

## A G E N D A

of the General Body Meeting of  
NAGPUR UNIVERSITY TEACHERS' ASSOCIATION  
to be held at 12.00 noon on **SUNDAY, the**

**5 th June, 2011 at**  
**Bharatiya Mahavidyalaya, Amravati**

Agenda of the General Body Meeting of Nagpur University Teachers' Association to be held at 12.00 noon on Sunday, the 5th June 2011 at Bharatiya Mahavidyalaya, Amravati is as follows :-

### ITEM NO. 534 :

#### **CONFIRMATION OF MINUTES :**

**TO CONFIRM** the minutes of the General Body meeting of Nagpur University Teachers' Association held at 12.00 noon on Sunday, the 27th February, 2011.

*Notes :- 1) Copy of the minutes was Circulated on pages 21 to 29 of 2011 NUTA Bulletin.*

*2) Corrections, if any, were invited in the copy of the Minutes of the General Body Meeting of Nagpur University Teachers' Association held at 12.00 noon on Sunday, the 27th February, 2011. vide No.CIM/30 Dated 15 March, 2011 published on page 23 of 2011) NUTA Bulletin. No correction was received.*

### ITEM NO. 535 :

#### **APPROVAL TO THE ANNUAL REPORT :**

**TO CONSIDER AND APPROVE** the Annual Report regarding the working of the Association for the calendar year ending on 31st December, 2010.

*Notes : (i) As per Article VI (b) (iii) of the Constitution of NUTA, the Annual Report of the working of the Association is prepared by the Executive Committee (vide item No.23 of 2011) and will be placed for the approval of the General Body.*

*(ii) The Copy of the Annual Report is circulated in this NUTA Bulletin on page 36 to 40*

*(iii) Dr. E.H.Kathale, Secretary will present the Annual Report on behalf of the Executive Committee.*

### ITEM NO. 536 :

#### **APPROVAL TO THE ANNUAL BUDGET :**

**TO APPROVE** the Annual Budget of the Association for the Financial year commencing on 1st April, 2011.

*Notes : (i) Prof. S.A.Tiwari, Treasurer, NUTA, will present the Budget on behalf of the Executive Committee. (ii) The copy of the Budget is circulated on page No. 36 of 2011 NUTA Bulletin.*

### ITEM NO. 537 :

#### **APPOINTMENT OF THE AUDITORS :**

**TO CONSIDER AND APPROVE** the following resolution for the appointment of Auditors for the Financial year ending on 31st March, 2011 namely :-

"C.R.Sagdeo & Co. Chartered Accountant "Prabha Niwas" Nagpur be appointed as auditor for the Financial year ending on the 31st March 2011"

#### *Notes :*

*(i) As per Article VII of the Constitution of NUTA the "General Body shall appoint auditors annually in the Annual Meeting of the Association."*

*(ii) The Executive Committee resolved to recommend the above resolution, (Vide item No. 25 of 2011) which is now placed before the General Body for its approval.*

*(iii) Dr. S.A.Tiwari, Treasurer, on behalf of the Executive Committee, will move the resolution.*

### ITEM NO. 538 :

#### **SUBMISSION OF STATEMENTS OF AUDITED ACCOUNTS FOR THE YEAR ENDING ON 31ST MARCH 2009**

**TO NOTE** the submission of statements of Audited Accounts of Nagpur University Teachers' Association for the year ending on 31st March, 2009 to The Deputy Charity Commissioner Nagpur region, Nagpur by The

#### **NAGPUR UNIVERSITY TEACHERS' ASSOCIATION MEETING NOTICE : 2**

**Date : 05.05.2011**

From  
**Dr. E.H.Kathale,**  
Secretary, NUTA,  
N-162, Reshim Bagh, Nagpur-440 009.

To,  
**All the members**  
of the Nagpur University Teachers' Association  
Dear members,

I have the honour to inform you that in exercise of the powers conferred on it by Article VIII of the Constitution of NUTA, the Executive Committee has decided to have the meeting of General Body at **12.00 Noon** on the date and at the place mentioned below.

2. Agenda of the General Body meeting is printed in this NUTA Bulletin. If you propose to suggest any amendments to any of the proposals/Resolutions included in the Agenda, you may send it to me within a period of one week from the date of the posting of this Bulletin. It will not be possible for the amendments received after the due date to be included in the additional agenda. Please send one copy of your amendment to Prof. B.T.Deshmukh, President, NUTA, 3, Subodh Colony, Near Vidarbha Mahavidyalaya, Amravati-444 604.

3. Rules for proposing amendments to the proposals/resolutions are printed on page 97 of 1977 NUTA Bulletin. You are requested to kindly make it convenient to attend the meeting.

Yours faithfully,  
Sd/- **Dr. E.H.Kathale**  
Secretary, NUTA

#### ***Date and Place of the meeting***

**at 12.00 Noon on, Sunday, the**  
***5 th June, 2011 at***

***Bharatiya Mahavidyalaya,***  
***Amravati***

Secretary NUTA, Dr. E.H. Kathale vide his letter No. 16/S/2010, Dated 15/06/2010.

Notes : 1) Copy of the letter No.16/S/2010, Dated 15/06/2010 regarding Submission of Audited Accounts is circulated on page 34 of 2011 NUTA Bulletin.

(2) Statements of Audited Accounts of Nagpur University Teachers' Association for the year ending on 31st March, 2009 i.e. were approved by the Executive Committee in its meeting held on 25th October 2009 vide item No. 24. Agenda on page 75, Minutes on page 85 and Enclosure on page 73 & 76 of 2009 Ex-File.

(3) Statements of Audited Accounts of Nagpur University Teachers' Association for the year ending on 31st March, 2009 were approved by General Body in its meeting held on 13th December 2009 vide item No. 506. Agenda on page 161, Minutes on page 223, Enclosures on page 162 of 2009 NUTA Bulletin.

(4) After the approvals mentioned at notes 2 & 3 above the Statements of Audited Accounts of Nagpur University Teachers' Association for the year ending on 31st March, 2009 were submitted to the Deputy Charity Commissioner, Nagpur region, Nagpur by the secretary as mentioned at note 1 above.

**ITEM NO. 539 :**  
**SUBMISSION OF STATEMENTS OF**  
**AUDITED ACCOUNTS FOR**  
**THE YEAR ENDING ON**  
**31ST MARCH 2010**

**TO NOTE** the submission of statements of Audited Accounts of Nagpur University Teachers' Association for the year ending on 31st March, 2010 to The Deputy Charity Commissioner Nagpur region, Nagpur by The Secretary NUTA, Dr. E.H. Kathale vide his letter No. 44/S/2011, Dated 15/03/2011

Notes : 1) Copy of the letter No.44/S/2011, Dated 15/03/2011 regarding Submission of Audited Accounts is circulated on page 34 of 2011 NUTA Bulletin.

(2) Statements of Audited Accounts of Nagpur University Teachers' Association for the year ending on 31st March, 2010 i.e. were approved by the Executive Committee in its meeting held on 16th January 2011 vide item No. 18. Agenda on page 2, Minutes on page 10 and Enclosure on page 2,3 & 4 of 2011 Ex-File.

(3) Statements of Audited Accounts of Nagpur University Teachers' Association for the year ending on 31st March, 2010 were approved by General Body in its meeting held on 27th February 2011 vide item No. 527. Agenda on page 01, Minutes on page 9, Enclosures on page 02 & 03 of 2011 NUTA Bulletin.

(4) After the approvals mentioned at notes 2 & 3 above the Statements of Audited Accounts of Nagpur University Teachers' Association for the year ending on 31st March, 2010 were submitted to the Deputy Charity Commissioner, Nagpur region, Nagpur by the secretary as mentioned at note 1 above.

(5) References of **previous submissions** for information :-

(A) For Statements of Audited Accounts of Nagpur University Teachers' Association From the year ending on 31st March 1984 to the year ending on 31st March 2003, **see** item No. 47 to 51 of 2003 Executive Committee meeting. (Agenda on page 77 to 78 and Minutes on page 94 of 2003 Ex-File. Enclosure on pages 59 & 60 of 2003 Ex-File.)

(B) For Statements of Audited Accounts of Nagpur University Teachers' Association For the year ending on 31st March 2004, **see** item No. 36 of 2005 Executive Committee meeting. (Agenda on page 37, Minutes on page 73 and Enclosure on page 33 of 2005 Ex-File.)

(C) For Statements of Audited Accounts of Nagpur University Teachers' Association For the year ending on 31st March 2005, and 31st March 2006, **see** item No. 33 & 34 of 2008 Executive Committee meeting. (Agenda on page 46 & 47, Minutes on page 57 and Enclosure on page 36 of 2008 Ex-File.)

(D) For Statements of Audited Accounts of Nagpur University Teachers' Association for the year ending on 31st March 2007, **see** item No. 35 of 2008 Executive Committee meeting. (Agenda on page 47 and Minutes on page 57 of 2008 Ex-File. Enclosure on page 36 of 2008 Ex-File.) Noted by the General Body meeting of NUTA, vide item No. 479 in its meeting held on 9th November 2008. (Agenda on page 126, Minutes on page 157,

**NAGPUR UNIVERSITY TEACHERS' ASSOCIATION**

B.P.T.A Regn. No. F-1564 & Soc. Regn.Act  
(Regn No. MAH/15/73 (NAG))

**Dr.E.H.Kathale**, Secretary, **NUTA**, N-162,  
ReshimBagh, Nagpur-440 009.

No. 16/S/2010 : Date : 15.06.2010 :  
By Registered Post Nagpur GPO- 440 001

To,  
The Deputy Charity Commissioner, Nagpur Region, Nagpur.

**Subject** : Submission of Statements of Accounts of Nagpur University Teachers' Association, Nagpur for the year ending on 31st March, 2009.

Sir,

Please find herewith enclosed original audited Statements of Accounts of Nagpur University Teachers' Association, Nagpur for the year ending on 31st March, 2009.

Kindly do the needful at your end and oblige.

Yours faithfully,  
(Dr. E.H.Kathale)  
Secretary, NUTA.

**Encl** : Audited statement of accounts.

**Copy to** : (1) Prof. B.T.Deshmukh President, NUTA, Amravati. (2) Prof.S.A.Tiwari, Treasurer, NUTA, Amravati.

**Note** : This letter was sent to the Deputy Charity Commissioner By Registered Post from Nagpur Mahal 440 032 SPEM 493533456 IN counter No. 1, OP code : PPJ : 44 grams, Amount 12.00 on 15.06.2010 at 10.54 Hrs.

**NAGPUR UNIVERSITY TEACHERS' ASSOCIATION**

B.P.T.A Regn. No. F-1564 & Soc. Regn.Act  
(Regn No. MAH/15/73 (NAG))

**Dr.E.H.Kathale**, Secretary, **NUTA**, N-162,  
ReshimBagh, Nagpur-440 009.

No. 44/S/2011 : Date : 15.03.2011 :  
By Registered Post Nagpur GPO- 440 001

To,  
The Deputy Charity Commissioner, Nagpur Region, Nagpur.

**Subject** : Submission of Statements of Accounts of Nagpur University Teachers' Association, Nagpur for the year ending on 31st March, 2010.

Sir,

Please find herewith enclosed original audited Statements of Accounts of Nagpur University Teachers' Association, Nagpur for the year ending on 31st March, 2010.

Kindly do the needful at your end and oblige.

Yours faithfully,  
(Dr. E.H.Kathale)  
Secretary, NUTA.

**Encl** : Audited statement of accounts.

**Copy to** : (1) Prof. B.T.Deshmukh President, NUTA, Amravati. (2) Prof.S.A.Tiwari, Treasurer, NUTA, Amravati.

**Note** : This letter was sent to the Deputy Charity Commissioner By Registered Post from Nagpur GPO 440 001 SPEM 451785119 IN counter No. 2, OP code : SSP : 40 grams, Amount 23.00 on 15.11.2011.

Enclosure on page 131 of 2008 NUTA Bulletin.)

(E) For Statements of Audited Accounts of Nagpur University Teachers' Association for the year ending on 31st March 2008, see item No. 18 of 2008 Executive Committee meeting. (Agenda on page 43 and Minutes on page 53 of 2008 Ex-File. Enclosure on page 30,31,32 & 33 of 2008 Ex-File.) Noted by the General Body meeting of NUTA, vide item No. 477 in its meeting held on 9th November 2008. Agenda on page 125, Minutes on page 157, Enclosure on page 126 & 127 of 2008 NUTA Bulletin.

**नुटाच्या आमसभेच्या वेळी करावयाच्या  
व्यवस्थेसंबंधी सूचना**

आमसभा ठरलेल्या वेळी म्हणजे बरोबर दुपारी १२.०० वाजता सुरु होत असते, हे लक्षात ठेऊनच एकूण व्यवस्था असावी. सभा सुरु होण्याच्या पूर्वीच्या एक तासात सर्व सदस्य आपापल्या सोबत आणलेल्या जेवणाच्या डब्यांचा एकमेकासोबत आस्वाद घेत असतांना त्यांच्या बसण्यासाठी बगीच्यात, झाडाखाली, सावलीत किंवा उन असल्यास खोल्यातून स्वच्छतायुक्त व्यवस्था व सोबत पिण्याच्या पाण्याची निट व्यवस्था ही आमसभेच्या आयोजकांनी करावी एवढीच याबाबत अपेक्षा असते. - डॉ.एकनाथ कठाळे, सचिव, नुटा

(PR : P 62 OF 2002 EX-FILE)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY NAGPUR BENCH : NAGPUR  
WRIT PETITION NO.4909 OF 2010**

*(Smt. Meenakshi Ajay Jumle and others vs. State of Maharashtra and others)*

**CORAM : D.D. SINHA AND A.P. BHANGALE, JJ.**

**DATED : APRIL 20, 2011**

Heard Shri Parchure, learned Counsel for the petitioners, Shri Sambre, learned Government Pleader for the respondent nos. 1 to 3, Smt. Khade, learned Counsel for the respondent no.4, and Shri Mishra, learned Assistant Solicitor General for the respondent no.5.

Shri Parchure, learned Counsel for the petitioners, states that in the present petition, the **petitioners are seeking direction to the respondents to grant benefit of placement in higher grade under Career Advancement Scheme taking into account their respective dates of appointment with all consequential benefits.** It is submitted that relevant Government Resolution in this regard is dated 11/12/1999, which stipulates eligibility criteria required to be fulfilled by the Lecturers to get the benefit of Career Advancement Scheme (senior scale). It is further submitted that the petitioners are otherwise eligible to get the benefit of higher grade as per Career Advancement Scheme, however, the said benefits are denied to the petitioners on the ground that they have not cleared their NET/SET examination. It is contended that **the stand taken by the Director of Higher Education vide communication dated 10/5/2010, in view of exemption granted by the University Grants Commission vide notification dated 5/11/2008, is not sustainable** and, therefore, claims of the petitioners need to be reconsidered by the concerned Authorities.

Shri Sambre, learned Government Pleader for respondent nos. 1 to 3, states that though exemption is granted from clearing NET/SET examination vide notification dated 5/11/2008 issued by the University Grants Commission, however, **the date of exemption in respect of passing of NET/SET examination has not been specifically mentioned in the said notification nor the petitioners are provided the said date and in absence thereof, the State Government could not decide the claims of the petitioners for grant of benefits under Career Advancement Scheme.** It is submitted that if the said date is made known to the State Government by the University Grants Commission, the claims of the petitioners for grant of benefits under the Career Advancement Scheme can be considered in accordance with law and procedure applicable in this regard.

**विषय क्रमांक ५४० :**

**विधानपरिषद निवडणूकीच्या खर्चाचे हिशेब**

(अ) सन २०१० मध्ये अमरावती विभाग पदवीधर मतदार संघातून झालेल्या निवडणूकीतील खर्चाच्या हिशेबाचा ताळेबंद विचारात घेणे व सममत करणे.

(ब) शिल्लक राहिलेला निधी विशिष्ट कार्यासाठी संघटनेच्या सुपूर्त करण्याचा प्रश्न विचारात घेणे व त्याबाबतचा निर्णय करणे.

टिप : तपशिलवार ताळेबंद स्वतंत्रपणे प्रसूत करण्यात येत आहे.

**विषय क्रमांक ५४१ :**

**ऑप्शन फॉर्मवर तारीख न टाकणे**

प्रा. अ.बी. सुरदास हे पुढील ठराव मांडतील. :-

“Once the commutation option is exercised and duly signed by the pensioner and when it has not been returned to college either by J.D. Office or by A.G. Office, Nagpur for any deficiency or mistake, then the amount of commutation be paid, and it should not be rejected only on the ground that it does not contain the date.”

Shri Mishra, learned Assistant Solicitor General for respondent no.5, states that if the State Government requests the University Grants Commission to declare the said date of exemption or provide information in this regard, the same shall be provided to the State Government as per direction of this Court.

We have considered the contentions canvassed by the learned Counsel for the parties. In the backdrop of the above referred facts, it is apparent that though the University Grants Commission vide notification dated 5/11/2008 exempted Lecturers from clearing NET/SET examination, however, only because the date from which such exemption would come into effect was not communicated/declared by the University Grants Commission, the claims of the petitioners for grant of senior grade pay scale as per Career Advancement Scheme could not be finalized by the State Government. **The State Government is ready and willing to consider the claims of the petitioners for grant of benefits under Career Advancement Scheme provided University Grants Commission communicates the date from which exemption granted vide notification dated 5/11/2008 becomes effective.** It is also brought to the notice of this Court that the State Government has already made a request to the University Grants Commission in this regard.

In the above background, **We direct the respondent no.5 University Grants Commission to communicate to the State Government the date when such exemption became effective as per notification dated 5/11/2008 in respect of the petitioners, within a period of three weeks** from the date of communication of this order. **We direct the State Government to reconsider the claims of the petitioners on receipt of communication from the University Grants Commission in respect of effective date of exemption,** in accordance with law and procedure applicable in this regard at the earliest. With these observations and directions, the petition is disposed of.

Copy of this order be given to Shri Mishra, learned Assistant Solicitor General for respondent no.5.

JUDGE

JUDGE

**SECRETARY'S REPORT ON THE WORKING OF THE ASSOCIATION  
FOR THE YEAR ENDING ON 31ST  
DECEMBER, 2010**

*Prepared by the Executive Committee of NUTA under article (VI)(b)(ii) of the  
Constitution of NUTA and presented by Secretary on  
behalf of the NUTA Executive*

Dear Friends,

(1) It gives me great pleasure to accord you all a cordial welcome on behalf of the Executive Committee of NUTA and on my own behalf. It is indeed a proud privilege for me to place before this august body a brief account of our activities and achievements during the year 2010.

(2) Right from its inception, NUTA has been committed to the cause of the welfare of the teaching community. In keeping with this commitment, the organization took up several issues concerning teachers during the period of this report.

(3) During the current reporting year, the organization achieved success in getting a few of our demands fulfilled by the Government. The important Govt. orders issued during the period include G.R. dated 5th April, 2010 regarding improvement in the rates of transport allowance, G.R. dated 22nd June 2010 regarding Dearness Relief on Pension/Family Pension, G. R. dated 22<sup>nd</sup> June, 2010 regarding increased D.A. w.e.f. 1-6-2010, G.R. dated 30th July, 2010 regarding conversion of 10% of the sanctioned posts of Associate Professors to that of Professors in Degree Colleges affiliated to non-agricultural universities and G.R. dated 18th March, 2010 regarding implementation of VIth Pay to the teachers working in agricultural universities.

(4) Prof. B. T. Deshmukh, President, NUTA and his associates in the legislative Council with their parliamentary skills and perseverance succeeded in getting the positive assurances from the minister of the concerned departments on important issues like timely placement of lecturers into senior Grade and selection Grade in the State of Maharashtra at Joint Director's level, implementation of revised U.G.C. Pay Scales to the University and College teachers in Maharashtra w.e.f. 1-1-2006, payment of arrears to the lecturers working in Amravati University area on account of placement in selection Grade, Medical re-imburement etc., taking action against the officers who have acted against the cabinet decision and provisions of G.R. dated 12th August, 2009 regarding revised scales of pay, implementation of VIth pay Commission Pay to the teachers working in unaided Engineering College and teachers working in Social work colleges under the Ministry of Social Welfare Dept., discriminatory treatment while granting aid to the Computer Science optional subject, mal-practices at J.D.'s level in Pay Fixation and delay in payment of salaries particularly with respect to the Mumbai and Amravati Region, Payment of arrears with effect from 1-1-2006 and submission of claim by Govt. of Maharashtra for 80% Central assistance, Discriminatory treatment to the lectures who retired

**BUDGET FOR THE FINANCIAL YEAR - 2011-2012**

OFFICIAL ACCOUNTING YEAR OF THE TRUST : 2010-2011 (AS PER SCHEDULE VII-A OF THE B.P.T.A. 1950)

**Name of the Trust : NAGPUR UNIVERSITY TEACHERS' ASSOCIATION.**

Regn. of the Trust : B.P.T.A. Regn. No. F-1594 & Soc. Regn. Act. Regn. No. MAH-15-73(NGP)

<b>ESTIMATED RECEIPTS</b>	<b>RS. P.</b>	<b>ESTIMATED DISBURSEMENTS</b>	<b>RS. P</b>
<b>I. OPENING BALANCE :</b>		<b>A) NON-RECURRING :</b>	
i) Cash in hand ... ..	... ..	i) Major Repairs or rebuilding of the assets etc. ... ..	... ..
ii) Cash in Bank ... ..	10,000 00	ii) Net purchase of immovable property ... ..	... ..
<b>II. ESTIMATED RECEIPTS :</b>		<b>B) RECURRING :</b>	
<b>(A) NON RECURRING</b>		i) Rents, rates taxes etc. ... ..	10,000.00
i) Ordinary Donations to be received for specific earmarked objects (permanent subscription to NUTA Bulletin) ... ..	... ..	ii) Administrative Expenses ... ..	... ..
ii) Ordinary Donations... ..	... ..	a) Stationery, Typing , Cyclostyling & Printing . ... ..	4,10,000.00
<b>(B) RECURRING :</b>		b) Travelling Expenses . ... ..	15,000.00
i) Rent etc. on immovable property ... ..	... ..	c) Postage and Telephone. ... ..	15,000.00
ii) Interest on Fixed Deposits ... ..	5,10,000 00	d) Misc. expenses ... ..	10,000.00
iii) Dividend shares etc ... ..	... ..	e) Bank commission ... ..	1500.00
iv) Income from Agri. land ... ..	... ..	f) Legal Expenses ... ..	1,000.00
v) Other revenue Receipt ... ..	... ..	g) Audit fees ... ..	5,618.00
vi) Legal Aid Fund ... ..	... ..	h) Affiliation fees ... ..	... ..
<b>III. REALISATION FROM DISPOSAL OF ASSETS :</b>	... ..	i) MFUCTO ... ..	4,000.00
<b>IV EXCESS OF EXPENDITURE OVER INCOME :</b>	... ..	ii) AIFUCTO ... ..	7,000.00
		iii) Contribution to public trust\ admn. Fund ... ..	... ..
		vi) Books Library ... ..	15,000.00
		iii) Payment of Salaries ... ..	9,600.00
		iv) Transfer of Depreciation Fund ... ..	... ..
		v) Special & Current repairs of building Furniture etc ... ..	10,000.00
		vi) Excess of income over expenditure ... ..	6,282.00
<b>TOTAL Rs.</b>	<b>5,20,000.00</b>	<b>TOTAL Rs.</b>	<b>5,20,000.00</b>

**NOTE :** Estimated enrolment of members during the year is expected to be 10. On this account the Association will receive an estimated amount of Rs. 1,00,010/- However this amount cannot be included in the estimated receipts because this amount is to be invested in fixed deposit receipts or any other Govt. Securities as per Article III of the Constitution . - Sd. **S. A. Tiwari**, Treasurer. NUTA

before 1-1-2006 in revision of pension.

**(5) Participation in Action Programme :**

The members of NUTA participated in various action programmes in response to the call given by AIFUCTO and MFUCTO from time to time to press for the solutions to pending problems of the teaching community.

Friends, you are aware that MFUCTO had decided to hold Dharna (March to Parliament) at New Delhi on 2<sup>nd</sup> August, 2010 on behalf of the NET/SET affected teachers in Maharashtra against the Union MHRD

Minister and U.G.C. I am pleased to inform this August body that a large number of teachers from both the University areas participated in this Dharna Programme.

**(6) Problem of NET/SET affected Teachers :**

6.1 Friends, you are all aware that NUTA through its apex body i.e. MFUCTO has been consistently taking up the problem of non - NET/SET affected teachers since the year 1994. You are also aware that the issue of non NET/SET teachers appointed lawfully during the period 19<sup>th</sup> Sept. 1991 till December, 1999 and/or 4<sup>th</sup> April, 2000

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION U: WRIT PETITION NO.3324/2010**

Shivaji University Teachers' Association and Ors. Petitioners *VS.* The University Grants Commission and Ors. Respondents Mr.C.G.Gavnekar for petitioner Ms.S.S.Bhende,AGP for Res.3 Mr.S.R.Ganbavale for Res.2 Mr.Rui Rodrigues for Res.1 Ms.Pallavi Dabholkar i/b Mr.G.S.Godbole for Res.5

**CORAM- A.M.KHANWILKAR AND MRS.MRIDULA BHATKAR,JJ.**

**DATE 8th April,2011**

**P.C.**

. Heard counsel for the parties.

2 Rule. Rule made returnable forthwith by consent. Mr.Ganbavale for respondent no.2 , Mr.Rui Rodrigues for respondent no.1, AGP for respondent no.3 and Ms.Pallavi Dabholkar for respondent no.5 waive service. As short question is involved, **the petition is taken up for final disposal by consent .**

3 The petitioners have prayed for the following reliefs. **“(a) That by Writ of Mandamus and/or by appropriate Writ,Direction and Order,Your Lordship be pleased to direct the Respondents to give the benefits of fixing pay at minimum of Rs.14940/-upon completion of five years from the dates with effect from which they were placed in the Selection grade and particularly mentioned in Exhibit “A”.**

**(b) That by Writ of Mandamus and/or by appropriate Writ,Direction and order, Your Lordship be pleased to direct the Respondents to implement the Career Advancement Scheme with effect from 1.1.1996 and to give the benefit of fixation of pay at minimum Rs.14,940/- and consequent increments as provided under the scheme.**

**(c) Records and proceedings be called for.”**

4 It is indisputable that the identical relief was claimed by the counterparts of the petitioners before the Kerala High Court by way of writ petitions under Article 226 of the Constitution of India . Against the said decision the University Grants Commission preferred an appeal before the Division Bench of the Kerala High Court . **The Division Bench disposed of the said petitions on the following basis.**

“ These are appeals filed by the Union of India and University Grants Commission aggrieved by the common judgment dated 16.1.2008 in O.P.No.36112/2002, W.P.(C)3123/2004 and Cont. Case (Civil) No.451/ 2006. **The issue essentially pertains to the claim made by the writ petitioners who are Selection grade Lecturers in various colleges in the State seeking a scale of pay of Rs.14,940/- on completion of five years in the post of Reader/ Selection Grade Lecturer.**

2 Heard the learned Additional Solicitor General Sri.Raveendran, learned counsel for the respondents and also the learned counsel appearing for the Writ Petitioners.

3 Though various related issues are also taken up in the writ petitions, learned counsel for the writ petitioners submit that W.A.No.1394/2008 & Conn.cases they confine their grievance only to the claim for a scale of pay of Rs.14,940/- from the date of completion of five years as Reader/Selection Grade Lecturer. learned Additional Solicitor General submits that the Government of India and the University Grants Commission have no objection in granting the scale of pay of Rs.14,940/- from the date of completion of five years as Reader/Selection Grade Lecturer. The dispute hitherto was as to whether teachers should be Selection grade Lecturers as on 01.01.1996. In view of the clarification made

by the learned Additional Solicitor General that Government of India and the University Grants Commission do not intend to prescribe and insist for such a cut off date and such insistence is only with regard to the eligibility on completion of five years as Reader/Selection Grade Lecturers,we need not go into that question.

4 Yet another apprehension expressed by the learned Additional Solicitor General was that in the case of those Selection Grade Lecturers who have already completed five years prior to 01.01.1996, they may not claim the scale of pay of Rs.14,940/- from the date of completion of five years to W.A.No. 1394/08 & Conn.Cases 01.01.1996. We make it clear that since the scheme itself has been introduced only with effect from 01.01.1996, even in the case of those teachers who had completed five years prior to 01.01.1996,they will be entitled to the scale of pay of Rs.14,940/- only with effect from 01.01.1996.Those teachers who were Lecturers as on 01.01.1996 and who were subsequently placed in the Selection Grade after 01.01.1996, they will be entitled to draw the scale of pay of Rs. 14,940/- on completion of five years in the Selection Grade. Subject to the above clarifications, these writ appeals are disposed of. We make it clear that in case the benefits have not been disbursed so far owing to the pendency of the writ appeals, now that the writ appeals have been disposed of, the eligible benefits to the writ petitioners shall be disbursed within a period of three months from the date of production of a copy of this judgment. We have fixed the time as above in view of the submission made by the learned Additional Solicitor General that the liability of the Union Ministry and the University Grants Commission will be disbursed to the State within a period of one W.A.No.1394/08 & Conn.Cases month from the date of receipt of the requisition from the State, if not already disbursed.

5 In the present petition the State of Maharashtra is not opposing the relief to extend the benefit claimed by the petitioners on the same lines. Even the University Grants Commission has supported the stand of the petitioners before us. In so far as Union of India is concerned, as is noticed from the above-said decision the Additional Solicitor appearing for Union of India had given no objection for granting the scale of pay of Rs.14,940/- from the date of completion of five years as Readers/ Selection Grade Lecturers. **The Union of India cannot be heard to take a different stand in this petition.** Rather, counsel appearing for the Union of India reiterates the same position, as now he has appeared before us.

6 Accordingly, we dispose of this petition on the same terms as in the case of University Grants Commission Vs. B. J. Vincent,Muttikkal House,Sakthi and Ors. in W.A.No.1394/2008 and companion matters(Kerala Highcourt at Kenakulam) . In other words the Writ Petition is made absolute in terms of prayer clause ‘a’ and ‘b’ with no order as to costs.

7 We hope and trust that the respondents would disburse the amount due and payable to the petitioners in terms of this order, expeditiously.

**(MRS.MRIDULABHATKAR,J.)**

**(A.M.KHANWILKAR,J.)**

was raised from time to time by Prof. B. T. Deshmukh, in Legislative Council through various parliamentary devices. It also remained a fact that though we have succeeded in keeping these thousands of teachers in service and ensured that they get the fifth and sixth pay recommended scales of pay, the issue of placement benefits to them by counting their entire service from the first date of their appointment is still a far cry.

6.2 What is to be done by the Government of Maharashtra?

The Ministry for Human Resources Development(MHRD) has been time and again stating that the teachers appointed between 19-1-1991 and 4-4-2000 were not required to clear NET/SET as mandatory entry point qualification condition. Hence instead of asking for exemption from the UGC, It was decided that UGC must come out with an order clearly admitting and stating that teachers appointed between 19-9-1991 and 4-4-2000 were not at all covered by proviso 2 of clause 2 of 2000 Regulations of UGC on NET/SET condition. All benefits in the form of Placements should

be extended to them forthwith. In fact the Judgment of the Hon'ble High Court of Justice Marlapalle and Justice Patil in its categorization of teachers for exemption have clearly left out the teachers appointed between 19-9-1991 and 4-4-2000. In fact the MHRD coming out clearly that NET/SET was never mandatory till June 2009, the question of claiming exemption does not at all arise.

6.3 The Government of Maharashtra is perpetrating gross injustice by keeping several thousands of Lecturers in the Universities and Degree Colleges in Maharashtra in a state of suspended animation and denying to them the placement benefits in the senior scale and selection grade that they are entitled to under the Fifth and Sixth Pay Commission recommendations. This kind of injustice is unparalleled in the history of higher education in Maharashtra. Under the sixth pay commission the salary difference between teachers in the bottom scale and those in the senior and selection grade has widened considerably. It is too much of an injustice to keep the non NET/SET teachers in the bottom scale without giving to them the Placement benefits. The only reason that the Government

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH AT AURANGABAD WRIT PETITION NO. 1991 OF 2011

Sheshrao Vyankatrao Shete & another PETITIONERS *VERSUS* The State of Maharashtra and others RESPONDENTS  
Mr. V.D. Salunke, advocate for the petitioners. Mrs. A. V. Gondhalekar, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2074 OF 2011** (Tulshiram Gyaniram Siral.. PETITIONER *VERSUS* The State of Maharashtra & others RESPONDENTS)  
Mr. V.D. Salunke, advocate for the petitioner. Mrs. A. V. Gondhalekar, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2075 OF 2011** (Rajkumar Namdevrao Ingle PETITIONER *VERSUS* The State of Maharashtra & others RESPONDENTS)  
Mr. V.D. Salunke, advocate for the petitioner. Mrs. A. V. Gondhalekar, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2076 OF 2011** (Mahesh Bapurao Swami PETITIONER *VERSUS* The State of Maharashtra and others RESPONDENTS....  
Mr. V.D. Salunke, advocate for the petitioner. Mrs. A. V. Gondhalekar, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2077 OF 2011** (Ashok Santukrao Kulkarni PETITIONER *VERSUS* The State of Maharashtra & others RESPONDENTS)  
Mr. V.D. Salunke, advocate for the petitioner. Mrs. A. V. Gondhalekar, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2078 OF 2011** (Venkat Sheshrao Maske PETITIONER *VERSUS* The State of Maharashtra & others RESPONDENTS) Mr. V.D. Salunke, advocate for the petitioner. Mrs. A. V. Gondhalekar, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2082 OF 2011(3)** (Dr. Satish Vasantrao Yadav PETITIONER *VERSUS* The State of Maharashtra & others RESPONDENTS)  
Mr. V.L. Dhoble, advocate for the petitioner. Mrs. A. V. Gondhalekar, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2087 OF 2011** (Dr. Kantrao Pralhadrao Pole PETITIONER *VERSUS* The State of Maharashtra & others RESPONDENTS)  
Mr. V.L. Dhoble, advocate for the petitioner. Mrs. A. V. Gondhalekar, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2091 OF 2011** (Dr. Dilipkumar Ganpatrao Shelge PETITIONER *VERSUS* The State of Maharashtra & others RESPONDENTS) Mr. V.L. Dhoble, advocate for the petitioner. Mrs. A. V. Gondhalekar, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2408 OF 2011** (Dr. Sanjay Namdevrao Gadpayale PETITIONER) *VERSUS* The State of Maharashtra & others RESPONDENTS) Mr. V.L. Dhoble, advocate for the petitioner. Mrs. A. V. Gondhalekar, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2072 OF 2011** (Prashant Girijashankar Gawali PETITIONER *VERSUS* The State of Maharashtra & others RESPONDENTS) Mr. V.D. Salunke, advocate for the petitioner. Mr. S.K. Kadam, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2073 OF 2011** (Suresh Dagdu Dhimdhime PETITIONER *VERSUS* The State of Maharashtra & others RESPONDENTS) Mr. V.D. Salunke, advocate for the petitioner. Mr. V.D. Godbharle, A.G.P. for the respondent/State. **WITH WRIT PETITION NO. 2079 OF 2011** (Vilas Tulshiram Narwade PETITIONER *VERSUS* The State of Maharashtra & others RESPONDENTS) Mr. V.D. Salunke, advocate for the petitioner. Mr. B.V. Wagh, A.G.P. for the respondent/State.

**CORAM : D.B. BHOSALE & M.T. JOSHI, JJ.**

**DATED : 28th MARCH, 2011**

**PER COURT :**

1. Rule. Rule made returnable forthwith. Heard finally by consent of learned counsel for the parties.

2. Admittedly, the petitioners in the present petitions are appointed as Lecturers in different colleges in this region. Admittedly, their pay was fixed in the senior scale and the selection grade earlier as per the applicable Government Resolution dated 11th December, 1999. Admittedly, **the Joint Director of Higher Education, Pune Region has cancelled the order of earlier pay fixation. It is admitted fact that this exercise was carried without issuing any show cause notices to the petitioners.** Thus, the petitioners are adversely affected by the order without granting an opportunity of being heard. In our opinion, therefore, those orders will have to be set aside. Further, some of the Lecturers working within the jurisdiction of Pune University with the similar grievances have succeeded on this ground, **vide order dated 3rd September, 2010 passed in writ petition No. 1893/2010 and five other writ petitions**, a copy of which is placed before us by learned counsel for the petitioners.

3. In the result, all the petitions succeed and are allowed. **The impugned orders are set aside with liberty to the Joint Director of Higher Education to make fresh order in accordance with law.** All the contentions to both the sides are kept open. Rule made absolute. No order as to costs.

[M.T. JOSHI, J.]

[D.B. BHOSALE, J.]

of Maharashtra has been giving for not granting the Placement benefits to such teachers is that they are ad hoc in service. However the UGC has come out clearly that even ad hoc service if it is more than one year must be counted for the purpose of granting the Placement benefits in the senior scale and selection grade. This has also been converted in to GRs by the Government in the past. Therefore there is a strong and solid ground for the MFUCTO to demand that all non NET/SET teachers should be granted Placement benefits by taking into account their entire service.

6.4 Friends, I reassure all of you that NUTA and MFUCTO have been carefully watching the situation and will see that interests of non NET/SET teachers are fully protected and thus 10000 teachers will join the ranks of other teachers in getting their placement in senior scale and selection grade including proper pay fixation of VIth pay commission by counting of their total service.

#### 7. Honour to Prof. B. T. Deshmukh

Friends, I am glad to inform this august body that our President Prof. B. T. Deshmukh has been honoured with prestigious award "Jeewan Gaurav Puraskar" by Maharashtra branch of Common Wealth Parliamentary Association for his versatility and outstanding contribution in maintaining the democratic values. The award was conferred by the President of India at a programme held at Mumbai on 29th June, 2009.

Friends, it is also a matter of pride to all of us that Prof. B. T. Deshmukh has also been honoured with another prestigious award "Savitribai Fule - Fatima Shaikh Puraskar - 2010" by Shikshak Bharati for his outstanding contribution in Teachers Movement. The award was conferred on him in a well attended function organized at

Panvel on 17th January 2010 at the hands of Shri Narendra Jadhav, member of Planning Commission of India.

I congratulate Prof. B. T. Deshmukh on behalf of all of you for these distinguished honours showered on him for his outstanding contribution for the society.

#### 8. Senate Election :

In spite of being aggrieved by the amendments to the Maharashtra Universities Act, the affiliates of the MFUCTO decided rightly to participate in the election to the various University Bodies. I am glad to inform to this august body that particularly in SGB University Amravati the candidates sponsored by NUTA have registered big victories to the senate and management council.

I congratulate all the elected candidates to the senate and other authorities of the University from both the University areas.

#### 9. Anti-teacher attitude of the Govt. of Maharashtra :

The Government has come out with GR which deals with Bio-metric system of recording attendance of teachers in the colleges. This is equally arbitrary and unwarranted. MFUCTO has already sent letter to the Minister to get the said GR withdrawn immediately and to hold discussion with the MFUCTO on the contents of the said GR. In the meantime, Government has come out with yet another GR dealing with the age of superannuation. This is because under the composite UGC scheme the age of superannuation has to be 65 years of age for all teachers. The Government of Maharashtra is committed to the people that it will implement the composite scheme in full to get 80% of the total expenditure on sixth pay commission recommended

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

### CIVIL APPELLATE JURISDICTION : WRIT PETITION NO.1893 OF 2010

Pramod D.Sonawane ...Petitioner v/s. State of Maharashtra & ors. ...Respondents **WITH WRIT PETITION NO.1894 OF 2010** (Aher Ranganath Kisan ...Petitioner v/s. State of Maharashtra & ors. ...Respondents) **WITH WRIT PETITION NO.1900 OF 2010** (Gugale Gulab Sheshmal ...Petitioner v/s. State of Maharashtra & ors. ...Respondents) **WITH WRIT PETITION NO.1901 OF 2010** (Pokale Sunil N. ...Petitioner v/s. State of Maharashtra & ors. ...Respondents) **WITH WRIT PETITION NO.1902 OF 2010** (Sopan M. Rathod ...Petitioner v/s. State of Maharashtra & ors. ...Respondents) **WITH WRIT PETITION NO.2083 OF 2010** (Dr.Mane Shakuntala N. ...Petitioner v/s. State of Maharashtra & ors. ...Respondents) **WITH WRIT PETITION NO.2312 OF 2010** (Mahajan Dnyaneshwar M. ...Petitioner v/s. State of Maharashtra & ors. ...Respondents) **WITH WRIT PETITION NO.2314 OF 2010** (Dr.Gadave Kisan Mahadeo ...Petitioner v/s. State of Maharashtra & ors. ...Respondents) Mr.C.R.Sadashivan for the Petitioners. Mr.A.I.H.Patel, AGP for State. Mrs.Kalyani Pathak for Respondents Nos. 3 & 4.

**CORAM: D.K.DESHMUKH & N.D.DESHPANDE, JJ**

**DATED: 3RD SEPTEMBER, 2010**

**P.C.:**

1. Rule. Returnable forthwith. Heard finally by consent of parties.

2. Admitted position is that the Petitioner in these petitions are working as Lecturers in different Colleges affiliated to Pune University. **It is also common ground that their pay was fixed in the senior scale and the selection grade earlier. They were also paid in the senior scale and the selection grade as per the Government Resolution dated 11th December, 1999.** It is also an admitted position that now by the orders which are impugned in these petitions, **the Joint Director, Higher Education has cancelled the order made by him earlier fixing the scale of pay of the Petitioners in senior scale and selection grade.** It is also an admitted position that this has been done without issuing any show cause notice to the Petitioners. **In our opinion, the orders made in favour of the Petitioners as a result of which there was enhancement in the pay package of the Petitioners, could not have been cancelled by the Joint Director without hearing and issuing show cause notice to them.** As it is an admitted position that the orders granting senior scale and selection grade have been cancelled without granting an opportunity of being heard to the Petitioner, in our opinion, those orders will have to be set aside.

3. In the result, therefore, all the petitions succeed and allowed. **The orders impugned in the petitions, whereby the orders made earlier fixing the scale of pay of the Petitioners in senior scale and selection grade have been cancelled, are set aside,** with liberty to the Respondent No.2 to make fresh order in accordance with law. All the contentions available to both sides are kept open. Rule made absolute. No order as to costs.

(D.K.Deshmukh, J.)

(N.D.Deshpande, J.)

revised scale of pay from the centre. This is an amount of Rs. 1600/- crores as pointed out by the Minister to the MFUCTO on 12<sup>th</sup> July 2010. The GR in question on age of retirement is, therefore, an attempt to get the said amount from the centre. However, we know that our government instead of implementing in full the composite scheme of the UGC is deliberately throwing dust in to the eyes of the MHRD and the UGC and also on our teachers. This is clear from the fact that while the government is required to extend the age of superannuation to 65 years, what is being done by our government is that it is extending the age of retirement to 62 years and further to 65 years by putting several conditions which in fact make the extended age of superannuation a 'mirage' or an illusion as far as teacher are concerned. This action of the State Government is shocking to say the least and will not be accepted by the teaching community. This has already created tremendous confusion to the college administration in respect of teachers who are to retire on 28<sup>th</sup> February, 2011.

#### 10. Election To The Legislative Council From Amravati Division Graduates constituency.

10.1 Friends, In 1980 NUTA had taken a decision to nominate Prof. B. T. Deshmukh as its official candidate from Vidarbha Graduates Constituency for Legislative Council.

NUTA believed that the direct participation of a teacher representative responsible to the organization would go a long way in safeguarding the interests of teachers. This view of the organization was fully vindicated with the success achieved by Prof. B. T. Deshmukh in solving the problems of the teachers and other section of the society through his outstanding performance in the council. Prof. B. T. Deshmukh has made a mark as the most noteworthy member of the Legislative council ever since he entered the House in 1980.

10.2. NUTA Executive, therefore, once again decided to declare the official candidature of Prof. B. T. Deshmukh for election to the Legislative Council from Amravati Graduates constituency, to be held on 27<sup>th</sup> November, 2010. Vidarbha Madhyamik Shikshak Sangh and Vidharbha Junior College Teachers' Association declared their support to Prof. B. T. Deshmukh. In response to NUTA'S request State Council / Committee of CPI & CPM had also declared their support to the candidature of Prof. B. T. Deshmukh. After the declaration of election result defeat of Prof. B.T.Deshmukh was a matter of public discussion within the house of which he was member for 30 years and also outside the house. I fully agree with the opinion expressed in the editorial of a leading marathi daily "Lokmat" dated 12.12.2010. The editorial states. :-

"बी.टी. बाबतची अशीच हळहळ साऱ्या विदर्भात नव्हे तर महाराष्ट्रातील जनतेतही आहे... त्यांचा पराभव त्यांना काही शिकवणारा नाही, तो समाजालाच आत्मपरीक्षण करायला लावणारा व त्याला धडा शिकविणारा आहे."

#### 11. TASK AHEAD

Friends, It is true that some of our demands have been met by the struggle of NUTA under able leadership of the MFUCTO. However, some of the old issues have remained to be resolved and in the meantime new issues have been thrown up which the teachers have to face such as contractual appointments, commodification of education, starting of self financing courses and institutions and exploitation of teachers and non-teaching staff working in the said system. You are aware that the NUTA is committed to taking up the problems of every section of the teaching community irrespective of their number and strength in the organization. NUTA Executive Committee is aware that it will have big tasks ahead viz.

(a) Justice to NET/SET affected teachers.

(b) Compelling government to withdraw orders on contractual appointments.

(c) Release of pension to teachers on the date of their

retirement.

(d) Fight for the implementation of Pay Review Committee recommendations for teachers in the Technology faculty with effect from 1-1-2006 with full arrears.

(e) To take up the problems of engineering college teachers including the withdrawal of their arrears for 55 months from 1-1-1996 to 31-7-2000.

(f) To take up the problems of social work colleges in Maharashtra including granting of Pension to be brought into existence.

(g) Fight against anti-teachers attitude of the State Government.

(h) Enactment of suitable legislation for providing penalties for non-compliance of the Grievance committee recommendations.

(i) Oppose the move of the Central Government towards Privatization of Pension and Gratuity and extend old triple benefit scheme to those appointed after 1-1-2004 as recommended by U.G.C.

(j) Making SET examination more transparent including unambiguous minimum percentage of mark.

(k) Ensure that all the benefits which teachers are given under the central orders are extended to Librarians and Directors of Physical Education.

#### 12. MEMBERSHIP OF NUTA

The NUTA Membership has reached upto 5276 at the end of year. This year, the increase in membership is 62.

I am glad to inform you that NUTA Bulletin has completed 35th year of its purposeful existence. This year we have circulated 156 pages of NUTA bulletin. If you go through the NUTA bulletin from first to the last page, you will find that NUTA Executive has tried to give up-to-date information to all its members about their problems and how the NUTA Executive particularly its President Prof. B. T. Deshmukh has focused them at Maharashtra Govt. level through the Legislative Council.

I am thankful to the media and their representative both from Nagpur and Amravati area for the coverage of the various events, programmers and the press releases issued from time to time. This report shall not be complete unless I acknowledge the active cooperation and support of all the members of NUTA and also non-members i.e. University, College and Junior College Teachers in the activities of the Association and response given by them to the various calls given by NUTA from time to time.

Yours

(Dr. E. H. Kathale)

Secretary, NUTA

#### RULES FOR PROPOSING AMENDMENTS (Reproduced from page 97 of 1977 NUTA Bulletin)

1. Any proposal before the meeting may be amended

(a) by leaving out a word or words or

(b) by leaving out a word or words in order to add or insert a word or words or

(c) by adding or inserting a word or words.

2. An amendment to be in order shall :

(a) not constitute a direct negative to the original resolution :

(b) be relevant to and within the scope of the resolution to which it is moved.



विद्यापीठ अनुदान आयोग व अखिल भारतीय तंत्रशिक्षण परिषदेच्या शिफारसीनुसार राज्यात उच्च व तंत्रशिक्षण क्षेत्रात कार्यरत पदवी,पदव्युत्तर व पदविका संस्था तथा अकृषि विद्यापीठे, तंत्रशास्त्र विद्यापीठ यातील अध्यापक व प्राचार्यांच्या पदांच्या नियत वयोमानानुसार सेवानिवृत्तीच्या वयोमर्यादेत वाढ करण्याबाबत.

## महाराष्ट्र शासन : उच्च व तंत्र शिक्षण विभाग,

शासन निर्णय क्र. संकीर्ण २०१०/(५०३/१०)विशि-१ मंत्रालय, मुंबई-४०० ०३२. : दिनांक : ५ मार्च, २०११

वाचा : १) केंद्र शासनाच्या मनुष्यबळ विकास मंत्रालयाचे पत्र क्र. १-३२/२००६-यु.११/यु.११(१) दिनांक ३१ डिसेंबर, २००८.

(२) शासन निर्णय क्रमांक एनजीसी-२००९/(२४३/०९)/विशि-१, दिनांक १२ ऑगस्ट, २००९.

(३) केंद्र शासनाच्या मनुष्यबळ विकास मंत्रालयाचे पत्र क्र. एफ.१-७/२०१०-यु.११, दिनांक ११ मे, २०१०.

(४) विद्यापीठ अनुदान आयोगाचे विनियम २०१० चे क्र. एफ.३-१/२००९, दिनांक ३० जून, २०१०.

(५) अखिल भारतीय तंत्रशिक्षण परिषदेची अधिसूचना क्र. ३७-३/लिलगल/२०१०, दि. ५ मार्च २०१० (पदवी)

(६) अखिल भारतीय तंत्रशिक्षण परिषदेची अधिसूचना क्र. ३७-३/लिलगल/२०१०, दिनांक ५ मार्च २०१० (पदविका)

(७) शासन निर्णय क्र. ए.स.पी.सी.-२०१०/(३४/१०)/ तां.शि.-२, दि. २० ऑगस्ट २०१०.

(८) शासन निर्णय क्र. संकीर्ण २०१०/(५०३/१०)विशि-१, दि. २५ फेब्रुवारी, २०११

**प्रस्तावना :** राज्यातील अकृषि विद्यापीठे, संलग्नित महाविद्यालये, तंत्रशास्त्र विद्यापीठ व महाराष्ट्र राज्य तंत्र शिक्षण मंडळाशी संलग्नित पदविका संस्थातील शिक्षकांच्या विविध सेवाविषयक बाबीसंदर्भात वेळोवेळी विद्यापीठ अनुदान आयोग, अखिल भारतीय तंत्र शिक्षण परिषद व केंद्र शासनाच्या मनुष्यबळ विकास मंत्रालयाकडून नियम, विनियम विहित करण्यात येतात.

२. अकृषि विद्यापीठे व इतर शैक्षणिक संस्थामध्ये शिकविण्यासाठी पात्र व अनुभवी अध्यापकांची कमतरता असल्याकारणाने व परिणामी रिक्त जागांचे प्रमाण वाढल्यामुळे केंद्र शासनाने दि. २३.३.२००७ च्या आदेशान्वये केंद्रीय शैक्षणिक संस्थेमधील अध्यापकांच्या नियत वयोमानानुसार सेवानिवृत्तीचे वय ६५ वर्षे केले आहे. तसेच रिक्त पदांची परिस्थिती व अध्यापकांची शारीरिक क्षमता विचारात घेऊन ६५ वर्षांच्या पुढे ५ वर्षांपर्यंत पुनर्नियुक्ती करण्याचाही निर्णय केंद्र शासनाने घेतला आहे. याबाबत मनुष्यबळ विकास मंत्रालयाने दि. ३१.१२.२००८ च्या पत्रामध्ये स्पष्ट केले आहे.

३. राज्यातील अकृषि विद्यापीठे व शासकीय/अशासकीय महाविद्यालये/तंत्रनिकेतने (अनुदानित, विनाअनुदानित/कायम विनाअनुदानित) या शैक्षणिक संस्थांमध्ये सुद्धा सद्यःस्थितीत अध्यापकांच्या जागा मोठ्या प्रमाणावर (सुमारे १७०००) रिक्त आहेत. अनुभवी व पात्र अध्यापकांची कमतरता असल्यामुळे उक्त परिस्थिती निर्माण झालेली आहे.

४. सध्या, राज्यात उच्च शिक्षण क्षेत्रात कार्यरत अकृषि विद्यापीठे व संलग्नित अशासकीय महाविद्यालयातील शिक्षकांच्या सेवानिवृत्तीचे वय ६० वर्षे आणि शासकीय महाविद्यालयातील अध्यापकांचे सेवानिवृत्तीचे वय ५८ वर्षे निर्धारित केले आहे.

५. तंत्र शिक्षण संचालनालयाच्या अधिपत्याखाली कार्यरत शासकीय व अशासकीय अनुदानित पदवी व पदविका संस्थातील अध्यापकांना शासनाच्या अनुक्रमे दि. १८.१२.१९९९ व दि. २७.२.२००३ रोजीच्या शासन निर्णयान्वये अखिल भारतीय तंत्र शिक्षण परिषदेच्या शिफारसीनुसार पाचव्या वेतन आयोगाच्या सुधारित वेतन श्रेण्या लागू करण्यात आल्या आहेत. सदर शासन निर्णयातील तरतुदी नुसार पदवी अभ्यासक्रम राबविणाऱ्या अशासकीय अनुदानित संस्था वगळता इतरत्र सर्व संस्थात अध्यापकांचे सेवा निवृत्तीचे वय ५८ वर्षे निर्धारित करण्यात आले आहे. मात्र पदवी अभ्यासक्रम राबविणाऱ्या अशासकीय अनुदानित संस्थातील अध्यापकांचे अशासकीय अनुदानित पदवी संस्थासह पदविका संस्थातील अध्यापकांचे सेवा निवृत्तीचे वय ६० वर्षे निर्धारित आहे. दि. २७.२.२००३ रोजीचा शासन निर्णय लागू होण्यापूर्वी अशासकीय अनुदानित पदवी संस्थासह पदविका संस्थातील अध्यापकांचेही सेवा निवृत्तीचे वय ६० वर्षे होते. परंतु सर्व शासकीय संस्थात अध्यापकांचे सेवा निवृत्तीचे वय सुरुवातीपासूनच ५८ वर्षे आहे.

६. उपरोक्त विवरणावरून हे स्पष्ट होते की, राज्यात कार्यरत विविध शैक्षणिक संस्थातील शिक्षकीय पदांचे सेवा निवृत्तीचे वय एकसमान नसून काही ठिकाणी ते ६० वर्षे व काही ठिकाणी ५८ वर्षे असे आहे. देशांतर्गत उच्च शिक्षण व तंत्रशिक्षणात कार्यरत पदवी व पदविका संस्थातील शिक्षकीय पदांच्या

सेवाशर्ती व वेतनश्रेण्या विद्यापीठ अनुदान आयोग तथा अखिल भारतीय तंत्रशिक्षण परिषदेद्वारा निर्धारित केल्या जातात व या सेवाशर्ती तथा वेतनश्रेण्या जशाच्या तशा लागू करणे बंधनकारक असूनही राज्यात तशी कार्यवाही झाली नसल्याने वेतन खर्चापोटी केंद्र शासनाकडून मिळणाऱ्या अनुदानासाठी अपात्र होणे, विविध शैक्षणिक संस्थात शिकविल्या पदे रिक्त राहणे व यामुळे शैक्षणिक संस्थांच्या प्रवेश क्षमतेत केंद्र शासनाद्वारा घट करणे तथा शैक्षणिक संस्थेच्या कार्यक्षमतेवर विपरीत परिणाम होणे इत्यादी बाबी उद्भवत आहेत. सद्यःस्थिती विचारात घेऊन उच्च शिक्षण व तंत्र शिक्षणाच्या क्षेत्रात कार्यरत विविध अकृषि विद्यापीठे, संलग्नित महाविद्यालये, तंत्रशास्त्र विद्यापीठ तथा पदवी व पदविका संस्थातील शिक्षकीय पदांच्या सेवानिवृत्तीच्या वयात वाढ करण्याची बाब शासनाच्या विचाराधीन होती.

७. केंद्र शासनाचे मनुष्य बळ विकास मंत्रालय, विद्यापीठ अनुदान आयोग, अखिल भारतीय तंत्रशिक्षण परिषद यांच्याकडून सहाव्या वेतन आयोगाच्या सुधारित वेतन संरचना लागू करण्यासंदर्भात प्राप्त झालेल्या शिफारशी, तथा विद्यापीठ अनुदान आयोग व अखिल भारतीय तंत्र शिक्षण परिषदेच्या कार्यक्षेत्रातील अभ्यासक्रम राबविणारी अकृषि विद्यापीठे, तंत्रशास्त्र विद्यापीठ, अकृषि विद्यापीठांशी संलग्नित महाविद्यालये व महाराष्ट्र राज्य तंत्र शिक्षण मंडळाशी संलग्नित तंत्र निकेतनातील अध्यापकांचे नियतवयोमानानुसार सेवानिवृत्तीचे वय निर्धारित केल्याचे निकष व अनुषंगिक बाबींचा साकल्याने विचार करून संदर्भाधीन क्र. ८ येथील दिनांक २५ फेब्रुवारी, २०११ चा शासन निर्णय अधिकृतित करून यासंदर्भात खालीलप्रमाणे शासन निर्णय निर्गमित करण्यात येत आहे.

### शासन निर्णय

८. १) राज्यांतर्गत कार्यरत अकृषि विद्यापीठांशी संलग्नित शासकीय महाविद्यालये व महाराष्ट्र राज्य तंत्र शिक्षण मंडळाशी संलग्नित शासकीय तंत्र निवेतनातील प्राचार्यांचे नियतवयोमानानुसार सेवानिवृत्तीचे वय ५८ वर्षांवरून ६५ वर्षे करण्यात येत आहे.

परंतु वयाच्या ६२ वर्षांनंतर सेवानिवृत्तीसाठी मुदतवाढ देण्यापूर्वी प्राचार्यांच्या कामकाजाचा विहित समितीकडून आढावा (Performance Review) घेण्यात येईल. सदर समितीच्या अहवालातील शिफारसीनुसार संबंधित प्राचार्यांना कमाल ६५ वर्षांपर्यंत सेवानिवृत्तीसाठी मुदतवाढ देण्याची कार्यवाही शासनाच्या मान्यतेने करण्यात येईल.

२) राज्यांतर्गत कार्यरत अकृषि विद्यापीठांशी संलग्नित अशासकीय (अनुदानित/विनाअनुदानित) महाविद्यालयातील प्राचार्यांचे नियतवयोमानानुसार सेवानिवृत्तीचे वय ६० वर्षांवरून ६५ वर्षे करण्यात येत आहे. परंतु, वयाच्या ६२ वर्षांनंतर सेवानिवृत्तीसाठी मुदतवाढ देण्यापूर्वी प्राचार्यांच्या कामकाजाचा विहित समितीकडून आढावा (Performance Review) घेण्यात येईल. सदर समितीच्या अहवालातील शिफारसीनुसार संबंधित प्राचार्यांना कमाल ६५ वर्षांपर्यंत सेवानिवृत्तीसाठी मुदतवाढ देण्याची कार्यवाही शासनाच्या मान्यतेने करण्यात येईल.

३) राज्यांतर्गत कार्यरत महाराष्ट्र राज्य तंत्र शिक्षण मंडळाशी संलग्नित अशासकीय अनुदानित तंत्र निकेतनातील प्राचार्यांचे नियतवयोमानानुसार सेवानिवृत्तीचे वय ५८ वर्षांवरून ६५ वर्षे करण्यात येत आहे. परंतु वयाच्या ६२ वर्षांनंतर सेवानिवृत्तीसाठी मुदतवाढ देण्यापूर्वी प्राचार्यांच्या कामकाजाचा विहित समितीकडून आढावा (Performance Review) घेण्यात येईल. सदर समितीच्या अहवालातील शिफारसीनुसार संबंधित प्राचार्यांना कमाल ६५ वर्षांपर्यंत सेवानिवृत्तीसाठी मुदतवाढ देण्याची कार्यवाही शासनाच्या मान्यतेने करण्यात येईल.

४) राज्यांतर्गत कार्यरत महाराष्ट्र राज्य तंत्र शिक्षण मंडळाशी संलग्नित अशासकीय विनाअनुदानित तंत्र निकेतनातील प्राचार्यांचे नियतवयोमानानुसार सेवानिवृत्तीचे वय ६५ वर्षे करण्यात येत आहे. परंतु वयाच्या ६२ वर्षांनंतर सेवानिवृत्तीसाठी मुदतवाढ देण्यापूर्वी प्राचार्यांच्या कामकाजाचा विहित समितीकडून आढावा (Performance Review) घेण्यात येईल. सदर समितीच्या अहवालातील शिफारसीनुसार संबंधित प्राचार्यांना कमाल ६५ वर्षांपर्यंत सेवानिवृत्तीसाठी मुदतवाढ देण्याची कार्यवाही शासनाच्या मान्यतेने करण्यात येईल.

५) राज्यांतर्गत कार्यरत अकृषि विद्यापीठांशी संलग्नित शासकीय महाविद्यालये

व महाराष्ट्र राज्य तंत्र शिक्षण मंडळाशी संलग्नित शासकीय तंत्र निकेतनातील प्राचार्याव्यतिरिक्त उर्वरित अध्यापकांचे नियतवयमानुसार सेवानिवृत्तीचे वय ५८ वर्षावरून ६२ वर्षे करण्यात येत आहे. परंतु, वयाच्या ६० वर्षांनंतर सेवानिवृत्तीसाठी मुदतवाढ देण्यापूर्वी अध्यापकांच्या कामकाजाचा विहित समितीकडून आढावा (Performance Review) घेण्यात येईल. सदर समितीच्या अहवालातील शिफारसीनुसार संबंधित अध्यापकांना कमाल ६२ वर्षांपर्यंत सेवानिवृत्तीसाठी मुदतवाढ देण्याची कार्यवाही शासनाच्या मान्यतेने करण्यात येईल.

६) राज्यांतर्गत कार्यरत अकृषि विद्यापीठे व संलग्नित अशासकीय महाविद्यालयातील (अनुदानित/विनाअनुदानित) प्राचार्याव्यतिरिक्त उर्वरित अध्यापकांचे नियतवयमानुसार सेवानिवृत्तीचे वय ६० वर्षावरून ६२ वर्षे करण्यात येत आहे. परंतु, वयाच्या ६० वर्षांनंतर सेवानिवृत्तीसाठी मुदतवाढ देण्यापूर्वी अध्यापकांच्या कामकाजाचा विहित समितीकडून आढावा (Performance Review) घेण्यात येईल. सदर समितीच्या अहवालातील शिफारसीनुसार संबंधित अध्यापकांना कमाल ६२ वर्षांपर्यंत सेवानिवृत्तीसाठी मुदतवाढ देण्याची कार्यवाही शासनाच्या मान्यतेने करण्यात येईल.

७) राज्यांतर्गत कार्यरत महाराष्ट्र राज्य तंत्र शिक्षण मंडळाशी संलग्नित अशासकीय अनुदानित तंत्र निकेतनातील प्राचार्याव्यतिरिक्त उर्वरित अध्यापकांचे नियतवयमानुसार सेवानिवृत्तीचे वय ५८ वर्षावरून ६२ वर्षे करण्यात येत आहे. परंतु, वयाच्या ६० वर्षांनंतर सेवानिवृत्तीसाठी मुदतवाढ देण्यापूर्वी अध्यापकांच्या कामकाजाचा विहित समितीकडून आढावा (Performance Review) घेण्यात येईल. सदर समितीच्या अहवालातील शिफारसीनुसार संबंधित अध्यापकांना कमाल ६२ वर्षांपर्यंत सेवानिवृत्तीसाठी मुदतवाढ देण्याची कार्यवाही शासनाच्या मान्यतेने करण्यात येईल.

८) राज्यांतर्गत कार्यरत महाराष्ट्र राज्य तंत्र शिक्षण मंडळाशी संलग्नित अशासकीय विना अनुदानित तंत्र निकेतनातील प्राचार्याव्यतिरिक्त उर्वरित अध्यापकांचे नियतवयमानुसार सेवानिवृत्तीचे वय ६२ वर्षे करण्यात येत आहे. परंतु, वयाच्या ६० वर्षांनंतर सेवानिवृत्तीसाठी मुदतवाढ देण्यापूर्वी अध्यापकांच्या कामकाजाचा विहित समितीकडून आढावा (Performance Review) घेण्यात येईल. सदर समितीच्या अहवालातील शिफारसीनुसार संबंधित अध्यापकांना कमाल ६२ वर्षांपर्यंत सेवानिवृत्तीसाठी मुदतवाढ देण्याची कार्यवाही शासनाच्या मान्यतेने करण्यात येईल.

९) अध्यापक व प्राचार्यांसाठी विद्यापीठ अनुदान आयोग, अखिल भारतीय तंत्रशिक्षण परिषद, केंद्र शासनाचे मनुष्यबळ विकास मंत्रालय आणि राज्य शासनाने वेळोवेळी विहीत केलेली पात्रता, अर्हता इत्यादी बाबी लागू राहतील.

१०). सदर निर्णयाच्या अनुषंगाने महाराष्ट्र नागरी सेवा नियामांमध्ये आवश्यक त्या सुधारणा स्वतंत्ररित्या करण्यात येत आहे.

९. अकृषि विद्यापीठाशी संलग्नित/महाराष्ट्र राज्य तंत्रशिक्षण मंडळाशी संलग्नित अशासकीय (कायम विना अनुदानित) शैक्षणिक संस्थांमधील अध्यापक/प्राचार्य यांना मुदतवाढ देण्याबाबतचा निर्णय संबंधित संस्थेने त्यांच्या स्तरावर घ्यावा.

१०. वर नमूद केल्याप्रमाणे अध्यापक यांच्या नियतवयमानुसार सेवानिवृत्तीची वयोमर्यादा ६० वरून ६२ पर्यंत व प्राचार्य यांच्या नियतवयमानुसार सेवानिवृत्तीची वयोमर्यादा ६२ वरून ६५ वर्षे करण्याकरिता आढावा घेण्यासाठी निम्न निर्देशित केल्याप्रमाणे आढावा समिती (Performance Review Committee) गठीत करण्यात येत आहे.

१) सचिव / प्रधान सचिव, उच्च व तंत्र शिक्षण अध्यक्ष  
२) संचालक, उच्च शिक्षण / तंत्रशिक्षण उपाध्यक्ष  
३) संबंधित अकृषि विद्यापीठाचे कुलसचिव (पदवी/पदव्युत्तर संस्थांसाठी) सदस्य

४) संचालक, म.रा.तंत्र शिक्षण परीक्षा मंडळ (पदविका संस्थांसाठी) सदस्य

५) संबंधित विभागीय सहसंचालक, उच्च शिक्षण / तंत्रशिक्षण सदस्य

६) संबंधित सहसचिव / उपसचिव, विद्यापीठ शिक्षण / तंत्र शिक्षण सदस्य सचिव

११. वरील सर्व संस्थांतील अध्यापक तथा प्राचार्यांच्या सेवानिवृत्तीसाठी मुदतवाढ देतांना संबंधितांनी निम्न बाबींची पूर्तता करणे अनिवार्य राहिल.

१) सदर संस्थांमधील अध्यापक तथा प्राचार्य यांच्या प्रथम नियुक्त्या विद्यापीठ अनुदान आयोग व राज्य शासनाने विहित केलेल्या पात्रता, अटी व शर्ती प्रमाणे झालेल्या असणे आवश्यक आहे.

२) संबंधित अध्यापक/प्राचार्य यांची शारीरिक व मानसिक क्षमता सुदृढ असणे आवश्यक असून त्याबाबत तज्ञ वैद्यकीय समितीचे (Govt. Medical Committee) प्रमाणपत्र संबंधित व्यक्तिये सेवानिवृत्तीपूर्वी तीन महिने अगोदर संबंधित संस्थेकडे सादर करणे आवश्यक राहिल.

३) संबंधित अध्यापक/प्राचार्यांनी Ph.D. अथवा विद्यापीठ अनुदान आयोग तथा अखिल भारतीय तंत्रशिक्षण परिषदेच्या निकषानुसार Ph.D. शी समकक्ष ही शैक्षणिक अर्हता धारण करणे आवश्यक राहिल.

४) संबंधित अध्यापक /प्राचार्य यांचे मुदतवाढीच्या दिनांकापूर्वीचे मागील पाच वर्षांतील वार्षिक गोपनीय अहवाल विचारात घेऊन, सदर गोपनीय अहवालाची सर्वसाधारण मुल्यापनाची प्रतवारी किमान तीन वर्षे उत्कृष्ट (A) आणि दोन वर्षे निश्चित चांगला (B+) असणे आवश्यक आहे.

५) शासकीय संस्था व्यतिरिक्त उर्वरित संस्थांतील कार्यरत असलेल्या प्राचार्यांना ६२ वर्षांनंतर मुदतवाढ देण्यापूर्वी संस्थेने सदर रिक्त पद भरण्यासाठी वृत्तपत्रात किमान दोन वेळा जाहिरात देऊन पद भरण्याचे प्रयत्न केलेले असावेत. प्राचार्यांना ६२ वर्षे वरून ६५ वर्षांपर्यंत मुदतवाढ देण्याचे प्रस्ताव किमान दोन वर्षांनंतर उक्त समितीच्या निर्णयावर होणार आहेत. त्यामुळे शैक्षणिक संस्थांमधील प्राचार्यांचे वयोमान ६१ वर्ष पूर्ण झाल्यानंतर संबंधित संस्थेने पुढील एक वर्षामध्ये सदर रिक्त होणारे पद भरण्यासाठी वर आदेशित केल्याप्रमाणे कार्यवाही पूर्ण करणे अनिवार्य राहिल.

१२. या संदर्भात वरील सर्व नमूद संस्थांमधील अध्यापक/प्राचार्य यांच्या सेवा पुढे चालू ठेवण्याच्या दृष्टीने परिच्छेद ११ मधील निकष विचारात घेऊन निम्न नमूद उपसमितीच्या शिफारसीसह संबंधित विभागीय सहसंचालकांनी संचालक, उच्च शिक्षण/तंत्र शिक्षण यांच्या मार्फत योग्य प्रस्ताव सेवा निवृत्तीसाठी मुदत वाढ देण्याच्या दिनांकापूर्वी किमान १ महिना अगोदर संबंधित संचालनालयामार्फत शासनास सादर करण्याची जबाबदारी संबंधित अकृषि विद्यापीठे व संस्थांची राहिल.

**अ. पदवी/पदव्युत्तर संस्थांसाठी छाननी समिती -**

१) विभागीय सहसंचालक, उच्च /तंत्र शिक्षण अध्यक्ष

२) अकृषि विद्यापीठाचे कुलसचिव (पदवी/पदव्युत्तर संस्थांसाठी) उपाध्यक्ष

३) संबंधित संस्थेचे प्रतिनिधी सदस्य

४) प्रशासकीय अधिकारी, विभागीय सहसंचालक कार्यालय सदस्य सचिव

### AIFUCTO

## ALL INDIA FEDERATION OF UNIVERSITY & COLLEGE TEACHERS' ORGANISATIONS

Prof.Asok Barman, General Secretary : 23/2/1A,K.B.SARANI KOLKATA-7000 80

Decisions of NEC Meeting held in kolkata on 27th March,2011

Dear Friends, :- As per the 3- phase Action Plan finalised by the National Executive committee of the AIFUCTO in its meeting held in Kolkatta on 27th March 2011 two **Telegrams** are to be sent to the Hon. Prime-Minister by all affiliates in the month of May 2011 with following text

(i) The ..... (Name of the Association and state) Unit of AIFUCTO Urges the govt. of India to withdraw the PFRDA Bill and implement the existing Assured Pension Scheme for teachers and employees appointed after 01-01-2004

(ii) The ..... Unit of AIFUCTO deplors the non-payment of arrears of pay due to the implementation of UGC pay scales to College and University teachers. It urges the Hon. Prime-Minister to instruct the govt. of India to immediately release the Central share for the implementation of the pay scales to the state governments.

### NAGPUR UNIVERSITY TEACHERS' ASSOCIATION

(१) अखिल भारतीय प्राध्यापक महासंघाच्या आदेशानुसार "तारा पाठवा आंदोलन" देशभर राबविले जात आहे.

(२) स्थानिक नुटा युनिट, तालुका युनिट व जिल्हा 'युनिट'च्या बैठकी घेण्यात याव्यात. दोनही तारा मा. पंतप्रधानांना त्या त्या युनिटतर्फे स्वतंत्रपणे करावयाच्या आहेत.

(३) प्रत्येक तारेचा मजकूर सोबत दिला आहे. त्या मजकुरामध्ये सुरुवातीला 'युनिट'चे नाव न चुकता नमूद करावे.

(४) हा कार्यक्रम २५ मे २०११ पूर्वी पार पडेल याची काळजी घेण्यात यावी अशी विनंती आहे.

डॉ. एकनाथ कठाळे, सचिव, 'नुटा'

विद्यापीठ अनुदान आयोगाने दि. ३० जून २०१० च्या अधिसूचनेन्वये शिक्षक व समकक्ष पदांवरील नियुक्त्या सदर पदाचे किमान शैक्षणिक अर्हता, वेतनश्रेण्या, अनुषंगिक लाभ, प्रोत्साहनपर वेतनवाढी इत्यादी बाबी संदर्भात निर्गमित केलेले आदेश राज्यातील अकृषि विद्यापीठे व संलग्नित महाविद्यालयातील शिक्षक व समकक्ष पदांना लागू करणेबाबत.

## महाराष्ट्र शासन : उच्च व तंत्र शिक्षण विभाग,

शासन निर्णय क्र. संकीर्ण २०११/(२५/११)विशि-१ : मंत्रालय विस्तार भवन, मुंबई-४०० ०३२.

दिनांक : १५ फेब्रुवारी, २०११

वाचा : १) भारत सरकारच्या मनुष्यवळ विकास मंत्रालयाचे पत्र क्र. १-३२/२००६-U.II/U.I(i) दिनांक ३१ डिसेंबर, २००८.

(२) शासन निर्णय क्रमांक एनजीसी-२००९/(२४३/०९)/विशि-१, दिनांक १२ ऑगस्ट, २००९ चे आदेश.

(३) विद्यापीठ अनुदान आयोगाची अधिसूचना क्र. एफ.३-१/२००९, दिनांक ३० जून, २०१०.

(४) भारत सरकारच्या मनुष्यवळ विकास विभागाचे पत्र क्र. F.1-7/2010-U-II दिनांक ११ मे, २०१०.

(५) भारत सरकारचे राजपत्र दि १८-२४ सप्टेंबर, २०१०.

**प्रस्तावना :** विद्यापीठ अनुदान आयोगाने संदर्भाधीन क्र. ३ येथील दि. ३० जून, २०१० च्या अधिसूचनेन्वये केंद्रीय विद्यापीठे व महाविद्यालय/ संस्था मधील शिक्षक व समकक्ष पदांवरील नियुक्त्या सदर पदाचे किमान शैक्षणिक अर्हता, इत्यादी निश्चित केलेल्या आहेत. तसेच सदर पदांवरील अध्यापकांच्या वेतनश्रेण्या, अनुषंगिक लाभ, प्रोत्साहनपर वेतनवाढी इत्यादी बाबतीतही निदेश दिलेले आहेत.

२. विद्यापीठ अनुदान आयोगाची उक्त दि. ३० जून, २०१० ची अधिसूचना केंद्रशासनाच्या दि. १८-२४ सप्टेंबर, २०१० च्या राजपत्रात प्रसिद्ध झालेली आहे. सदर अधिसूचनेतील उक्त बाबी राज्यातील अकृषि विद्यापीठे व संलग्नित महाविद्यालयातील शिक्षकीय व शिक्षक समकक्ष पदाच्या संदर्भात लागू करण्याची बाब शासनाच्या विचाराधीन होती.

शासन निर्णय

३. विद्यापीठ अनुदान आयोगाच्या दि. ३० जून, २०१० च्या अधिसूचनेतील शिफारशी/निर्देश याबाबत साकल्याने विचार करून त्या संदर्भात शासन पुढीलप्रमाणे आदेश देत आहे:-

१. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. २

शासन आदेश :- केंद्र शासनाच्या मनुष्य वळ विकास मंत्रालयाने दि. ३१ डिसेंबर, २००८ रोजी निर्गमित केलेल्या आदेशास अनुसरून राज्य शासनाने दि. १२ ऑगस्ट, २००९ रोजी निर्गमित केलेले आदेश लागू राहतील.

२. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. २.३.०

### ब. पदविका संस्थासाठी छाननी समिती -

१) विभागीय सहसंचालक, उच्च /तंत्र शिक्षण अध्यक्ष

२) विभागीय उपसचिव, म.रा.तं.शि. मंडळ उपाध्यक्ष

३) संबंधित संस्थेचे प्रतिनिधी सदस्य

४) प्रशासकीय अधिकारी, विभागीय सहसंचालक कार्यालय सदस्य सचिव

१३. जे अध्यापक सदर शासन निर्णय निर्गमित होण्यापूर्वीच्या निकषा नुसार दि. २८ फेब्रुवारी २०११ रोजी सेवानिवृत्त होणार असतील त्याचेबाबत परिच्छेद-१२ मध्ये नमूद छाननी समितीचे अहवाल संबंधित संचालनालयामार्फत शासनास पुढील आवश्यक कार्यवाहीसाठी संबंधितांच्या सेवानिवृत्तीच्या दिनांकापूर्वी सादर करण्याची जबाबदारी संबंधित विभागीय सहसंचालक, अकृषि विद्यापीठे व संस्थांची असेल.

१४. सदर शासन निर्णय दिनांक २५ फेब्रुवारी, २०११ पासून पूर्वलक्षी प्रभावाने लागू राहिल.

१५. हा शासन निर्णय वित्त विभागाच्या अनौ संदर्भ क्र. १२/११/सेवा-४, दिनांक १४.१.२०११ अन्वये त्या विभागाने दिलेल्या सहमतीने निर्णय निर्गमित करण्यात येत आहे.

१६. सदर शासन निर्णय महाराष्ट्र शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेत क्रमांक २०११०३०५१९२१०४००१ आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

(रा.गो.जाधव)

शासनाचे उपसचिव

**शासन आदेश :-** केंद्र शासनाच्या मनुष्य वळ विकास मंत्रालयाने दि. ३१ डिसेंबर, २००८ रोजी निर्गमित केलेल्या आदेशास अनुसरून राज्य शासनाने दि. १२ ऑगस्ट, २००९ रोजी निर्गमित केलेले आदेश लागू राहतील.

३. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ३.०.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे ३.१.० ते ३.९.० येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

४. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ४.०.४

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे ४.१.० ते ४.४.२.३ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

५. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ४.४.७

शासन आदेश :- या परिच्छेदातील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

६. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ४.५.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे ४.५.० ते ४.५.३ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

७. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ४.६.० व ४.७

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे ४.६.० ते ४.६.४ व ४.७ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

८. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ५.०.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे ५.०.० ते ५.१.७ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

९. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ६.०.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे ६.०.० ते ६.३.१२ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

१०. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ६.४.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे ६.४.० ते ६.४.११ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

तथापि, राज्यातील बिगर नेट/सेट अधिव्याख्यात्यांना CAS अंतर्गतचे लाभ देण्यात येऊ नयेत असा निर्णय यापूर्वीच दि. १८.१०.२००९ च्या शासन निर्णयान्वये घेण्यात आलेला आहे. त्यामुळे सदर लाभ अशा अधिव्याख्यात्यांना अनुज्ञेय असणार नाहीत.

११. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ६.५.०

शासन आदेश :- या संदर्भात शासन निर्णय क्र. एनजीसी-२०१०/(४१५/१०) विशि-१ दि. ३० जुलै, २०१० अन्वये निर्गमित केलेले आदेश लागू राहतील.

१२. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ६.६.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे ६.६.० ते ६.६.५ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

१३. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ६.७.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे ६.७.० ते ६.७.१ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

१४. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ६.८.०

शासन आदेश :- या परिच्छेदातील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

१५. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ८.०

शासन आदेश :- केंद्र शासनाच्या मनुष्य बळ विकास मंत्रालयाने दि. ३१ डिसेंबर, २००८ रोजी निर्गमित केलेल्या आदेशास अनुसरून राज्य शासनाने दि. १२ ऑगस्ट, २००९ रोजी निर्गमित केलेल्या आदेशामधील अनुज्ञेय करण्यात आलेल्या रजाच लागू राहतील.

१६. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. १०.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे १०.० ते १०.१ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

१७. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. ११.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे ११.० ते ११.५ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

१८. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. १२.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे १२.० ते १२.२ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

१९. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. १३.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे १३.० ते १३.१ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

२०. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. १४.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे १४.० ते १४.२ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

२१. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. १५.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे १५.० ते १५.२ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

२२. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. १६.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे १६.० ते १६.३ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

२३. विद्यापीठ अनुदान आयोगाच्या दि.३० जून, २०१० च्या अधिसूचनेतील परिच्छेद क्र. १७.०

शासन आदेश :- या परिच्छेदातील सर्व उपपरिच्छेद म्हणजे १७.० ते १७ (I) - (VII) येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

४. विद्यापीठ अनुदान आयोगाच्या अधिसूचनेच्या विद्यापीठे व संलग्नित महाविद्यालये/ संस्थामधील शिक्षक व समकक्ष पदावरील नियुक्त्या, सदर पदांची शैक्षणिक अर्हता व सेवांतर्गत प्रगती योजना (Carrier Advancement Scheme) राबविण्यासाठी उक्त दि. ३० जून, २०१० च्या अधिसूचनेमधील परि. ६.८.० मध्ये नमूद केल्याप्रमाणे सोबतच्या अनुसूची (Schedule) अन्वये केलेल्या शिफारशी/मुद्दांबाबत साकल्याने विचार करून त्या संदर्भात शासन पुढील प्रमाणे आदेश देत आहे. :-

१. विद्यापीठ अनुदान आयोगाच्या दि. ३० जून, २०१० च्या अधिसूचनेसोबतच्या अनुसूचीतील मुद्दा क्र. १ ते ४ व ६ ते ९

शासन आदेश :- केंद्र शासनाच्या मनुष्य बळ विकास मंत्रालयाने दि. ३१ डिसेंबर, २००८ रोजी निर्गमित केलेल्या आदेशास अनुसरून राज्य शासनाने दि. १२ ऑगस्ट, २००९ रोजी निर्गमित केलेले आदेश लागू केले आहेत. त्यामुळे सदर मुद्दातील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

२. विद्यापीठ अनुदान आयोगाच्या दि. ३० जून, २०१० च्या अधिसूचनेसोबतच्या अनुसूचीतील मुद्दा क्र. १०

शासन आदेश :- या मुद्दातील १०.० ते १०.५ येथील सर्व बाबी जशाच्या तशा लागू करण्यात येत आहेत.

३. विद्यापीठ अनुदान आयोगाच्या दि. ३० जून, २०१० च्या अधिसूचनेसोबतच्या अनुसूचीतील मुद्दा क्र. ११

शासन आदेश :- केंद्र शासनाच्या मनुष्य बळ विकास मंत्रालयाने दि. ३१ डिसेंबर, २००८ रोजी निर्गमित केलेल्या आदेशास अनुसरून राज्य शासनाने दि. १२ ऑगस्ट, २००९ रोजी निर्गमित केलेल्या आदेशामधील अनुज्ञेय करण्यात आलेले भत्तेच लागू राहतील.

५. विद्यापीठ अनुदान आयोगाच्या (विनियम २०१०) दि. ३० जून, २०१० च्या अधिसूचनेमधील परि. ६.८.० अन्वये केलेल्या शिफारशीच्या अनुषंगाने तद्वत्तच परि. १५.१ मध्ये सहाय्यक प्राध्यापक, सहयोगी प्राध्यापक व प्राध्यापक यांच्या आठवड्यातील तसेच शैक्षणिक वर्षातील कार्यभाराचे तास निश्चित केले असून, परि. १५.२ अन्वये जे प्राध्यापक (Professor) विस्तार सेवा (Extension Activities) व प्रशासन विषयक कामकाजासाठी व्यतित करतात त्यांना एकूण तासांपैकी २ तास एवढी सूट (Relaxation) देण्यात आलेली आहे. तथापि, प्राचार्याबाबत अशा प्रकारच्या तासिकांचा अथवा कार्यभारांचे (Workload) तास निश्चित करण्याचे निर्देश सदर अधिसूचनेमध्ये किंवा परि. ६.८.० च्या अनुसूचीमधील परि. ५.१ किंवा ५.२ मध्ये देण्यात आलेले नाहीत. त्यामुळे विद्यापीठ अनुदान आयोगाकडून प्राचार्यांना आठवड्यातील तसेच शैक्षणिक वर्षातील कार्यभाराच्या तासांचे निश्चित निर्देश देण्यात आले नसल्यामुळे त्यांना विवक्षित तासिका घेण्यापासून सूट देण्यात येत आहे.

६. सदर आदेशाची अंमलबजावणी दि. ३० जून, २०१० पासून पूर्वलक्षी प्रभावाने करण्यात यावी.

७. सदर अधिसूचनेच्या परिच्छेद क्र. ४.२.० (iii) मध्ये प्राचार्य पदासाठी एकूण १५ वर्षांचा अनुभव विहित केलेला आहे. सदर अनुभवाची अट मात्र सदरचे आदेश निर्गमित झाल्याच्या दिनांकापासून लागू राहिल.

८. विद्यापीठ अनुदान आयोगाच्या दि. ३० जून, २०१० च्या विनियमातील (Regulations) परिच्छेद क्र. ७.४.० मध्ये दिलेल्या निर्देशानुसार अकृषि विद्यापीठांनी या संदर्भात त्यांच्या परिनियमांमध्ये (Statutes) आवश्यक त्या सुधारणा विहित मुदतीत कराव्यात. तसेच सदर विनियमांच्या अनुषंगाने विद्यापीठ अधिनियमांमध्ये करावयाच्या सुधारणांचा प्रस्ताव अकृषि विद्यापीठांनी संचालक, उच्च शिक्षण, महाराष्ट्र राज्य, पुणे यांच्यामार्फत त्वरीत सादर करावा.

९. सदर शासन निर्णय महाराष्ट्र शासनाच्या [www.maharashtra.govt.on](http://www.maharashtra.govt.on) या संकेतस्थळावर उपलब्ध करून देण्यात आला असून त्यांचा संकेतांक क्रमांक २०११०२१५१४२७३०००१ असा आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावांने

(विकास तु. कदम)

कार्यासन अधिकारी, महाराष्ट्र शासन

\*\*FS : P 63 \*\*

**NUTA BULLETIN** (Official Journal of NAGPUR UNIVERSITY TEACHERS' ASSOCIATION)  
**CHIEF EDITOR** : Dr.A.G.Somvanshi, Shankar Nagar, AMRAVATI-444 606. **EDITOR** : Prof. S.S. Gawai 1, Abhinav State Bank Colony, Chaprashi Pura, Camp, AMRAVATI 444 602. **PUBLISHER** : Prof. Dhote D.S., 4C, 'Rajdatta', Mahalaxmi Colony, Near Shankar Nagar, Amravati-444 606. Type Setting at NUTA Bulletin Office, Phundkar Bhavan, Behind Jain Hostel, Maltekadi Road, Amravati-444 601.  
**PRINTED AT** Bokey Printers, Gandhi Nagar, Amravati. (M.S) **REGD NO.** MAHBIL/2001/4448 Postal Registration No. ATI/RNP/78/2009-11 WPP Registration No. NR/ATI/WPP-01/2009-11 Price : Rs. Five / Name of the Posting office : **R.M.S. Amravati.** Date of Posting : **09.05.2011**

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