



GOVERNMENT OF KERALA

Abstract

Higher Education Department - Implementation of the 7th UGC Pay Revision-Order dated 18/09/2020 of the Hon'ble High Court in W.P.(C) No.13662/2020- complied with - orders issued.

HIGHER EDUCATION (C) DEPARTMENT

G.O.(Rt)No.598/2021/HEDN Dated,Thiruvananthapuram, 16/04/2021

- Read 1 G.O.(P)No. 18/2019/HEDN dated 29/06/2019.
2 G.O.(P)No. 29/2019/HEDN dated 30/09/2019.
3 G.O.(P)No. 18/2020/HEDN dated 28/05/2020.
4 G.O.(P)No. 38/2020/HEDN dated 06/11/2020.
5 Representation dated 24/02/2020 submitted by Kerala Private College Teachers' Association before the Principal Secretary, Higher Education Department, Government of Kerala.
6 Order of the Hon'ble High Court in W.P.(C) No.13662/2020 dated 18/09/2020.
7 G.O.(P)No.3/2021/HEDN dated 23/01/2021.
8 Contempt of Court Case No.204/2021/X2 dated 10/03/2021 from the Advocate General's office.

ORDER

As per the Government Order read as 1st paper above, Government sanctioned the seventh UGC pay revision to teachers in Universities under Higher Education Department, affiliated colleges and teachers in Government Law Colleges, Engineering Colleges and Kerala Agricultural University, Kerala Veterinary and Animal Science University, Kerala University of Fisheries and Ocean Studies, teachers in Physical Education and qualified Librarians. As per the Government Orders read as 2nd to 4th papers above, certain modifications were also issued to the Pay Revision Order. Subsequently, the Accountant General and the Director of Collegiate Education have sought clarifications on certain points regarding implementation of the Pay Revision Order. Meanwhile, the Kerala Private College Teachers' Association filed WP(C) No. 13662/2020 before the Hon'ble High Court praying for a direction to the Government to implement the revised pay and revised rate of dearness allowance as per the pay revision order and to disburse the arrears forthwith.

Hon'ble High Court as per the judgment read as 6th paper above, directed the 1st respondent, the Chief Secretary, Government of Kerala to take up, consider and pass appropriate order on representation read as 5th paper above within a period of three months from the date of receipt of copy of judgment.

Government examined the matter in detail including the request of the petitioner and have issued Government Order read as 7th paper above ordering necessary modifications to the earlier Government Orders sanctioning UGC pay revision, so as to enable proper implementation of the pay revision.

Thus the Order of the Hon'ble High Court in W.P.(C) No.13662/2020 dated 18/09/2020 is complied with.

(By order of the Governor)
VIJAYAKUMAR.R
ADDITIONAL SECRETARY

To:

The Advocate General, Ernakulam, Kerala (With C/L)

The Director of Collegiate Education, Thiruvananthapuram.

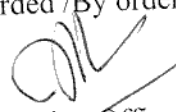
The Principal Accountant General (A&E/Audit), Kerala,
Thiruvananthapuram/Kottayam.

The President, Kerala Private College Teachers' Association, TC-25/2814, MBRR
36, Mathrubhumi Road, Vanchiyoor, Thiruvananthapuram-695035

✓ www.highereducation.kerala.gov.in

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Section Officer

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

FRIDAY, THE 18TH DAY OF SEPTEMBER 2020 / 27TH BHADRA, 1942

WP(C).No.13662 OF 2020(G)

PETITIONERS:

- 1 KERALA PRIVATE COLLEGE TEACHERS ASSOCIATION
(GOVT.REGN.NO.G.O(MS)NO.2/06 H.EDN.DT.04.04.2006)
KPCTA MANDIR, TC-25/2814 MBRA36, MATHRUBHUMI ROAD,
VANCHIYOOR, THIRUVANANTHAPURAM-695035,
REPRESENTED BY ITS PRESIDENT DR.JOBY THOMAS.K,
S/O K.O.THOMAS,AGED 55 YEARS, ASSOCIATE PROFESSOR AND
VICE PRINCIPAL, DEPARTMENT OF CHEMISTRY,
ST.THOMAS COLLEGE(AUTONOMOUS),THRISSUR,
RESIDING AT KAKKASSERY HOUSE,VELUKKARAN LANE,
EAST FORT THRISSUR-680005.
- 2 DR.U.ABDUL KHALAM,
AGED 54 YEARS
S/O LATE M.UMMER PILLAI, ASSOCIATE PROFESSOR,
IQBAL COLLEGE, PERINGAMALA, THIRUVANANTHAPURAM,
RESIDING AT HOUSE NO.4, BLUE MOUNT GARDENS,
PEROORKADA.P.O, THIRUVANANTHAPURAM-695005.
- 3 JOBIN JOSE,
AGED 41 YEARS
S/O JOSEPH JOSEPH, ASSISTANT PROFESSOR,
DEPARTMENT OF MALAYALAM, DEVA MATHA COLLEGE,
KURAVILANGADU, KOTTAYAM,
RESIDING AT CHEMAKALAYIL HOUSE, THELLAKAM.P.O,
KOTTAYAM-686633.

BY ADVS.
SRI.ARUN.B.VARGHESE
SMT. AISWARYA V.S.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 2 THE PRINCIPAL SECRETARY,
DEPARTMENT OF HIGHER EDUCATION DEPARTMENT,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.

3 THE DIRECTOR,
DIRECTORATE OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, THIRUVANANTHAPURAM-695033.

4 UNIVERSITY GRANTS COMMISSION,
REPRESENTED BY ITS SECRETARY,
BAHADUR SHAH ZAFAR MARG, NEW DELHI-110002.

SRI.S.KRISHNAMOORTHY, CGC
SRI.P.M. MANOJ, SR GP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
18.09.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

This writ petition is filed seeking the following prayers:

“(1) To issue a writ of mandamus or any other writ or order directing the respondents 1 and 2 to implement the revised pay and revised rate of Dearness Allowances in accordance with Exhibit P2 and to disburse the financial benefit including arrears forthwith.

(2) To issue a writ of mandamus or any other writ or order directing the respondents 1 and 2 to grant the revised pay and revised rate of Dearness Allowances in accordance with Exhibit P2 including the arrears to the writ petitioners 2 and 3.

(3) To issue a writ of mandamus or any other writ or order directing the 2nd respondent to consider and pass orders on Exhibit P3 representation.”

2. Heard the learned counsel for the petitioners and the learned Government Pleader.

3. Though the respondents were directed to place a statement on record and time had been granted, no statement is seen filed.

4. The learned counsel for the petitioners submits that

Ext.P3 representation has been moved by the 1st petitioner Association before the Government and that the same may be directed to be considered and disposed of in accordance with law.

5. In the above view of the matter, there will be a direction to the 1st respondent to take up, consider and pass appropriate orders on Ext.P3 representation submitted by the 1st petitioner within a period of three months from the date of receipt of a copy of this judgment. The contentions of the petitioners shall be adverted to and appropriate orders shall be passed.

This writ petition is ordered accordingly.

sd/-

ANU SIVARAMAN
JUDGE

NP

APPENDIX

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF UGC REGULATIONS ON MINIMUM QUALIFICATIONS FOR APPOINTMENT OF TEACHERS AND OTHER ACADEMIC STAFF IN UNIVERSITIES IN HIGHER EDUCATION 2018
EXHIBIT P2	TRUE COPY OF G.O(P)NO.18/2019/HEDN DATED 29.06.2019 ISSUED BY THE 2ND RESPONDENT
EXHIBIT P3	TRUE COPY OF THE REPRESENTATION DATED 24.02.2020 SUBMITTED BY THE 1ST WRIT PETITIONER BEFORE THE 2ND RESPONDENT.

RESPONDENT'S/S EXHIBITS: NIL