

GOVERNMENT OF KERALA

**Abstract**

RULES-KERALA SERVICE RULES-GOVERNMENT DECISION UNDER  
28A & 37 PART I –MODIFIED –ORDERS ISSUED.

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FINANCE (RULES)DEPARTMENT

**G.O.(P)475/90/Fin. Dated, Thiruvananthapuram, 25<sup>th</sup> September, 1990.**

Read:- 1. G.O.(P) 373/87/Fin. dated 1-4-1987.  
2. G.O.(P)735/88/Fin.dated 21-10-1988.

O R D E R

As per Government Decision No. (5) below Rule 28A Part I Kerala Service Rules, the benefit of re fixation of pay provided for in the Rules will be allowed only if the appointment/promotion concerned is to a higher post belonging to the regular line of promotion. But as per the G.O. read as second paper above, orders have been issued to modify Government Decision No.1(2) under Rule 28A and Government Decision No.4 under Rule 37 allowing the benefit of re fixation to an officer officiating in a post, when appointed to higher post on the advice of Public Service Commission, on the basis of the observation made by Hon. High Court in its judgment in an O.P. This has created an anomalous situation where persons appointed through Public Service Commission will get the re fixation benefit where as others who are appointed by transfer or by conversion of post will not get the re fixation benefit.

2.Government have examined the case in detail. In order to rectify the above anomaly, Government are pleased to delete Government decision No.5 below Rule 28A Part I Kerala Service Rules and also to modify Government Decision No. 1(2) below Rule 28A and Government Decision No.4 below Rule 37 as follows:

- (i) Rule 28A Government Decision No.1(2)

GPT.4/4217/MC

An officer officiating in a post when appointed to a higher post on the advice of the Public Service Commission or otherwise is eligible for his initial pay being fixed under this rule and is also entitled to the benefit of a re fixation contemplated in the last sentence of the rule.

and

(i) Rule 37 Government Decision No.(4)

An officer officiating in a post, when appointed to a higher post on the advice of the Public Service Commission or otherwise is eligible for his initial pay being fixed under this rule and is also entitled to the benefit of a re fixation contemplated in the last sentence of the rule (a).

These orders shall have effect from 31-10-1986 and the Government Decision No.5 introduced as per Government Order cited first stands withdrawn from 25-6-1986.

By order of the Governor,

N.SADANANDAN,  
Additional Secretary to Government

To

The Accountant General, Kerala, Thiruvananthapuram.  
All Heads of Departments and Offices.  
All Departments (All Sections) of the Secretariat.  
The Secretary, Kerala Public Service Commission, Thiruvananthapuram (with C.L)  
The Registrar, High Court Ernakulam (with C.L)  
The Registrars, University of Kerala/Cochin/Calicut (with C.L.)  
The Registrar. Gandhiji University, Kottayam (with C.L)  
The Registrars, Kerala Agricultural University, Thrissur (with C.L.)  
The Advocate General, Ernakulam (with C.L)  
The Secretary, Kerala State Electricity Board, Thiruvananthapuram. (with C.L)  
The General Manager, Kerala State Road Transport Corporation, Thiruvananthapuram (with C.L)  
The Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and Under Secretaries to Government  
The Secretary to the Governor.  
The Private Secretaries to the Chief Minister and other Ministers.  
The Private Secretary to the Leader of Opposition and Government Chief Whip.  
The Deputy Secretary to the Chief Secretary.  
The Director of Public Relations, Thiruvananthapuram.