

പതിനാലാം കേരള നിയമസഭ

ഏഴാം സമ്മേളനം

നക്ഷത്രചിഹ്നമിടാത്ത

നിയമസഭാ ചോദ്യം നം.1680


14/08/2017-ലെ മറുപടി

സി - സ്റ്റേഡ് ജീവനക്കാരുടെ പുനർവിന്യാസം

ചോദ്യം
ശ്രീ. കെ. മുരളീധരൻ

ഉത്തരം
ശ്രീ. പിണറായി വിജയൻ
(മുഖ്യമന്ത്രി)

<p>(എ) കേരള ശാസ്ത്ര-സാങ്കേതിക വകുപ്പിന്റെ കീഴിലുള്ള C-STED എന്ന സ്ഥാപനത്തിലെ ഒരു വിഭാഗം ജീവനക്കാരെ മറ്റ് വകുപ്പുകളിൽ പുനർ വിന്യാസിച്ചതിന് ശേഷം ബാക്കിയുള്ള ജീവനക്കാരെ പുനർ വിന്യാസിക്കാതിരുന്നതിനുള്ള കാരണം വ്യക്തമാക്കാമോ;</p>	<p>(എ) C-STED-ലെ ഒരു വിഭാഗം ജീവനക്കാർ C-STED-ൽ സ്ഥിര നിയമനം ലഭിക്കുന്നതിലേയ്ക്കായി ബഹു.ഹൈക്കോടതി മുമ്പാകെ സമർപ്പിച്ച റിട്ട് ഹർജിയിലെ വിധിന്യായം നടപ്പിലാക്കുന്നതിനായി സർക്കാർ പ്രസ്തുത ജീവനക്കാരെ കേരള ശാസ്ത്ര സാങ്കേതിക പരിസ്ഥിതി കൗൺസിലിന്റെ കീഴിലുള്ള ഗവേഷണ സ്ഥാപനങ്ങളിൽ സൂപ്പർ ന്യൂമററി തസ്തികകൾ സൃഷ്ടിച്ച് പുനർ വിന്യാസിക്കുന്നതിന് 20/06/2017-ലെ സ.ഉ.(എംഎസ്)നം.04/2017/ശാസവ നമ്പർ സർക്കാർ ഉത്തരവു പ്രകാരം തീരുമാനിച്ചിട്ടുണ്ട്. ഉത്തരവിന്റെ പകർപ്പ് അനുബന്ധമായി ചേർത്തിട്ടുണ്ട്.</p>
<p>(ബി) ശേഷിക്കുന്ന ജീവനക്കാരെ പുനർവിന്യാസിക്കുന്നതിനുള്ള നടപടി ഉടൻ സ്വീകരിക്കുമോ;</p>	<p>(ബി) & പരിശോധിച്ചു വരുന്നു.</p>
<p>(സി) ഈ സ്ഥാപനം നിലനിർത്തുന്നതിനാവശ്യമായ നടപടി സ്വീകരിക്കുമോ?</p>	<p>(സി)</p>


സെക്ഷൻ ഓഫീസർ



935 (correction memo)

GOVERNMENT OF KERALA

Abstract

Science and Technology Department – Establishment – Absorption of the regular employees of C-STED in the organisations under KSCSTE by creating supernumerary posts – Directions in the Judgment dated 14/07/2016 – Complied with – Orders issued.

SCIENCE & TECHNOLOGY (A) DEPARTMENT

G.O. (MS) No.04 /2017/S&TD

Thiruvananthapuram, dated : 20/06/2017

- Read:-
1. G.O. (MS) No.3/2008/S&TD dated 28/04/2008.
 2. Judgement dated 14/07/2016 in WP(C) No.25295/2013 & WP(C) No.26006/13 filed by the Employees.
 3. Contempt of Court Case No.402/2017.

ORDER

Centre for Science and Technology Entrepreneurship Development (C-STED) is an organisation set up by Government under Science and Technology Department for developing Entrepreneurship in the State of Kerala with emphasis on Science & Technology inputs and to create opportunities for sustainable employment vide Government Order referred 1st paper above by restructuring the STED Project. This has been established as a Society under government to operate on self reliant mode without financial commitment on the part of government. The C-STED has a Director, a Chairman and an Executive Committee chaired by the Principal Secretary, Science & Technology Department. There is a Governing Council, which is chaired by the Chief Secretary.

2) The Governing Council Meeting held on 19/08/2013 considered the matter of regularisation of employees erstwhile STED Project and decided that the regularization of the employees can be initiated only after evaluation and assessment of the entire C-STED System including its programme by an outside agency. The

employees of the organisation filed WP(C) No.25925/13 and 26006/13 for regularisation.

The Honourable High Court in the judgment dated 14.7.2016 in WP (C) No.25295/2013 (J) and WP(C) No.26006 of 2013 (A) disposed the case declaring that the writ petitioners shall be treated as regular employees of the 2nd respondent society viz. Centre for Science and Technology Entrepreneurship Development (C-STED) since they are occupying posts which are constituted in the regular establishment of the society as per clause 3.1 of the Ext.P9 approved Staff Bye-law / Service Rules of C-STED, Kozhikode.

The Honourable Court has also directed that it will be open to the 2nd respondent, C-STED, to take a decision with regard to the regularisation of the leave period of the 6th petitioner, while at the same time, treating the said petitioner as a regular employee of the 2nd respondent based on the observation in the judgment. It is made clear that the petitioners shall also be entitled to all consequential benefits, including pay and allowances that remain unpaid to them pursuant to the declaration of their status as regular employees, in the judgment.

The posts which were taken over by C-STED from the STED Project as per Government Order referred 1st paper above constitutes the regular establishment of the Society shall be permanent. It is also indicated in the said bye-laws that all other posts of C-STED are temporary, and the appointments made against such posts are either on contract or on daily wages or on deputation. Bye-laws indicates that among other posts, there were three posts of Project Engineer, eights posts of District Co-Ordinator and one post of Course Co-Ordinator that formed the permanent establishment of the 2nd respondent Society at the time of it being restructured as a Society and becoming an autonomous body. The Petitioners in these writ petitions are the persons who were working against the said three posts of Project Engineer.

eight posts of District Co-Ordinator and one post of Course Co-Ordinator that had become part of the permanent establishment in the 2nd respondent Organisation.

Name and designation of the employees are as follows :

Sl. No.	Name	Designation
1.	Janaki P.	District Co-Ordinator
2.	Lakshmiamma D.	District Co-Ordinator
3.	Gomathy Sarojam M.	District Co-Ordinator
4.	Veena P.	District Co-Ordinator
5.	Preethy S.	District Co-Ordinator
6.	Satheesh Babu M. V.	District Co-Ordinator
7.	Deepthi A. S.	District Co-Ordinator
8.	Jayan K. A.	District Co-Ordinator
9.	Mythili K.	Project Engineer
10.	Lathika K. G.	Project Engineer
11.	Sailaja K. V.	Project Engineer & DW (LC)
12.	Penn G.	Course Co-Ordinator

The Director, C-STED has reported that the 6th Petitioner has been reinstated as directed in the Judgement and all the Petitioners has been treated as regular employees. The generation of revenue has been considerably affected and the organisation failed even to make the statutory payments. Government provided some funds as one time assistance and this could not make the organisation stand on its feet and pay the arrears to its employees till date.

Government have examined the matter in detail and found that C-STED has no future as an independent organisation, because it is not covering any meaningful area of work under the Science & Technology Department. The quality of the employees is also an important issue.

In the circumstances, Government have decided to absorb the above petitioners by creating supernumerary posts in the organisations under KSCSTE to accommodate these employees of C-STED subject to the approval of Governing Council, with the conditions that Government will not provide any additional grant to the council on account of this and supernumerary posts created for the purpose should be abolished upon the retirement of the employees subject to the following conditions :

(i) A Committee under the Chairmanship of Principal Secretary, Science & Technology, consisting of Director of Centre for Water Resources Development and Management (CWRDM) and Kerala Forest Research Institute (KFRI), will evaluate each and every Petitioner in WP(C) by interviewing them. Based on the qualification, experience and aptitude, they will be placed in different Science & Technology Institutions, by creating supernumerary posts.

(ii) The Institutions so identified have to be given the power to allot sufficient work to the deployed persons.

(iii) The salary now paid to the employees will continue to be paid.

Thus the directions of the Hon'ble High Court Judgment dated 14/07/2016 in WP(C) No.25295/2013 & WP(C) No.26006/13 is complied with.

(By order of the Governor)

DR. SURESH DAS

Ex-Officio Principal Secretary

To

The Petitioners.

The Member Secretary, Kerala State Council for Science and Technology and Environment, Pattom, Thiruvananthapuram.

The All Directors (through Member Secretary, KSCSTE)

The Advocate General, Ernakulam (with C/L)

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

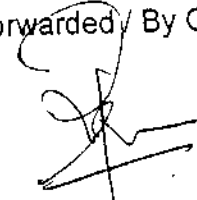
The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.
(this issues with the concurrence of Finance Department)

The Finance Department (vide. U.O.No.477313/PUC4/94/2017-Fin dated 24/05/17)

Web & New Media, I&PRD (for hosting in the website)

SF/OC.

Forwarded / By Order



Section Officer

Copy to :

PS to the Hon'ble Chief Minister.

PA to Ex-Officio Principal Secretary, Science & Technology Department.