



**GOVERNMENT OF KERALA**

**Abstract**

Higher Education - Technical - Contempt Petition (Civil) No.126/2018 filed by Sri. Prasad. S, Professor (Non - Cadre) in Electronics & Communication (Retired) - Direction of Hon'ble Kerala Administrative Tribunal - Complied with - Government order - modified - Orders issued.

**HIGHER EDUCATION (G) DEPARTMENT**

**G.O (Rt) No.216/2019/H.Edn.**

**Dated, Thiruvananthapuram, 12.02.2019**

- Read: 1) Order of the Hon'ble Kerala Administrative Tribunal dated 20.02.2018 in OA(EKM) No.1716/2017 filed by Sri. Prasad. S, Professor (Non - Cadre) in Electronics & Communication (Retired)
- 2) G.O (Rt) No. 200/2019/H.Edn. dated 06.02.2019.
- 3) Fax message from Advocate General in CP(C)No. 126/2018 dated 20.01.2018.
- 4) Interim Order in CP(C) No.126/2018 dated 07.02.2019 of the Hon'ble Kerala Administrative Tribunal.
- 5) Government letter No. HEDN-G1/402/2017-HEDN dated 06.02.2019

**ORDER**

As per Government Order read as 1<sup>st</sup> paper above, Shri. Prasad. S, Associate Professor, Electronics and Communication Engineering, was placed as Professor (Non-Cadre) w.e.f 01/01/2006 in the pay band of Rs.37400-67000 with AGP of Rs. 10000/- subject to the conditions of academic performance as laid down by the AICTE and allowed monetary benefits only with effect from the date of order. The Hon'ble Kerala Administrative Tribunal has set aside the Annex. A4 order and directed Government to pass revised order to the effect that the applicant is entitled to get the monetary benefits from the date of eligibility, ie, from 01/01/2006.

The applicant had filed CP(C)No.126/2018 alleging the non compliance of the order dated 20.02.2018. Government have examined the request of the applicant in tune with the AICTE regulations, G.O(P) No.389/2010/H.Edn dated 7.12.2010 and its clarification, the KSRs and issued orders giving prospective effect to the monetary benefits to the applicant to his placement and as per Government order read as 2<sup>nd</sup> paper above. The order was submitted before the Hon'ble Tribunal on 07.02.2019, and the tribunal had expressed its strong displeasure against the decision from Government and observed that the order is in total violation of the order dated 20.02.2018 on O.A.1716/2017. The Court had ordered to proceed with further actions as per Contempt of Court Act.

In view of the above, Government have further examined the request of the applicant in detail and with the observations made by the Hon'ble Tribunal as per order read as 4<sup>th</sup> paper above and found that the applicant is eligible for monetary benefits for his placement w.e.f, 01.01.2006.

In the above circumstances, Government are pleased to review its earlier decision taken as per Government order read as 2<sup>nd</sup> paper above and are pleased to sanction monetary benefits to Shri. Prasad. S, Professor (Non - cadre), Electronics and Communication Engineering, for his placement with effect from 01.01.2006.

The Government Order read as 2<sup>nd</sup> above is modified accordingly. The direction given to Advocate General to file appeal against the Hon'ble Kerala Administrative Tribunal order dated 20.02.2018 as per letter read in 5<sup>th</sup> paper above is also stands withdrawn.

(By order of the Governor)  
**A.JAMES RAJ**  
**ADDITIONAL SECRETARY**

To

The Advocate General, Ernakulam.

The Director of Technical Education, Thiruvananthapuram.

Sri. Prasad. S, Professor (Non - Cadre)(retired), Electronics and Communication Engineering, College of Engineering Trivandrum, Thiruvananthapuram.(Through DTE).

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

The Principal Accountant General (A&E), Branch Office, Kottayam, Kerala.

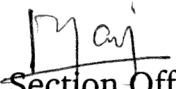
The Information Officer, Web & New media, I&PR Dept.

✓[www.highereducation.kerala.gov.in](http://www.highereducation.kerala.gov.in).

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Section Officer