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25/7/17  
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THE HIGH COURT OF KERALA

Kochi : 682 031  
Dated : 21.07.2017

PROCEEDINGS

High Court Establishment – **provisional appointment** to the post of Translator - offer of appointment - orders issued.

- Read :
1. Ranked list No.A6-57601/2012/REC3 dated 18.01.2016
  2. G.O.(P) No. 20/2013/Fin. dated 07-01-2013.
  3. G.O.(P) No. 209/2013/Fin. Dated 07-05-2013.
  4. G.O.(P) No. 171/2016/Fin dated 15.11.2016.
  5. Interim Order dated 10.04.2017 of the Honourable Court in W.P.(C) No.4104/2016 filed by Smt. Dhanya K.
  6. Order dated 30-05-2017 of the Honourable Court in W.P.(C) No. 4104/2016 & in I.A.No.7515/2017
  7. Order dated 05.07.2017 of the Honourable Court in I.A. No. 9921/2017 in W.P.(C) No. 4104/2016

ORDER NO. A6 -7586/2016

In order to fill up the vacancy in the cadre of Translator, steps were taken to make appointment from the ranked list published for the post of Translator which was brought into force with effect from **18-01-2016**.

Since appointments were made already up to 7th Open Competition turn from the earlier list, the 8th reservation turn in the rotation chart, was to be filled up from the candidates belonging to LC/AI (Latin Catholics and Anglo Indians).

The Honourable the then Chief Justice had ordered to appoint Smt. Annet Silvia Aruja in the 8<sup>th</sup> turn of LC/AI in the rotation chart, who is the only candidate belonging to the category of Latin Catholics and Anglo Indians available in the main ranked list.

Meanwhile W.P (C) No.4104/2016 was filed by Smt. Dhanya K., who is having rank number **one** in the ranked list published for the post of Translator, with a prayer to issue an advice memo to her and also to restrain the respondents 1 & 2 (High Court of Kerala represented by Registrar General and the Registrar (Recruitment and Computerisation) from issuing advice memo to Smt. Annet Silvia Aruja, (3<sup>rd</sup> respondent) who is having rank 11 or any one in the ranked list.

(P.T.O)

While admitting the writ Petition on 03-02-2016, the Honourable Court had ordered that no appointment shall be made for a period of one month. Hence, in compliance with direction of the Hon'ble Court, the appointment order was not issued to Smt. Annet Silvia Aruja. Later by order dated 26.09.2016, the interim stay order was revived and extended until further orders.

Meanwhile another vacancy which had arisen on 05.04.2017 in the category of Translator, was brought to the notice of the Hon'ble Court. In the interim order dated 10.04.2017, in W.P(C) No.4104/2016, the Honourable Court modified the stay order and directed the respondents 1 & 2 to give provisional appointment to Smt. Dhanya K. (petitioner) and Smt. Annet Silvia Aruja, (3<sup>rd</sup> respondent) to the post of translator without stating the inter-se seniority between two candidates or as to the turn against which each of them should be appointed. It was further clarified in the order that the appointments of the petitioner and 3<sup>rd</sup> respondent will be subject to the final outcome of the writ proceedings and the issue as to whether the 1<sup>st</sup> appointment should necessarily be given to the petitioner or to the 3<sup>rd</sup> respondent, etc., will be decided at the time of the final hearing of the Writ Petition. In compliance with the interim order in W.P(C) No.4104/2016 dated 10.04.2017, Smt. Dhanya K. and Smt. Annet Silvia Aruja, were offered provisional appointment as Translator in the High Court of Kerala.

When the Writ Petition, W.P.(C) No.4104/2016 & I.A. No.7515/2017, came up for orders on 30-05-2017, the Honourable Court had ordered to implead the applicant in I.A. No. 7515/2017 (Smt. Radha Lakshmy S.A., Rank No - 2) as additional R-4 in the Writ Petition. Learned counsel appearing for R1 & R2 in the Writ Petition was also requested to get instructions on the plea made by the applicant in the said I.A.

In accordance with the orders of the Honourable the Chief Justice, the counsel was instructed to intimate the details of vacancies existing as shown below in the category of Translator before the Honourable Court and to seek directions from the Court for the provisional appointment of Smt. Radha Lakshmy S.A. (Rank No - 2, the additional fourth respondent in W.P(C) No. 4104/2016) in the available vacancy, which comes under open competition turn.

Vacancies available in the category of Translator w.e.f 01.06.2017	- 2 Nos
Turns on which appointments are to be made	- OBC - 1 No - Open Competition - 1 No
Eligible candidates in the ranked-list for making appointments to category of Translator	- No Candidate Available - OBC Turn - Smt. Radha Lakshmy S.A. - OC Turn

When the application I.A. No.9921/2017 in W.P.(C) No. 4104/2016, came up for orders on 05-07-2017, the Honourable Court had ordered to grant provisional appointment to Smt. Radha Lakshmy S.A. (Rank No - 2, the applicant in I.A./additional respondent No.4 in the Writ Petition) as against the open competition turn vacancy in the category of Translator. **It was further clarified in the order that the appointment to the applicant in the available vacancy will be provisional and subject to the final result of the Writ Petition.**

In compliance with the order dated 05.07.2017 in I.A. No. 9921/2017 in W.P.(C) No. 4104/2016, Smt. Radha Lakshmy S.A., Sreevilas, Combara, Mathai Manjooran Road, Kochi, Ernakulam, Kerala, Pin – 682 018 (Rank No - 2, the additional fourth respondent in W.P(C) No.4104/2016), is offered provisional appointment as Translator in the High Court of Kerala in the scale of pay of ₹26,500 – 56,700 with a compensatory allowance of ₹300/- per month.

The appointment is subject to the following conditions:-

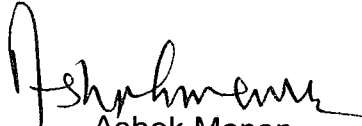
1. **The appointment will be subject to the final outcome of the writ proceedings.**
2. She shall be bound by the National Pension Scheme introduced by the State Government. In eligible cases, the mobility to Kerala Service Rules, Part III, Pension Scheme will be allowed as per the Government Order read (3) above, if she opt so.
3. Her appointment will be subject to the satisfactory report of enquiry into her antecedents.
4. Her conditions of service shall be governed by the Kerala High Court Service Rules, 2007 and other relevant rules in force from time to time.
5. She shall be on probation for a total period of two years on duty within a continuous period of three years. During the period of probation she shall acquire the special qualifications prescribed for the post in the Kerala High Court Service Rules, 2007
6. She shall have to submit one month's advance notice in writing in the event of her resignation or leaving the High Court Service.
7. She must join the Group Insurance Scheme and State Life Insurance on joining duty. She must also join the General Provident Fund Scheme within one year from the date of joining duty. She may also join the Family Benefit Scheme, if she so desires.
8. She is directed to submit the details regarding her movable and immovable properties in the prescribed format on her joining duty in the High Court.

If she agree to the above terms and conditions, she is directed to **report for duty within ten days** from the date of receipt of this appointment order, with the following documents;

1. Original certificates in proof of age and qualifications.
2. Two recent passport size photographs.
3. Medical Certificate of fitness in the form appended herewith, issued by a Civil Surgeon or Honorary Medical Officer of Civil Surgeon's rank or the Director of Indigenous Medicine.
4. Duly filled in SPARK FORM NO.1 appended herewith along with supporting documents in original.
5. Duly filled in statement of properties in the proforma appended herewith.

In case she fails to report for duty within ten days from the date of receipt of this order, her appointment will be treated as cancelled without further notice.

(By Order)

  
Ashok Menon  
Registrar General

To

The person concerned.  
The Assistant Registrar in charge of Supreme Court Cell, High Court.  
The Section Officer, Supreme Court Cell, High Court.  
The Head Translator, High Court.  
The Confidential Assistants to the Registrars, High Court.  
The 'G' (Accounts – II & III) Sections, High Court.  
The Finance Wing, High Court.  
The IT Section, High Court (for publishing in the High Court website)  
The A4 Seat, High Court.  
The Administrative Records Section, High Court (2 Copies).  
The File / Stock File.