

**BEFORE DR K K KATOCH, CHAIRMAN, H.P. PRIVATE EDUCATIONAL
INSTITUTIONS REGULATORY COMMISSION SHIMLA-171009**

Case No. 17 of 2018
Date of Institution: 08.11.2018
Date of Order: 05.04.2019

In the Matter of :

Ms Swati D/O Mr. Jai Pal, Yogi Raj Soft Drinks, Village : Hatkot
Kunihar, District : Solan(H.P.)-173 207

..... Complainant

Versus

Green Hills Engineering College, Gandhigram, Kumarhatti-Nahan Road;
District: Solan (H.P.)- 173 229

.....Respondent

Present: For Complainant : Ms Swati
For Respondant : None

ORDER

Ms Swati D/O Mr Jai Pal of Village Hatkot Kunihar joined Green Hills Engineering College, Kumarhatti, Solan as Assistant Professor (Management) on 06.02.2018 and served the College till 20.07.2018 when she was relieved vide letter no. GHEC/Admn/2018-18995 dated 20.07.2018 at a salary of Rs.15100 PM. In the meantime when she was teaching in the said GHEC, the College got a DDU-GKY Project and through Manpower Group Services India Private Limited (MGS IPL) got engaged by outsourcing Ms Swati vide their Offer dated 01.02.2018 in the College as DDU-GKY Trainer while serving as Assistant Professor as above. This fixed term contract was for one year from 01.02.2018 to 31.01.2019 at Rs 13,322 PM. Thus College engaged Assistant Professor Ms Swati , was also assigned the job of teaching / training the trainees as trainer during the same period of duty.

The said Ms Swati was engaged by the GHEC and paid Rs 13,322 PM through / from the outsource services of Manpower Group Services India Private Limited and the remaining Rs. 1,778/- PM from the GHEC, with a total of Rs. 15,100 per month (PM).

Ms Swati in her complaint has raised issues that:

- (1) She had worked for two establishments i.e. GHEC as Assistant Professor for which she is entitled for Rs. 15,100 PM and DDU-GKY Trainer for which she is entitled for Rs. 13,322 PM and thus she should have been paid both the salaries.

(2) Since her services were terminated on 20.07.2018 without serving any notice, she should be compensated with one month's salary.

Issue No.1: Regarding payment of double salary, Ms Swati Assistant Professor for teaching was engaged on full time basis, and she was assigned the DDU-GKY trainings during the same hours of working for which she was being paid @ Rs 15,100 PM, entitles her only one salary per month on the above agreed amount and College has paid the same in totality. Hence this issue does not sustain.

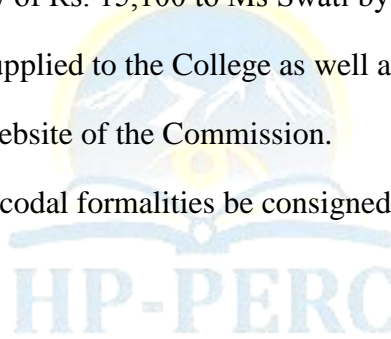
Issue No.2: Regarding salary for the notice period, it is evident from the agreement that one month notice period was to be reckoned considering the Manpower Group Services India Private Limited offer letter dated 01.02.2018 and terms and conditions endorsed therewith, wherein the anticipated period of contract had been indicated as one year i.e. from 01.02.2018 to 31.01.2019 and for such a period the notice for termination of one month was required to be served or pay salary in lieu of the same in terms of condition no. 12(b). Since the College had engaged Ms Swati, whether in terms of MGS IPL it was the responsibility of the College to pay the same. Hence, Respondent College is directed to pay one month's salary of Rs. 15,100 to Ms Swati by 26.04.2019.

Copies of the Order be supplied to the College as well as petitioner.

Order be hosted on the website of the Commission.

File after completion the codal formalities be consigned to the Record Room.

ANNOUNCED



Sd/-

(Dr.K.K.Katoch)
Chairman