

**ALL INDIA FEDERATION OF UNIVERSITY & COLLEGE TEACHERS' ORGANISATIONS***(Regd. under Act. XXI of 1860)***PROPOSAL****FOR PAY REVIEW COMMITTEE (TEACHERS)**

SUBMITTED BEFORE THE 6 TH PAY REVIEW COMMITTEE BY THE ALL INDIA  
FEDERATION OF UNIVERSITY & COLLEGE TEACHERS'  
ORGANIZATIONS (AIFUCTO)  
NEW DELHI; 15-4-2008

**PREAMBLE**

Higher Education is facing a paradigm shift today. In a fast changing and highly competitive world driven by information-communication revolution, creation of cutting edge knowledge and its equitable dissemination play a crucial role in inclusive development. Sustaining and strengthening public funded system of higher education is crucial to the project of inclusive development in a country like India with large sections of the population living below poverty line and only less than 10% enrolment in higher education. However, the increased allocation for higher education earmarked in the XI Plan is a reflection of the growing national recognition of the need for increasing access, equity and excellence in higher education.

Excellence of higher education institutions depends, to a large extent, on the quality, competence and the work culture of the teachers. Hence the availability of talented and motivated teachers is crucial to the development of quality in higher education. **The service conditions, pay & perquisites of university and college teachers should be such as to attract and retain talented, qualified and motivated persons in the higher education system.** But with the onset of globalization, the MNCs and the corporate sector wean away talented persons who would otherwise be absorbed in teaching and research. Moreover commercial educational institutions, both domestic and foreign, are also vying with one another to attract talented and highly skilled personnel. Against this background, AIFUCTO would request Prof. Chadha committee to make suitable recommendations to attract and retain talented men and women in the teaching profession. Steps should also be taken to ensure that such positive recommendations are implemented simultaneously and uniformly throughout the country.

AIFUCTO would urge Prof. Chadha Committee to bear in mind the following broad principles while formulating its proposals for the 6th UGC pay scales for university and college teachers:

1. **Parity of college and university teachers with at least Group A Officers of the Central Government in pay scales, allowances and perquisites**
2. **Incentive for contribution to teaching and extension on par with research**
3. **Resolving the anomalies in the V Pay revision, particularly that relating to the date of implementation of C.A.S**
4. **Implementation of new scales w.e.f. 1.1.2006**
5. **100% Central Assistance for the implementation of the revised pay package for 10 years**
6. **Mandatory, uniform and simultaneous implementation of the new package throughout the**

**country**

**The following detailed proposals are put forward for the consideration of the sixth UGC Pay Review Committee**

**NEW UGC PACKAGE****QUALIFICATIONS**

The minimum qualification required for the appointment of lecturers should remain as good academic record with 55% marks at the PG level or "B Grade" in the seven point scale where grading system is followed. The candidates should also have cleared the NET conducted by the UGC/CSIR or similar tests accredited by the UGC.

**Nagpur University Teachers' Association****MEETING NOTICE : 1****DATED : 01.09.2008**

From :

**Prof. Dr. E. H. KATHALE**Secretary, NUTA N-162, Reshim Bag,  
Nagpur-444 009

To,

All the members of the Nagpur University  
Teachers' Association

Dear members,

I have the honour to inform you that General Body meeting of the Nagpur University Teachers' Association will be held at 12.00 noon, on the Day and the Date mentioned below.

2. If you propose to move any resolution for the consideration of the General Body, you are requested to send such resolution to me, with a copy to Prof. B.T.Deshmukh, President NUTA, No. 3, Subodh Colony, Near, Vidarbha Mahavidyalaya, Amravati 444604 within a period of 10 days from the date of the posting of this Bulletin.

3. It will not be possible to include in the agenda, resolutions received after the due date. So please make it convenient to send such resolutions, if any, within the stipulated time. The place of the meeting will be intimated to you alongwith the agenda.

Thanking you.

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

**Time, Day and Date of the Meeting :**  
**12.00 Noon on Sunday, the**  
**9th November, 2008**

**RECRUITMENT**

In most of the private aided colleges teaching positions are offered to the highest bidder and mediocre candidates are given preference over meritorious persons. Proper and uniform recruitment policy should be evolved so that the most qualified hands are selected as teachers. **Every state could have a separate "College Service Commission" on the lines of the Union Public Service Commission.** The commission could evolve appropriate selection procedure for ranking NET/SLET qualified candidates. For Government colleges, appointments could be made on the basis of merit, subject to the reservation policy of the State. Private colleges could choose teachers from among the applicants from the merit list prepared by the commission on the basis of a transparent recruitment procedure. Proper procedure for the selection of principals should also be evolved.

**REGULAR APPOINTMENTS**

Unless teachers working in the institutions are secure and enjoy academic freedom, they will not be able to do full justice to their profession. Hence there should be no contractual, part-time or guest faculty appointment in regular vacancies. Part-timers could be appointed only in specific subjects where professionals like auditors, lawyers etc. are needed.

**PAY SCALES:**

Teaching profession should be made an attractive profession in terms of pay scales and other emoluments. It should automatically become the top choice of the eligible candidates. So a suitable pay structure should be evolved keeping in mind

i) the higher qualifications required at the start of the career.

ii) late entry into the profession because of higher studies, research, stringent recruitment policies etc. and

iii) non availability of benefits other than the pay as enjoyed by civil servants and others working in the corporate sector.

Keeping in view the above, the University Grants Commission which studied the V pay review committee (Rastogi committee) recommended the following pay structure higher than those for the civil services.

Lecturer Rs.10000/-

Lecturer (Senior Scale) Rs.12000/-

Lecturer (Selection Grade)/Reader Rs.16400/-

Professor Rs.18400/-

But this was not implemented.

**Hence AIFUCTO urges the committee to recommend a suitable revised pay structure on the basis of the above**

सुधारित वेतनश्रेणीच्या कमाल वेतनावर कुंठीत झालेल्या कर्मचाऱ्यांना कुंठीत वेतनवाढ मंजूर करण्याबाबत

**महाराष्ट्र शासन**

**उच्च व तंत्र शिक्षण विभाग, मंत्रालय विस्तार भवन,**

**क्र.एनजीसी २००८/(१०२/९८)/विशि-४ मुंबई-४०० ०३२.**

**दिनांक १४ ऑगस्ट २००८**

प्रति,

संचालक, उच्च शिक्षण, महाराष्ट्र राज्य, पुणे.

**विषय :** सुधारित वेतनश्रेणीच्या कमाल वेतनावर कुंठीत झालेल्या कर्मचाऱ्यांना कुंठीत वेतनवाढ मंजूर करण्याबाबत.

**संदर्भ :-** (१) शासन पत्र क्रमांक एनजीसी २००८/(७०/०८)/विशि-४ दिनांक १० मार्च २००८ (२) शासन पत्र समक्रमांक ३ एप्रिल २००८.

उपरोक्त विषयाबाबतच्या क्रमांक एनजीसी २००८/(७०/०८)/विशि-४, दिनांक १० मार्च, २००८ व क्रमांक एनजीसी २००८/(१०२/०८)/विशि-४ दिनांक ३ एप्रिल २००८ च्या पत्रांना पुढील आदेश होईपर्यंत स्थगिती देण्यात येत आहे.

(स.अ.घोरपडे)

कार्यासन अधिकारी, महाराष्ट्र शासन

floor level.

**COVERAGE OF ACCOMPANISTS, COACHES AND INSTRUCTORS BY THE PAY REVIEW COMMITTEE**

The Instructors, Accompanists and Coaches have been designated as teachers by various universities and they perform the work of teaching in different modes. They work as paper-setters, moderators and examiners same as the teachers do. The AIFUCTO has been diligently pursuing their cause for many years and anxiously waiting for justice to be meted out to them.

The AIFUCTO demands that these categories of academic staff be covered by the Pay Review Committee and appropriate scales are suggested. The model of Visva Bharathi University may be looked into for this purpose.

**THIRD PROMOTION/ PROFESSOR'S POST:**

More than 85% of teaching and 60% of research take place in colleges. **But it is unfortunate that the professor's post has not been provided for in colleges.**

The UGC in fact had sent a communication for the creation of professor's posts in colleges. But unfortunately this communication was not given effect to and has been subsequently withdrawn. Moreover a teacher in a college gets career advancement only up to selection Grade/Reader within 11 years of his entry into the profession. Thereafter he stagnates without any promotion/career advancement till his retirement. Hence there should be opportunity for career advancement in the scale of a professor when a teacher puts in 15 years of service. **Similarly professors have no other promotional avenue. Hence senior professors' posts may be created in colleges/universities for those who have put in 5 years of service as professor.**

**CAREER ADVANCEMENT SCHEME:**

Minimum length of service for eligibility to move from one scale to another should be 5 years with relaxation of 1 and 2 years of service respectively for M.phil and Ph.D. degree holders. Similar benefits should be extended to teachers who

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**अनेक प्रकरणात हायकोर्टाने निर्णय दिल्यानंतरसुद्धा पदे अनारक्षित केल्याप्रकरणी योग्य तो लाभ देण्याची कारवाई न होणे**

महाराष्ट्र विधानपरिषद : दुसरे अधिवेशन २००८  
सोमवार, दिनांक २१ जुलै २००८

(४३) \* ४२१५३ प्रा. बी. टी. देशमुख : तारांकित प्रश्न क्रमांक ३७६३७ ला दिनांक १४ मार्च, २००८ रोजी दिलेल्या उत्तराच्या संदर्भात : सन्माननीय उच्च व तंत्रशिक्षण मंत्री पुढील गोष्टींचा खुलासा करतील काय :-

(१) एकामागून एक अनेक प्रकरणामध्ये मा.उच्च न्यायालयाने स्पष्टपणे निर्णय दिल्यानंतरसुद्धा अधिव्याख्यात्यांची पदे अनारक्षित करण्यामध्ये शासनाकडून विलंब होत आहे अशी तक्रार करणाऱ्या नागपूर विद्यापीठ शिक्षक संघाच्या (नुटा) सहसचिवांनी दिनांक ३० मे, २००५ रोजी किंवा त्या दरम्यान, सहसंचालक उच्च शिक्षण अमरावती विभाग यांच्यामार्फत मा.प्रधान सचिव, उच्च व तंत्रशिक्षण यांना सादर केलेल्या विचाराधिन निवेदनात नमूद असलेल्या प्रस्तावा संदर्भात पदे अनारक्षित करून संबंधितांना सेवा सातत्याचे लाभ लागू करण्याच्या विचाराधीन प्रश्नावरील शासनाचा विचार पूर्ण झालेला आहे काय,

(२) झालेला असल्यास, वेतनवाढी, वरिष्ठ श्रेणी व निवडश्रेणीच्या थकवाकीपोटी अदा करावयाच्या प्रत्यक्ष रक्कमा संबंधितांना केंव्हा अदा करण्यात आलेल्या आहेत,

(३) कारवाई केलेली नसल्यास याबाबत होणाऱ्या विलंबाची कारणे काय आहेत ?

श्री. दिलीप वळसे-पाटील : (१) होय

(२) व (३) संबंधित अधिव्याख्यात्यांच्या वरिष्ठ श्रेणीची वेतननिश्चिती झाली असून पाचही अधिव्याख्यात्यांना वरिष्ठ श्रेणीची थकवाकी अदा करण्यात आली आहे. त्याचप्रमाणे पाचही अधिव्याख्यात्यांच्या निवडश्रेणीची वेतननिश्चिती करण्यात आली असून तीन अधिव्याख्यात्यांना थकवाकी जुलै, २००८ मध्ये अदा करण्यात आली आहे. उर्वरित दोन अधिव्याख्यात्यांच्या बाबतीत संबंधित महाविद्यालयानी नुकतीच थकवाकीची मागणी केली असून ही थकवाकी तातडीने अदा करण्याची कार्यवाही चालू आहे.

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make special contributions to teaching and extension. Proper parameters for this will have to be worked out in consultation with teachers' organizations. A minimum of four advancements need to be provided with the following span.

5 -10 -15 -20

Further Participation in Refresher Courses and Orientation courses should be delinked from CAS.

The following table could illustrate the existing and proposed grades, number of years required for the eligibility and the notional pre- revised scales

Sr. No.	Name of grades (Existing and Proposed)	Total No. of years required	Pre Notional pay scale (Proposed)
1	Lecturer	Beginning	10000-325- 15200
2	Lecturer (Senior Scale)	5	12000-420-18300
3	Lecturer (Selection Grade) /Reader	10	16400-450-20900-500-22400
4	Lecturer (Super Selection Grade) (Proposed) / Professor/	15	18400-500-22400
5	Senior Professor (Proposed)	20	22400-525-24500

Total service should be taken into consideration for moving into higher grades. A Lecturer (Selection Grade)/ Reader with 5 years of service in that grade should be eligible to be considered for placement/promotion as Lecturer (Super Selection Grade)/Professor. Teachers without Ph.D. could move up to Super Selection Grade. Teachers in Super Selection Grade who subsequently acquire the qualifications of Professor could be redesignated as Professor. There should be only one grade for Principals who could be placed in the scale of pay of Professor/ Senior Professor, depending on their qualification and experience.

#### ADVANCE INCREMENTS FOR M.PHIL AND Ph.D.

Two and four advance increments should be given to those who hold M.Phil and Ph.D. degree respectively at the time of recruitment as lecturer. One and two advance increments shall be given to those who acquire M.Phil and Ph.D. during their career. A teacher who acquires M.Phil and Ph.D. sequentially in his / her career must be eligible for 3 advance increments.

Teachers who acquired Ph.D. degree prior to January 1, 2006 and didn't get any advance increment as per the earlier CAS must be given 2 advance increments at the time of placement which will be effective from 01-01-2006.

The advance increments should be a special increment which should be claimed separately as the allowances are claimed, and these advance increments should not be merged with the pay when they move into the next grade or pay fixation. Otherwise some teachers would enjoy this benefit only for a few days while others could enjoy it for 5 years. So a uniform procedure has to be followed so that all the teachers could enjoy the same amount for the same period.

Teachers who acquire M.Phil/Ph.D. on or after 1.1.2006 during their service should be given an option to avail the advance increment(s) either on the date of awarding the degree or at the time of moving to Senior Scale/Selection Grade/ Total service should be taken into consideration for moving into higher grades. A Lecturer (Selection Grade)/ Reader with 5 years of service in that grade should be eligible to be considered for placement/promotion as Lecturer (Super Selection Grade)/Professor. Teachers without Ph.D. could move upto Super Selection Grade. Teachers in Super Selection Grade who subsequently acquire the qualifications of

Professor could be redesignated as Professor.

There should be only one grade for Principals who could be placed in the scale of pay of Professor/ Senior Professor, depending on their qualification and experience.

#### ADVANCE INCREMENTS FOR SPECIAL CONTRIBUTIONS TO TEACHING & EXTENSION

Kothari Commission had given equal importance to the functions of teaching, research and extension. But so far only contribution to research as documented through M.phil./ Ph.D. has been given some incentive or counted for career advancement. This amounts to prioritizing research over teaching and extension which goes against the grain of the national policy on higher education. This serious lacuna should be corrected by giving recognition to special contributions to teaching and extension. Parameters for this should be worked out in consultation with teachers' organizations.

#### STAGNATION INCREMENTS

There must not be any stagnation in increments even if a person reaches at the maximum of her/his pay scale and the annual increments must continue.

#### FIXATION FORMULA

During every fixation senior teachers are affected. The scales get merged and juniors and seniors are placed at the same stage in the same revised pay scale and this results in anomalies. To avoid this, point to point fixation is recommended ensuring at least one increment in the revised scale for every increment earned in the pre revised scale

#### COUNTING OF PAST SERVICE

All previous services of a teacher including broken spells of service as lecturer in a University or a college or equivalent institutions should be considered for placement. Even previous services on adhoc basis or leave vacancies should be counted. Similarly, there should be flexible provisions for the lateral movement of teachers from one institution to another within and across states.

#### RETIREMENT BENEFITS

The age of retirement at the universities, Govt. and aided private colleges and the quantum of retirement benefits throughout the country should be the same. At present the retirement age varies from state to state, from universities to colleges and from Govt. colleges to aided colleges. It varies from 55 years to 65 years. The retirement age should be at par with the Central Govt. funded institutions.

#### FULL PENSION ELIGIBILITY

Most teachers may not be eligible for full pension as the

#### UNIVERSITY GRANTS COMMISSION

**35-Ferozeshah Road, : New Delhi-110 001**  
**(PAY REVIEW COMMITTEE)**

No. F.1-7/2008(PRC) : 14th July 2008

**Prof. B.T.Deshmukh,**

3, Subodha Colony, Near, Vidarbha Mahavidhyalaya, Amravati - 444 604.

Dear Sir,

Kindly refer to your representation dated 5.6.08 addressed to PRC Members in connection with Pay Review Committee.

In regard to the above, it may please be noted that the issue raised and suggestions made in the aforesaid representation is under active consideration of the Pay Review Committee.

Moreover, the Committee is extremely thankful to you, for your valuable input in the matter.

Thanking you,

Yours faithfully,  
**(Dr. Kanwal Singh)**

**Deputy Secretary, Pay Review Committee**  
University Grants Commission 35- Ferozeshah Road  
New Delhi-110 001. Tel. : 23381972

eligibility for full pension in most states is 33 years and as teachers enter the service late in their lives because of their higher studies, research work after their studies and also because of the policies of the governments which for years together ban recruitment and teachers have to wait for years to join teaching profession because of that. Hence the eligibility for full pension should be reduced to 20 years. The proposal for contributory pension scheme should be rejected.

**EXTENSION OF SERVICE TILL THE END OF THE YEAR**

A teacher after superannuation should be allowed to serve till the end of the academic year so that there is no disruption of teaching in the middle of the academic year.

**MEDICAL FACILITIES**

The medical facilities available to the teachers are highly inadequate. Certain areas of research are hazardous. Teachers involved in teaching large classes get throat related diseases. Teachers who sit for long doing correction/valuation works etc get diseases like piles etc. There are many other profession related diseases also.

A comprehensive medical scheme covering day to day treatment to speciality and superspeciality treatment should be evolved. It should also cover Homoeopathic, Ayurvedic, Siddha and Unani treatments. 100% reimbursement of hospitalization expenses should also be provided.

**HOUSING FACILITIES/HRA**

Proper housing has become a problem both in class I cities and in rural areas. Hence several schemes could be thought of. Teachers could be provided liberal housing loans at a low interest. Govt. land could be provided at minimal cost to colleges/ college teachers' cooperative societies etc for house building.

HRA and CCA may be raised to the following level.

Types of Area	Minimum Percentage of Basic Pay	
	HRA	CCA
A1 Class cities	40	10
A, B1 and B Class Cities	30	8
Others	20	6

**LEAVE RULES**

There should be uniform leave rules. Sabbatical leave should be extended to colleges also.

**ACADEMIC ALLOWANCE**

An academic allowance of a month's salary should be paid to college teachers for purchase of books, journals, CDs and other equipments and accessories.

**VEHICLE AND COMPUTER ADVANCE**

Teachers should be provided vehicle advance at a minimal interest. The UGC should earmark an amount for this. Similarly every teacher needs computer and internet facilities. So a computer advance should be paid to the teachers for purchase of computer and other accessories.

**ALLOWANCES FOR PHYSICALLY CHALLENGED TEACHERS**

Allowance should be paid to the physically challenged teachers for purchase of special equipments; Braille books etc and also for the maintenance of an assistant to assist him/her in his/her academic works.

**LTC**

LTC should be uniformly paid as per Central Govt. norms.

**SPECIAL ASSISTANCE TO THE FAMILIES OF THOSE WHO DIE WHILE PERFORMING DUTIES**

We have been witness to the murder of Prof. Sabharwal who was murdered by hooligans inside the campus while performing his duties. Such families should be paid a special

assistance of Rs.10 lakhs.

**FACILITIES FOR WOMEN TEACHERS**

Both the Mehrotra Committee and the Rastogi Committee recommended many facilities for women teachers. But none of the recommendations has seen the light of day. When more and more women teachers are entering the teaching profession and when the society more and more recognizes the burden of women employees at home and at the institutions, this pay committee also should recommend suitable facilities and also see that they are implemented in the right earnest.

**CIVIC RIGHTS**

The Rastogi committee recommended civic rights for college teachers. Teachers are the enlightened section of the society and teachers' participation in elections and holding public offices would enhance the quality of public life. The Govts of West Bengal, Bihar and Delhi have provided civic and political rights to teachers. In-service teachers have occupied public offices like ministers, members of Parliament and legislatures, Chairmen of councils etc and have made significant contributions. So the Chadha committee also should strongly recommend this and see that it is implemented.

**INCENTIVES FOR PROFESSIONAL DEVELOPMENT**

Rastogi committee recommended certain incentives for professional development like subsidies for journals, email facilities, computer advance, LTC, Conveyance allowance etc. But these have not been implemented. As teachers are knowledge workers, money spent on computers, books etc could be taken into account for giving tax concessions.

**UNAIDED TEACHERS SALARY**

The pay scales recommended by the Committee should be applicable to all teachers working in regular vacancies including in Unaided Colleges.

**DATE OF IMPLEMENTATION**

The date of implementation of the pay scales and other benefits including career advancement, retirement benefits, allowances etc should be 01-01-06 without any cut-off date. There should not be any modification in the date of implementation and the scales of pay and the recommendations of the UGC should be implemented in toto with out any change by the state Govts. and universities. In the notification issued by the UGC for the 5th pay fixation there was a clause that the state govts could alter or change the recommendations. This provided the State govts an opportunity to alter with the recommendations and this resulted in many disparities from state to state. Such an option should not be given to the State Governments.

**CENTRAL ASSISTANCE**

Many of the benefits recommended by the UGC have not been implemented by the State Governments because their own financial position is not sound. Hence the central Government should pay for the entire financial commitment arising out of the new pay revision for ten years.

**Mandatory, Uniform and Simultaneous Implementation**

The revised pay package including qualifications, norms for recruitment, salary, allowances and prerequisites should be uniformly and simultaneously implemented through out the country through appropriate regulations.

**RECTIFICATION OF ANOMALIES**

**(1) Career Advancement Scheme from 1-1-96**

One of the major anomalies in the last pay revision was the date of implementation of the new CAS from 27-07-08, while the date of implementation of the pay scales was i.e. 01-01-96.

The anomaly caused by different dates of implementation of pay scales and CAS, apart from creating heartburn among a major section of teachers and unrest in various states, resulted in a huge monetary loss of up to Rs. 2000/- per month for a section of teachers amounting to a few lakhs of rupees in total.

A section of teachers though they had completed 11 years

of service or 10 years of service with M.phil on 01-01-96 itself were given CAS only on 27-07-98 instead of 01-01-96.

Some junior teachers, whose increments fall on October, got an increment ahead of their seniors on 01-10-98.

Moreover these teachers didn't get their career advancement in 01.01.96 but they were not eligible for the 14940/- higher start when they completed 5years after becoming Lecturers (SG). So they had to suffer dual loss.

This could be rectified only if CAS of these teachers be first fixed from 01-01-96 and the pay refixed as on 01-01-96 and the new pay fixed on the basis of this pay fixation.

But in some states like Gujarat, Uttar Pradesh etc., in spite of the reluctance of the Govt. of India, CAS has been implemented from 01-01-96 while the discriminatory treatment was not rectified in a majority of the States

A section of teachers in Kerala moved the Kerala High Court vide O.P.No.36112/2002 dated 20th December, 2005 which ordered that the Central Govt. and the UGC should within a period of one month from the date of proposal from the Kerala Govt. apply their mind and pass appropriate orders taking into consideration the fact that the MHRD had given concurrence in respect of Uttar Pradesh. But as no order was forthcoming from the UGC and the MHRD, the teachers filed a contempt petition before the Hon. High Court of Kerala, which on 16-01-08 strongly disapproved the conduct of the UGC and the MHRD and directed the UGC and the MHRD to

**CHANCELLOR, PATNA UNIVERSITY, PATNA ORDER**

WHEREAS there was a deliberate and willful disobedience on the part of Prof. Y.C. Simhadri, Vice Chancellor, Patna University, Patna as well as serious allegation of not adhering to a consensus decision. AND;

WHEREAS on consideration of available materials on record I found merit in it and then a show cause notice was issued to Prof. Y.C. Simhadri to show cause as to why action as contemplated U/s 12(1) of the Patna University Act, 1976 be not taken against him and in pursuance of the said notice, Prof. Simhadri submitted his show cause. AND;

Whereas on careful examination and consideration, I found the same to be devoid of merit and unsatisfactory as he has disregarded the direction of the Chancellor which is referred in the show cause notice. In the result, the show cause filed by Prof. Simhadri is rejected: AND;

FURTHER, WHEREAS I find and hold that Prof. Simhadri, Vice Chancellor, Patna University Patna has failed to discharge the duties imposed upon him by or under the provisions of Patna University Act, 1976, the statutes framed there under and also the circulars/ directions issued on behalf of the chancellor as head of the University and that he has acted in a manner prejudicial to the interest of the University as also he is incapable of managing the affairs of the University and in consequence of that, action U/s 12(1) of the Patna University Act, 1976 is required to be taken against him; AND;

WHEREAS I have already consulted the state Government in the matter:

I.R.S. Gavai, Chancellor, Patna University, Patna in Exercise of the powers conferred upon me U/s 12 (1) of the Patna University act, 1976 hereby request Prof. Simhadri, Vice Chancellor, Patna University, Patna to submit his resignation on 21-01-2008. On and from 21-01-2008 It shall be deemed as stipulated U/s 12(3) of the Patna University Act, 1976 that the said Prof. Simhadri has resigned his post and the office of the Vice Chancellor, Patna University, Patna shall be deemed to be vacant on a regular basis.

Patna (R.S. Gavai) Chancellor  
Dated : 21 January 2008  
Patna University, Patna  
(Courtesy "University Today" New Delhi 15 June 2008)

approve the proposal of CAS from 01-01-96 sent by the Govt. of Kerala and make available 80% of the fund needed for implementing the same within a period of 2 months from the date of receipt of a copy of the judgment. **Unfortunately even this direction of the Hon. High Court has not been complied with.**

This has to be set right and this could be rectified only if the Pay Committee gives an interim report exclusively on this issue.

**(2) Re-designation of Librarians and physical Directors and complete parity with teachers**

The next anomaly is in the pay fixation for Librarians and Physical Directors. Though the Librarians and physical Directors are considered teachers for all practical purposes, during pay revisions they are treated separately, and there is disparity in fixation, CAS etc.

This has to be remedied and this could be rectified only when they are re-designated as Lecturers in library Science / Physical Education etc. so that the same recommendation or order on pay revision would cover them as well.

**(3) Retirement Benefits**

There is a huge discrimination in the implementation of retiral benefits. Though, even the V pay commission recommended 62 years as the date of retirement and now the

**स्थाननिश्चितीबाबत सहसंचालक उच्च शिक्षण यांचे स्तरावर वेळेवर निर्णय होणेबाबत**

महाराष्ट्र विधानपरिषद : दुसरे अधिवेशन २००८  
सोमवार, दिनांक २१ जुलै २००८

(८०) \* ४२१६० प्रा. बी. टी. देशमुख : तारांकित प्रश्न क्रमांक ३८०६१ ला दिनांक १४ मार्च, २००८ रोजी दिलेल्या उत्तराच्या संदर्भात : सन्माननीय उच्च व तंत्रशिक्षण मंत्री पुढील गोष्टींचा खुलासा करतील काय :-

(१) संलग्न महाविद्यालये किंवा विद्यापीठातून काम करणाऱ्या अधिव्याख्यात्यांच्या वरिष्ठ किंवा निवडश्रेणीमध्ये स्थाननिश्चितीच्या संदर्भात काही अनियमितता झालेली असल्यास ती बाब १५ दिवसांच्या आत संचालकांच्या लक्षात आणून द्यावी व कोणत्याही परिस्थितीत याबाबतचा निर्णय १५ दिवसांच्या आत करावा असे जे आदेश सर्व उच्च शिक्षण सहसंचालकांना देण्यात आले आहेत त्यानुसार २ जून २००७ ते ३० जानेवारी २००८ या काळात विभागवार उच्च शिक्षण सहसंचालकाकडे जी एकूण १५४६ प्रकरणे प्राप्त झाली त्यांची विभागवार वर्गवारी कशी आहे,

(२) विभागवार कितली प्रकरणी वेळेच्या आत व कितली प्रकरणी विलंबाने निर्णय घेण्यात आले,

(३) संदर्भात प्रश्नाच्या उत्तरात विभागवार आकडेवारी न देण्याची कारणे काय आहेत ?

श्री. दिलीप वळसे-पाटील : (१) विभागवार वर्गवारी पुढीलप्रमाणे आहे:-

अ.क्र.	विभाग	प्राप्त	निकाली	त्रुटी	विलंब
१.	पुणे	१९९	१९९	-	-
२.	मुंबई	७१४	५३१	१८३	-
३.	नागपूर	४८१	४८१	-	-
४.	अमरावती	३५	३५	-	-
५.	नांदेड	१२	१२	-	-
६.	जळगांव	२०	२०	-	-
७.	कोल्हापूर	४३	४३	-	-
८.	औरंगाबाद	४२	४२	-	-
	<b>एकूण</b>	<b>१५४६</b>	<b>१३६३</b>	<b>१८३</b>	<b>-</b>

(२) सर्व प्रकरणे वेळेच्या आत निकाली काढलेली आहेत. मुंबई विभागामध्ये एकूण ७१४ प्रकरणे प्राप्त होती. त्यापैकी ५३१ प्रकरणे वेळेच्या आत निकाली काढलेली आहेत व १८३ प्रकरणे त्रुटीची असल्यामुळे ती महाविद्यालयांना त्रुटीपुरता करण्यास परत पाठविण्यात आली होती. त्यापैकी ७६ प्रकरणांवर स्थाननिश्चितीची अंतिम कार्यवाही करण्यात आली आहे.

(३) कोणतेही विशिष्ट कारण नव्हते. अनवधानाने राहून गेले होते. \*\*\*\*\*

PR :- (1) S.Q. 5958 Dt. 150705 P 76 NB 05 (2) U.S.Q. 10109 Dt. 190406 P 114 NB 06 (3) U.S.Q. 17998 Dt. 151206 P 114 NB 06 (4) S.Q. 29726 Dt. 240707 P 83 NB 07 (5) S.Q. 38061 Dt. 140308 P 59 NB 08

Govt. of India has raised the retirement age to 65 years in the Central govt. funded institutions, the retirement age varies from State to state, 55 years to 65 years, and in some states it even varies between University and College teachers and among govt. college teachers and aided college teachers.

This also has to be remedied. The UGC should insist on uniform implementation of the date and the quantum of all retiral benefits. There should be 100% Central assistance for the implementation of uniform retirement benefits.

The new pension scheme called the contributory pension

scheme, in fact, denies assured pension to the employees. **Hence the pay committee should reject this new pension scheme and solidly come out with a recommendation for the continuance of the existing pension scheme.**

#### (4) Third Promotion and Professor Post in Colleges

Another anomaly is with regard to the non-implementation of the Third promotion for college teachers and non-implementation of the professor's scale for college teachers. Other A Grade employees like the IAS, IPS etc enjoy almost 7 advancements in their pay where as College teachers get only 2.

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY : NAGPUR BENCH, NAGPUR

### WRIT PETITION No. 329/2008

In the matter of Article 226 of the constitution of India **AND** In the Matter of Communication on Dated 23.11.2007 issued by The Deputy Registrar (College), Sant Gadge Baba Amravati University

**Petitioner :** Bhujangrao S/o Madhavrao Thakare, Aged about 44 years, Occ. Principal, Mahatma Jyotiba Fuley Mahavidyalaya, Amravati R/o "Manthan", Sharda Nagar, Amravati.

#### *Versus*

**Respondents :** (1) Sant Gadge Baba Amravati University, Amravati, Through its Registrar, having its Office at Sant Gadge Baba Amravati University Campus, Amravati. (2) Deputy Registrar (College) Sant Gadge Baba Amravati University Amravati. (3) Joint Director, Higher Education, Amravati Division, Amravati. (4) Asmita Shikshan Mandal, through its Secretary, Pannalal Nagar, Amravati.

Writ petition under Article 226 of the constitution of India.

#### **Coram**

**D.D.Sinha & A.P. Bhangale, JJ**

**Dated : 05th August, 2008**

Heard Mr. C.V. Kale, learned counsel for petitioner, Mr. Sudame, for Respondent nos. 1 & 2 and Mr. Nitin Sambre, learned Government pleader for Respondent No. 3.

2. This petition is directed against the impugned communication dated 23.11.2007 whereby the petitioner is informed that he does not possess the requisite qualification/Experience for holding the post of Principal as mentioned in the advertisement dated 17.4.2006.

3. Learned counsel for petitioner has submitted that the petitioner was appointed as principal of the College run by Respondent no. 4 Society, vide order dated 19th June, 2006. An approval was also granted on 23rd June 2006 to the petitioner in Professor's grade. It is further submitted that **one of the eligibility criterias mentioned in the advertisement, is that the candidate should have total experience of 15 years of teaching/research in Universities/Colleges and other institutions of higher education.** Learned counsel for petitioner states that the petitioner is having teaching experience of 11 years and 7 months as a Lecturer and spent 4 years & 3 Months in obtaining Doctorate in Philosophy (Ph.D.). It is, therefore, contended that the total experience i.e. teaching plus the duration for obtaining Ph.D. comes to 15 years and, therefore, the petitioner was/ is eligible and qualified for the post of Principal. Hence the order of appointment as well as the order of grant of approval issued by the University are not sustainable in law. Learned counsel for petitioner placed on record communication dated 20th December, 2008 issued by the Section Officer of University Grants Commission (in short UGC) to the Registrar of Respondent University, wherein it is mentioned that the period spent for obtaining Ph.D. needs to be included while counting experience of 15 years of teaching as required under the eligibility clause mentioned in the advertisement. Similarly another document which is placed on record today, issued by the Desk Officer, UGC dated 19th February, 2008

reiterates the said criteria mentioned in letter dated 20th December 2007. It is, therefore, contended that the order impugned is bad in law.

4. **Shri. Sudame, learned counsel for the respondents 1 & 2 on the other hand, has submitted that the petitioner does not fulfill the eligibility criteria mentioned in the advertisement i.e. 15 years teaching experience as Lecturer.** It is further contended that the time spent by the candidate for obtaining Ph.D. cannot be counted as experience in teaching stipulated in the eligibility criteria mentioned in the advertisement. To substantiate this contention, reliance is placed on the communication dated 11th April, 2008 issued by the Joint Secretary, UGC. Learned counsel for Respondents 1 & 2, therefore contended that the appointment order issued in favour of petitioner whereby the petitioner was appointed as principal and the order granting approval, being inconsistent with the requirement, came to be cancelled by the impugned communication.

5. Considered the contentions canvassed by the respective counsel. In the instant case, So far as the eligibility criteria for appointment to the post of Principal mentioned in the advertisement is concerned., the relevant clause for the issue in question reads thus.

**"Total experience of 15 years of teaching/ research in University/Colleges and in other institutions of higher education"**

6. The question whether the time spent by the candidate while obtaining Ph.D. can be included **while counting the teaching experience as required under the above referred clause needs to be reconsidered by the Vice Chancellor of the Respondent University, after obtaining necessary clarification in this regard from the UGC,** since, the communications placed on record issued by the UGC are inconsistent with each other.

7. For the reasons stated hereinabove, **the matter is remanded to the Vice Chancellor, Sant Gadge Baba Amravati University for reconsideration of the issue as to whether the petitioner, in view of the norms and guidelines issued by the UGC from time to time including letters placed on record, is eligible and qualified to hold the post of principal in Professor's grade and take a decision on its merits, according to law by following the principles of natural justice.**

8. Needless to mention that the impugned communication shall not come in way of the Vice Chancellor to reconsider the issue as directed by us. The validity of the impugned communication would depend upon the decision of the Vice Chancellor.

9. **Mr. Sudame, learned counsel for Respondents 1 & 2 states that the University shall pay the arrears of salary applicable to the post of principal in Reader's grade,** for the period the petitioner has factually discharged his duties.

10. With the above directions and observations, Writ Petition is disposed of.

The Rastogi Committee recommended the provision of Professors posts in all post-graduate colleges. The UGC vide its notification in 1998 introduced professorship in colleges and laid down the procedures for promotion. This was on the basis of an agreement at a meeting between the Minister for HRD and AIFUCTO in which it was decided that a reader with a minimum of eight years of service will be eligible for promotion as a professor under the CAS. Even MHRD wrote a DO letter NO F. 1-20/99 – U1 dated 16-11-99 regarding the same subject to the State Governments. But this has not been given effect.

Third promotion is necessary even for college teachers without Ph.D. to avoid stagnation. As teachers reach Selection Grade in 10 years, they will be in the same scale for more than 20 years when they serve the college for 30- 33 years. They may have to serve without even annual increments for many years. So to avoid this, a third advancement, a super selection grade also may be recommended.

This has to be done to retain and attract talent in the Higher Education sector. Actually promotions and advancements comparable to other Class A services should be made available to College and University teachers also.

#### (5) Incentive Increments for Ph.D.

Another anomaly is with regard to the sanction of incentive increments for the award of Ph.D. Teachers are provided the benefit of 2 incentive increments as and when they acquire Ph.D. But when they get their CAS or 14940/- by virtue of their service, this incentive increment gets merged with it. For some it happened within a few months and for some within a few days. So these teachers could not enjoy the benefit of incentive increments. This could be rectified by treating these advance increments exclusive increments which do not get merged with CAS or other promotions.

#### 6) Abolition of Dual Pay Scales and inclusion of services rendered at state scales

There is another anomaly in a few states. Some teachers are getting state pay scales and some teachers UGC scales of pay. Both do the same work, have the same qualifications and have been appointed by the government and the competent authority but are paid different pay scales. This should be dispensed with and the service they put in getting state scales also should be taken into consideration at the time of fixation and career advancement as on 01-01-06.

#### (7) CAS for Readers under MPS Scheme

Readers under MPS Scheme should also be given opportunity to opt for CAS as has been done for professors.

#### (8) Workload

Contribution to research qualifies for relaxation in workload at present. Along with this adequate relaxation should be granted for special contributions to teaching and extension activities, administrative responsibilities such as that of the HOD. Enclosure: Pay Review for DPEs / Librarians Coverage of Accompanists, Coaches and Instructors by PRC.

**Asok Kumar Barman**  
General Secretary

#### ENCLOSURES

#### Enclosure : (1)

#### Pay Revision for Librarians and DPEs

The policies related to the pay-scales of Librarians and DPEs have shown inconsistencies, discriminations and disparities in the past. Librarians and DPEs were given UGC scales at par with Lecturers from 01.07.1969, in the pay-scale of Rs.300-600, but they were initially denied the UGC pay scale of Rs. 700-1600 from 01.01.73, and were instead offered an inferior pay-scale of Rs.550-900. Subsequently the pay-scale of Rs.700-1600 was given to them from 01.04.80. The Librarians and DPEs, in the Pay Revision of 1986, were given three pay-scales like teachers: Rs. 2200-4000; Rs.3000-5000; Rs.3700-5700. In the revised pay-scale of 1996, again, three pay-scales as for teachers were offered to them. However, the orders were marked by some deprivations. Initially CAS, Ph.D increments and fixation at Rs.14940 were denied to them. This discrimination and disparity shown to librarians and DPEs was never accepted by the AIFUCTO and we had to resort to a nation-wide agitation for the redressal of the same. Finally such anomalies were

removed. However, the relevant order still had certain gaps. The AIFUCTO has always been emphasizing the fact the issues related to the pay-scales of Librarians and DPEs emanate from the act of delinking from the pay-scales of the teachers. We strongly urge the PRC not to repeat any of the past anomalies. The AIFUCTO demands:

1. Complete parity in the pay scales and other service conditions with the teachers.
2. Redesignating librarians and DPEs to facilitate their getting the pay-scales of the teachers.
3. Superannuation at par with centrally funded institutions.
4. Ph.D/M.Phil increments from 1.1.96.
5. Librarians and DPEs should be given the opportunity for FIP, research work and minor and major research project grants.

#### Enclosure : (2)

#### Request for inclusion of Accompanists (Tabla players, Music Assistants, Instrument Players etc), Instructors and Coaches in the purview of The Pay Revision Committee (UGC)

The AIFUCTO would like to submit that the above-noted Academic Staff are being subjected to utter neglect for a very long period unlike Demonstrators, Tutors and Laboratory Instructors. The Instructors, Accompanists and Coaches have been designated as teachers by the various universities and they perform the work of teaching in different modes. They work as paper-setters, moderators and examiners same as the teachers do.

The AIFUCTO has been diligently pursuing their cause for many years and anxiously

waiting for justice to be meted out to them.

This was one of the major demands of the AIFUCTO during the 1996 pay scale revision. It is extremely disappointing and unfortunate that nothing has been done for so many years after the agreement between the AIFUCTO and Govt. of India. We have already referred to this issue when we met you on 25th February this year, including this issue in the Memorandum we submitted to you. We have already raised this issue and submitted a letter to the Pay Review Committee when we had a meeting with the PRC and the consensus was to request the UGC Chairman to form a sub-committee to consider the issue. Accordingly three letters were sent by the General Secretary to the PRC.

Under the circumstances the AIFUCTO is extremely concerned about the fate of these categories of academic staff spread all over India. I may point out that there are specific pay-scales for most of these categories in central universities such as Visva Bharati.

We urge the PRC to look into the matter immediately so that the gross injustice and long standing deprivation are redressed. Kindly note that a number of Universities including Rabindra Bharati and some state governments such as the Govt. Of West Bengal have already written to UGC to take up the issue. We do hope some positive steps would be taken quickly in this regard.

**Asok Kumar Barman**  
General Secretary

#### OFFICE OF THE SECRETARY TO THE GOVERNOR.

**Raj Bhavan, Malabar Hill, Mumbai – 400035**

CS/AU/37/06/(6451) 2116 : 9 July 2008

FROM  
DEPUTY SECRETARY TO THE GOVERNOR

TO  
**Shri Dilip Ingole & others**  
Ambapeth, Amravati.

Sir,

With reference to your petition dated 25 August 2006 submitted to the Chancellor regarding issue of difference of opinion on the point of qualifications for the post of Registrar, the Order No. CS/AU/37/06/(6451) 2113 dated 9 July 2008 passed by the Chancellor, is enclosed.

Yours faithfully,  
**(C.M. Alegaon)**  
Deputy Secretary to the Governor

# CHANCELLOR

**Raj Bhavan, Mumbai 400 035**

CS/AU/37/06/(6451) 2113

**9 JULY 2008**

## ORDER

**Subject :** Reference under section 14 (6) of the Maharashtra Universities Act, 1994 from the Vice-Chancellor, SGB Amravati University in the matter of differences arising between the Vice-Chancellor, SGB Amravati University.

**Reference:** (1) Letter No. SGBAU/1/102/A-1957/2056 dated 14 August 2006, from Vice-Chancellor, SGB Amravati University.

(2) Letter dated 25 August 2006 from Shri Dilip Ingole and other nine members of the Management Council, SGB Amravati University,

(3) Letter No. P-100/2006/147, dated 12 September 2006 from Vice-Chancellor, SGB Amravati University.

(4) Letter No. RAJABH/AU/6437/(39/07)/UNI-1, dated 29 March 2007, from Desk Officer, H & TED, Mantralaya, Mumbai.

(5) Letter No. RAJABH/AU/6437/(39/07)/UNI-1, dated 26 February 2008, from Section Officer, H & TED, Mantralaya, Mumbai.

(6) Letter No. RAJABH/AU/6437/(39/07)/UNI-1, dated 22 May 2008, from Additional Chief Secretary, H & TED, Mantralaya, Mumbai – 400032

(7) Letter dated 22 May 2008, from the Vice-Chancellor, SGB Amravati University.

(8) Letter dated 22 August 2008, from Dr. S.S. Dhote, member, Management Council, SGB Amravati University.

Dr. (Smt.) Kamal Singh, Vice-Chancellor, Sant Gadge Baba Amravati University, vide her letters dated 14 August, 2006 and 12 September, 2006 has submitted a reference to me under Section 14(6) of the Maharashtra Universities Act, 1994 (hereinafter referred as "Act") requesting to :-

i) restore the provision in para 3 of the Direction No. 9 of 2006 dated 13 April 2006.

ii) allow the continuation of the ongoing selection process for the selection and appointment to the post of Registrar as per the advertisement dated 15 April 2006, and

iii) quash the Resolution passed by the Management Council vide items No. 89(A) and 220 in the agendas of its meetings held on 7 June 2006 and 8 August 2006 respectively.

Shri. Dilip Ingole and other 9 members of the Management Council, SGB Amravati University have requested me to grant an opportunity of hearing before taking any decision in the matter.

2. The Section 14(6) of the Act, is as under :-

"The Vice Chancellor may defer implementation of a decision taken or a resolution passed by any authority, body or committee of the University if, he is of the opinion that the same is not consistent with the provision of the Act, Statutes, Ordinance or Regulations or that such decisions or resolution is not in the interest of the University and at the earliest opportunity refer it back to the authority, body or committee concerned for reconsideration in its next meeting with reasons to be recorded in writing. If differences persist, he shall within a week, giving reasons submit it to the Chancellor for decision and to inform about having done so to the members of the authority, body or committee concerned. After receipt of the decision of the Chancellor, the Vice-Chancellor shall take action as directed by the Chancellor and inform the authority that authority, body or

committee concerned accordingly."

3. The facts in brief, as reported by the Vice Chancellor are as under:-

The draft advertisement placed before the Vice Chancellor in March 2006 for the post of Registrar had following qualification of Computer skill:-

"iii) Certificate in Computer Operation prescribed by the Director of Information Technology, Government of Maharashtra or Certificate of D.O.E.A.C. Societies. "C.C.C." or "O" Level or "A" Level or "B" Level or "C" Level or MS-CIT or GECT Certificate of Maharashtra State, Higher & Technical / Education Board."

However, the qualification at (iii) shall be exempted to the departmental candidate of Sant Gadge Baba Amravati University, who have passed the prescribed Computer Skill Test of the respective level, conducted by the University."

However, the advertisement published by the University in January 2006 to fill the post of University Librarian having the equal status of the post of Registrar did not have the qualification of Computer Skill. Therefore the Vice-Chancellor asked for the documentary substantiation to such discrimination. The background of prescribing Computer Skill is as under:-

The Executive Council at its meeting held on 4 November 1991 vide Item No. 207 had resolved to make obligatory for the promotees and nominees in Class I & II during the period of probation to become Computer literate and to qualify Skill Test of the supervisory level. While vide Item No. 208, the Executive Council resolved to make obligatory Computer Skill test for the promotees and nominees of class III during the period of probation.

The Management Council at its meeting held on 24 July 2003 resolved to incorporate additional qualifications regarding Computer Operation Knowledge in the recruitment rules of Class I, II, and III posts.

The University received a letter No. संकिर्ण/1103/(4/03) UNI-2 dated 27 February 2003 from the State Government in Higher & Technical Education Department, informing to take suitable action as per the State Government in General Administrative Departments Circular No. SRV-2002/1220/12, dated 27 November 2002 according to which minimum qualification in respect of Computer Operation mentioned in the Circular was to be incorporated in the recruitment rules of the posts of Class I, II and III. Accordingly, the Vice-Chancellor, SGB Amravati University issued a Direction No. 5/2004, on 12 February 2004 to the effect that in addition to the qualifications prescribed for the posts of Class I, II and III, they should possess the following qualification of Computer Operation:-

"A certificate in Computer Operation prescribed by the Directorate of Information Technology, Government of Maharashtra from time to time.

OR

Certificate of D.O.E.A.C. Societies "C.C.C." or "O" Level or "A" Level or "C" Level or MS-CIT or GECT Certificate of Maharashtra State Higher & Technical Education Board."

The Management Council at its meeting held on 11 March 2005 resolved to exempt the departmental candidates who have passed the prescribed Computer Skill test of the respective level conducted for the purpose by the University earlier. Accordingly the Vice Chancellor issued a Direction No.3/2006, on 14 March 2006.

After study of the relevant decisions of the Management Council and resultant directions the Vice Chancellor felt that intention of the present Management Council does not stand the test of consistency of policy, commitment to the standard and the open and equal opportunities to all the aspirants/applicants for the post of Registrar and therefore issued a Direction No. 9 of 2006 under Section 14(8) of the Act on 13 April 2006 saying that provisions made under Direction Nos. 5/2004 and 3/2006 need not be complied by the candidate while making an application to the post of Registrar of the University. Accordingly the University published an advertisement on 15 April 2006. Inviting applications for the post of Registrar. In the advertisement the University has not put a condition of having additional qualification of computer knowledge for any candidate i.e. outside or department candidate.



When the Direction No. 9/2006 was placed before the Management Council at its meeting held on 7 June 2006 under Section 14(8) of the Act, for its approval, the Management Council passed a Resolution disapproving the Direction 9/2006 and canceling the advertisement dated 15 April 2006 published for the post of Registrar and also entire action on the same and further to start the recruitment process afresh of the post of the Registrar with the additional qualification prescribed in Direction Nos. 5/2004 and 3/2006. As the Vice-Chancellor came to conclusion that the decision of the Management Council was against the provisions of the Act and the Statutes and also not in the interest of the University, she referred back the matter to the Management Council with reasons recorded in writing under Section 14(6) of the Act for reconsideration. However, at its meeting held on 8 August 2006, the Management Council resolved to adhere to its decision taken in its meeting held on 7 June 2006. As the difference between the Vice-Chancellor and Management persisted, the Vice-chancellor has submitted the matter to the decision of the Chancellor under Section 14(6) of the Act.

4. The Section officer, Higher & Technical Education Department vide letter dated 26 February 2008, has further informed that as per GAD's G.R. dated 2 September 2003, the qualification of Computer Knowledge is not applicable to the officers and employees of 50 years of age and above. If the officers/employees who are being newly appointed do not possess the prescribed qualification of Computer Knowledge at the time of their appointments, they are required to acquire the said qualification within 2 years of their appointments. Otherwise their services will be terminated. Considering this, it is not mandatory of possessing the said Computer qualification at the time of appointment.

5. I invited Dr.(Smt.) Kamal Singh and 10 members of the Management Council of the SGB Amravati University viz Shri. Dilip Ingole, Dr.D.S. Dhote, Dr.P.R. Somawanshi, Dr. S.V. Choudhary, Smt. Kanchanmala K. Gawande Patil, Prof. J.P. Kaware, Dr.(Smt.) S.S. Deshmukh, Prof. D.G. Gudadhe, Prof. P.N. Mulkalwar and Shri Prashant Daware for the hearing on 22 May 2008. I also asked Smt. Joycee Shankaran, Additional Chief Secretary, H & TED to remain present at the time of hearing. Accordingly except Shri. Dilip Ingole, Dr. P.R. Somawanshi and Shri Prashant Daware all other appeared before me.

6. During the hearing, Smt. Joycee Shankaran, Additional Chief Secretary, Dr. (Smt.) Kamal Singh, Vice-Chancellor, SGB Amravati University and two Management Council members viz Dr. D.S. Dhote and Dr. N.Y. Choudhary presented their oral as well as written submissions.

**Dr. Dhote** submitted that incorporation of qualification of Computer Operation by the Management Council is based on the prospective needs and rational of policy of U.G.C. , State of Maharashtra and University and therefore resolutions passed by the Management Council in this regard on 7 June 2006 and 8 August 2006, are well reasoned. As such, the Direction No. 9/2006 is defective and he therefore solicited to maintain the said decision of the Management Council.

**Dr. Choudhary** submitted that the qualification of Computer Operation is applicable to all the posts in the University. He further said that they were not aware of the reasons for excluding the post of Registrar from having the said qualification.

**Dr. (Smt.) Kamal Singh Vice-Chancellor** submitted that she has made written submission vide her letter dated 14 August 2006. She further submitted that she excluded that post of Registrar from having the qualification of Computer Operation mainly for two reasons viz (i) the advertisement published earlier for the post of Librarian did not have the said qualification and (ii) UGC guidelines do not mention of such qualification. However, she is in favor of everybody acquiring the Computer Knowledge and all Officers and employees of the University. She was not aware of the GAD's Government Resolutions dated 19 March 2003 and 2 September 2003.

**Smt. Joycee Shankaran, addl. Chief Secretary to the Government** submitted that Govt. in GAD has issued the circular dated 27 November 2002, making the knowledge of Computer and training compulsory to the Govt. Servants in the cadres of A.B and C. Accordingly, all the Universities were instructed vide Govt letter dated 27 February 2003, to amend their Service Condition Rules accordingly.

She also submitted that under Section 10(4) of the Act, the Registrar is one of the Officer of the University. **Section 17(3) of the Act contemplates that the qualification and experience for the purpose of selection of the Registrar shall be as laid down by University Grants Commission and approved by the State Government.** However, Section 8 of the Act is regarding control of State Government. Section 8(3) empowers the State Government to prescribe the Standard code providing therein other conditions of the service of the Officers, Teachers and other employees of the University. Provision of the Section 8 and 17(3) together empowers the State Government to prescribe additional qualifications even in respect of the post of Registrar. **Accordingly the stand taken by the Management Council in this background can be said to be in consistence with the provisions of the Act.**

She also submitted that Government employees above 50 years of age have been exempted from the knowledge of handling of computer and training vide General Administration Department Resolution dated 2 September 2003. Further in accordance with General Administration Department Government Resolution dated 17 March 2003, it is also not compulsory to acquire this knowledge at the time of appointment on the post but the employee can acquire this qualification within two years after his appointment. **She also submitted that it is not correct to say that they were not aware of the Govt. Circulars issued from time to time and the Vice-Chancellor could have sorted out the matter at Govt. level.**

Dr. (Smt.) Kamal Singh, Vice-Chancellor submitted that she could have taken up the matter with Government. However, in view of the dispute between her and Management Council, she has referred the matter to the Chancellor for decision as envisaged under section 14(6) of the Act. She submitted that the post was being advertised at national level and as MS-CIT is limited to the Maharashtra, people of other States will be deprived from applying and getting selected. An aggrieved person might prefer legal remedy as no such conditions are put while selection of Registrar in other Universities of Maharashtra. **Therefore it would be left with the Selection Committee to give preference and the Committee should exercise its wisdom for selection. She also said that use of Computer is of much importance than mere getting a Certificate.**

7. The State Government in Higher & Technical Education Department has prescribed Maharashtra Non-Agricultural Universities and Affiliated Colleges Standard Code (terms and conditions of service of non-teaching employees) Rules, 1984 ; Further State Government has also prescribed Maharashtra Non-Agricultural Universities Standard Code (Revised Pay, Appointment and Recruitment of Administrative Officer) Rules, 1991. Later the State Government by Notification dated 3 May 2000 has incorporated revised Recruitment Rules for the post of the Registrar in the Rules of 1991.

**8. I have carefully considered the written as well as oral submissions of the addl. Chief Secretary to the Government, Vice-chancellor SGB Amravati University and of the Management Council members referred to above in the light of facts on record and find that the action of the Vice-Chancellor to issue Direction No. 9/2006 to exclude the post of Registrar is not convincing.** As indicated by the Additional Chief Secretary and agreed by the Vice-Chancellor at the time of hearing, it would have been appropriate that the Vice-Chancellor could have got the matter resolved at Government level. Considering the fact that some Universities have not received the Government Resolutions dated 19 March 2003 and 2 September 2003, the State Government needs to ensure that the required Government Orders reach all the Universities. **The Universities are expected to follow the Orders relating to the service matters of the employees issued by the State Government from time to time.**

9. I. S. C. Jamir, the Chancellor of the SGB Amravati University, therefore, in exercise of the powers conferred upon me under Section 14(6) of the Act, direct the Vice-Chancellor, SGB Amravati University to take up the matter with the State Government.

**S.C.Jamir**  
Chancellor

Sant Gadge Baba Amravati University

**UNIVERSITY GRANTS COMMISSION : Bahadurshah Zafar Marg,  
New Delhi-110 002 : Fax No. 0721-222546531**

No. F.13-42(Bombay/Nagpur)2006/(Legal) : 20th August, 2008 : By Speed Post court case

Sh.S.K.Mishra,  
Advocate, 27, Vidhyanchal, Dubey Layout, Jaitala Road, Nagpur- 16 (MH)

**Subject :-** WP No. 4266/2006 titled as Bhupesh Mude Vs. UOI & Ors. regarding Mungeker Committee on NET.  
Sir,

Apropos telephonic discussion with you today with reference to court case cited above, a letter of even number dated 19.08.2008 alongwith comments of the UGC on Report has been sent to Sh. R. Chakravarty, Deputy Secretary, Govt. of India, Ministry of HRD, New Delhi (**copy enclosed**).

This is for your information and necessary action.

Yours faithfully,  
**(Hari Pawar)**  
Section officer

Encl : As above

**UNIVERSITY GRANTS COMMISSION : Bahadurshah Zafar Marg,  
New Delhi-110 002 : No. F.13-42(Bombay/Nagpur)2006/(Legal)**

19th August, 2008 : Court case by hand

Sh.R. chakravarty,  
Deputy Secretary (UGC) Government of India, Ministry of Human Resource Development,  
Department of Higher Education, Shastri Bhawan, New Delhi - 110 001.

**Subject :-** Regarding follow up action on the report of the Review Committee on National Eligibility Test of the UGC.

Sir,

Kindly have the reference to D.O Letter No. F3-3/2008-U.1 (A) dated 10th July, 2008. I am directed to inform you that keeping in view the reference received from MHRD department of Higher Education, Govt. of India vide D.O. letter No. F-5-4/2005-U.1(A) dated 21.02.2008, the final report of the review committee on National Eligibility test of UGC submitted by Prof. Bhalchandra Mungekar, Chairman of the Committee and Member planning Commission, has been considered by the Commission in its 449th meeting held on 21.07.2008 and the Commission resolved as under :-

1. NET/SLET or Ph.D. shall remain the minimum eligibility condition for recruitment of lectures in Universities/ Colleges/institutions.

2. The Candidates, who are already registered for M.phil and complete the same upto 30th June, 2009, be exempted from NET for UG teaching. However, NET/SLET shall be compulsory for the candidates competing their M.Phil on or before 1st July 2009.

3. All the Universities shall be required to follow new procedure of standardization of Ph.D. By 30th June 2009 for which UGC shall issue Regulation within three months.

4. The following guidelines may be kept in view while formulating Regulation for 3 (above).

Further the Commission also approved the guidelines for M.Phil and Ph.D. programme for Universities and other Universities. A copy of **decision of the Commission dated 21.07.2008 on the above issues is enclosed** for information and necessary action.

Yours faithfully,  
**(Mrs. Satinder Varma)**  
Under Secretary

Encl : As above

**Extracts taken from the Minutes of 449 th meeting  
of the UGC held on 21.07.2008**

6.04 To consider the final report of the NET Review Committee headed by Dr. B.L.Mungekar and the reports of UGC pay Review Committee and the Empowered Committee for strengthening of Basic Science Research.

The Commission considered the final reports of NET Review Committee headed by Prof. B.L.Mungakar and reports of the Empowered Committee for strengthening of Basic Science Research and UGC pay Review Committee and resolved as under :

(A) 1. NET/SLET or Ph.D. shall remain the minimum eligibility condition for recruitment of lecturers in Universities/Colleges/Institutions.

2. The candidates, who are already registered for M.Phil and complete the same upto 30th June, 2009 be exempted from NET for UG teaching. However, NET/SLET shall be compulsory for the candidates completing their M.Phil. on or after 1st July 2009.

3. All the Universities shall be required to follow new procedure of standardization of Ph.D. by 30th June, 2009

for which UGC shall issue regulations within three months.

4. The Following guidelines may be kept in view while formulating regulations for (3) above.

**Guidelines for M.Phil/Ph.D. Programme for Universities and other institutions**

Institutions eligible for conducting M.Phil./Ph.D. programmes

All universities and Colleges/Institutions of national importance except an open University and distance Education mode in any University. In this regard, separate Regulations shall be issued for M.Phil/Ph.D in open University and distance Education mode in Universities.

**Eligibility Criteria for Ph.D. Supervisor**

1. Institutions should lay down the criteria for the faculty to be a Ph.D. supervisor.

2. Institutions should lay down and decide, on annual

basis predetermined and manageable number of doctoral students depending on the number of the available eligible faculty supervisors. A supervisor should not have, at any given point of time more than six to eight Ph.D. Scholars.

3. The number of seats for Ph.D. should be decided well in advance and notified in the University website or advertisement. Institutions should widely advertise the number of available seats for Ph.D. studies and conduct admission on regular basis.

#### Procedure for admission

1. Institution should admit doctoral students through Entrance Test conducted at the level of individual institutions. The University may decide separate terms and conditions for those students who qualify UGC/CSIR (JRF) Examination or teacher fellowship holder or have passed M.Phil programme. It should be followed by an interview to be organized by the school/Department/Institution/University. On the predetermined number of students may be admitted to Ph.D. programme.

2. The admission to the Ph.D. programme would be either directly or through M.Phil programme.

#### Allocation of supervisor

The allocation of the supervisor for a selected students will be decided by the Department in a formal manner depending on the number of students per faculty member, the available specialization among the faculty supervisors, and the chosen topic of research by the student. The allotment/allocation of supervisor should not be left to the individual student or teacher.

#### Course work

On going admitted, each M.Phil/Ph.D. student will be required by the institution/University to undertake course work for a maximum of two semesters. The course work should be treated as pre-Ph.D. preparation and must include a course on research methodology. The individual institution, University will decide the minimum qualifying requirement for allowing a student to proceed further for writing the dissertation.

#### Evaluation and Assessment methods

1. On satisfactory completion of course work and research methodology which will form part and parcel of M.Phil/Ph.D. programme, the Ph.D. scholar will undertake research work and produce a draft thesis in reasonable time.

2. Before submitting the thesis, the student may make a pre-Ph.D. presentation in the Department, open to all faculty members and research students, for getting feedback and comments, which may be suitably incorporated into the draft thesis under the advice of the supervisor.

3. The thesis produced by the Ph.D. students in the Institutions/Department and submitted to the University will be evaluated by two or three experts, out of which at least one will be from outside the State. It is upto the University concerned to have examiner from outside the country.

4. On receipt of satisfactory evaluation reports Ph.D. students will under go a viva voce examination which will also be open to all faculty members of the Department.

#### Depository with UGC

1. Following the successful completion of the evaluation process and announcement of the award of Ph.D. the University will submit a soft copy of the Ph.D. thesis to the UGC for hosting the same in INFLIBNET accessible to all Institutions/Universities.

2. The degree awarding institution/University will issue a certificate incorporating the afore mentioned conditionality to the (non-NET/SLET) awardees who will, in turn enclose a copy of the same alongwith other testimonials while applying for the post of lecturer in a University or College/Institution.

Action : JS-PS

(B) The Mungekar's Committee made the following major recommendations for improving the existing NET examination.

1. A committee will be constituted to revise the syllabus of paper-1 so that it is made more general in nature with equal weightage to various disciplines.

2. The Committee shall also look into the revision of syllabi of paper-II and Paper - III

3. A Committee would be constituted by UGC to restructure paper I, II and III on the pattern suggested by Mungekar Committee.

4. Necessary steps will be taken to publish the reference book.

5. The UGC provide financial assistance to certain universities and institutions for holding coaching classes for NET for the benefit of candidates belonging to SC/ST and minorities. Mungekar Committee recommended to strengthen this scheme and other under privileged groups will also be included among the beneficiaries of this scheme.

6. The UGC would constitute a separate SET Review Committee to review the requirement of and the standards of the SET across the country. The UGC would also lend adequate support to the SETs in terms of technical expertise so that State Eligibility Test continues to maintain the standards equivalent to NET in case they are accredited by the UGC.

7. UGC - NET Bureau may be converted into an independent autonomous institute on the lines of inter University Center in order to perform its functions effectively. The Bureau should have a full fledged Computer Centre with adequate technical personnel including programmers for processing of application, tabulation, analysis and preparation of data etc.

8. UGC will develop a strong resource centre with specialized personnel in the field of library science in the NET bureau to manage the centre along professional lines.

The Commission approved these recommendations, in principle, and authorized the chairman to constitute committees for operationalising the same and also for detailed examination of recommendation in respect of Sr.No. 7 above.

**Note :-** The Proof of Para 2 of Letter Dated 19.08.2008 is carefully checked from the original - **Editor**.

*I have carefully considered the written as well as oral submissions of the addl. Chief Secretary to the Government, Vice-chancellor SGB Amravati University and of the Management Council members referred to above in the light of facts on record and find that the action of the Vice-Chancellor to issue Direction No. 9/2006 to exclude the post of Registrar is not convincing.*

- Chancellor, Sant Gadge Baba Amravati University. See Para 8 of the Order Dated 9th July 2008

# The All India State Govt. Employees Federation (AISGEF) On 6 th Central Pay Commission's recommendations Press Communiqué

The All India State Govt. Employees Federation issued the following Press Communiqué regarding the submission of the 6th Central Pay Commission's recommendations to the Union Government on 24 March 2008.

## 6th Central Pay Commission's Recommendations A Shamelessly Pro-IAS Report

The 6th Central Pay Commission's recommendations was submitted to Govt yesterday has a distinct pro-IAS bias. Though the Commission reduced the scales to 20 with running pay band and claimed 1:12 lowest to highest pay ratio, the biggest beneficiaries will be officers of Joint Secretary and above levels. The benefits for other categories of employees will be nominal.

As Justice Srikrishna, Chairman of the Commission, explained yesterday, "The officers of the private sector enjoy better salary than those in the Govt. service. Other discrepancies also exist. So, considering all aspects, we have prepared the Report." Thus the higher level would not only get very fat scale, incentive for enhanced increment has also been recommended for better performance.

This announcement gives the direction of the recommendations. While the media has claimed that the benefits will range from 40 to 60% pay hike, in practice it is unreal to the lower category of employees. The wild discrimination between the IAS grade officials and the lower grade employees is apparent from the recommendations that while the lowest category will get Rs. 4,440 and with a grade pay of Rs. 1,300 get a total of Rs. 5,740 the highest pay for the IAS category has been pegged at as huge as Rs. 90,000. The pay hike for the lower rung employees is entirely deceptive. If we calculate that the present pay of Rs. 2550 plus 74% of D.A. comes to Rs. 4437 rounded off to Rs. 4400/- by the Pay Commission. Thus where is the pay hike for the Group-D employees? But in case of high officials like Army Chiefs and the IAS Principal Secretaries, their basic pay will jump from Rs. 30,000 at present to Rs. 90,000. Similar is the situation for all IAS category officers. Thus the ratio between lowest and highest benefit comes to approx. 1:18 and not at all 1:12, as claimed by the Commission. But group-D employees have been recommended to be absorbed in Class III category who are qualified for it, others would get a different scale which would vanish after these categories of employees retire from service. Moreover, since Group-D category will be essential for certain types of Govt. work, the Commission has left it to the Govt. to go for contract in recruitment. This is most unfair. In reality, the claim for reducing the disparity between the lowest and highest category is nothing but a hoax. Moreover, in others posts also including some higher posts, the Commission favors contract appointment. The fitment formula recommended by the Commission is also complicated and discriminatory for lower category of staff. But the most obnoxious part of the recommendations is

that the Commission has suggested that the Govt offices should remain closed on three national holidays only, viz. January 26, August 15 and October 2 and other gazetted holidays to be abolished. The new system should have eight restricted holidays in a year. In this connection, one should recall the proposal contained in the pre-budget Economic Survey 2007-08 for 12 hours working day instead of present 8 hours. This suggestion for imposition of more working hours is nothing but erasing the meager financial benefits proposed by the Commission for lower rungs of employees by increasing the working days.

AISGEF sharply criticizes these recommendations as elite biased and highly discriminatory for the common employees.

The Commission has suggested abolition of CGHS for the new recruits and the new retirees and a much inferior new Medical Insurance scheme has been recommended for them.

The Commission makes fun of the pensioners by suggesting 100% of last pay drawn as pension for who would attain 100 years of age! This is really a cruel joke for the employees demand for full last pay drawn as pension.

For married women employees, the Commission has, however, suggested increases of maternity leave to 180 days from the present 120 days. Finally, for this fiscal year, the total expenditure by the Govt has been calculated to be Rs. 7,975/- crore only. That too major part will be spent for the highest officials. What will the ordinary employees get? Only deception?

We have noted that the Sixth Central Pay Commission in its recommendations submitted to Government has not accepted the anti-employee New Pension Scheme formulated by the Central Govt. This is a victory of the three year long sustained national level massive struggle of the Govt. employees and teachers of the country including our countrywide strike and mass deputation to Parliament.

But the Sixth Central Pay Commission has disappointed us that the Commission has not recommended extending the same Pensionary benefits to the new entrants who joined service on or after 01-01-2004. We urge upon the Govt. that it is high time, the Central Govt. implement the same Pensionary benefits for the new entrants also to remove the grave injustice done to these new employees through the New Pension Scheme, and simultaneously we urge the Govt. to totally abandon for good their pet anti-employee New Pension Scheme. Govt. must modify the recommendations in consultation with the employees' Associations so as to end the grave discrimination of benefits inherent in the Commission's Report with the objective to do justice to the common employees.

SUKOMAL SEN

General Secretary, AISGEF

(Courtesy "Teachers of the world" July-Sept 2008)

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