-800-33900-900-37500-1000-42500-1100-48000-1200-54000-1350-59400-1500-65400-1650-72000-1800-81000-2000-97000-2200-108000-2400-120000.

Table 4.7

Existing and Proposed scales of pay

Scale No	Existing scales (2009)	No of stages	Proposed Scales (2014)	No of stages
1	8500-230-9190-250-9940-270-11020-300-12220-330-13210	18	17000-500-20000-550-22200-600-25200-650-27800-700-29900-800-33900-900-35700	30
2	8730-230-9190-250-9940-270-11020-300-12220-330-13540	18	18000-500-20000-550-22200-600-25200-650-27800-700-29900-800-33900-900-37500	30
3	8960-230-9190-250-9940-270-11020-300-12220-330-13540-360-14260	19	19000-500-20000-550-22200-600-25200-650-27800-700-29900-800-33900-900-37500-1000-39500	30
4	9190-250-9940-270-11020-300-12220-330-13540-360-14980-400-15780	22	20000-550-22200-600-25200-650-27800-700-29900-800-33900-900-37500-1000-41500	30
5	9940-270-11020-300-12220-330-13540-360-14980-400-16580	21	21100-550-22200-600-25200-650-27800-700-29900-800-33900-900-37500-1000-42500-1100-43600	30
6	10480-270-11020-300-12220-330-13540-360-14980-400-	23	22200-600-25200-650-27800-700-29900-800-33900-900-37500-1000-42500-1100-	30

	16980-440-18300		45800	
7	11620-300-12220-330-13540-360-14980-400-16980-440-18740-500-20240	23	23400-600-25200-650-27800-700-29900-800-33900-900-37500-1000-42500-1100-48000	30
8	13210-330-13540-360-14980-400-16980-440-18740-500-21240-560-22360	22	26500-650-27800-700-29900-800-33900-900-37500-1000-42500-1100-48000-1200-54000	30
9	13900-360-14980-400-16980-440-18740-500-21240-560-24040	23	27800-700-29900-800-33900-900-37500-1000-42500-1100-48000-1200-54000-1350-56700	30
10	14620-360-14980-400-16980-440-18740-500-21240-560-24040-620-25280	23	29200-700-29900-800-33900-900-37500-1000-42500-1100-48000-1200-54000-1350-59400	30
11	15380-400-16980-440-18740-500-21240-560-24040-620-25900	22	30700-800-33900-900-37500-1000-42500-1100-48000-1200-54000-1350-59400-1500-62400	30
12	16180-400-16980-440-18740-500-21240-560-24040-620-27140-680-29180	25	32300-800-33900-900-37500-1000-42500-1100-48000-1200-54000-1350-59400-1500-65400	30
13	16980-440-18740-500-21240-560-24040-620-27140-680-29860-750-31360	26	33900-900-37500-1000-42500-1100-48000-1200-54000-1350-59400-1500-65400-1650-68700	30
14	18740-500-21240-560-24040-620-27140-680-29860-750-32860-820-33680	25	37500-1000-42500-1100-48000-1200-54000-1350-59400-1500-65400-1650-72000-1800-75600	30
15	19240-500-21240-560-24040-620-27140-680-29860-750-32860-820-34500	25	39500-1000-42500-1100-48000-1200-54000-1350-59400-1500-65400-1650-72000-1800-79200	30
16	20740-500-21240-560-24040-620-27140-680-29860-750-32860-820-36140	24	41500-1000-42500-1100-48000-1200-54000-1350-59400-1500-65400-1650-72000-1800-81000-2000-	30

			83000	
17	21240-560-24040-620-27140-680-29860-750-32860-820-36140-900-37040	24	43600-1100-48000-1200-54000-1350-59400-1500-65400-1650-72000-1800-81000-2000-85000	29
18	22360-560-24040-620-27140-680-29860-750-32860-820-36140-900-37940	23	45800-1100-48000-1200-54000-1350-59400-1500-65400-1650-72000-1800-81000-2000-87000	28
19	24040-620-27140-680-29860-750-32860-820-36140-900-38840	21	48000-1200-54000-1350-59400-1500-65400-1650-72000-1800-81000-2000-89000	27
20	29180-680-29860-750-32860-820-36140-900-40640-1000-43640	18	58050-1350-59400-1500-65400-1650-72000-1800-81000-2000-97000-2200-101400	25
21	32110-750-32860-820-36140-900-40640-1000-44640	15	63900-1500-65400-1650-72000-1800-81000-2000-97000-2200-103600	22
22	36140-900-40640-1000-48640-1100-49740	15	72000-1800-81000-2000-97000-2200-108000-2400-110400	20
23	40640-1000-48640-1100-57440	17	81000-2000-97000-2200-108000-2400-115200	17
24	42640-1000-48640-1100-57440-1200-58640	16	85000-2000-97000-2200-108000-2400-117600	16
25	44640-1000-48640-1100-57440-1200-58640	14	89000-2000-97000-2200-108000-2400-117600	14
26	46640-1000-48640-1100-57440-1200-59840	13	93000-2000-97000-2200-108000-2400-120000	13
27	48640-1100-57440-1200-59840	11	97000-2200-108000-2400-120000	11
Master scale	8500-230-9190-250-9940-270-11020-300-12220-330-13540-360-14980-400-16980-440-18740-500-21240-560-24040-620-27140-680-29860-750-32860-820-36140-900-40640-1000-48640-1100-57440-1200-59840.	82	17000-500-20000-550-22200-600-25200-650-27800-700-29900-800-33900-900-37500-1000-42500-1100-48000-1200-54000-1350-59400-1500-65400-1650-72000-1800-81000-2000-97000-2200-108000-2400-120000.	82

Table 4.8

## Comparisons on disparity ratio

Disparity Ratio	2004	2009	2014
Minimum of lowest scale : Minimum of highest scale	5.90	5.72	5.71
Maximum of lowest scale : Maximum of highest scale	5.40	4.53	3.36
Minimum of lowest scale : Maximum of highest scale	7.48	7.04	7.06
Maximum of lowest scale : Minimum of highest scale	4.27	3.68	2.72

**Rules for fixation of pay in the revised scale.**

- 2.9 The next issue is how pay is to be fixed to come over to the new scales. The previous Commission provided for merging DA in full (64%), a 10% fitment benefit, with a minimum assured amount of ₹ 1000 and Service weightage at ½% per completed year of service (maximum 15%). This Commission also persists with the existing system despite some requests for granting service weightage in the revised scale, as was given in the 2004 revision. The Commission could readily come to conclusions regarding merger of DA and service weightage. Fixing the fitment benefit was a challenge as even a small hike will result in huge additional financial commitment. The Commission was of the view that the lower level employees should get a decent hike due to revision and recommends for a fitment benefit of 12% of the existing basic pay subject to a minimum of ₹ 2000/-. (The fitment benefit at the lowest pay is effectively at 23.5% and shrinks to 12% as the pay goes higher.) DA shall be fully neutralized at 80% as on 01.07.2014 and service weightage at ½% per completed year of service subject to a maximum of 15% shall be allowed. The amount of fitment benefit and service weightage taken together shall not exceed ₹ 12000.
- 2.10 **Option:** The various revisions provided the employees the option to choose the date on which one intended to move to the new scales. It gave certain advantages to a section of employees, usually centering on dates of increment, promotion, completion of year for service weightage etc. On the other side, it creates a lot of administrative work and delay in fixing the revised scales. Invariably, a large number of employees would go wrong while preferring option and data shows that the Government is flooded with requests for

allowing re-option. Even more than 20 cases are pending in the Supreme Court.

2.11 Can the facility of option be dispensed with? Will it hurt the employees badly? Can everybody be shifted to the new scales mandatorily? The first thing to assure is that the employees do not lose their legitimate claims. The Commission has recommended for a higher fitment benefit and allowances which will result in a fair hike in total emoluments in the revised scales. Then why should one go any further? By moving to mandatory change over, there is no denial of their existing benefits. It only curtails the possibility of getting an additional advantage due to the provisions in the revisions. When considering the administrative cost and effort involved, a change from the existing practice becomes pertinent. **In the circumstances, the Commission recommends that the Pay Revision shall come into force with effect from 01.07.2014 and pay of all employees stand shifted to the New Scales from the date of implementation itself.** Increments will be granted on due dates as if one had continued in the old scale without waiting for one year from the date of revision. The issue of junior-senior anomaly is not a probability but in any case if it occurs, that will be set right as per existing procedures. The following rules are proposed for fixation of pay in the revised scales.

- (i) The revised scales of pay shall come into force w.e.f.01.07.2014.
- (ii) All employees who were in service as on 01.07.2014 shall be deemed to have come over to the new scales with effect from 01.07.2014. There will be no option.
- (iii) Existing scale of pay for the purpose of these rules is the scale of pay as incorporated in G.O.(P).No.85.2011.Fin dated 26.02.2011.
- (iv) Existing emoluments for the purpose of these rules shall be the total of :
  - (a) Basic pay in the existing scales as on 01.07.2014, including increments, if any, accruing on 01.07.2014 in the existing scale. Stagnation increments shall also be reckoned for this.
  - (b) Personal pay, if any, not specifically ordered to be absorbed in future increase of pay.
  - (c) Special pay drawn in lieu of higher time scale of pay provided there is no special pay attached to revised scale.
  - (d) Dearness Allowance admissible at the rate of 80% on such pay vide (a), (b) and (c) above.

Note: - Special pay, in addition to the pay drawn in the existing scale shall not be reckoned for fixation of pay in the revised scale.

- (v) To the existing emoluments computed above, shall be added an amount equal to 12% of basic pay subject to a minimum of ₹2000/- in Rule (iv)(a) above towards fitment benefit and another amount equivalent to ½% of basic pay, specified in Rule

(iv)(a) above, for each completed year of service subject to a maximum of 30 completed years, towards service weightage.

Note: - Service for the purpose of this rule means service including broken periods of service qualifying for normal increments in the scale of pay. Time spent on leave not counting for normal increment will not be reckoned. Service during the period of bar on increment, without cumulative effect will be reckoned. Prior Regular service in aided schools/colleges, Municipal Common Service, Panchayat service and High Court of Kerala Service may also be reckoned.

- (vi) The amount so arrived at under Rule (v) above shall be stepped up to the next immediate stage in the revised scale of pay.
- (vii) If the amount arrived at under Rule (v) above is more than the maximum of the revised scale, the pay shall be fixed at the maximum of the revised scale and the difference shall be treated as personal pay and it will not be absorbed in future increase in pay on account of granting increments. This personal pay will count for all purposes viz; fixation of pay, calculation of leave salary, drawal of allowance and pension.
- (viii) In cases, where a senior High Court servant promoted to a higher post before 1.7.2014, (other than a time bound higher grade) draws less pay in the revised scale than his Junior promoted to the higher post after 1.7.2014, the pay of the senior employee shall be stepped up to the level of the pay of the junior w.e.f. the date on which junior draws more pay, provided that
  - (a) The senior and the junior employee should belong to the same category and should have been promoted to the same category of post.
  - (b) The pre-revised and revised scale of pay of the lower and higher posts in which they are entitled to draw pay should be identical.
  - (c) The senior High Court servant at the time of promotion has been drawing equal or more pay than the junior
  - (d) The anomaly should have arisen directly as a result of the introduction of the revised scale of pay
  - (e) The anomaly should not have arisen due to the option exercised on different dates or due to any advance increments granted to the junior in the lower post or due to increased service weightage to the junior.

Note: - (i) If in the lower post, the junior employee was drawing more pay in the pre-revised scale than the senior, the senior to such junior will have no claim over the pay of the junior.

- f. All appointments and promotions made on or after 1.7.2014 shall be deemed to have been made in the revised scale of pay.

- g. Provisional employees recruited through the employment exchanges who were in service on 30.6.2014 and continued thereafter shall be eligible for the minimum of the revised scale of pay only.
- h. Increments will be granted on due dates as if one had continued in the old scale without waiting for one year from the date of revision.
- i. An employee whose increment is withheld for want of declaration of probation on 1.7.2014 will also be allowed the benefit of fixation of pay by notionally counting the increment accrued but withheld, in relaxation of Rule 37 B(b), Part I Kerala Services Rules, subject to the condition that the next increment after such fixation will be allowed only after he is declared to have satisfactorily completed his probation and the period of approved service required to earn an increment.
- j. In the case of an employee whose pay has been reduced with the effect of postponing future increments, fixation of pay in the revised scale will be allowed as on 01.07.2014 but he has to remain in that pay till the expiry of the period of reduction. The pay will, however, be fixed on the date of expiry of the period of reduction. The next increment in such cases will be allowed only on completion of approved service required to earn an increment from the date of such fixation.
- k. In the case of employees whose increment in the pre-revised scale is barred as punishment without cumulative effect, their pay as on 01.07.2014 (if it is w.e.f. a date on which the increment bar is in force) in the revised scale will be fixed on the basis of the pay notionally arrived at by counting increment each, in the pre-revised scale, for every completed year of service which would have been counted for normal increment, but for the punishment. The next increment in the revised scale will be sanctioned only after expiry of the remaining period of increment bar as on the date of fixation of pay in the revised scale.
- l. In the case of employees whose increment in the pre-revised scale is barred as punishment with cumulative effect, their pay as on 01.07.2014 (if it is w.e.f. a date on which the increment bar is in force) will be fixed on the basis of the pay they were drawing immediately before increment bar. They will be entitled to the pay at the same rate till the expiry of the period of increment bar. The next increment in the revised scale will be sanctioned only after expiry of the period of increment bar.
- m. In the case of employees whose pay in the pre-revised scale is reduced to lower stage as penalty temporarily, their pay in the revised scale will be fixed as on 01.07.2014 (if it is w.e.f a date on which the reduction in pay is in force) on the basis of the pay after reduction in the pre-revised scale. The next increment that will accrue in the revised scale will be sanctioned only after the expiry of the remaining period of penalty.

n. In the case of employees whose pay in the pre-revised scale is reduced permanently to lower stage as penalty with the effect of postponing future increments, his pay in the revised scale will be fixed on 01.07.2014 on the basis of the reduced pay in the pre-revised scale. They will have to remain in that pay till expiry of the period of reduction. The next increment that will accrue in the revised scale will be sanctioned only after expiry of the remaining period of penalty.

2.12 In the terms of reference, it was suggested to look into the anomalies created by the last Pay Revision, owing to any undue and unexplainable hike to certain categories of employees and to make suggestions to rectify them. The Commission felt it not proper to sit on judgment of another Commission's findings. Different Commissions may have different perceptions and that has to be respected. Government have already issued more than 200 rectification orders since the implementation of the 2009 Pay Revision Order. The word 'anomaly' is a relative term as far pay scales are concerned. For instance, there will be a number of dissimilar posts under a single scale and whenever there is a change in the case of a post, the others call it an anomaly. Equations are made with posts that have nothing to do in common. Past histories are dug up to emphasize claims and what not. Virtually, there was no claim for higher pay which assessed their own work.

2.13 One of the impediments the Pay Commissions had to face is lack of data to scientifically assess the various posts. Each Commission had to depend on its own wisdom and make assessment on generalities of a post. It's exactly for this reason that claims for anomalies are being made. There is a Section in Finance Department, called "Pay Research Unit". It is doubtful whether the unit has ever done any research on pay. It is high time Data, a to z, of each and every post is collected, analysed and codified into a measurable unit. Data shall comprise pay scales, workload, promotion avenues as per Special Rules, educational and other qualifications, actual performance as a unit and Department etc. New technologies and tools may be used to arrive at the desired end. It is hoped that the Department will seriously take steps to make the unit worthwhile.

### **APPROACH TOWARDS FUTURE PAY REVISION**

2.14 If one goes through the revenue expenditure graph of the State over the years, none can miss the hump in every five years. In short, it sums up all. The periodicity of 5 year revision augurs well for the employees but puts enormous pressure on State's revenue. This revision will also be no exception and may perhaps make the hump bigger. While a few previous Pay Revision Commissions suggested for a ten year periodicity some suggested for retaining the existing 5 year periodicity. We are of the view that the State will not be in a position to withstand the doubling or near doubling of pay scales

of employees every five years along with steady D.A increase at Central rates. It is with this in mind we have framed the new scales of pay and other benefits. We are therefore of the view that the new pay scales and pension revision recommended by us should be in force for 10 years.

## Illustrations – Fixation of Pay

No.1

An employee with less than one year's service and drawing a basic pay of ₹ 8500/- in the pre-revised scale.

Basic Pay as on 01.07.2014		8,500
DA at 80%		6,800
Fitment at 12% (minimum ₹ 2000/-)	2,000	
Service weightage at 1/2% per completed year (maximum 15%)	0	
Total of Fitment+Service weightage	2,000	
Maximum limit ₹ 12000/-		2,000
Total		17,300
Pay in revised scale(next stage)		17,500
Net benefit as on 01.07.2014		2,200

No.2

An employee with 10 year's service and drawing a basic pay of ₹ 12220/- in the pre-revised scale.

Basic Pay as on 01.07.2014		12,220
DA at 80%		9,776
Fitment at 12% (minimum ₹ 2000/-)	2,000	
Service weightage at 1/2% per completed year (maximum 15%)	611	
Total of Fitment+Service weightage	2,611	
Maximum limit ₹ 12000/-		2,611
Total		24,607
Pay in revised scale(next stage)		25,200
Net benefit as on 01.07.2014		3,204

No.3

An employee with 15 year's service and drawing a basic pay of ` 20740/- in the pre-revised scale.

Basic Pay as on 01.07.2014		20,740
DA at 80%		16,592
Fitment at 12% (minimum ` 2000/-)	2,489	
Service weightage at 1/2% per completed year (maximum 15%)	1,556	
Total of Fitment+Service weightage	4,045	
Maximum limit ` 12000/-		4,045
Total		41,377
Pay in revised scale(next stage)		41,500
Net benefit as on 01.07.2014		4,168

No.4

An employee with 26 year's service and drawing a basic pay of ` 29180/- in the pre-revised scale.

Basic Pay as on 01.07.2014		29,180
DA at 80%		23,344
Fitment at 12% (minimum ` 2000/-)	3,502	
Service weightage at 1/2% per completed year (maximum 15%)	3,793	
Total of Fitment+Service weightage	7,295	
Maximum limit ` 12000/-		7,295
Total		59,819
Pay in revised scale(next stage)		60,900
Net benefit as on 01.07.2014		8,376

No.5

An employee with 30 year's service and drawing a basic pay of ₹ 44640/- in the pre-revised scale.

Basic Pay as on 01.07.2014		44,640
DA at 80%		35,712
Fitment at 12% (minimum ₹ 2000/-)	5,357	
Service weightage at 1/2% per completed year (maximum 15%)	6,696	
Total of Fitment+Service weightage	12,053	
Maximum limit ₹ 12000/-		12,000
Total		92,352
Pay in revised scale(next stage)		93,000
Net benefit as on 01.07.2014		12,648

No.6

An employee with 32 year's service and drawing a basic pay of ₹ 59840/- in the pre-revised scale.

Basic Pay as on 01.07.2014		59,840
DA at 80%		47,872
Fitment at 12% (minimum ₹ 2000/-)	7,181	
Service weightage at 1/2% per completed year (maximum 15%)	8,976	
Total of Fitment+Service weightage	16,157	
Maximum limit ₹ 12000/-		12,000
Total		1,19,712
Pay in revised scale(next stage)		1,20,000
Net benefit as on 01.07.2014		12,288

## CHAPTER 3

### RECOMMENDATIONS ON SCALES OF PAY

Commission had discussions with the different Service Organisations and Registrar (General), High Court of Kerala

In the light of the above, the following recommendations are made:

1. One post of Joint Registrar (Judicial) may be additionally created for attending to Judicial postings and related work in view of the additional workload.
2. Post of Finance Officer of the High Court may be allowed a Special Allowance of Rs.1000/- per month considering the workload and responsibilities attached to the post
3. Post of Court Fee Examiner may be placed in the revised scale corresponding to Rs.22360-37940.
4. Post of Chief Librarian may be placed in the revised scale corresponding to Rs.36140-49740 as in Legislature Secretariat considering the workload and responsibilities
5. Post of Librarian may be placed in the revised scale corresponding to Rs.29180-43640.
6. Post of Assistant Protocol Officer may be placed in the revised scale corresponding to Rs.20740-36140.
7. Post of Assistant Protocol Officer (HG) may be placed in the revised scale corresponding to Rs.21240-37040.
8. The post of Section Officer may be placed in the revised scale of pay corresponding to Rs.20740-36140. The post of Section Officer (HG) will be placed in the revised scale corresponding to Rs.21240-37040. The ratio between the two posts will continue to be 1:1.
9. The post of Assistant/Junior Accountant may be placed in the scale of pay corresponding to Rs.14620-25280
10. The post of Computer Assistant Grade I may be placed in the revised scale of pay corresponding to Rs.14620-25280
11. Post of Superintendent of Vehicles is now on Rs.18740-33640. Considering the workload, additional responsibilities attached the post and long years of service before and after joining this post, Commission is of the view that post be upgraded to the level of Assistant Executive Engineer(PWD) and placed in the revised scale corresponding to Rs.22360-37940. This will be treated as a personal up-gradation. Any fresh person who joins duty in this post on a later date will be eligible only for the scale of pay of 18740-33640.
12. It was represented before the Commission that an Officer working as Overseer Grade I of the High Court for the last several years is denied promotion as Assistant Engineer since Special Rules prescribes that feeder category to the post of Assistant Engineer is Overseer Grade II. Commission is not able to understand how

Overseer Grade I who is holding a Higher Post than Overseer Grade II is not qualified for promotion even though an officer in a lower grade is qualified for the same. The finding of the Commission is that any Officer who is holding a higher grade post is eminently qualified than a lower grade Officer for promotion to a higher post. It is, therefore, recommended that Officer now working as Overseer Grade I may be promoted as Assistant Engineer with effect from the due date on which he has become eligible for the post.

13. The post of Typist/Copyist Grade II is on the scale of pay of Rs.9190-15780. Commission is of the view that this post may be placed in the revised scale corresponding to 9940-16580.
14. Post of Court Keeper may be allowed a Selection Grade in addition to the two grades now enjoyed in the ratio of 2:1:1 on the revised scale corresponding to Rs.9190-15780.
15. Ratio between Office Attender Grade II and Grade I is modified as 1:1. Office Attender posted for escort duty be paid a higher special allowance at the rate of Rs.750/- per month.
16. The post of Clerical Assistant may be placed in the revised scale of pay corresponding to Rs.9190-15780.
17. The post of Attender Grade II may be placed in the revised scale of pay corresponding to Rs.8960-14260.
18. The post of Attender Grade I may be placed in the revised scale of pay corresponding to Rs.9190-15780.
19. There is only three grades for Library Assistants, where as common pool Library Assistants have four grades. Hence one more grade by name Selection Grade Library Assistant may be created on Rs.15380-25900 (pre-revision) with corresponding revision. The ratio among the four grades will be 2:2:1:1 from Library Assistant to Selection Grade Library Assistant
20. There was a shift from the existing pattern of higher grades for Chauffeurs to the pattern of the Tourism Department. Though all lowest grade staff got a hike, this has resulted in some of the middle level Chauffeurs being downgraded to a lower level and consequent recovery from salary. The Commission finds that recovery based on the new arrangement is not an acceptable situation. Hence the pay of the Chauffeurs who had to face reversion to a lower grade may be protected and the recovery waived and the Commission recommends accordingly.
21. Special pay in lieu of Higher Time Scale of Pay was introduced for Deputy Secretaries and above during the period when their pay scales were low and inadequate considering the important and hard work being rendered by them. However, times have changed and considering the high scales of pay now recommended for them, we do not find any justification to continue special pay. Moreover, we have recommended abolition of special allowances in various other

departments. We therefore recommend abolition of special pay for Deputy Secretaries and above in the Secretariat and corresponding posts in other establishments like PSC, Advocate's General Office, High Court etc. (Member Secretary has recorded his dissent in this matter. May be seen at Appendix I)

22. Normal revision may be allowed to all other posts.

**The categories of posts with the existing and proposed scales of pay are given below:**

**HIGH COURT OF KERALA**

SI No	Designation	No. of posts	Existing scale of pay	Revised Scale of Pay
1.	Registrar General	1	48640-59840	97000-120000
2.	Registrar (Subordinate Judiciary)	1	46640-59840	93000-120000
3.	Registrar (Vigilance)	1	46640-59840	93000-120000
4.	Registrar (Recruitment & Computerization)	1	46640-59840	93000-120000
5.	Director, Kerala Judicial Academy	1	46640-59840	93000-120000
6.	Additional Director, Kerala Judicial Academy	1	46640-59840	93000-120000
7.	Registrar (Administration)	1	46640-59840	93000-120000
8.	Registrar (Judicial)	1	46640-59840	93000-120000
9.	Deputy Director, Kerala Judicial Academy	1	As in PD	As in PD
10.	Assistant Director, Kerala Judicial Academy	1		
11.	Joint Registrar	3	44640-58640+900 sp	89000-117600
12.	Deputy Registrar	7	40640-57440+500 sp	81000-115200
13. a	Assistant Registrar (HG)	11	36140-49740	72000-110400
14. a	Assistant Registrar	11	24040-38840	48000-89000
15.	Court Fee Examiner	38	21240-37040	45800-87000
16. j	Section Officer (HG)(45)/ Court	83	20740-36140	43600-85000

	Officer (HG)(38)			
17. j	Section Officer(45) / Court Officer(39)	84	18740-33680	41500-83000
18.	Private Secretary to the Chief Justice	1	40640-57440	81000-115200
19.	Court Officer to the Chief Justice	1	24040-38840	48000-89000
20.	Personal Assistant to the Chief Justice	1	22360-37940	45800-87000
21.	Additional Personal Assistant to the Chief Justice	1	21240-37040	43600-85000
22.	Public Relations Officer	1	40640-57440	81000-115200
23.	Protocol Officer	1	40640-57440	81000-115200
24.	Assistant Public Relations Officer	1	24040-38840	48000-89000
25. c	Assistant Protocol Officer (H.G)	1	20740-36140	43600-85000
26. c	Assistant Protocol Officer	1	18740-33680	41500-83000
27.	Finance Officer	1	40640-57440	81000-115200
28.	Accounts Officer	1	21240-37040	43600-85000
29.	Chief Accountant	1	20740-36140	41500-83000
30. m	Private Secretary (HG) to Judge	19	22360-37940	45800-87000
31. m	Private Secretary to Judge	19	21240-37040	43600-85000
32.	Personal Assistant (Sl.Gr) to Judge	28	20740-36140	41500-83000
33.	Chief Librarian	1	32110-44640	72000-110400
34.	Librarian	2	24040-38840	58050-101400
35.	Reference Librarian	2	22360-37940	45800-87000
36.	Assistant Librarian	2	19240-34500	39500-79200
37.	Security Officer	1	19240-34500	39500-79200
38.	Head Translator	1	18740-33680	37500-75600
39. b	Office Superintendent (HG)	9	20740-36140	41500-83000
40. b	Office Superintendent	9	18740-33680	37500-75600
41.	Superintendent (Vehicles)	1	18740-33680	45800-87000
42.	Electronic Data Processing Officer	1	21240-37040	43600-85000
43.	Assistant Engineer	1	20740-36140	41500-83000
44.	Deputy Superintendent of Police	1	40640-57440	81000-115200
45.	Circle Inspector of Police	1	20740-36140	41500-83000

46.	Head Constable	1	13900-24040	29200-59400
47.	Police Constable	2	10480-18300	23400-48000
48. K	Assistant Section Officer	135	16980-31360	33900-68700
49. K	Senior Grade Assistant	135	16180-29180	32300-65400
50. k	Assistant/ Jr.Accountant	137	13900-24040	29200-59400
51.	Personal Assistant (Grade I) to Judge	28	16980-31360	33900-68700
52.	Personal Assistant (Grade II) to Judge	28	14620-25280	29200-59400
53.	Confidential Assistant Gr.II	15	13210-22360	26500-54000
54. I	Selection Grade Computer Assistant	21	16980-31360	33900-68700
55. I	Senior Grade Computer Assistant	21	16180-29180	32300-65400
56. I	Computer Assistant Gr I	21	13900-24040	29200-59400
57. I	Computer Assistant Gr II	24	10480-18300	22200-45800
58.	Selection Grade Typist Copyist	8	16180-29180	32300-65400
59.	Senior Grade Typist Copyist	8	13900-24040	27800-56700
60.	Typist Copyist Grade I	8	11620-20240	23400-48000
61.	Typist Copyist Grade II	8	9190-15780	21100-43600
62. d	Translator (H.G)	4	16180-29180	32300-65400
63. d	Translator	3	13900-24040	27800-56700
64. d	Translator (Kannada)	1	13900-24040	27800-56700
65	Cataloguer	2	16180-29180	32300-65400
66 o	Sel.Grade Library Assistant			30700-62400
67	Senior Grade Library Assistant	2	14620-25280	29200-59400
68	Higher Grade Library Assistant	4	13900-24040	27800-56700
69	Library Assistant	6	11620-20240	23400-48000
70	Overseer Gr.II	1	11620-20240	23400-48000
71	Head Chauffeur	1	14620-25280	29200-59400
72 e	Chauffeur Grade I	37	13210-22360	26500-54000
73 e	Chauffeur Grade II	38	9940-16580	21100-43600
74	Motor Car Mechanic Gr.II	1	11620-20240	23400-48000
75	Clerical Assistant (Higher Grade)	1	10480-18300	22200-45800
76	Clerical Assistant	2	8960-14260	20000-41500
77 f	Telephone Operator (H.G)	1	13210-22360	26500-54000
78 f	Telephone Operator	2	11620-20240	23400-48000
79	Photocopier Operator	1	9190-15780	20000-41500
80	Duplicator Operator	2	8730-13540	18000-37500
81 h	Binder (Higher Grade)	1	9190-15780	20000-41500
82 h	Binder	2	8960-14260	19000-39500

83	Electrician	1	9190-15780	20000-41500
84	Plumber	1	9190-15780	20000-41500
85	Plumber/Pump Operator	1	9190-15780	20000-41500
86 g	Lift Operator (H.G)	3	9940-16580	21100-43600
87 g	Lift Operator	7	9190-15780	20000-41500
88	Carpenter	1	8960-14260	19000-39500
89	Caretaker	1	9190-15780	20000-41500
90p	Attender Gr.I	7	8960-14260	20000-41500
91	Attender Gr.II	7	8730-13540	19000-39500
92	Civil Sergeant	2	10480-18300	22200-45800
93	Head Gardener	1	8960-14260	19000-39500
94	Gardener	12	8730-13540	18000-37500
95	Helper	3	8730-13540	18000-37500
96	Duffadar	8	9190-15780	20000-41500
97	Court Keeper (Sel.Gr)			20000-41500
98	Court Keeper (H.G)	8	8960-14260	19000-39500
99 i	Court Keeper	18	8730-13540	18000-37500
100 n	Office Attendant(HG)/ Last Grade Employee Grade I	137	8730-13540	18000-37500
101	Office Attendant	241	8500-13210	17000-35700
102	Vacuum Cleaner Operator	1	8500-13210	17000-35700
103	Watchman	18	8500-13210	17000-35700
104	Cook	3	8500-13210	17000-35700
105	Sweeper -cum-Office Attendant	3	8500-13210	17000-35700
106	Sweeper	5	8500-13210	17000-35700
107	Sanitation Worker	6	8500-13210	17000-35700
	<b>Total</b>	<b>1524</b>		

- a. The ratio between Asst. Registrar and Asst. Registrar(HG) is 1:1.
- b. Office Superintendent is on HG in the ratio 1:1.
- c. One post of Assistant Protocol Officer is in the HG on 43600-85000.
- d. HG of Translator(including Kannada Translator) in the ratio 1:1.
- e. Chauffer Gr I and Gr II in the ratio 1:1.
- f. Telephone Operator(HG) in the ratio of 1:2 on 26500-54000.
- g. Lift Operator (HG) in the ratio of 1:2.
- h. One post of Binder in the HG of 20000-41500.
- i. Ratio between Court Keeper, Court Keeper(HG) and Court Keeper(Sel.Gr) is 2:1:1
- j. Ratio between Section Officer/Court Officer and Section Officer(HG)/Court Officer(HG) is 1:1.
- k. Ratio between Assistant Section Officer, Senior Grade Assistant and Assistant is 1:1:1.
- l. Ratio among Computer Assistants is 1:1:1:1.
- m. Ratio between PS to Judge and PS to Judge(HG) is 1:1.
- n. Ratio between Office Attendant Grade II and Grade I is 1:1

- o. Ratio between Library Assistant/Higher Grade Library Assistant/Senior Grade Library Assistant/Selection Grade Library Assistant will be 2:2:1:1
- p. Ratio between Attender Grade II/Grade I will be 1:1

## CHAPTER 4

### ALLOWANCES AND LEAVE

#### ALLOWANCES

- 4.1 All the service organisations have made claims for considerable hike in allowances, citing various reasons. The Commission went through the demands in detail and the recommendations may be seen in the following paragraphs.

#### DEARNESS ALLOWANCE

- 4.2 Dearness Allowance is a mechanism to protect the employees from inflationary pressures. It is linked to cost of living index on the principle that whenever there is a price rise over the base period, the employees have to be protected against erosion in their earnings. The 8<sup>th</sup> Pay Revision merged the full DA at 64% as on 01.07.2009 and adopted the following formula for future Dearness Allowances.

$$(12 \text{ months average AICPI} - 115.76) \times 100 / 115.76$$

- 4.3 Though, the index factor as on 01.07.2009 after neutralizing of DA in full was 147.91, the Commission adopted the factor 115.76 citing the comparatively lower levels of pay of State employees and other reasons. The Government accepted the same contentions and orders were also issued accordingly.

- 4.4 The Commission has arrived on the new scales by neutralizing DA at 80% as on 01.07.2014. The proposed revised pay will be fairly high and it is only proper to fix the index factor by taking into account the average of 12 months of consumer price index as on 01.07.2014. The Commission after discussing the issues recommends the adoption of the following principle and index factor.

$$\text{Dearness Allowance} = (\text{Average of AICPI for the past 12 months} - \text{Index factor}) * 100 / \text{Index factor}.$$

All India Consumer Price Index for the period Jan 2013 to Dec 2014

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2013	221	223	224	226	228	231	235	237	238	241	243	239
2014	237	238	239	242	244	246	252	253	253	253	253	253

Source: Labour Bureau Index Numbers

- 4.5 As Dearness Allowance at 80% is fully neutralized as on 01.07.2014, the average of AICPI for the 12 months from July 2013 to June 2014 is 239.92. So, the index factor shall be 239.92 from 01.07.2014. The formula will then be –

$$\text{Dearness Allowance} = (\text{Average of AICPI for the past 12 months} - 239.92) * 100 / 239.92.$$

(Base year 2001).

DA as on 01.07.20104 Nil

DA as on 01.01.2015  $(246.92-239.92)*100/239.92 = 2.92=3\%$

#### HOUSE RENT ALLOWANCE

4.6 House Rent Allowance is granted to compensate on cost of residential accommodation of employees. HRA is being paid with reference to pay range and place of work. There are 6 slabs of pay ranges and the work places are categorized in to 4. The existing minimum HRA is Rs.250 and maximum Rs.1680.

##### EXISTING RATES OF HRA (IN Rs.)

PAY RANGE	B2 CLASS CITY	C CLASS CITY/TOWN	CITIES NOT IN B2 & C CLASS CITIES	OTHER PLACES
8500-8729	350	270	270	250
8730-12549	560	390	390	250
12550-24039	840	550	480	250
24040-29179	1050	700	530	250
29180-33679	1400	950	530	250
33680 & above	1680	1110	530	250

Notes:

*(1) B2 class city for the purpose of HRA means the cities of Thiruvananthapuram*

*Kollam, Kochi, Thrissur and Kozhikode.*

*(a) Government institutions situated within a radius of 3 kilometres from*

*Civil Station Kakkanad will be considered as B2 Class city for the purpose of granting House Rent Allowance and City Compensatory Allowance.*

*(b) The employees working in Forest complex at Mathottam (Kozhikkode) is*

*eligible for HRA at the rates applicable to the city limits of Kozhikkode.*

(2) "C class city/ town" includes the cities / towns of Alapuzha, Changanassery, Kanhangad, Kannur, Kasaragod, Kayamkulam, Kunnamkulam, Kottayam,

Malappuram, Manjeri, Nedumangad, Neyyattinkara, Palakkad, Payyannur,

Ponnani, Quilandi, Thalasseri, Thaliparamba, Thiruvalla, Tirur and Vadamakara.

(3) "Cities not in B2 & C Class" include all other Municipal areas and townships as well as District and Taluk headquarters not coming under B2 & C class city/ town.

4.7 The employees' organisations have sought for HRA at 10%, 20%, and 30% as in Government of India. But that will not be practical, considering the huge financial commitment. However, a moderate increase is called for. A flat rate of Rs.250 is given to all classes of employees in "other places" (panchayat areas). As the rural-urban divide in Kerala is not very pronounced, the Commission recommends for a minimum HRA of Rs.1000 and a maximum of Rs.3000. The increase ranges from 178% to 700%. It may be noted that 55% of employees are currently getting a HRA of Rs.250/- and the Commission is aware the additional financial commitment will be phenomenal due to considerable hike in rates. The proposed rates are as follows-

**PROPOSED RATES OF HRA (IN Rs.)**

SL.NO	PAY RANGE	B2 CLASS CITIES & ABOVE	OTHER CITIES/TOWNS	OTHER PLACES
1	17000-27800	1500	1250	1000
2	28500-44700	2000	1500	1250
3	45800-72000	2500	1750	1500
4	73800 & above	3000	2000	1750

Notes:

- 1 B2 class city and above for the purpose of HRA means the cities of Thiruvananthapuram, Kollam, Kochi, Thrissur and Kozhikode, Kannur, Malappuram.
- 2 Government institutions situated within a radius of 3 kilometres from Civil Station Kakkandad in the case of other cities (mentioned in Note 2) within 1 kilometre will be considered as B2 Class city and above for the purpose of granting House Rent Allowance and City Compensatory Allowance.

- 3 The employees working in Forest complex at Mathottam (Kozhikkode) is eligible for HRA at the rates applicable to the city limits of Kozhikkode.
- 4 Other Ciities and Towns include all other Municipal areas and townships a swell as District and Taluk headquarters not coming under B2 & C class city/ town.

4.8 **Recovery of Rent on Government Quarters:** As the number of Government quarters are very limited, only a minor section of employees are getting the benefit. No HRA is paid in such cases and a small amount is collected towards rent. Whether these amounts will cover at least the maintenance cost is any body's guess. Government may make an assessment of rent of each quarter and fix a rate which is based on market price. The amount withheld as HRA together with the rent recovered shall at least compensate a small portion of the cost. Till then, the following rate is proposed.

Recovery of rent on Government Quarters:

Existing position	Proposed
No HRA	No HRA
No recovery up to scale Rs.20740-36140	No recovery belowthe scale Rs.37500-75600(18740-33680)
Recovery of 2% of basic pay above Rs.20740-36140	Recovery of 2% of Basic pay in the scaleRs.37500-75600 (18740-33680) and above.
	All other conditions will remain same.

4.9 **CITY COMPENSATORY ALLOWANCE:** The existing and proposed rates of CCA are as follows-

**EXISTING RATES OF CCA (IN Rs.)**

PAY RANGE	AMOUNT
Below 9440	200
9440 and above but below 13540	250
13540 and above but below 16980	300
16980 and above	350

**PROPOSED RATES OF CCA (IN Rs.S)**

PAY RANGE	AMOUNT
17000-27800	350
28500-44700	400
45800-72000	450
73800 & above & above	500

4.10 **Spectacle Allowance:**

Existing rate	Proposed
<i>Rs.1000 Once in 10 years</i>	<i>Rs.1200 once in 5 years</i>

4.11 **Education Allowance to the Parents having differently abled children:** An amount of Rs.450/- pm is granted to employees having differently abled children studying in schools. The Commission recommends enhancing the amount to Rs.600/- pm. Existing conditions shall remain.

4.12 **Special Allowance to differently abled employees:** Currently, an amount of Rs.600/- pm is provided as special allowance to differently abled employees. The Commission recommends enhancing the amount to Rs.800/- pm. Existing conditions shall remain.

4.13 **Travelling Allowance:** For the purpose of travelling allowance, officers will be classified into the following four grades. The Commission recommends the continuation of the same grades with corresponding pay.

Grade	Existing classification	Proposed
Grade I	All officers who draw an actual basic pay of Rs.25280/- and above and Head of Departments, Private Secretary to Ministers and All India Service Officers irrespective of the Pay drawn by them.	All officers who draw an actual basic pay of Rs.50400/- and above and Head of Departments, Private Secretary to Ministers and All India Service Officers irrespective of the Pay drawn by them.
Grade II (a)	Officers with actual basic pay of Rs.21240/-and above, but below Rs.25280/-	Officers with actual basic pay of Rs.42500/-and above, but below Rs.50400/-
Grade II (b)	Officers with actual basic pay of Rs.13900/-and above, but below Rs.21240/-. Non gazetted Officers, other Last Grade Servants when they accompany the Governor and Ministers will be treated as Grade II(b)	Officers with actual basic pay of Rs.27800/-and above, but below Rs.42500/-. Non gazetted Officers, other Last Grade Servants when they accompany the Governor and Ministers will be treated as Grade II(b)
Grade III	Officers with actual basic pay of Rs.8960/-and above, but below Rs.13900/-	Officers with actual basic pay of Rs.18000/-and above, but below Rs.27800/-
Grade IV	Officers with actual basic pay below Rs.8960/-	Officers with actual basic pay below Rs.18000/-

Note:- For this purpose, Pay includes Personal Pay and Special Pay in lieu of higher time scale of pay.

4.14 **Class of Travel:** The existing eligible class of travel by train by each grade shall be as follows;.

Grades	Existing Eligible Class	Proposed
Grade I	II AC	The existing grades and eligible class may be continued
Grade II (a)	I Class. If the train does not have I class, IIAC	
Grade II (b)	III AC. If the train does not have III AC, I Class	
Grade III	II class	
Grade IV	II class	

4.15 **Air Journey:** Presently, the officers in the scale of pay of Rs.29140-43640 and above are eligible for air journey. The officers in the revised scale of pay of Rs.58050-101400 and above shall be considered for air journey.

4.16 **Mileage Allowance:** The existing rate of mileage allowance is Rs.1.50 for all categories of employees. The Commission recommends enhancing the amount to Rs.2 per Km.

4.17 **Incidental Expenses for Road/Rail/Air journeys:** The Commission proposes the following changes-

Grades	Existing (Rs) per km Road/Rail	Existing Air journey (Rate per journey)	Proposed Rate (Rs) per km Road/Rail	Proposed Air Journey (Rate per journey)
Grade I	.50	Limited to 1DA	0.80	Limited to 1DA
Grade II (a)	.40		0.60	
Grade II (b)	.35		0.50	
Grade III	.30		0.50	
Grade IV	.30		0.50	

4.18 **Daily Allowance:** The Commission recommends the following rates-

Grades	Existing Rate		Proposed Rate (Rs)	
	Inside state (Rs)	Outside State(Rs)	Inside State	Outside State
Grade I	250	350	400	550
Grade II (a)	200	250	320	450
Grade II (b)	200	225	320	450
Grade III	150	175	250	350
Grade IV	150	175	250	350

4.19 **Classification of Officers for carrying Personal Effects:** The rates proposed are as follows-

Sl No	Category of Officers	Existing Weight (Kg)	Proposed
1	Officers whose actual basic pay is Rs.50400/- (pre-revised 25280/-)and above	3000	3000
2	Officers whose actual pay isRs27800 (pre-revised13900) and above but below Rs.50400/- 9pre-revised25280)	2000	2000
3	All other Officers	1000	1500

4.20 **Loading and unloading charges for journeys on transfer:** The proposed Loading and unloading charges for journey on transfer are as below:

Grades	Existing	Proposed Rate (Rs)
Grade I	600/- at each end	800 at each end
Grade II (a)	300/- at each end	450 at each end
Grade II (b)	300/- at each end	450 at each end
Grade III	250/- at each end	400 at each end
Grade IV	250/- at each end	400 at each end

4.21 **Reimbursement of room rent:** The proposed revised rates for reimbursement (against production of Voucher) shall be as follows: (Amount in rupees)

Grades	Existing		Proposed	
	New Delhi , Mumbai, Kolkatta, Chennai	Other Cities/ Towns outside State	New Delhi , Mumbai, Kolkatta, Chennai	Other Cities/ Towns outside State
Grade I	1500	1000	2000	1500
Grade II (a)	1500	1000	2000	1500
Grade II (b)	1200	750	1600	1000
Grade III	1200	750	1600	1000
Grade IV	800	700	1100	1000

4.22 **Taxi fare for Grade I Officials:** Grade I Officials travelling to Metropolitan cities and other larger cities are allowed to hire taxis for the day as in the case of Government of India Officials. They are entitled to taxi-fare at the rates fixed by Government from time to time for journeys on tour from residence to airport/railway station/bus stand and back. The existing status may be continued.

- 4.23 **Auto rickshaw / Taxi fare for journeys on tour:** Actual fare at the rate fixed by Government from time to time for a maximum of two journeys daily (plus one journey per tour from residence to Airport/Railway station/Bus stand and one journey from Airport/Railway station/ Bus stand to residence) limiting the maximum distance of single journey to 15 kilometers, as per rate fixed by Government from time to time. The existing rates may be continued.
- 4.24 **Leave Travel Concession:** Employees, who have completed 15 years of service are eligible for leave travel concession. It is allowed once in an employee's service, along with family members to anywhere in India subject to a maximum of 6500KM.
- 4.25 When it comes to comparisons about pay and perquisites, the State government employees tend to look to the Central Government as a model and trend setter. They always seek parity with Central Government scales and a variety of other entitlements like LTC. When we consider this, we have to look into the benefits available to State government employees which are not there for Central government employees. While the State government employees are entitled to leave encashment every year entitling them for 13 months salary for the 12 months work, no such benefit is available to Central Government employees. Leave encashment on retirement is same for both Central and State employees. When earned leave encashment is provided by the State government to the employees on yearly basis entitling them for one month's pay, it would not be fair for us to provide LTC over and above this benefit as it would only aggravate the financial burden of the State government. In our view, it is for the employees unions and State government to work out a solution by exchanging leave encashment with LTC, facilitating comparable to that enjoyed by Central government employees.
- 4.26 **Charge Allowance:** The existing rate of charge allowance as specified in the rules is 4% to 7% of the basic pay for a maximum of three months. The present rate may be continued but the maximum period may be enhanced to 6 months.
- 4.27 **House Building Advance to Government Employees:** The existing system of sanctioning of House Building Advance to Government Employees with a maximum amount of 50 times of basic pay will continue subject to the modification that the maximum limit of House Building Advance may be increased to Rs.20 lakhs.
- 4.28 **Medical Benefits:** One of the important issues referred to in the Terms of reference was the implementation of a Health Package including a Health Insurance Scheme for employees and pensioners by collecting premium. The Commission is working on it and the issue will find place in Part II of the Report, which will be submitted shortly.

4.29 **Benefits available to Central Government employees but not available to State employees:** The Commission was also asked to look into the benefits available to Central Government employees, which are not extended to the Stat employees. The Commission examined the matter in detail but is not in a position to make any recommendation in this regard as the hikes proposed in pay, pension and allowances will itself amount to gigantic proportions. The emphasis was on making existing benefits fairer than incorporating new ones and to make it all namesake.

4.30 **Revised Allowances for the High Court employees.**

<i>Designation</i>	<i>Compensatory Allowance</i>	<i>Special Allowance</i>
Registrar General	1500	1000
All Registrars	1000	
Director/Additional Director of Kerala Judicial Academy	1000	
Finance Officer		1000
Public Relations Officer		600
Protocol Officer		600
Private Secretary to Chief Justice, Personal Assistant to Chief Justice, Additional Personal Assistant to Chief Justice, Private Secretary to Judge all grades and Personal Assistant to Judges all grades	700	
Chief Accountant		600
Librarian	700	
Ref. Librarian &Asst. Librarian	500	
Security Officer	500	
Assistant Protocol Officer	500	500
Junior Accountant		500
Cataloguer, Translator, Translator (Kannada), Library Assistants all grades	300	
Assistant Engineer (formerly Overseer Grade I)	500	
Typist - Copyist		400
All Chauffeurs including Head		600

Chauffeur		
Superintendent of Vehicles		600
Motor Car Mechanic		500
Clerical Assistant all grades	600	
Telephone Operator	300	150
Photocopier Operator	300	
Carpenter	250	
Lift Operator	250	150
Civil Sergeant		500
Head Gardener		150
Gardener	200	
Court Keeper all grades		400
Duffadar		400
Cook & Sweeper Cum Office Attendant		400
Part Time Sweeper	400	
All officers attending cause list	750	
<b><u>Office Attendants</u></b>		
Escort duty		750
Bungalow duty		600
Treasury duty		600
Duplicating work	300	
Attached to the Office of the Registrar General /Registrar, Director, Additional Director of Judicial Academy, Joint Registrars, Finance Officer, Deputy Registrars and Assistant Registrars		300
Circulation duty		500
Despatch duty	450	
Judicial Section work	300	
Attached to Public Relations Officer	300	
Cause list work	600	

### **Uniform Allowances**

<b>Category</b>	<b>Recommended</b>
Class IV Employees	Stitching allowance @ Rs. 1000/- for male employees and Rs. 500/- for female employee per annum
Court Officers/Private Secretary to Judges/Personal Assistant to Judges	Rs. 4000 as coat allowances once in every three years
Chauffers	Rs 2400/- per year as in Tourism Department

4.31

#### **Other Allowances:-**

- Rs.500/- per month as petrol allowance sanctioned to Assistant Protocol Officer (HG)/ Assistant Protocol Officer
- Registrar General may be given power to grant exemption from TA Ceiling to Officers of Inspection Cell, where absolutely necessary.
- Rs.300/- per month as Mobile phone charge allowance sanctioned to Private Secretaries to Judges and PA to Judges.
- Chauffeurs may be sanctioned off duty compensatory leave in lieu of work attended after 6 days continuously.
- The Office attendants working in Medical Protocol Cell may be sanctioned Rs.500 plus reimbursement of cost of 20 liters of petrol or actual consumption whichever is less.

### **LEAVE**

4.32

**Special Casual Leave for the employed parents of differently abled children:** Special Casual Leave for 15 days in a year is sanctioned to those employees having differently abled children. The existing system shall continue.

4.33

**Special Leave for undergoing Chemotherapy / Radiation / Kidney Transplantation** etc: The Commission recommends the following-

Events	Existing number of days	Proposed number of days
Chemotherapy /Radiation	6 months	6 months
Kidney Transplantation	45 days	90 days for Kidney Transplantation and other major organ transplantations

- 4.34 **Paternity Leave:** The existing paternity leave is 10 days. May continue.
- 4.35 **Maternity Leave:** The existing maternity leave is granted to female employees for a period of 180 days with full pay. May continue.
- 4.36 **Child Care Leave:** One of the most sought after requests before the Commission was on adoption of the CCL as in Central Government. The leave rules prevailing in the State are far relaxed than that in Central Government and further relaxations are not called for. Also, the number of holidays is greater here. The Commission fears the adoption of CCL will adversely affect the functioning of the departments and is not inclined to make any recommendation on this aspect.

**CHAPTER 5**  
**ASSURED CAREER PROGRESSION SCHEME**

5.1 **Time Bound Higher Grade** : ACP Schemes come in to play when employees do not get regular promotions, including ratio based promotions over a period of time. Its intention is to motivate the employees who do not have minimum promotion avenues by granting higher scales and fixation benefits. There will be no change in duties and responsibilities. It accrues on specific time intervals, on the 8<sup>th</sup>, 15<sup>th</sup>, 22<sup>nd</sup>, 27<sup>th</sup> years. For instance, if one doesn't get any normal promotion or ratio based promotion within 8 years of service in entry post, 8<sup>th</sup> year's TBHG will be given. If one gets promoted, say, within 5 years, then TBHG will be due only on completion of 15 years and not before. Theoretically, if one gets 4 promotions during the first 8 years itself, then no further TBHG will occur. In short, the eligibility criteria is as follows-

8 <sup>th</sup> Year TBHG	15 <sup>th</sup> Year TBHG	22 <sup>nd</sup> Year TBHG	27 <sup>th</sup> Year TBHG
If only no promotion in the first 8 years	Maximum one promotion during the first 8 years	Maximum two promotions during 0-15 years	Maximum three promotions during 0-22 years
	And no promotion during 8 to 15 years	And no promotion during 15-22 years	And no promotion during 22-27 years.

5.2 It ensures a minimum of one promotion (whether it is regular or ratio based or Time Bound) on completion of 8 years, 2 promotions on completion of 15 years and so on. Employee satisfaction and consequential improvement in efficiency is the desired end. It is granted to those who remain in service without getting regular promotion, including ratio based promotion. The present situation is follows-

- a. In cases where promotion post exists and the employee is qualified for promotion: TBHG is given in time intervals as specified below in the scales of promotion posts. Those who enter service on a scale of 18740-33680 or above are granted TBHGs on the basis of "Table Scales" only and not on the promotion post's scale. "Table Scales" are scales as shown in Annexure-III of G.O.(P).No.85.2011.Fin.
- b. In cases where promotion post exists but the employee is not qualified: Employees who do not pass the required departmental tests for promotion are given TBHG on succeeding scales. They are allowed TBHGs as shown in the Table 6.1 below.
- c. In cases where no promotion post exists: Granted on "Table Scales".

Table 6.1

## Existing Time Bound Higher Grades

Sl No	Pay Range		No of grades	Time intervals (in years)			
	From	To					
1	8500-13210	9940-16580	4	8 <sup>th</sup>	15 <sup>th</sup>	22 <sup>nd</sup>	27 <sup>th</sup>
2	10480-18300	13900-24040	3	8 <sup>th</sup>	15 <sup>th</sup>	22 <sup>nd</sup>	
3	14620-25280	21240-37040	2	8 <sup>th</sup>	15 <sup>th</sup>		
4	22360-37940	29180-43640	1	8 <sup>th</sup>			
5	32110-44640	48640-59840	0				

**5.3 The Commission after discussing the issues in detail recommends the following changes to streamline the scheme.**

- i. "Table Scales" shall be dispensed with as it is not based on any definite criteria. Pay of those who have already received Time Bound Higher Grades on Time scales may be protected, if any loss occurs to them due to discarding of "Table Scales".
- ii. In cases where promotion post exists and the employee is qualified, Time Bound Higher Grade shall be allowed on promotion post's scale.
- iii. In cases where promotion post exists but the employee is not qualified, the Time Bound Higher Grade shall be allowed in the succeeding scale. The benefit of only one increment shall be given in such cases as it is not proper to encourage inefficiency by granting promotions. The pay of those who have already received the grades shall be protected. The Commission further recommends that the Government may review the system and altogether withdraw it after giving such employees adequate time to acquire the required qualifications.
- iv. In cases where no promotion post exists, Time Bound Higher Grade shall be granted on succeeding scale. Declaration of probation in the entry post shall be a requirement.
- v. Those entering service on scales 29200-59400 to 58050-101400 shall be granted two Time Bound Higher Grades subject to the conditions mentioned above.
- vi. It has come to the notice of the Commission that there are persons who have served in a particular scale of pay for some period and then moved over to another post/category in the same scale of pay and that such persons are losing the benefit of service rendered in the previous post for calculation of Time Bound Higher Grade. Prior to 16/09/1985, the service in identical scales in two or more different posts were being reckoned for Time Bound Higher Grade. Subsequent to 16/09/1985, the position has changed and Government have taken a very technical stand that service in the

post currently held alone will be reckoned for Time Bound Higher Grade. Since it has been noticed that this condition is causing heartburn to those who have come over from one post to another in identical scale of pay, there is some ground for a lenient view. Also the number of such persons are not too much. It is also noticed that in para 17, 18, 19 & 20 of Circular No.46/2008/Fin dated 08.08.2008, the benefit of service in different posts in identical scale is allowed for Time Bound Higher Grade in respect of certain posts mentioned therein. It is therefore, recommended that service rendered by persons in identical scale of pay in different posts may be reckoned for calculating Time Bound Higher Grade promotion for different periods. In such cases, the entry post may be treated as the post to which the officer first joined duty in the relevant scale. This need be made applicable only to those scales below 37500-75600 (18740-33680 pre-revision)

- vii. The revised Time Bound Higher Grades shall accrue on the 7<sup>th</sup>, 14<sup>th</sup>, 21<sup>st</sup> and 27<sup>th</sup> years, as the case may be.

#### 5.4 The revised Time Bound Higher Grades will be as in Table 6.2

Table 6.2

Proposed Time Bound Higher Grades in revised scales

Sl No	Pay Range		No of grades	Time intervals (in years)			
	From	To					
1	17000-35700	21100-43600	4	7 <sup>th</sup>	14 <sup>th</sup>	21 <sup>st</sup>	27 <sup>th</sup>
2	22200-45800	27800-56700	3	7 <sup>th</sup>	14 <sup>th</sup>	21 <sup>st</sup>	
3	29200-59400	58050-101400	2	7 <sup>th</sup>	14 <sup>th</sup>		
4	63900-103600	97000-120000	0				

- 5.5 **Ratio based promotions:** Ratio based promotion normally does not result in any change of duties and responsibilities. It is primarily a tool for avoiding stagnation in a post by giving a hike in pay and scales in conformity with seniority in a particular category. For all technical purposes, it is considered as normal promotion and the same fixation rules prevail. There are a number of ratios at present which is unwieldy and the Commission has tried to standardize it. The Commission has taken a stand that the ratios for lower posts shall be a minimum of 1:2 as far as possible and maximum as 1:1. In higher posts, the standard ratio is taken at 1:3 and the maximum at 1:2. However, higher rates prevailing now will continue.

- 5.6 **Rule 28A, Part-I, Kerala Service Rules:** Rule 28A is applicable when officials get promoted on higher time scale of pay. The 8<sup>th</sup> Pay Revision Commission elaborated on the rule prevailing then and made recommendations to restrain the accrual of unintended benefits. The Government first issued executive orders incorporating the recommendations of the 8<sup>th</sup> Commission and also

amended the rules later. Accordingly employees are allowed two options under Rule 28A -option (a) and option (b).

- 5.7 Option (a): If an employee opts Option (a), his pay will be fixed in the higher time scale of pay (i.e., a notional increment will first be given in the lower scale and thereafter pay in the promoted scale will be fixed at the next stage above) on the date of promotion. Next increment in the higher time scale will fall due only on completion of one year from the date of such fixation of pay. Option (b): Pay on the date of promotion will be initially fixed at the stage of the higher time scale of pay of the promoted post next above the pay in the lower time scale pay. Thereafter fixation of pay under Rule 28A will be allowed, based on the pay in the lower post on the date opted by the employee, i.e., on the date of increment in the lower post.
- 5.8 On closer scrutiny, it can be seen that option (b) of the rule is none other than the earlier re-fixation and there was virtually no saving on expenditure. It only adds to complications as there is need for exercising option. Government is flooded with requests for changing options. In the earlier case there was no need for option and even without exercising option, the pay was fixed on the date of promotion and then re-fixed on the date of increment in the lower scale. In short, the change was much ado about nothing. The Commission recommends the reinstatement of the earlier (pre-2006) position so that unnecessary hassles could be avoided.
- 5.9 **Honorary Promotions:** There has been a strong demand for 4<sup>th</sup> TBHG even for those above the scale of Rs.9940-16580 (pre-revision). The Commission is of the view that the 4<sup>th</sup> TBHG is not to be given as a matter of course; but be granted based on antecedents, performance and merit of the officer as a whole in the total service. The Commission is therefore working on a model to confer honorary promotions to highly meritorious personnel, who are at the fag end of their official career. The intention is to recognize the meritorious service put in by an employee throughout one's career, in their respective field of activity. The recommendations in this regard will be submitted shortly, in Part II of the Report.

## CHAPTER 6

### PART-TIME CONTINGENT EMPLOYEES AND CASUAL SWEEPERS

6.1. The service of Part Time Contingent Employees are governed by Special Rules issued vide G .O (P) No.152/75/PD Dtd, 02.08.1975 and published as SRO No. 742/75/PD Dated, 02.08.1975. No educational qualification is prescribed and the criterion for selection is 'Good Physique'. Recruitments are mainly through Employment Exchanges. The retirement age of this category is 70 years unless they move on to full time employment. They number about 16500.

6.2. The service is categorized under three groups as below.

#### Category -I

Night School Teachers & Part-Time Librarians

#### Category – II

Sweeper, Scavenger, Sweeper cum Scavenger, Gardener, Watcher, Watchman, Ayah, Mess Boy/Mess Girl, Cook, Sweeper- cum- Watchman, Servant, Scavenger-cum-Gardener, Menial Servant, Night Watcher, Cleaner, Waterman, Sculpture Boy, Masalachies, Mess Attendant, Water Carrier, Sick Room Attendant, Tiffin Room Boy, Tower Clock Winder

#### Category – III

Any other Part-Time Contingent post in the Part time service which has not been included in any other service.

6.3. Part time contingent employees are engaged when the service of a full time employee is not required. The service mainly consists of employees engaged in sweeping and cleaning works. A full time employee is appointed where the sweeping area is 800 sq. metre or more. Part time contingent employees are appointed where the sweeping area is below 800 sq. metre and above 100 sq. metre. In cases where the sweeping area is 100 sq. metre or below, a casual sweeper is engaged. The remuneration prior to the last revision was as follows-

Category	Rate
I. Night School Teachers & Librarian	Rs.3100 + DA
II. Part-time Sweepers/Cleaners, whose area of work is 400 sq.m. and above but below 800 sq.m. and Part-time Contingent employees other than those in Category I, whose remuneration cannot be determined based on sweeping area.	Rs.2700 +DA

III. Part-time Sweepers /Cleaners whose area of work is 100 sq. m. and above, but below 400 sq. m.	Rs.2300 + DA
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6.4 The 9<sup>th</sup> Pay Revision Commission took a magnanimous step by providing scales of pay to the part time contingent employees. The following scales were proposed and the Government issued orders accordingly.

Category-I

5520-120-6000-140-6700-160-7500-180-8400

Category-II

4850-110- 5400-120-6000-140-6700-160-7500

Category -III

4250-100-4850-110-5400-120-6000-140-6700

6.5 The Part-Time Contingent Employees were to come over to the newly introduced scales of pay and their pay was fixed at the minimum of the scales eligible for each category. In the case of those drawing the basic remuneration and additional increase of Rs.150, Rs.150 and Rs.100 for completed years 8, 16 and 23 years respectively as per 2004 Pay Revision, such quantum of increase was also added to the minimum so arrived at. The pay was fixed at the next stage in the new scale. A minimum benefit of Rs.300 was ensured.

6.6 Part-Time contingent employees are also eligible for the following benefits

- (i) One additional increment each on completion of qualifying service of 8, 15, 22 and 27 years.
- (ii) Casual Leave for 20 days during a calendar year.
- (iii) Leave without Allowances in special circumstances for a total period of 120 days in calendar year.
- (iv) Special Casual Leave for undergoing sterilization operation for a period not exceeding 6 days for male employees and 14 days for female employees.
- (v) Leave surrender facilities as admissible to Government employees.
- (vi) Earned Leave at the rate of 1/22 for the period spent on duty, subject to a maximum of 15 days in a year.
- (vii) C.C.A. at the rate of Rs.50/- per month for those who are working in the designated cities.
- (viii) Eligibility for minimum pension with a qualifying service of 10 years.
- (ix) Gratuity at ½ month's basic pay last drawn for every completed year subject to a maximum of 16½ month's basic pay.

- (x) Provident Fund
- (xi) Maternity leave upto 180 days.
- (xii) Hill Tract allowance @ Rs.200/- per month.

6.7 The scales of pay were introduced last time by fixing the minimum pay at half the minimum pay of regular employees. The Commission after going through the various demands raised through representations and discussions with organisations, recommends a minimum pay of Rs.8800/- and maximum pay of Rs.16800/-. **The following scales of pay are proposed with effect from 01.07.2014.**

**Category I**

**11340-240-12300-260-13600-300-15100-340-16800.**

**Category II**

**10000-220-11100-240-12300-260-13600-300-15100.**

**Category III**

**8800-200-10000-220-11100-240-12300-260-13600.**

6.8 The basic pay shall be arrived at by adding 80% of DA, fitment benefit of 12% of the basic pay and service weightage at ½% per completed year of service (subject to a maximum of 15%). A minimum benefit of Rs.1250/- shall be ensured. The amount so arrived shall be fixed at the immediate stage above it. One additional increment will accrue on completion of 8,15,22 and 27 years. The existing CCA shall be enhanced to Rs.100 per month. The hill tract allowance shall be enhanced to Rs.300/- per month. All other existing benefits shall continue. The working hours shall be from 9 am to 1 pm, where the office hours is 10am to 5pm and in other cases, proportionately commensurate with the respective time schedule.

**Casual Sweepers**

6.9 The 9<sup>th</sup> Pay Revision Commission recommended to enhance the rate from Rs.1000 to Rs.1500 and Government issued orders revising it to Rs.2000/- wef 01.04.2011 (G.O.(P).No.199.2011.Fin dated 30.04.2011). Later the rate was enhanced to Rs.3500/- wef 01.06.2012 and again it was enhanced to Rs.4000/- wef 01.04.2014. (G.O.(P).No.360.2012.Fin dated 29.06.2012 and G.O.(P).No.74.2014.Fin dated 20.02.2014). Considering these facts, the Commission recommends to enhance the remuneration of Casual Sweepers to a consolidated amount of Rs.5000/- per month. The Commission also recommends that Casual Sweepers may be given preference while filling vacancies arising on the posts of Part time Contingent Employees. The Commission is not convinced about the other issues raised and is not making any further recommendations.

## CHAPTER 7

### PENSION BENEFITS

- 7.1 The Commission went through the various demands of organisations/ individuals and discussed the various issues in detail. Only issues which require changes and issues which require emphasis are brought down.
- 7.2 **Date of effect:** Normally Pension Revision is granted as and when Pay Revision is implemented. As there is no circumstance to make any deviation, the Commission recommends that the Pension Revision shall come into force with effect from 01.07.2014, commensurate with Pay Revision.
- 7.3 **One Rank One Pension:** OROP as such has not been implemented so far. The basic principle adopted is that pensioners having 30 years of qualifying service (eligibility for full pension) will be assured of a minimum of 50% of the corresponding revised scale of the post from which the pensioner retired. Those having lesser qualifying service will be eligible for a proportionately reduced pension (50% of the corresponding revised scale of the post x QS/30). In cases where the posts are no longer in existence or have evolved beyond recognition, pension will be fixed based on the corresponding scale of pay, over successive pay revisions.
- 7.4 These conditions are sound and fair enough as far as those who retire on regular promotion posts are concerned, including ratio based promotions. But linking the benefit to the 'post' means those who get Time Bound Higher Grades will not be eligible for the benefit of higher scales, as the 'post' in such cases will remain the entry post. For instance, if a Clerk who gets two TBHGs will be drawing pay in the scale of his promotion post i.e., Head Clerk. But on retirement he will get the above benefit in the scale of Clerk only. The situation gets worse in the case of Teachers. More than 90% of teachers retire without getting any normal promotion as the promotion post is HM/Principal. It's true that in the case of TBHG there is no change of duties and responsibilities but so is the case of ratio promotion. The disparity becomes visible only with advancing years. As OROP is not being implemented in its true sense, the Commission recommends that the linkage factor shall either be the post or the scale from which one had retired from service, whichever is more beneficial.
- 7.5 OROP can be implemented in its literal sense in Army or so because there was virtually no change in positions/ranks over the years. In Kerala, it is not practical as designations are changed as a matter of routine, higher grades and promotion posts are given more often and in fact the posts themselves evolve beyond recognition over the years. The Commission feels it better to call it as 'Minimum Assured Pension' (MAP/OROP).
- 7.6 **Fixation of Pension:** The last revision arrived at revised basic pension by merging 64% of dearness relief and adding 12% of fitment on the pre-revised basic pension as on 01.07.2009. A minimum pension of Rs.4500 was ensured and the maximum pension was limited to Rs.29920. The pensioners were also ensured a minimum pension based on the scale of pay of the post from which one had retired.
- 7.7 Notwithstanding the new perceptions, the Commission feels the pensioners coming under the statutory pension scheme need a fair deal. The Commission recommends

a fitment benefit of 18% of the basic pension and merging of 80% of Dearness Relief to arrive at the revised basic pension. The amount so arrived shall be rounded to the next ten. The revised minimum basic pension shall be Rs.8500/- and maximum Rs.60,000/-. The Minimum Assured Pension shall be linked either to the post or to the scale on which one had retired from service, whichever is beneficial. No other changes are recommended.

- 7.8 **Fixation of Family Pension:** The revised Family Pension shall be arrived at by adding 18% of fitment benefit to the basic family pension and merging 80% of dearness relief as on 01.07.2014. The maximum family pension/OROP shall be Rs.36000/- and the minimum Rs.8500. The Minimum Assured Pension shall be linked either to the post or to the scale on which one had retired from service, whichever is beneficial. Rules may suitably be amended to ensure that family pension shall not be more than pension itself. No other changes are recommended.
- 7.9 **Rate of pension:** At present average emoluments for the last 10 months preceding the date of retirement is taken for computing the pension. There is demand for granting 50% of the last pay drawn as pension but the Commission feels the existing system is fair enough. However, in situations where the period of 10 months is spread over pre and post revised periods, the Commission recommends that the pre-revised periods' pay shall be revised notionally by adding DA at respective rates (at 73% for 10/2013 to 12/2013 and 80% for 01/2014 to 6/2014). In case the basic pension so arrived is less than 50% of the minimum of the scale for those having qualifying service for full pension, the basic pension shall be fixed at 50% of the minimum of the scale. For those having lesser qualifying service, the minimum assured pension shall be reduced proportionately with qualifying service.
- 7.10 **Qualifying Service:** Currently, qualifying service for full pension is 30 years. In central Govt., the qualifying service for full pension is 20 years. The average age of candidates entering the service is more than 30 years, which means majority of employees will not be eligible for full pension. The requests have been to lower it to 20 years as in Central Government. The Commission feels it justifiable to fix the minimum qualifying service to 25 years and recommends so. Pension calculations which are currently based on 30 years shall be replaced by 25 years. This benefit shall be available to those who had retired earlier also and their basic pension shall be revised accordingly. The financial benefits will accrue only from the date of implementation of the pension revision and will not apply on the pre-revision periods' pension benefits, including Commutation etc. The Commission further recommends the withdrawal of weightage given as per rule 56(vii), Part III, Kerala Service Rules in the case of voluntary retirement.
- 7.11 **Death-cum-Retirement Gratuity:** DCRG is given at  $\frac{1}{2}$  times for each completed year subject to a maximum of 16.5 times. The maximum amount is now limited to Rs.7 lakh (previous ceiling was Rs.3.3 lakh).
- 7.12 The Commission after probing various options recommends to continue the existing rules subject to a maximum limit of Rs.14 lakh. The Government may consider a proportionate enhancement of the limit each time Dearness Allowance is enhanced. Thus, the disparity in ceiling between two revisions could be minimized.
- 7.13 **Commutation of Pension:** It is one segment which will result in heavy outflow, though it is not exactly a liability to the State. It's as if a loan was given to the employee at the time of retirement on the guarantee of pension. It is recovered in 12

years' time with a very small component of cost. The demands to raise the commutation percentage as well as to reduce the period of recovery are not justifiable. Considering the huge impact it has on State's liquidity, the Commission is not recommending any changes despite the requests of employees.

- 7.14 **Additional Pension to older pensioners:** In Central Government, additional pension is granted on completion of 80,85,90,95 and 100 years. The Commission is of the view that no relaxation in this regard is called for. The quantum of administrative work will also increase if such age wise pension scheme is introduced. The introduction of Medical insurance scheme to pensioners will address their grievances. Also they are beneficiaries of Minimum Assured Pension/OROP.
- 7.15 **Medical benefits to pensioners:** Presently Pensioners and Family Pensioners are eligible for a Medical Allowance of Rs.300/- per month. As steps for introducing medical insurance scheme to pensioners is actively contemplated, no revision is recommended now. The issue will be examined in Part II of the Report, which will be presented shortly.
- 7.16 Employees retired during the period from 01.03.2002 to 30.06.2004: The claim is that by going the by 5 year revision principle, the 8<sup>th</sup> Pay and Pension revision should have been implemented wef 01.03.2002. However, it became effective only from 01.07.2004 and consequently they suffered losses. The claim is to adequately compensate for it. As a sequel to it, those who retired between 01.03.2007 and 30.06.2009 have also made a claim for compensation.
- 7.17 It is true that the pensioners as well as the employees would have got better benefits if the Revision was implemented with effect from 01.03.2002 instead of 01.07.2004. If the Pay revision benefit was allowed w.e.f 01/03/2002, a hike of 3% to 7% was to be received by the pensioner and Government vide G.O.(P) No.602/2010/Fin dated 19.11.2010 sanctioned 5% increase in monthly pension alone with monetary benefit from 01.04.2009. However, these are only presumptive losses as there were no statutory provisions or executive orders adopting the 5 year principle. The Commission finds no merit in keeping the issue alive.
- 7.18 **Pension to Part Time Contingent Employees:** The revised basic pension shall be arrived at by merging 80% of dearness relief and 18% of fitment benefit on the existing basic pension. Minimum pension shall be Rs.4400/- and maximum pension shall be Rs.8400/-. DCRG will be granted at ½ times for each completed year of service subject to a maximum of 16½ times. There shall be no limit on DCRG. In view of the proposed Medical Insurance, no revision is being proposed now and medical allowance as existing will be allowed for the time being.
- 7.19 **Ex-gratia Pension:** The Commission recommends to extend dearness relief and family pension to ex-gratia pensioners also. However, only the spouse will be eligible for family pension and it shall not be extended any further. The ex-gratia pension shall be allowed as below.

Completed year of qualifying service	Existing consolidated amount of pension	Revised basic pension
9 years	4050	7650
8 years	3600	6800
7 years	3150	5950
6 years	2700	5100
5 years	2250	4250
4 years	1800	3400
3 years and below	1350	2550

7.20 **Retirement age:** The State Government employees and teachers who are governed by NPS retire at the age of 60 years and others at 56 years. The retirement age is the least in Kerala among the States. The Central Government employees retire at 60 years, High Court Judges at 62 years and Supreme Court Judges at 65 years. The expenditure on pension, which is around 20% of the total revenue receipts and will rise further consequent to the revision unless the revenue receipts grow at higher rates. One of the ways to reduce the pension bill is to bring down the pensioner/employee ratio, which could be attained by enhancing the retirement age. The employees are requesting to unify the retirement age to 60 years while the unemployed youth has a diametrically opposite view. Considering all aspects, including the concerns of the unemployed youth, the Commission recommends to enhance the age of retirement from 56 years to 58 years to those not covered by NPS.

## CHAPTER 8

### FINANCIAL COMMITMENT

Around 1500 of employees are on State scales. The estimated additional annual financial commitment is as follows- (amount in crores)

Pay fixation	8.10
HRA	2.20
CCA and other allowances	0.80
Pension, Commutation etc.	7.50
Total	18.60

## ***Acknowledgement***

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The Commission is thankful to the Government of Kerala for entrusting the study on the revision of pay and allowances and pension of the staff of High Court of Kerala. We express our immense gratitude to the Hon'ble Chief Justice of Kerala for extending valuable support during the course of the study. The Commission is grateful to the Registrar General, High Court of Kerala for providing necessary facilities during the Commission's sitting at Ernakulam. The support of the Finance Officer, High Court of Kerala is worth mentioning. The Commission also appreciate with gratitude all those officials and organizations of the High Court of Kerala who have provided valuable inputs to the Commission.

The Commission acknowledges dedication and hard work of its staff. The Commission could not have maintained its confidentiality and ensured the timely submission of this report but for their devotion to duty. It is not possible to single out any one in particular and so we are refraining from doing so.

Justice C.N.Ramachandran Nair  
Chairman

Adv.T.V.George  
Member

K.V.Thomas  
Member Secretary

## **APPENDIX-I**

### **Note of dissent by the Member Secretary**

There is a recommendation of the Commission in Para 5.80B(xi) of the report for abolition of special pay in lieu of higher time scale of pay attached to the post of Deputy Secretary and above in the Secretariat and other establishments. This is a majority recommendation by the Chairman and one Member, with the Member Secretary dissenting.

The special pay attached to the post of Deputy/Joint/ Additional/ Special Secretary is Class I Special pay under Rule 12 of Kerala Service Rules, Part I, granted in lieu of the higher responsibilities discharged by the officers.

The following are some of the higher responsibilities discharged by them:

1. Officers of the rank of Deputy Secretary and above are treated as Secretaries in respect of matters delegated to them as per the Secretariat Manual.
2. They are direct circulating officers of files even to Ministers.
3. They are authorised officers to handle even confidential files going to the Council of Ministers.
4. Daily they have to attend meetings of working Groups or other meetings called by the Secretaries concerned or even by the Finance Secretary.
5. They are representatives of Government on Board of Directors of Companies on which Government holds substantial interest and also on Committees constituted for several matters.
6. They are attending to matters relating to Legislative Assembly including presence in official gallery as also several Legislative Committees, the most important of them being the Public Accounts Committee, Public Undertakings Committee, the Estimates Committee and the various Subject Committees.

Because of the above responsibilities, these officers hardly get time to examine files during office hours and so either they have to sit late or carry files to residence for examination at late night. It is in view of the above position that the Government has sanctioned Class I Special pay to these officers as recommended by the Pay Equalisation Committee and the Previous Pay Commissions.

I feel this position has been lost sight of by the Commission while deciding to abolish special pay.. As such the revision now recommended cannot be taken as sufficient compensation for the responsibilities discharged. Moreover the element of Special pay plus D.A. has not been reckoned in the construction of the new scales. In the circumstances, I am sorry I cannot but disagree with the Hon'ble Chairman and Member. I hereby record my dissent.

K.V.Thomas  
Member Secretary

**APPENDIX II**



**GOVERNMENT OF KERALA**

**Abstract**

Revision of Pay and Allowances of Officers and Staff of the High Court of Kerala – Entrustment of the 10<sup>th</sup> Pay Revision Commission to study and make recommendations – Orders issued.

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**FINANCE (SECRET SECTION) DEPARTMENT**

**G.O. (Ms) No. 32/2015/Fin.**

**Dated, Thiruvananthapuram, 16.01.2015.**

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*Read:-* 1. *G.O. (Ms) No. 79/2014/Fin dated 22.02.2014*  
2. *Letter No. FW/J3/49631/2014 dated 11.06.2014 from the Registrar General, High Court of Kerala.*

**ORDER**

The Registrar General, High Court of Kerala in the letter read above has requested Government to entrust the 10<sup>th</sup> Pay Revision Commission to examine and suggest the revision of Pay and Allowances of Officers and Staff of the High Court of Kerala, as was done in last time.

2. Government have examined the matter in detail and are pleased to entrust the 10<sup>th</sup> Pay Revision Commission to study and make recommendations on revision of pay and allowances and other benefits of High Court employees confining to the Terms of Reference in the Government Order read above.

3. The Pay Revision Commission shall consider this matter and submit its report to the Hon'ble Chief Justice, High Court of Kerala. The time for submitting the report shall be fixed in consultation with the High Court.

By Order of the Governor,

**JAI MARY JOHN,**  
Additional Secretary (Finance).