

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

WP(C).No. 33598 of 2014 (Y)

PETITIONER(S):

1. DR.T.P.OMANA
PRINCIPAL
UNIVERSITY COLLEGE OF TEACHER EDUCATION (UCTE)
MAHATMA GANDHI UNIVERSITY, MUVATTUPUZHA
ERNAKULAM DISTRICT.
 2. DR. RAJEENA A,
PRINICIPAL,
UNIVERSITY COLLEGE OF TEACHER EDUCATION (UCTE)
MAHATMA GANDHI UNIVERSITY, KANJIRAPALLY
KOTTAYAM DISTRICT.
 3. DR. JAYASREE P.G.
PRINCIPAL
UNIVERSITY COLLEGE OF TEACHER EDUCATION (UCTE)
MAHATMA GANDHI UNIVERSITY, THODUPUZHA, IDUKKI DISTRICT.
 4. DR. MEERA RAJ S.
PRINCIPAL
UNIVERSITY COLLEGE OF TEACHER EDUCATION (UCTE)
MAHATMA GANDHI UNIVERSITY, ELANTHOOR
PATHANAMTHITTA DISTRICT.
- BY ADVS.SRI.K.JAJU BABU (SR.)
SMT.M.U.VIJAYALAKSHMI
SRI.BRIJESH MOHAN

RESPONDENT(S):

1. MAHATMA GANDHI UNIVERSITY
PRIYADARSHINI HILLS, KOTTAYAM -686560
REPRESENTED BY ITS REGISTRAR.
 2. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT OF KERALA
HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.
- R1 BY ADV. SRI.VARUGHESE M.EASO, SC, M.G.UNIVERSITY
R BY GOVERNMENT PLEADER: SRI V VIJULAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS:

EXHIBIT-P1-TRUE COPY OF THE G.O(MS)522/2014/H.EDN. DATED 19/07/2014
ALONG WITH THE QUALIFIICATIONS PRESCRIBED BY THE DIRECTOR OF
COLLEGIATE EDUCATION FOR SELF FIANCNING COLLEGES (TRAINING COLLEGES)

EXHIBIT-P2-TRUE COPY OF THE INFORMATION NO. SF/UCTE/2011 DATED
25/11/2011 FURNISHED BY THE IST RESPONDENT UNIVERSITY UNDER RT ACT
ALONG WIHT ENGLISH TRANSLATION.

EXHIBIT-P3-TRUE COPY OF THE RELEVANT EXTRACT OF THE MINUTES OF THE
SYNDICATE MEETING HELD ON 29/09/2014

EXHIBIT-P4-TRUE COPY OF THE REPRESENTATION DATED 05/08/2014
SUBMITTED BY THE PETITIONERS BEFORE THE HONOURBLE VICE CHANCELLOR IN
CHARGE OF IST RESPONDENT.

RESPONDENT(S) ' EXHIBITS:NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.33598 of 2014
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Dated this the 27th day of January, 2015

JUDGMENT

Petitioners are working as Principals of University College of Teacher Education under the Mahatma Gandhi University. Grievance of the petitioners is that they are not paid scale of pay as per UGC norms. Petitioners submit that they are having more than three years service under the first respondent University. Petitioners rely on Exts.P1 Government Order and Ext.P3 minutes of the meeting of the Syndicate held on 29.09.2014. Government by Ext.P1 order prescribed terms and conditions of the teaching staff working in unaided/Self Financing Institutions. In that order, scale of pay was also fixed. By Ext.P3, the University decided to accept the Government order in principle subject to financial constraints of the University.

2. Learned Standing Counsel appearing for the University would submit that other than Principal, all teaching staff has been partially given the benefit of UGC pay scale and there is no reason why the petitioners shall not be given. There is no reason to deny the benefits of pay scale to the petitioners also. University has filed a detailed counter affidavit. It is submitted that University could not take a hurried decision, as it involves financial commitment. It is also submitted that as these decisions have a

huge impact on the very existence of institution, it cannot be done in haste. However, in continuation of the decision of the Syndicate on 29.09.2014, Syndicate decided to enhance the remuneration of the teaching staff in Self Financing Institution. Petitioner made representation before the Vice Chancellor of University claiming the benefit of Ext.P1.

4. I am of the view, since the University has decided to accept Ext.P1 Government order, appropriate decision shall be taken by the University for implementation of the Government order. In view of the fact that teachers are paid, petitioners cannot be denied the benefits of UGC pay scale. Therefore, based on Ext.P4, University is directed to take appropriate decision for implementation of the Government order. Needful shall be done within a period of three months from the date of receipt of a copy of the judgment. The same benefit which is given to the teachers are also be given to the petitioners with effect from the date on which the benefit was given to the teachers.

The Writ Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.