



GOVERNOR'S SECRETARIAT, BIHAR
RAJ BHAVAN, PATNA-800022

Letter No.-MU-112/2008- /GS (I),

Dated -

From,

M.M. Choudhary
Officer on Special Duty (Judl.)

To,

The Vice Chancellor,
Magadh University.
Bodh Gaya.

Sub.:- Joint representation of Smt. Pushplata Kumari & Smt. Kiran Kumari, both Lecturer in Philosophy of Nalanda Mahila College, Biharsharif for absorption of service on regular basis.

Ref : Hearing by the Hon'ble Chancellor, Universities of Bihar on 24.05.2013 at Raj Bhavan, Patna.

Sir,

I am directed to invite a reference to this Secretariat's letter No. MU-112/2008-772/GS(I) dated 20.05.2013 on the subject noted and to inform that the Hon'ble Chancellor, after hearing the concerned party and the University, has been pleased to pass the following order :-

ORDER

In the instant case Dr(Smt) Pushp Lata Sinha & Dr(Smt) Kiran Kumari, both Lecturers of the Deptt of Philosophy, Nalanda Mahila College, Biharsharif, Nalanda vide their joint representation have prayed for considering their case sympathetically and for removing the word "Provisional" from the order of their absorption of services as contained in this Secretariat's letter No.MU-7/91-4825/GS(1), dated 2.11.99.

Briefly stated, the case of the petitioners is that they have been working as Lecturers in the Department of Philosophy since 1.3.1975 and 4.2.1978 respectively in the said College under Magadh University, yet they are victim of "Provisional Absorption" as mentioned in the aforesaid order of absorption of their service. In the said letter it has also been mentioned that final decision regarding their absorption will be taken as per decision of the Hon'ble High Court in the reference made by the Committee headed by Mr Justice Sarwar Ali (Retd.).

They have stated that the judgment of Hon'ble Mr Justice Aftab Alam referred by Justice Sarwar Ali Committee has been decided by the order dated 21.2.2000 passed in CWJC No. 5859 of 1996, reported in 2000(2) PLJR 867, which suggests permanent absorption. They have represented before the Vice-Chancellor several times in this regard but to no effect and they are facing the same problem and suffering loss of promotional benefits.

During the hearing of the case, the petitioners, the representative of the University and the representative of the Education Department, Govt of Bihar were present.

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During the hearing the representative of the University informed that the University has no objection to the removal of the word 'Provisional' from the order of absorption communicated vide this Secretariat's letter No.MU-7/91-4825/GS(1), dated 2.11.99. He further informed that the petitioners have already been confirmed in service and they have also been granted promotion.

Therefore, the representation of the petitioners referred to above is allowed and the word "Provisional" occurring in this Secretariat's letter No.MU-7/91-4825/GS(1), dated 2.11.99 is ordered to be removed with consequential benefits.

PATNA

Dated the 24th May, 2013

Sd/-

(D Y Patil)

Chancellor

Universities of Bihar

Further necessary follow-up action may kindly be taken forthwith.

Yours faithfully,

Sd/-

(M. M. Choudhary)

Officer on Special Duty (Judl.)

Dated-

Memo No. MU-112/2008- /GS (I),

Copy forwarded to the Principal Secretary, Education Department, Govt. of Bihar, Patna for information.

Sd/-

Officer on Special Duty (Judl.)

Dated-

Memo No:- MU-112/2008- /GS (I),

By Regd. Post

Copy forwarded to Smt. Pushplata Kumari & Smt. Kiran Kumari, both Lecturer in Philosophy of Nalanda Mahila College, Biharsharif for information.

Sd/-

Officer on Special Duty (Judl.)

Dated- 5.6.2013

Memo No. MU-112/2008-1097 /GS (I),

Copy forwarded to I/c Computer Cell for uploading on the website of Raj Bhavan, Patna.

Officer on Special Duty (Judl.)