

12.9.18

UGC  
Cell 3

038047



GOVERNMENT OF KERALA

ABSTRACT

Higher Education Department – Private Aided Collegès – Judgment dated 27/10/2016 in WP(C) No. 5282 and connected and similar cases – complied with – Orders issued

HIGHER EDUCATION (D) DEPARTMENT

G.O.(Rt) No. 1691/2018/HEDN

Dated, Thiruvananthapuram 11.9.2018

- Read:-
1. Judgment dated 27.10.2016 in WP(C)No.5282 and connected and similar cases
  2. Judgment dated 6.6.2017 in WA no. 488/2017
  3. Order dated 13.6.2018 in Review Petition No.187/2018
  4. Letter No. UGC Cell3/21869/2016/Coll. Edn. Dated 12.7.2017 of the Director of Collegiate Education
  5. Letter No. UGC Cell4/39001/2017/Coll. Edn. Dated 16.7.2018 of the Director of Collegiate Education
  6. Letter No. D4/11175/2017 dated 8.8.2018 of the Deputy Director of Collegiate Education, Kollam (Cell 3/44164/2017)

ORDER

The Hon'ble High Court, vide Judgment read as 1<sup>st</sup> paper above, has directed the Government to pass fresh orders on fixing the pay of the petitioners at par with their juniors in service, who have obtained the benefit of advance increments pursuant to Ext.P2 Government order(G.O.(P)No.58/2010/HEDN dated 27.3.2010). The Hon. Court noticed that only in such cases where the petitioners and their juniors were drawing pay in the same scale of pay, before and after the implementation of the 6th UGC Scheme, will the need arise for correcting the anomaly, and stepping up the pay of the petitioners to be at par with the pay of their juniors. Therefore, the Hon. Court directed the respondents to pass appropriate orders as directed and to disburse the consequential benefits in appropriate cases.

The petitioners alleged that they were drawing lesser pay than that of their juniors and filed a few Writ Petitions before the Hon. Court with a prayer to direct the respondents to step up their pay at par with their juniors. The Hon. Court allowed the prayer and directed the Government to step up their pay.

Government filed Writ Appeal against the above judgments since the anomaly occurred due to the difference in various UGC schemes. But the



Hon. Court, as per the judgment read as paper 2nd above, dismissed the appeal with a direction to hike the pay of the petitioners. The SLP(C) filed by Government was also dismissed as withdrawn with a liberty to file Review Petition before the Hon. High Court. The Hon. High Court dismissed the Review Petition also.

Therefore, the Government hereby grant permission to the Director of Collegiate Education to comply with the directions in the judgment read as 1<sup>st</sup> paper above and in the connected and similar cases.

The Director of Collegiate Education is also directed to furnish specific and detailed proposals to Government in doubtful cases, if any.

This order is issued in due compliance of the judgment read as 1<sup>st</sup> paper above and similar cases.

(BY ORDER OF THE GOVERNOR)  
Harikumar G  
Deputy Secretary

Endt :- No. UGC Cell 3/21869/2016/Coll. Edn. Dated : 22.09.2018

Copy communicated to all Deputy Directors of Collegiate Education Department for information and necessary action.

Sd/-

Dr.D.K. SATHISH  
ADDITIONAL DIRECTOR(Incharge)  
For DIRECTOR OF COLLEGIATE EDUCATION

Copy to:-

1. CF/SF
2. To be published in website

//Approved for issue//

  
Superintendent