
(2012) 03 JH CK 0146
In the Jharkhand High Court
Case No : C.W.J.C. No. 2038 of 2000 (R)

Sunil Kumar Singh and others	Vs	APPELLANT
The State of Bihar and others		RESPONDENT

Date of Decision : 06-03-2012

Acts Referred:

Citation : (2012) 03 JH CK 0146

Hon'ble Judges : P.P. Bhatt, J

Bench : Single Bench

Judgement

P.P. Bhatt

1. Today, the Learned counsel for the State clarified that so far as non-teaching staff and the universities are concerned, except Ranchi University, no other university have sent detailed requisition as per the revised pay structure and therefore, for want of requisite information, the State Government is unable to make provision of funds during this financial year. However, it is submitted that upon receipt of revised requisition from the respective universities, the State Government will process the matter for making necessary provision of funds in the next financial year.

2. Learned counsel for the petitioners appearing for non-teaching staff pointed out that in the counter-affidavit, filed on behalf of the respondent Nos. 1 and 2, dated 2.3.2012, in para-5, it has been mentioned that through the 2nd supplementary budget 2011-12, the budgetary allocation for Rs. 42,53,77,000/- (Forty two crore fifty three lakh and seventy seven thousand) have been made available for all universities of the State and out of which, the amount as allocated is described in para-5 in tabular format, wherein against the column No. 2, for arrears of pay (teaching/non-teaching staff for different period), the amount described as Rs. 20,12,61,000/- and therefore, the respondent-State Government may be properly directed to release the said amount so that the said amount may not be lapsed at the end of financial year 2011-12.

3. Learned counsel for the petitioners appearing for the non-teaching staff further submitted that Nilambar Pitambar University has sent requisition to the State Government well within time for release of funds, to which the Learned counsel for the respondent-State clarified that the said University has sent requisition by calculating the old pay-scale, whereas the University was required to send the requisition by calculating last revised pay-scale. However, the budgetary provision is made in the 2nd supplementary budget 2011-12 to the tune of Rs. 20,12,61,000/- for the purpose of making payment towards arrears of pay (teaching/non-teaching staff for different period) and Rs. 10,80,00,000/- for the purpose of making payment of salary (teaching and non-teaching staff) as stated in para-5 of the counter-affidavit filed by the State dated 2.3.2012. The said amount have been made available for all Universities of the State and the amount is allocated as described in para-5 of the said affidavit.

4. Under the circumstances, it is desirable that whatever provision is made in the 2nd supplementary budget and the sanction has been given by the State, those funds are required to be utilized before the end of present financial year for the purpose of making payment of salary as well as arrears to the teaching as well as non-teaching staff as directed by this Court on previous occasion. State Government is directed to see that the funds allocated in the 2nd supplementary budget be utilized before 30th of March, 2012 and the payment of arrears of pay (teaching and non-teaching staff for different period) as well as salary (teaching and non-teaching staff) for which funds have been allocated in the 2nd supplementary budget be released and placed for disposal of the respective Universities for its further disbursement. So far as revised requisition, as stated by the Learned counsel for the respondent-State is concerned, respective Universities shall see to it that the required requisition by calculating the revised pay-scale be submitted to the State Government at the earliest so that the matter can be further processed for making provision of funds in the next financial year.

6. Put up this case on 19th March, 2012.