

MAHATMA GANDHI UNIVERSITY
(Abstract)

Self Financing Institutions formerly run by the University - Compliance of the Judgments of Hon. High Court of Kerala – Disbursal of Scale of Pay Salary and other benefits – Sanctioned - Orders issued

SELF FINANCING I SECTION

U.O.No. 5207/SFI/1/2017/Admn

Dated Priyadarshini Hills, 24.08.2017

- Read: 1. Judgments in W.P.(C) No. 19540/2009, 19795/2009, 19852/2009, 20095/2009, 20160/2009, 20304/2009, 20400/2009, 20402/2009, 20736/2009, 20961/2009, 23640/2009, 17517/2010, 2311/2011, 18041/2011, 20680/2009, 20060/2009, 25493/2011, 1930/2013 & 30354/2012.
2. Judgment dated. 07.12.2016 by the Division Bench of Hon. High Court of Kerala.
3. Judgment dated. 03.07.2017 & 05.07.17 of the Hon. Supreme Court of India.
4. Judgment dated. 21.08.17 of the Hon. High Court in contempt cases (Civil) Nos. 347, 487, 810, 821, 358, 1389, 1391, 1417 & 1445 of 2017.
5. Judgments in W.P.(C) No. 1499/2009 and W.A. 1709/2009.

ORDER

As per the Order dated. 21.08.2017 read as (4) above, the Division Bench of the Hon. High Court of Kerala observed that the University authorities are prima facie in contempt and directed the University to fully comply with the Judgments before 29.08.2017.

Pursuant to the order of the Hon. High Court, the Vice Chancellor has issued orders for the immediate compliance of the Judgment. It has been directed to grant service benefits as ordered by the Learned Single Judge and later affirmed by the Division Bench of the Hon. High Court of Kerala.

There are 54 Petitioners in 19 Writ Petitions, who had been engaged on contract basis in the Self Financing Institutions formerly run by Mahatma Gandhi University. A Special Cell has been constituted to fix and quantify the service benefits due to the petitioners pursuant to the Judgments of the Hon. High Court.

The Vice Chancellor in exercising of the powers conferred on him under Section. 10(17) of the Mahatma Gandhi University Act, 1985 has ordered to disburse the amount due to the Petitioners. The disbursal will be effected immediately on receipt of the report from the Special Cell constituted to quantify the amounts due to each petitioner. As an interim measure pending receipt of the report of the Special Cell, the Vice Chancellor has ordered to release an amount of Rs. 5 lakh each to the petitioners. The Finance Officer is authorized to make the payments after effecting Statutory deductions if any from the Head of Account 22 101 01 Salaries and Allowances provided in the Budget estimates of the Financial Year 2017-18. Excess amount if any received by any of the petitioners over and above the eligible amount will have to be refunded.

Orders are issued accordingly.

Sd/-
Saboo Thomas
Deputy Registrar (SF)
For REGISTRAR

COPY TO

1. All Petitioners mentioned in the Writ Petitions read (1).
2. Standing Counsel to Mahatma Gandhi University.
3. Director, Centre for Professional and Advanced Studies
4. PS to VC/PVC
5. PA to Registrar/FO/CE
6. JR – II (Admn)/JR (Finance)/JR (Academic)/JR – IV (Exam)
7. DR/AR (SF)
8. Acc Section/PRO/Kerala State Audit.
9. Records Sn./Content Management Sn.
10. SF I/SF II Section.

Forwarded / by order



Section Officer

File No. 101 /SPECIAL CELL/2017/ADMN

As per the order dated 21.08.2017 read at (4) above, the Division Bench of the Hon. High Court of Kerala observed that the University authorities are prima facie in contempt and directed the University to fully comply with the judgments before 20.08.2017.

Pursuant to the order of the Hon. High Court, the Vice-Chancellor has issued orders for the immediate compliance of the judgment. It has also directed to grant access benefits as ordered by the learned Single Judge and later affirmed by the Division Bench of the Hon. High Court of Kerala.

There are 24 petitioners in 19 Writ Petitions, who had been engaged on contract basis in the Self Financing Institutions formerly run by Mahatma Gandhi University. A Special Cell has been constituted to fix and demand the service benefits due to the petitioners pursuant to the judgments of the Hon. High Court.

The Vice-Chancellor in exercising of the powers conferred on him under Section 10(1) of the Mahatma Gandhi University Act, 1983 has ordered to disburse the amount due to the petitioners. The disbursement will be effected immediately on receipt of the report from the Special Cell constituted to quantify the amounts due to each petitioner. As an interim measure pending receipt of the report of the Special Cell, the Vice-Chancellor has ordered to release an amount of Rs. 2 lakh each to the petitioners. The Finance Officer is authorized to make the payments after effecting statutory deductions if any from the fund of Account 22 (01 of Salaries and Allowances) provided in the Budget estimates of the Financial Year 2017-18. A lesser amount if any received by any of the petitioners over and above the eligible amount will have to be refunded.

Registrar
Deputy Registrar (SF)
FOR REGISTRAR