



**GOVERNMENT OF KERALA**

**Abstract**

Higher Education Department – Judgement dated 12.10.2017 of the Hon'ble High Court in WP (C) No. 32668/17 filed by Shri. Hareesh. M., Substation Assistant, Kerala State Science and Technology Museum – Complied with - Orders issued.

**HIGHER EDUCATION (K) DEPARTMENT**

**G.O.(Rt) No:945/2018/H.Edn.**

**Dated, Thiruvananthapuram, 11-05-2018**

- Read:
1. Representation dated 05.12.2015 submitted by Shri. Hareesh. M, before the Director, Kerala State Science and Technology Museum, Thiruvananthapuram.
  2. Letter No. E/1936/10 dated, 29.01.2016 from the Director, Kerala State Science and Technology Museum, Thiruvananthapuram.
  3. Judgement of the Hon'ble High Court dated, 12.10.2017 in W P (C ) No. 32668/2017 filed by Shri. Hareesh.M.

**ORDER**

The Hon'ble High Court disposed W.P (C ) No. 32668/17 on 12.10.2017 directing the 1<sup>st</sup> respondent, Government to consider and pass orders on Ext.P16 representation and to take a decision on Ext.P13 recommendation of 2<sup>nd</sup> respondent with in a period of two months from the date of receipt of a copy of the judgement. The Ext. P16 is the representation submitted by the petitioner before Government and Ext.P13 is the copy of the letter No. E/1936/10 dated, 29.01.2016 from the Director, Kerala State Science and Technology Museum, addressed to Government highlighting the grievance of the petitioner regarding the modification of the scale of pay of Substation Assistant to that of Planetarium Operator.

Sri. Hareesh. M, entered in service as Substation Assistant in KSSTM and joined duty on 30/06/2004. He is continuing in the same post till now. The scale of pay of the Substation Assistant as per the special rule is Rs.8960- 14260/- (as per the pay revision 2009 w.e.f. 01/07/09). This scale is common scale allowed to Attender and other similar posts in Govt. departments. He has informed that his scale of pay is very low with relevance to the qualification prescribed for the post. (*Diploma in Electrical Engineering, Wireman license and Permit, One year experience in Operation & Maintenance of Sub Station in Govt or quasi Govt*

(P.T.O)

*institutions*) and the method of appointment is by way of direct recruitment. The Scale of Pay is 8960- 14260. He has also performed the duties of the operation and maintenance of 11 KV indoor substation with 400 KVA transformer and so he is eligible for a modified scale of pay considering the qualification and nature of work.

The Director, Kerala State Science and Technology Museum, vide his letter read as 2<sup>nd</sup> paper above, has requested to take necessary steps to modify the scale of pay from Rs.8960-14260/- to that of Planetarium Operator, ie Rs.13900-24040/-. He has also reiterated that there is no such post named as 'Substation Assistant' in Government departments, autonomous bodies and public sector undertakings.

The Expert Committee for studying Service & Conduct Rules held on 23/07/10, recommended to revise the scale of pay of Substation Assistant as to that of Planetarium Operator in the scale of Rs.13,900-24040/-.

Government, after having examined the matter in detail on the basis of corroborative records and documents, observed the following facts.

Sri. Hareesh M is possessing the qualification mentioned in Special Rules of the Museum (Diploma in Electrical Engineering, Wireman licence and Permit, One year experience in Operation & Maintenance of Sub Station in Govt or quasi Govt institutions) and the method of appointment is by way of direct recruitment. The Scale of Pay is 8960- 14260/-(As per the Pay Revision order 2009). As per Special Rules, the minimum qualification required for the post of Planetarium Operator is Degree in Mechanical/Electrical/Electronics and Communication Engineering or First Class Diploma in the concerned branch and 1 year experience in the operation and maintenance of Planetarium Projectors. The Expert Committee recommended to enhance the scale of pay of Substation Assistant to that of Planetarium Operator subject to the condition that the qualification of both the posts should be the same.

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Since qualification of the post of Substation Assistant and Planetarium Operator is not the same, the contentions raised by the petitioner in Expt.P16 is devoid of any merit and is hereby rejected. The Direction of the Hon'ble High Court in its Judgement dated, 12.10.2017 in W P (C ) No. 32668/17 is hereby complied with accordingly.

By order of the Governor,  
**BIJU.T**  
**UNDER SECRETARY**

To

The Advocate General, Ernakulam.

The Director, Kerala State Science and Technology Museum, Thiruvananthapuram.

The Person Concerned (Through Director, Kerala State Science and Technology Museum, Thiruvananthapuram.)

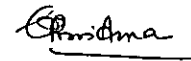
Finance Department (vide U.O.No.EDN-C2/52/16-fin dated, 12.02.2018)

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