

കൊച്ചി ശാസ്ത്ര സാങ്കേതിക സർവ്വകലാശാല
COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY



**MINUTES OF 693rd MEETING OF THE SYNDICATE HELD ON
08.12.2021 (WEDNESDAY)**

Members present:-

1. Prof (Dr) K N Madhusoodanan (in the Chair)
Vice-Chancellor
2. Prof (Dr) P G Sankaran
Pro Vice Chancellor
3. Dr R Sasidharan
4. Dr K Ajitha
5. Dr S M Sunoj
6. Dr Sasi Gopalan
7. Dr V Sivanandan Achari
8. Dr Sreejith P S
9. Sri Krishnakumar K K
10. Sri. Ajayan C

Also Present:

Dr. Meera V
Registrar

Sri. Ferold Xavier S D requested leave of absence.

| Item No. | SUBJECT |
|----------|--|
| 693.01 | <p>Finalisation of answers to Senate Questions.</p> <p><i>The Syndicate considered and finalized questions and answers of the Senate Meeting to be held on 18.12.2021 with the following modification:</i></p> <p><i>Authorized the Vice Chancellor to disallow Question No.22 as per relevant Clause in the Statute.</i></p> |

693.02

Sweeper-cum-Cleaner – Appointment from the Differently Abled – Locomotor Disability/Cerebral Palsy category – Judgment dated 03.12.2020 of the Hon’ble High Court of Kerala in W.P.(C) No.20385 of 2020 filed by Sri. Adik P B & Contempt case (C) No.645/2021 before the High Court – Clarification from the Government – Consideration – reg.

The Syndicate considered along with the recommendations of the Standing Committees of the Syndicate on Staff and Establishment, Finance and Purchase, the request dated 23.09.2020 from Sri. Adik P B to give him appointment to the post of Sweeper-cum cleaner against the turn earmarked for differently Abled category in the light of the Judgment dated 03.12.2020 of the Hon’ble High Court of Kerala in W.P. (C) No.20385 of 2020, Contempt case (C) No.645/2021 before the High Court and the letter No. B2/73/2021/HEdn dated 22.11.2021 wherein the Government has furnished a clarification sought as per the resolution of the Syndicate held on 17.3.2021.

The Syndicate discussed the following points in detail:

- (i) *As per the provisions contained in Section 34(2) of “The Rights of Persons with Disabilities Act, 2016,” wherein in any recruitment year any vacancy cannot be filled up due to non availability of a suitable person with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable persons with benchmark disability is not available, it may first be filled by interchange among the five categories and only when there is no person with disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability.*

Provided that if the nature of vacancies in an establishment is such that a given category of person cannot be employed, the vacancies may be interchanged among the five categories with the prior approval of the appropriate government.

- (ii) *As per the clarification letter No.R1B(2)9112/2017/GW dated*

11.03.2019 by the Kerala Public Service Commission regarding appointment of Differently Abled candidates to the post of Sweeper Cum Cleaner that appointments against serial numbers 1, 34 and 67 are to be given out of turn to Differently Abled candidates in the order of Differently Abled – Low Vision/Blind. Differently Abled – Hearing Impaired, Differently Abled – Locomotor Disability/Cerebral Palsy and in the absence of a candidate belonging to a particular Differently Abled category, such vacancy shall be carried forward in the subsequent recruitment year provided that the nature of vacancies in an establishment is such that a given category cannot be employed, the vacancies may be interchanged among other categories.

Having considered this, the Syndicate resolved not to interchange the vacancy earmarked for differently abled - blind to other differently abled categories since, as per the provisions of the RPWD Act, the vacancy has to be carried forward in the succeeding recruitment year. Therefore, the Syndicate resolved to decline the request dated 23.09.2020 from Sri. Adik P.B.(Candidate belonging to differently abled -Locomotor disability category)

(Ad.A4)


REGISTRAR