

**GOVERNMENT OF KERALA****Abstract**

Higher Education Department - Private Aided Colleges - Judgment dated 17.11.2025 in WP(C) 35389/2025 filed by Dr. Soni John, Associate Professor (Retd), Christ College, Irinjalakkuda - Complied with - Orders issued

HIGHER EDUCATION (D) DEPARTMENT

G.O.(Rt)No.802/2026/HEDN Dated,Thiruvananthapuram, 08-07-2026

Read 1 G.O.(P) No. 56/2000/HEDN dated 15.04.2000

2 G.O.(Rt) No. 2027/2013/HEDN dated 11.10.2013

3 G.O.(Ms)129/2024/HEDN dated 26.02.2024

4 Representation dated 25.10.2025 submitted by Dr. Soni John

5 Judgment dated 17.11.2025 in WP(C) No. 35389/2025

ORDER

Dr. Soni John, Associate Professor (Retd), Christ College, Irinjalakkuda filed WP(C)No.35389/2025 with a prayer to consider the period of Leave Without Allowance (LWA) availed by him from 15.03.2007 to 14.03.2011 for pursuing Ph.D., as duty. In the judgment of the Hon'ble High Court read as 5th paper above, it was directed to consider the representation submitted by Dr. Soni John read as paper 4th above, taking into account Government Orders read as 1st and 2nd above, and to issue orders.

2. Government Order read as 1st above, was issued prior to the implementation of the UGC scheme in the State, reckoning LWA period as deputation to encourage higher studies/research by college teachers who undergo research sponsored by CSIR, ICSSR, ICHR etc., subject to the conditions specified therein. Though Government Order read as 2nd above was issued after implementation of UGC in the State, the LWA period of Dr. Celinamma Scariah under consideration in the G.O., ie., 01.08.1997 to 31.07.2000, falls well before implementation of UGC scheme in the state. Hence the LWA period of Dr. Celinamma Scariah was eligible as per Government Order read as 1st

above. Further, regularization was granted due to the reason that Dr. Celinamma Scariah even though she availed LWA prior to the issuance of Government Order read as 1st above, she was continuing research even after issuance of the respective Government Order. In addition, she was doing her PhD under ICSSR as mentioned in Government Order read as 1st above.

3. But the LWA period of Dr. Soni John mentioned in read as 4th above representation is 15.03.2007 to 14.03.2011, which was after the implementation of the UGC Scheme in the State and the LWA was for doing PhD from an Overseas University. Hence Exhibit P18 representation does not fall in line with Government Orders read as 1st and 2nd above.

4. As per G.O. read as 1st paper above, LWA period was reckoned as deputation for those teachers who undergo higher studies/research sponsored by CSIR, ICSSR, ICHR etc. As per GO read as 2nd paper above, the LWA period of Dr. Celinamma Scariah was regularized by treating the period as duty for all purposes other than pay and allowances. The above regularization was granted due to the reason that Dr. Celinamma Scariah even though she availed LWA before the issuance of GO read as 1st paper above, she was continuing research even after issuance of the respective G.O. Her LWA period was 01.08.1997 to 31.07.2000. In addition, she was doing her PhD under ICSSR as mentioned in GO read as 1st paper above. When UGC scheme was adopted, State Govt had not adopted all the UGC rules which included leave rules. Granting leave and pension are as per State Govt policy. Though GO read as 2nd paper above was issued after implementation of UGC in the state, the LWA period of Dr. Celinamma Scariah under consideration in the G.O., ie., 01.08.1997 to 31.07.2000, falls well before implementation of UGC scheme in the state. But the LWA period of Dr. Soni John mentioned in Exhibit P18 representation is 15.03.2007 to 14.03.2011 and LWA was for doing PhD from an Overseas University.

5. In the above circumstances, the representation submitted by Dr. Soni John, Associate Professor (Retired), Christ College, Irinjalakkuda towards reckoning of the Leave Without Allowance (LWA) period from 15.03.2007 to 14.03.2011 as duty for service benefits is rejected.

6. The judgment of the Hon'ble High Court read as paper 5th above is complied with accordingly.

(By order of the Governor)

DARLY JOSEPH
ADDITIONAL SECRETARY

To:

1. The Director of Collegiate Education, Thiruvananthapuram
2. The Advocate General, Kerala, Ernakulam (with C/L)
3. The Accountant General, (A&E/Audit) Kerala, Thiruvananthapuram
4. The Deputy Director of Collegiate Education, Thrissur
5. Dr Soni John, Thanikkal House, Kali Road, Irinjalakkuda North - 680125
6. The Principal, Christ College, Irinjalakkuda
7. Finance Department (Vide 405823/EDN-C4/46/2017-FIN dated 18.06.2026)
8. www.highereducation.kerala.gov.in
9. I&PRD (Web & New Media)
10. Stock File/Office copy (D2/282/2025-HEdn)

Forwarded /By order

Section Officer