

# NUTA

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‘नुटा बुलेटीन’  
रौप्य महोत्सवी विशेषांक मालिका

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विशेषांक दहावा

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महत्वपूर्ण दस्ताऐवज  
विशेषांक

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‘नुटा बुलेटीन’ रौप्य महोत्सवी विशेषांक मालिकेतील आजचा हा दहावा विशेषांक.  
शिक्षकांच्या व्यावसायिक जिवनाशी व संघटनात्मक कामकाजाशी संबंधित  
महत्वपूर्ण दस्तऐवज या अंकामध्ये प्रसृत  
करण्यात आले आहेत.

प्रा. अनिल सोमवंशी, मुख्य संपादक

प्रा. सुभाष गवई, संपादक :

: प्रा.सुशील काळमेघ, प्रकाशक



## ‘नुटा बुलेटीन’ रौप्य महोत्सवी विशेषांक मालिका

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(1)

**CONSENSUS NO.1 : 23.4.1977****Consensus Reached in the Discussions of the Representatives Of the Maharashtra Federation of University And College Teachers Organisations With the Chief Minister of Maharashtra****On behalf of Government**

1. Chief Minister in the Chair
2. Minister for Finance
3. Minister for Education
4. Secretary, Finance Department
5. Secretary, Education Department
6. Deputy Secretary, Education Department

**On behalf of M.F.U.C.T.O.**

1. Shri L.B. Keny, President
2. Shri V.B. Kamath
3. Shri K.K. Theckedath and other Executive Committee Members as per list attached.

**1. Implementation of U.G.C. Recommended scales of pay.** In this connection, the discussion mainly centred round the following points :-

- i) Educational qualifications
- ii) Work load,
- iii) Vacation; and
- iv) Remuneration for examination work.

i) As regards educational qualifications, the main argument of the Federation was that in the statement made by the Minister for Education on the floor of the Assembly on 4th April, 1975, the Government had categorically given a commitment to the effect that the U.G.C. scales will be implemented as they are, in respect of those already in service who had the qualifications laid down by the respective Universities. The Government should stick to this commitment given on the floor of the House.

**The Chief Minister said that he did not see any difficulty in accepting this.**

ii) **Work Load :-** As regards the work load, the Sen Committee made certain recommendations. The U.G.C. considered the matter thereafter and made its recommendations which have been reproduced in the Government of India letter dated 16.1.1975. It was agreed that within the parameters laid down by these authorities, the actual work load, (including hours of class room instruction, number of hours for which teachers should be present on the premises of the College University and other cognate details) will be finally decided upon after consultation with the Universities and also after consultation with the representatives of M.F.U.C.T.O.

iii) **Vacation :** It was noted that the condition regarding vacation which had been introduced in the Government Resolution of 4th October, 1975 had not been recommended by the Government of India. It was a condition laid down by the State Government on its own. In this connection, M.F.U.C.T.O. invited attention to the recommendations made by the Kothari Commission. It was agreed that in the light of these recommendations, the final decision should be taken by the State Government.

iv) **Examination Remuneration :** In this regard, the U.G.C. and the Government of India had recommended that no remuneration will be payable in respect of examinations held by the institutions concerned. The State Government had, however, changed this in the Government Resolution of 4th October, 1975 to the effect that no remuneration will be payable for examination work in any University/College within the state. Subsequently, the State Government had relaxed this and agreed that remuneration may be paid for examination work undertaken by a teacher from a University other than the University within whose jurisdiction that teacher was working. The M.F.U.C.T.O. invited attention

in this connection to the Sen Committees' recommendations. It was agreed that the final decision in this behalf will be taken by the State Government after further examination of the issue in the light of the views expressed by the M.F.U.C.T.O.

**2. Clearance of accumulated arrears regarding pay and allowances** of teaching and non-teaching staff of non-Government affiliated Colleges in the State and enforcement of a scheme or institutionalised arrangement for securing prompt and full payment of the said staff.

The M.F.U.C.T.O. invited attention in this connection to what the Minister for Education had said in her statement on the 4th April, 1975 on the floor of the Assembly. The relevant portion of the statement is as follows :-

"Government feels that College Teachers should get their pay in full and on due dates. Government also agree in principle that college teachers should get their salaries by cheques to be issued by the Management. It will be the endeavour of Government to see that the Management actually translate this proposal in practice with a view to ensuring full and timely payment to college teachers".

In her further statement made on 5.4.1975, the Minister for Education had stated as follows :-

"I have categorically promised to ensure that private managements pay the salaries regularly and for full amounts through cheques".

It was agreed that to fulfil these commitments made by Government, a suitable scheme to ensure prompt and full payment of salaries of the teaching and non-teaching staff of non-Government affiliated colleges will be evolved after consultation with the Managements of Colleges and the M.F.U.C.T.O. The scheme will be finalised before the end of June, 1977.

As regards accumulated arrears of pay and allowances, the Chief Minister assured that Government will examine the question of giving further adhoc assistance to the colleges so that these arrears could be cleared as early as possible.

**3. Retrenchment cases of 1975.**

It was noted that the main reason why these cases (of 116 retrenched teachers) have remained pending is that there is no legally constituted machinery to redress the grievances of the teaching and non-teaching staff of non-Government affiliated Colleges regarding their service conditions. It was agreed that this lacuna will be removed by a suitable amendment of the University Acts. The Chief Minister, however, observed that while undertaking this amendment, it ought to be ensured that the legal process does not become lengthy and dilatory and that the cases of disputes are settled promptly and, in any case, within a period of 2 months. The details of the amendment will be speedily worked out.

**4. Cases of teachers rendered surplus or absorbed in Junior College classes** owing to the implementation of the +2 pattern.

The main cases referred to in this connection were those in regard to PI category teachers who had been fully absorbed at the Junior College level on the basis of the option given by them to that effect. It was noted that, as against these teachers, the teachers who had not given any option but had been rendered fully surplus at both the College level and at the Junior College level, had been continued at the college level in their respective colleges.

This had put the PI category teachers who had given an option to be absorbed at the Junior College level (in their

(2)

**CONSENSUS NO.2 : SIGNED ON 15.7.1977****Consensus reached in the discussions of the representatives of the Maharashtra Federation of University and College Teachers' Organisations with the Chief Minister of Maharashtra on 4th June 1977, and subsequent meeting held on 8th July 1977.**

Following were present on 4th June, 1977;

**ON BEHALF OF GOVERNMENT**

1. Chief Minister in the Chair,
2. Minister for Education
3. Minister of State for Education
4. Secretary, Education & Youth Services Department
5. Director of Higher Education and Youth Services Department.
6. Deputy Secretaries, Education and Youth Services Department.

**VICE-CHANCELLORS**

1. Shri D.Y. Gohokar, Vice Chancellor, Nagpur University
2. Shri D.A.Dabholkar, Vice Chancellor, Poone University
3. Shri P.G.Patil, Vice Chancellor, Shivaji University
4. Smt. Madhuriben Shah, Vice Chancellor, S.N.D.T. University
5. Shri Ram Joshi, Vice Chancellor, Bombay University

respective colleges) to a disadvantage. It was decided that relevant information relating to such PI category teachers who had given option in favour of absorption at the Junior College level in their respective colleges should be collected and it should be ensured that they are not put to any disadvantage including the matter of getting the benefit of revised U.G.C. scales merely on account of their having exercised an option in favour of absorption at the Junior College level in their respective colleges.

5. It was agreed that the following issues will also be thrashed out :-

- a) Problem of surplus part time teachers;
- b) Common cadre of teachers in Junior Colleges and Degree Colleges as on 15.7.1976.
- c) Upgradation of demonstrators (college and University)
- d) Norms for strength of classes and Divisions; and
- e) Code of Conduct.

It was agreed that all the issues mentioned in the preceding five paragraphs will be thrashed out and final decisions will be taken by Government on or before 30th June, 1977.

6. As regards some of the remaining issues (like the revised scales of pay for Librarians, Directors of Physical Education and Method Masters and certain other categories of College personnel in other faculties, and others) these would be further discussed with the representatives of the M.F.U.C.T.O. in due course, with a view to arriving at an amicable settlement.

Sd./- L.B. Kenny                      Sd/-V.B. Kamath  
President, MFUCTO                      Treasurer, MFUCTO

Sd/- K.K. Theekedath      Gen. Secretary, MFUCTO

D.M. Sukthankar 23-4-77  
Secretary, E&Y.S.D. Government of Maharashtra

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**ON BEHALF OF M.F.U.C.T.O.**

1. Shri L.B. Kenny, President
2. Smt. Nalini Tarlekar, Vice-President
3. Shri K.K. Theekerdath, Secretary  
& Other Executive Committee Members and Shri. V.B. Kamath on 8th July, 1977.

2. The discussions mainly centred round the four points and the detailed issues relating thereto mentioned in the note circulated by the Education & Youth Services Department while pending further consideration of some of the aspects relating thereto full consensus could not be reached on the point relating to "Work Load". Consensus was reached on the remaining three points, namely "Size of a Class", "Vacation" and "Remuneration for Examination Work" and the same has been recorded below :-

**(I) SIZE OF A CLASS :-**

The existing stipulation of the different Universities in regard to the maximum strength of students in a class (upto the first degree level) were noted. It was agreed in principle that a class of a large size with more than 100 students was not conducive to attainment of higher academic standards and that the size of a class will have to be progressively reduced to 60 students so as to improve the student-teacher ratio. As a first step towards the attainment of this ideal, it was agreed that the maximum strength of students in a class upto the first degree level of the new three-year degree course in college affiliated to the Bombay, Poona, Shivaji and S.N.D.T. Women's Universities should be 100 students; the University authorities may however, in their discretion authorise the heads of Colleges to exceed this limit of 100 students by 10 (i.e. upto 110 students in a class). In exceptional cases where there are compelling circumstances, the University authorities may permit admission of a few more students (in any case not more than five) in a class even in excess of 110.

So far as the Marathwada and Nagpur Universities are concerned, it was agreed that the status quo should be maintained (i.e. the maximum size of a class shall be 80 students with powers to the University authorities to allow, in their discretion, admissions of students in excess of this limit).

**(II) VACATION**

It was agreed that the following illustrative calendar for an academic year, including vacation recommended by the Kothari Commission should be accepted and the non-Agricultural Universities in the State should be requested to adopt and implement the same from the current academic year 1977-78:

**FIRST WORKING TERM**

Jun. 20 to November 5                      ...                      139 days

**FIRST VACATION**

November 6 to December 5                      ...                      30 days

**SECOND WORKING TERM**

December 6 to April 20                      ...                      136 days

**SECOND VACATION**

April 21 to June 19                      ...                      60 days

As regards the utilisation of vacation it was agreed to leave it to the good sense of the teaching community to accept voluntarily, as they have been so far doing, the work that may be entrusted to them by University/College.

(3)

**CONSENSUS NO.3 : 22.8.1977****Consensus reached in the discussions of the representatives of the Maharashtra Federation of University and College Teachers Organisations with the Chief Minister on 4th June 1977 and subsequent discussions held ending with 22nd August 1977.**

Consensus reached in the discussions of the representatives of the Maharashtra Federation of University and College Teachers Organisations with the Chief Minister on 4th June 1977 and subsequent discussions held ending with 22nd August 1977.

This is in continuation of the Consensus reached and signed on 15th July 1977.

**Work-load**

a) It was agreed that a teacher in an affiliated college should be present on the official premises of the college for about 20 to 24 clock hours in a week (about four clock hours per day on an average)

b) It was further agreed that out of the time that a lecturer in an affiliated college is present on the official premises of the college as mentioned in (a) above, he should devote 15 clock hours per week to classroom work, i.e. lectures, tutorials, seminars and science practicals / demonstrations. It was also agreed that the time spent on tutorial and seminar work should be considered as equal to the time spent on lecturing work, for the purpose of computing the work-load of classroom work.

c) The MFUCTO expressed the fear that this stipulation of work-load of 15 clock hours per week might result in rendering teachers surplus at the college level. The Chief Minister assured the MFUCTO that care would be taken to ensure that no teacher is rendered surplus at the college level as a result of this new work-load of 15 clock hours.

d) It was agreed that under the new three year degree course which is being introduced from the current year (1977-78), for the purpose of computing the work-load of a lecturer, the time spent on science practical/demonstrations should be considered as equal to the time spent on lecturing work. In respect of demonstrators, if any, attending to only science practicals/ demonstrations, the existing norms regarding their work-load, fixed by the University

concerned, should continue.

e) It was agreed that under the old degree course which is in the process of withering away, for the purposes of computing the work-load of a lecturer, the existing norms laid down by the University concerned should continue and status quo should prevail in respect of the ratio laid down by the University concerned for converting the time spent on science practicals/demonstrations into time spent on lecturing work. Similarly, in respect of demonstrators, if any, attending to only science practicals/ demonstrations, the existing norms regarding their work-load, fixed by the University concerned should continue.

f) It was agreed that out of the 15 clock hours to be devoted by a lecturer to classroom work as mentioned in (b) above purely lecturing work will not exceed 13 clock hours, the remaining time being spent on tutorials, seminars and science practicals/demonstrations. It was also agreed that till such time the old degree course continues, while the time spent on science practicals/ demonstrations under the old degree course will be converted into time spent on lecturing work as per the existing conversion ratio laid down by the University concerned, a lecturer will not be required to devote more than 17 clock hours per week to classroom work, i.e. lectures, tutorials, seminars and science practicals/ demonstrations.

Sd./- L.B. Kenny  
President, MFUCTO

Sd/-V.B. Kamath  
Treasurer, MFUCTO

Sd/- K.K. Theckedath Gen. Secretary, MFUCTO

D.M. Sukthankar 22-8-1977  
Secretary, E&Y.S.D. Government of Maharashtra

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**(III) REMUNERATION FOR EXAMINATION WORK :-**

It was agreed that University/College teachers would be entitled to examination remuneration only in respect of external examinations conducted by Universities. For internal assessment/home examinations being conducted by the colleges Universities at present or which may be introduced as a measure of examination reform (including the semester system), no remuneration shall be payable to the University/College teachers irrespective of the fact whether the marks obtained by a student in such internal assessment/home examinations are decided to be taken into account or not to be taken in account while declaring the final result of the student.

3. It was agreed that the authorities of the Universities should be requested to frame their relevant statutes in the light of the consensus reached as aforesaid.

Sd./- L.B. Kenny 15-7-77      Sd/-V.B. Kamath 15-7-77  
President, MFUCTO              Treasurer, MFUCTO

Sd/- K.K. Theckedath 15-7-77 Gen. Secretary, MFUCTO

D.M. Sukthankar 15-7-77  
Secretary, E&Y.S.D. Government of Maharashtra

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(4)

**MFUCTO : RESOLUTION**

**Passed in the meeting of the Executive Committee of MFUCTO, held on 28.8.77 at Bombay.**

The MFUCTO having reviewed the consensus reached between Maharashtra Federation and the Govt. of Maharashtra on 23rd April, 77 wherein it was clearly stated that the issues raised in paras 1 to 5 should be finalised on or before 30th June 1977, and having noted that none of these have been implemented, the Ex. committee of MFUCTO after due deliberations has come to the conclusion that it has no alternative other than implementing the operative part of resolution no. 1 passed at the Conference held on 6th and 7th March, 1977, taking into consideration the present situation. Accordingly the MFUCTO directs all its constituent units to go on a total boycott of all work in a phased manner commencing on 5th Sept.,. Each unit has to determine its precise date between the 5th Sept. and 19th Sept. to start the boycott in its own area. The MFUCTO directs to all its units to observe 5th Sept. as BLACK DAY.

(5)

## REPORT OF THE DELEGATION OF NUTA : 15.9.1977

The NUTA delegation consisting of, Prof. B.T. Deshmukh, President, NUTA, Prof. S.K. Kalnavat, Vice-President, NUTA, Prof. A.V. Barhate, Secretary, NUTA, Prof. D.S. Jajurley, Member of the Executive Committee, Prof. B.S. Deshmukh, Member of the Executive Committee, and Principal, G.S. Vaidya, Left for Bombay on 10th, on the invitation of the Education Minister, Shrimati Pratibhatai Patil, to have a dialogue regarding the demands of the university and college teachers.

2) The delegation met the Hon'ble Minister for Food and Civil supplies, Shri Shankarrao Gedam and the Hon'ble Minister for Education and Youth service, Shrimati Pratibhatai Patil, at the residence of the Education Minister on 11th Sept. 1977 at 3-00 P.M. Shri M.M. Lanjewar Vice Chancellor Nagpur University, Shri S.D. Bal, Director of Higher Education and Principal Dr. Shekhawat were also present and participated in the discussions between the delegation and the Government. The discussions were inconclusive.

3) On 12th and 13th there were other rounds of discussions between the delegation and the Minister for Education. The delegation also contacted several Ministers from Vidarbha area and appraised them of the situation being faced by the College teachers. On 13th evening the Education Minister told the delegation that some of the issues will have to be placed before the Cabinet. Accordingly, she requested the delegation to meet again at 2-00 P.M. on 14-9-77, after the Cabinet meeting which was held at 10-30 A.M. on 14-9-77, the Education Minister again discussed the matter in detail with the delegation at 2-00 P.M. The Secretary of Education Dept. Shri. D.M. Sukthankar, and Shri Bal, Director of Higher Education were also present. In the said meeting a document containing different assurances was prepared and signed by Shri D.M. Sukthankar, and the same was handed over to the delegation. The said document is enclosed herewith as **Appendix (A)**. The Education Minister also requested the delegation to announce the withdrawal of the agitation. But the delegation told her that the decision in the matter will be taken by the Executive Committee of NUTA, in its meeting convened on 15th September 1977

at Amravati.

The delegation expressed thanks to the Education Minister for the cooperation given by her.

Dated :- 15th Sept. 1977. (A.V. Barhate)  
Secretary, NUTA

## APPENDIX "A"

E. &amp; Y. S.D. : 14th, September 1977.

1) As assured in the course of the hearing before the High Court of Bombay on 13th September 1977, the Government Resolution sanctioning the implementation of the revised U.G.C. recommended scales of pay with effect from 1-1-1973 will be issued on or before 31st October 1977.

2) Government orders sanctioning a Scheme to ensure regular and full payment of due salary and allowances to the teaching and non-teaching staff of aided non-Government Arts, Science, Commerce and Education Colleges will also be issued on or before 30th September 1977. The Scheme contemplates the release of adhoc assistance to these Colleges of the order of their three months' salary bill, in general. The scheme also provides that, if need be, with the prior approval of Government, an adhoc assistance even in excess of three months' salary bill may be given to Colleges to fulfil the requirements of the Scheme.

3) To enable the Colleges to make latest by 10th November 1977, the payment of salary etc of their teaching and Non-teaching staff relating to the period from 1-4-1977 to 30-9-1977, orders releasing an adhoc assistance to Colleges, as mentioned in (2) above, of an aggregate amount of Rs. 2-30 crores will be issued immediately.

4) As regards arrears of salary for the period prior to 1st April, 1977, the matter will be examined separately.

Sd/-  
D.M. Sukthankar,  
Secy. E. & Y.S.D.

14-9-77

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(7)

## यु.जी.सी. वेतनश्रेणी विषयीच्या घटनाक्रमांचे तपशील

विद्यापीठ अनुदान आयोगाने ठरवून दिलेल्या वेतनश्रेणीची अंमलबजावणी करण्यासाठी महाराष्ट्र शासनाने दि. ४ ऑक्टोबर १९७५ रोजी काढलेल्या शासकीय ठरावातील (No. USG- 1174/104287-II dated 4-1075) काही अटींना महाराष्ट्र प्राध्यापक संघाने, मुंबई उच्च न्यायालयामध्ये आव्हानित केले होते. (Special Civil Application No. 2630 of 1976) मुख्यत्वेकरून पात्रतेच्या अटी, कामाचे तास, परीक्षेचे पारिश्रमिक आणि सुट्या (Vacation) या मुद्द्यांच्या बाबतीत हे प्रकरण न्यायालयात नेण्यात आले होते.

२. दि. २२-४-७७ पासून तर २२-७-७७ पावेतो महाराष्ट्र शासन व प्राध्यापकांचे प्रतिनिधी यांच्यामध्ये वेळोवेळी चर्चा व विचारविनिमय होऊन निरनिराळ्या वादग्रस्त मुद्द्यांच्या बाबतीत मतैक्य झाले असून अशा मतैक्याची तीन प्रपत्रे आतापावेतो तयार झालेली आहेत. (Consensus No. 1,2 and 3) या तीन पैकी पहिले मतैक्यपत्र यापूर्वीच प्रसूत करण्यात आले असून क्रमांक २,३ चे मतैक्यपत्र (Consensus No. 2 & 3) खाली जसेच्या तसे उधृत करित आहोत.

३. या तीनही मतैक्यपत्रांचा एकत्रीत मसुदा (Terms of Settlement) तयार करून न्यायालयामध्ये दाखल करण्यासाठी उभयपक्षांना न्यायालयाने १३-९-७७ ही तारीख दिली होती. त्याप्रमाणे मा. न्यायमूर्ती तुळजापूरकर यांच्या चेम्बरमध्ये १३ सप्टेंबर रोजी दुपारी २-४० वाजता मा. न्यायमूर्ती श्री. तुळजापूरकर यांच्यासमोर कामाला सुरुवात झाली. यावेळी शासनातर्फे शासनाचे वकील श्री. गुरशाणी, शिक्षण सचिव श्री. डी.एम. सुकथनकर व उपसचिव श्री. टेंवे हे हजर होते. प्राध्यापक संघातर्फे संघाचे कायदेपंडित श्री. मदन फडणीस, महाराष्ट्र प्राध्यापक संघाचे अध्यक्ष श्री. डॉ. केणी, सचिव श्री. ठेकेदत्त, कोषाध्यक्ष श्री कामत, नुटाचे अध्यक्ष प्रा. बी.टी. देशमुख, उपाध्यक्ष श्री. शरद कळणावत सचिव श्री. अरविंद वारहाते, प्रा. डी.एस. जाजुलें व बी.एस. देशमुख हे हजर होते.

४. सुनावणी होत असतांना वेतनश्रेणी बाबतचा जी.आर. कोणत्या तारखेच्या आत निघेल व १-१-७३ पासूनचे 'अॅरिअर्स' कोणत्या तारखेच्या आत दिले जातील याबाबत शासनाने निश्चित दिनांक ठरवून घ्यावेत अशी प्राध्यापकांतर्फे न्यायमूर्तींना विनंती करण्यात आली. त्यावर सुधारित वेतनश्रेणी बाबतचा जी.आर. ३१ ऑक्टोबर १९७७ च्या पूर्वी काढला जाईल असे आश्वासन शिक्षण सचिवांनी न्यायमूर्तींसमोर दिले.

५. नवीन वेतनश्रेणी प्रमाणे १-१-७३ पासूनचे 'अॅरिअर्स' कोणत्या तारखेपावेतो देता येतील हे एकदम आपल्याला सांगता येणार नाही असे शिक्षण सचिवांनी सांगितले. खात्याशी त्याबाबत सल्लामसलत करावी लागेल असे ते म्हणाले. यावर "ही बाब अगोदरच इतकी रेंगाळली आहे की निश्चित तारीख देता येणे किंवा काही अँडहॉक पेमेंट करता आल्यास करणे जास्त बरे "असा अभिप्राय न्यायमूर्तींनी व्यक्त केला व सल्लामसलत करून तसे ठरवून २२-९-७७ ला पुन्हा हजर होण्यास सांगण्यात आले.

६. नुटाच्या प्रतिनिधींना दि. १४-९-७७ रोजी दुपारी मा. शिक्षणमंत्र्यांना उपस्थितीत त्यांच्या चेम्बरमध्ये शिक्षण सचिवांच्या सहीने जे आश्वासनपत्र (Please see Appendix "A" on Page 86 of Bulletin) देण्यात आले. त्याच्या पहिल्या परिच्छेदात नवीन वेतनश्रेणी विषयीचा उल्लेख नमूद आहे.

७. दिनांक २२-९-७७ रोजी हा समझौता उच्च न्यायालयात दाखल करण्यात आल्यामुळे खटला मागे घेण्यात आला. १ जानेवारी ७३ पासूनच्या वाढीव पगाराची थकवाकी कीतीही असली तरी प्रत्येक शिक्षकाला ७५० रु. ऍडहॉक पेमेंट केल्या जाईल असे शिक्षण सचिवांनी सांगितले - (1977 NB P 87)

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(8)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**IN ITS CIVIL APPELLATE JURISDICTION**  
**SPECIAL CIVIL APPLICATION NO. 2630 OF 1976**

MAHARASHTRA FEDERATION OF UNIVERSITY AND COLLEGE TEACHERS' ORGANISATIONS  
 AND EIGHT OTHERS .....PETITIONERS

V/S

STATE OF MAHARASHTRA & TWELVE OTHERS ..... RESPONDENTS

**TERMS OF SETTLEMENT**

1. The State of Maharashtra agrees to incorporate the following changes in supercession of the existing clauses in the impugned Government Resolution of the Education and Youth Services Department, bearing No. USG.1174/104287-II dated 4th October 1975 :-

**ITEM No. 1**

**Clause Fo.2 of the said Order of the Government  
 Entitled "to whom applicable and date  
 of operation".**

**Clause in the Agreement :-** Paragraph 2 of G.R. dated 4th October 1975 "The revised scales are applicable to all categories of teachers mentioned in "1" above, employed by the six Universities in the State and Colleges affiliated to them in the Faculties of (i) Arts, (ii) Science (iii) Commerce, and (iv) Education. The revised scales are sanctioned with retrospective effect from 1st January 1973".

**To be modified :-** "The revised scales are applicable to all categories of teachers mentioned in "1" above, employed by six Universities in the State and Colleges affiliated to them in the Faculties of (i) Arts, (ii) Science, (iii) Commerce and (iv) Education. The revised scales are sanctioned with retrospective effect from 1st January 1973. The teachers in PI Category who had given option in favour of absorption at the Junior College level in their respective colleges, shall not be put to any disadvantage including in the matter of getting the benefit of the revised U.G.C. scales mentioned in "1" above.

**ITEM No. 2**

**Clause 6 - Qualifications**

**Clause in the Agreement :-** "The qualifications are

(6)

**नुटाच्या कार्यकारीणीचा ठराव**

दि. १५-९-७७ रोजी सकाळी ११-३० वाजता झालेल्या नुटाच्या कार्यकारीणीच्या सभेत खालील ठराव मंजूर करण्यात आला.

शासन नियंत्रित नियमित व पूर्ण पगार वाटपाच्या मा. शिक्षण मंत्र्यांनी दि. १ सप्टेंबर १९७७ रोजी घोषित केलेल्या योजनेतील दोष दूर करून ती दुरूस्त स्वरूपांत मान्य केल्यामुळे, १ एप्रिल १९७७ पासूनच्या थकित पगाराच्या निपटार्याचे मुदतबंद अभिवचन देण्यात आलेले असल्याने व त्या बरोबरच विद्यापीठ अनुदान आयोगाच्या सुधारित वेतन श्रेणी विषयीचा शासकीय ठराव दि. ३१ ऑक्टोबर १९७७ च्या पूर्वी काढला जाईल असे शासनाने उच्च न्यायालयात दिलेले आश्वासन लक्षांत घेऊन, दि. १ ऑगस्ट १९७७ पासून नागपूर विद्यापीठ शिक्षक संघाने सुरू केलेले आंदोलन शुक्रवार दि. १६-९-१९७७ पासून मागे घेण्यात येत आहे.

applicable to both existing teachers and the teachers who may be recruited hereinafter. In the case of existing teachers who do not possess the above prescribed qualifications, they will be required to acquire them within a period of five years, failing which they will not be allowed to earn future increments after the expiry of the five year period in the revised scales. The period of five years will be reckoned from 4-4-1975".

**To be modified :-** "The qualifications mentioned in (a)/(b) above are applicable to lectures/teachers who may be recruited hereafter i.e. on or after the date of this revised Government Resolution. The qualifications mentioned in (a)/(b) above are also applicable to lecturers/ teachers recruited on or after 4th October 1975 by the Universities/Colleges. Lecturers/teachers recruited by Universities/Colleges during the period commencing from 4th October 1975 till the date of this revised Government Resolution, who do not possess the qualifications mentioned in (a)/(b) above, shall have to acquire these qualifications within a period of five years from the date of this revised Government Resolution. If they are unable to do so during this period, they shall not be allowed to earn any future increment till they have satisfied this condition.

The teachers recruited on or before 3rd October, 1975 in colleges, who did not possess at the time of their initial recruitment the minimum qualifications as prescribed by the University concerned, should be required to attain the said qualifications within a period of five years from the date of this revised Government Resolution. If they are unable to do so during this period, they shall not be allowed to earn any future increment till they have satisfied this condition.

**ITEM NO. 3**

**Clause No.7 - Work load.**

**Clause in the Agreement :-** "Work Load" : Teachers in a University/College will have a work load of not less than 40 clock hours in a week. Out of these 40 hours, a minimum of 20 clock hours will have to be spent by a teacher on the official premises of the Institution for class-room work life, teaching guidance and tutorials or consultation. However, the actual number of hours to be devoted to class room work will be determined by the University. The remaining hours should be devoted to research, preparation for teaching, correction and examination work including invigilation, extra-curricular activities, administration and professional work."

**To be modified :-** WORK-LOAD : (A) Teachers in a University/College will have a work load of not less than 40 clock hours in a week.

(B) Out of these 40 clock hours mentioned in (A)

above,

(a) teacher in an affiliated college should be present on the official premises of the college for about 20 to 24 clock hours in a week (about four clock hours per day on an average);

(b) Out of the time that a lecturer in an affiliated college is present on the official premises of the college as mentioned in (a) above, he should devote 15 clock hours per week to class room work, i.e. lectures, tutorials, seminars and science-practicals/demonstrations. The time spent on tutorial and seminars work should be considered as "equal to the time spent on lecturing work, for the purpose of computing work load of class room work".

(c) Under the new three year degree course which is being introduced from the current year (1977-78) for the purpose of computing the work load of a lecturer, the time spent on science practicals/demonstrations should be considered as equal to the time spent on lecturing work. In respect of demonstrators, if any, attending to only science practicals/demonstrations, the existing norms regarding their work load fixed by the University concerned should continue.

(d) **Under the old degree course** which is in the process of withering away, for the purpose of computing the work load of a lecturer, the existing norms laid down by the University concerned should continue and status quo should prevail in respect of the ratio laid down by the University concerned for converting the time spent on science practicals/demonstrations into the time spent on lecturing work. Similarly, in respect of demonstrators, if any, attending to only science practicals/demonstrations, the existing norms regarding their work-load, fixed by the University concerned should continue.

(e) Out of the 15 clock hours to be devoted by a lecturer to class room work as mentioned in (b) above, purely lecturing work will not exceed 13 clock hours, the remaining time being spent on tutorials, seminars and science practicals/demonstrations. Till such time, the old degree course continues, while the time spent on science practicals/demonstrations under the old degree course will be converted into time spent on lecturing work as per the existing conversion ratio laid down by the University concerned, a lecturer will not be required to devote more than 17 clock hours per week to class room work, i.e. lectures, tutorials, seminars and science practicals/demonstrations.

(C) Out of 40 clock hours mentioned in (A) above, the time to be spent by a teacher in a University the actual number of hours to be devoted by him to class room work, and other cognate details, shall be as laid down by the University concerned from time to time.

#### ITEM NO. 4

##### Clause No. 8 - Vacation

**Clause in the Agreement :-** Vacation does not mean that a teacher is automatically on holidays or otherwise ceases to work for the University/College, even if required to do so and every teacher shall be expected to undertake such work, even when the University/College is not functioning, as may be assigned to him by the competent authority relevant to his duties as a teacher, whether of a curricular, cocurricular, extra-curricular or extra-mural nature, including applied or field work relative to his subject or work of the nature of social service inside or outside the area of the University/College; Provided that care is taken in assigning such work that every teacher is able to enjoy, over the year, a total of six weeks holiday whether in the area of the University/College itself or, by permission, outside it".

**To be modified :-** The following illustrative calendar for an academic year, including vacation, recommended by the Kothari Commission should be accepted and the

non-Agricultural Universities in the State should be required to adopt and implement the same from the current academic year 1977-78 :-

First Working Term :-

June 20 to November 5 .. 139 days

Second Working Term

December 6 to April 20 .. 136 days

Second Vacation

April 21 to June 19 .. 60 days

As regards the utilisation of vacation, it is left to the good sense of the teaching community to accept voluntarily, as they have been so far doing, the work that may be entrusted to them by University/College.

#### ITEM NO. 5

##### Clause II - Remuneration for examinership :

**Clause in the Agreement :-** The revised pay scales are including of an element of account of an element of account of remuneration for examination work. Consequently, the University/College teachers getting the revised scale will not be entitled to any remuneration for examination work in any university/college within the State. Failure to do examination work allotted, will be taken to mean dereliction of duty and apart from any action which the University may take, the teachers will make themselves liable to being denied the benefit of the revised scales".

**To be modified :-** University/College teachers should be entitled to examination remuneration only in respect of external examinations conducted by the Universities for internal assessment/home examinations being conducted by the colleges/universities at present or which may be introduced as a measure of examination reform(including the semester system), no remuneration shall be payable to the University/College teachers irrespective of the fact whether the marks obtained by a student in such internal assessment/home examinations are decided to be taken on to account or not to be taken into account while declaring the final result of the student.

I - B) In view of the above modifications, agreed upon, the necessary consequential changes or deletions, shall be made in clauses (iii), (viii) and (ix) of Appendix III attached to the Government Resolution dated 4th October 1975.

II - On the High Court of Bombay making an order in terms of the settlement on this petition, the Government of Maharashtra in the Education & Youth Services Department, agrees to issue on or before 31st October 1977, a revised Government Resolution in supersession of the Government Resolution No. USG.1174/104287-II dated the 4th October 1975 being Annexure "F" to the petition, incorporation, inter-alia, the modifications mentioned in these consent terms. The residual clauses of the Government Resolution dated 4th October 1975, including Appendices I to V shall remain intact with necessary consequential changes which are not repugnant to the consent terms filed in this Court.

III. The parties shall obtain orders on the petition in the High Court in terms of the settlement and shall pray for disposal of the said petition in the High Court in terms of this settlement.

IV. There shall be no order as to costs.

BOMBAY:

(SIGNATURE OF THE PARTIES)

22.9.1977

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(9)

**NAGPUR UNIVERSITY TEACHERS' ASSOCIATION**

From : Phone : 3646  
**Prof. B.T. Deshmukh** Dated 17-11-1977  
 President, NUTA No. NT/F/16  
 Near Vidarbha Mahavidyalaya,  
 AMRAVATI - 444604.

To,  
**The Honourable Minister for Education,**  
 Government of Maharashtra,

**Subject :** Implementation of Para 3 of the letter of assurances signed by Secretary, E. and Y.S.D. dated 14-9-1977.

Respected Madam,

I am to invite your attention to the letter of assurances signed by Shri D.M. Sukthankar, Secretary E. and Y.S.D. Government of Maharashtra, dated 14 Sept. 1977. I am enclosing herewith a copy of the same for your ready reference ( Appendix "A"). This letter was a result of the negotiations held at Bombay on 11th Sept. to 14th Sept. 1977 between six men delegation of NUTA and Hon'ble Education Minister. Shri. D.M. Sukthankar, Secretary E. and Y.S.D. and Shri. S.D. Bal, Director of Higher Education were also present.

2. As was assured in Para 1 and 2 of the said letter, Govt. Resolution No. USG. 1177/129387/XXXII(CELL) dated 25th October, 1977, sanctioning the implementation of the revised U.G.C. recommended scales was issued before 31-10-77. Govt. Resolution No. NGC 1277/122166/XXXII (CELL), dated 21st September, 1977, was also issued within the date assured, I express sincere thanks on behalf of the teachers for the same.

3. However, much concern is expressed by teaching community regarding the implementation of Para 3 of the said letter. This Para reads as follows -

"To enable the Colleges to make latest by 10th November 1977, the payment of salary etc. of their teaching & Non-teaching staff relating to the period from 1-4-1977 to 30-9-1977, orders releasing an adhoc assistance to colleges, as mentioned in (2) above, of an aggregate amount of Rs. 2.30 Crores will be issued immediately".

I have not seen any G.R. or Government order specifying the payment of salary etc. of the teaching and non-teaching staff aided Non-Government Colleges relating to the period from 1-4-1977 to 30-9-77.

4. Under these circumstances it is very much urgently required that a NUTA delegation be granted interview with your goodself, alongwith the Secretary E. and Y.S.D. and Director of Higher Education, as early as possible. Teachers from different places are rightly pressing NUTA Executive and office bearers to explain the correct position. Before NUTA Executive meets for consideration of the situation, such an interview is very much desirable to have a correct picture of the Government efforts in this respect. I hope you will kindly grant the same.

5. May I mention here that Teachers and Non-teachers at G.S. College, Khamgaon have not received their due salary and allowances since 1st January, 77, inspite of the issuing of the above mentioned G.R. I am authentically informed that none of the teachers have also received a single rupee on account of adhoc advance also. May I invite your urgent attention to the great hardships faced by these teachers and non-teachers ?

6. Taking in to consideration the urgency of the matter and the short time available I am mentioning below the names and addresses of all the five other members of the NUTA delegation. They may kindly be communicated the date, time and place of the interview, if granted, directly.

Yours sincerely,  
**(B.T. Deshmukh)**  
 President, NUTA

Copy to :- (1) Secretary, E. & Y.S.D. Bombay.  
 (2) Director of Higher Education, Pune.  
 (3) All the Members of NUTA Delegation.  
 (4) All the Members of NUTA Executive Committee.

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(10)

**NAGPUR UNIVERSITY TEACHERS' ASSOCIATION**

प्रा. भा.नु. देशमुख फोन नं. ३६४६  
 अध्यक्ष, 'नुटा' दिनांक २७-११-७७  
 विदर्भ महाविद्यालयाजवळ, क्र.एन.टी. : एफ. : १८  
 अमरावती - ४४४६०४.

**माननीय शिक्षणमंत्री,**  
 महाराष्ट्र राज्य, मंत्रालय, मुंबई.

संदर्भ :- माझे दिनांक १७ नोव्हेंबरचे पत्र क्रमांक : एन टी. एफ. : १६  
 माननीय महोदया,

माझ्या वर संदर्भ दिलेल्या पत्रामध्ये नागपूर विद्यापीठ शिक्षक संघाच्या प्रतिनिधी मंडळाला आपण वेळ द्यावा अशी मी आपणास आग्रहापूर्वक विनंती केली होती. दिनांक १०-९-७७ रोजी शासनातर्फे देण्यात आलेल्या आश्वासन पत्रातील तिसऱ्या परिच्छेदामध्ये अंतर्भूत असलेल्या आश्वासनाच्या अंमलबजावणी संबंधी तपशील समजावून घेण्यासाठी अशी चर्चा आवश्यक होती. दुर्दैवाने या कामासाठी आपणाला वेळ देता आला नाही. याबद्दल मला दुःख होते.

एप्रिल, १९७७ ते सप्टेंबर १९७७ च्या पगाराच्या संदर्भात देण्यात आलेल्या आश्वासनाची शासकीय अधिकारी इमानेइतवारें अमलबजावणी करीत नाहीत, अशी तीव्र भावना शिक्षकांच्या मनामध्ये निर्माण होत आहे. २२ सप्टेंबर, १९७७ पर्यंत या थकिते बाबतचे तपशील आपण मागविले होते. १० नोव्हेंबर पर्यंत त्या बाबतचे आदेश निघावयाचे होते. अशा प्रकारचे स्पष्ट आदेश निघाल्याचे दिसत नाही.

आम्ही आपणाला हे वारंवार सांगितले आहे की, शासनाने लादलेल्या आकृतीबंधामुळे विदर्भातील महाविद्यालये भरडून निघाली आहेत. दुर्दैवाची गोष्ट अशी की, नेमकी विदर्भात आठ ते बारा महिन्यांचा पगार ज्या महाविद्यालयात थकला आहे त्या महाविद्यालयात १० नोव्हेंबर पर्यंत शासनाकडून एक पैसाही पाठविण्यात आला नव्हता. आता कुठे डायरेक्टर महोदयांनी एक महिन्याच्या पगारा इतकी रक्कम पाठविल्याचे समजले आहे. खामगावचे महाविद्यालय अतिशय जुने महाविद्यालय आहे. अनेक फॅकलटीज, अनेक विषय व अनेक माध्यमातील शिक्षण तेथे दिले जाते. शासनाच्या आकृतीबंधाने गेल्या दोन वर्षात तेथील संख्या पार निम्म्यावर आली. (पुढच्या वर्षापासून ती वाढायला लागेल) पण त्या ठिकाणी अँडहॉक असिटन्स पोचू शकला नाही. मानवी प्रश्नांचे शासनाने निर्माण केलेले हे गुंते सोडविण्यात जे अधिकारी हृदयशून्य व्यवहार करीत आहेत त्याचा करावा तेवढा धक्कार थोडाच आहे.

शासकीय आदेशाच्या (No. NGC/1277/122166/XXXII(CELL) Dated 21-9-77) परिशिष्टातील परिच्छेद ६ कडे मी आपले लक्ष वेधू इच्छितो. या परिच्छेदातील तरतूदी प्रमाणे उच्च शिक्षण संचालक, महाराष्ट्र राज्य यांनी या बाबतचे करावयाची कारवाई त्वरेने न केल्यामुळे थकित पगार मिळण्याचा प्रश्न सुटण्यास अकारण विलंब लागतो आहे. आपण स्वतः लक्ष घालून उच्च शिक्षण संचालक परिच्छेद ६ प्रमाणे आवश्यक असलेली कारवाई त्वरेने करतील असे पहावे. जे १० नोव्हेंबर पर्यंत होणे आवश्यक होते ते निदान १० डिसेंबर पर्यंत होईल, अशी अपेक्षा शिक्षकांनी केल्यास त्यात त्यांची चूक होणार नाही.

या प्रश्नाचे तपशील कळवून घेण्यासाठी, समजून घेण्यासाठी चर्चेला बोलाविण्यास आपण सांगू शकला नाहीत याबद्दल खेद व्यक्त करून पुन्हा एकदा मी आपणांस अशी आग्रहाची विनंती करतो की, वस्तुस्थितीचे तपशील चर्चेच्या माध्यमातून जाणून घेण्याचा नूटाचे प्रतिनिधी मंडळास अधिकार आहे.

शासकीय ठरावाच्या परिच्छेद ६ ला अभिप्रेत असलेली कारवाई १० डिसेंबरच्या आत पूर्ण करण्यासाठी आपण खाल्याला सांगावे व दिलेल्या आश्वासनाची पूर्ती करावी अशी आग्रहाची विनंती आहे.

आपला विनिता  
**(भा.नु. देशमुख)**  
 अध्यक्ष, नूटा.

Copy to :-

- 1) Secretary, E. & Y.S.D. Bombay.
- 2) Director of Higher Education, Pune.
- 3) All the Members of NUTA Delegation.
- 4) All the Members of NUTA Executive Committee.

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(11)

प्रेषक : फोन नं ३६४६  
 प्रा. भा.नु. देशमुख, क्र. एन.टी. एफ/२०  
 अध्यक्ष, नागपूर विद्यापीठ शिक्षक संघ, दि. ५-१२-१९७७  
 विदर्भ महाविद्यालयजवळ, अमरावती - ४४४६०४.

प्रति,

मा. शिक्षणमंत्री,

महाराष्ट्र राज्य, मंत्रालय, मुंबई-३२

विषय : एप्रिल १९७७ ते सप्टेंबर १९७७ या काळातील महाविद्यालयीन शिक्षक व शिक्षकेत्तर कर्मचाऱ्यांच्या पगाराबाबत शासनातर्फे देण्यात आलेल्या आश्वासनाची पूर्ती न झाल्याबाबत.

संदर्भ : माझे १) दि. १७-११-७७ चे पत्र क्र. एन.टी.एफ १६  
 २) दि. २७-११-७७ चे पत्र क्र. एन.टी.एफ १८

माननीय महोदया,

दिनांक १४ सप्टेंबर १९७७ या दिवशी नागपूर विद्यापीठ शिक्षक संघाच्या प्रतिनिधीमंडळाला शिक्षण सचिवांच्या सहीने महाराष्ट्र शासनाच्या वतीने जे आश्वासन पत्र देण्यात आले होते त्याच्या परिच्छेद तीनकडे मी आपले लक्ष वेधू इच्छितो. हा परिच्छेद तीन पुढील प्रमाणे आहे.

3) To enable the Colleges to make latest by 10th Nov. 1977 the payment of salary etc. of their teaching and Non-teaching staff relating to the period from 1-4-77 to 30-9-77, orders releasing an adhoc assistance to Colleges, as mentioned in. (2) above, of an aggregate amount of Rs. 2.30 crores will be issued immediately.

ह्या परिच्छेदाचा अर्थ अतिशय सरळ व स्पष्ट आहे तो असा की,

१) एप्रिल १९७७ ते सप्टेंबर १९७७ या काळातील (यापुढे याचा उल्लेख मागील काळातील पगार असा करण्यात आला आहे) वाटण्यासाठी म्हणून खाजगी संलग्न महाविद्यालयांना ताबडतोब तदर्थ सहाय्य (Adhoc assistance) दिले जाईल.

२) या साठी देण्यात येणारे हे सहाय्य २ कोटी ३० लक्ष रूपये इतके असेल व त्या बाबतचे आदेश १० नोव्हेंबर १९७७ च्या आत काढले जातील.

३) या काळातील पगाराची रक्कम २.३० कोटी पेक्षा जास्त होत असल्यास पगार वाटपाच्या योजनेनुसार शासनाची ताबडतोब पूर्व सम्मती घेऊन ती रक्कम तदर्थ सहाय्य म्हणून दिली जाईल.

गेल्या एक महिन्यामध्ये शासनाच्या अधिकाऱ्यांनी जे वेगवेगळे आदेश या संदर्भामध्ये काढले आहेत व नागपूर विद्यापीठ शिक्षक संघाच्या कार्यकर्त्यांनी मागील काळातील पगाराबाबतची जी माहिती संबंध महाराष्ट्रातून गोळा केलेली आहे ती एकत्र करून जे निष्कर्ष निघतात ते अत्यंत धक्का देणारे, संतापजनक व सरळ सरळ फसवणूक करणारे आहेत.

१) शासकीय अधिकाऱ्यांनी जे आदेश काढले आहेत त्यामध्ये अमुक या तदर्थ सहाय्याच्या रकमेतून मागील पगार द्यावा असे कोठेही म्हटलेले नाही.

२) ही रक्कम चालू पगारासाठी (म्हणजे ऑक्टोबर व त्यापुढच्या) द्यावी असेही आदेशात कोठेही म्हटलेले नाही. तोंडी मात्र सरकारी अधिकारी तसे सांगत सुटले आहेत.

३) मागील पगारासाठी २ कोटी ३० लक्ष तदर्थ सहाय्य देण्याचे स्पष्ट आश्वासन (परिच्छेद ३) शासनाने दिले होते ते या कामासाठी शासनातर्फे पाठविण्यात आले काय असा आमचा या बाबतीत प्रश्न आहे. त्याला स्पष्ट उत्तर नाही असे आहे.

४) मागील पगार (म्हणजे एप्रिल ते सप्टेंबर १९७७) किती आहे याबाबतचे विवरण शासनाने २१ सप्टेंबर १९७७ पावेतो प्रत्येक महाविद्यालयाकडून मागविले होते. ही सारी माहिती एकत्र करून त्या त्या महाविद्यालयांना २ कोटी ३० लक्ष रूपयांचे तदर्थ सहाय्य १० नोव्हें. च्या आत पोहचविण्याचे काम अधिकाऱ्यांनी करावयाचे होते. शासकीय अधिकाऱ्यांनी या विवरण पत्राकडे दुर्कुकुनही पाहिले नाही असे सवळ पुराव्याचे आधारे आम्ही नमूद करीत आहोत. कारण असे की, जर त्यांनी तसे केले असते तर महाराष्ट्रातील कोणत्याही महाविद्यालयामध्ये मागील पगारापैकी एकही महिन्याचा पगार देणे बाकी राहिले नसते.

५) महाराष्ट्रातील मागील पगाराची स्थिती काय आहे? याबाबत नुटाच्या कार्यकर्त्यांनी जी माहिती गोळा केली व जी संपूर्णपणे बरोबर आहे अशी मी खात्री करून घेतलेली आहे ती पुढील प्रमाणे आहे.

एप्रिल १९७७ ते सप्टेंबर १९७७ या काळातील थकीत पगाराची स्थिती

जिल्हा	रूपये
नागपूर	१७,२५,२८१
अमरावती	१६,१६,०४०
वर्धा	२,९६,८१६
यवतमाळ	२,९६,८६७
बुलढाणा	८,०७,८६२
चन्द्रपूर	५,३९,७७६
अकोला	७,९२,६६३
भंडारा	५,३९,५५६
माहिती न पोचू शकलेल्या २०	
महाविद्यायांसाठी धरलेली अंदाजे रक्कम	८,००,०००
नागपूर विद्यापीठ महाविद्यालये	७४,१४,८६१
मराठवाडा विद्यापीठ महाविद्यालये	४०,००,०००
एकूण	१,१४,१४,८६१

आम्ही आपणास वारंवार हे सांगितले आहे की, मुंबई पुणे, व शिवाजी विद्यापीठांतर्गत महाविद्यालयांना आकृतिबंधाची झळ न पोचल्यामुळे थकवाकीचा प्रश्न त्या विभागात उद्भवला नाही. तरीही या कामासाठी त्या विभागांना प्रत्येकी २५ लक्ष रूपये लागतील असे मानल्यास (वस्तुतः एवढ्या सुद्धा रकमेची तेथे आवश्यकता नाही ही खात्रीलायक माहिती आहे) कोणत्याही परिस्थितीत आणि कसाही हिशेब केला तरी संबंध महाराष्ट्रातील मागील पगाराची रक्कम २ कोटी रूपयांपेक्षा जास्त होऊच शकत नाही. अशा परिस्थितीमध्ये मागील पगारासाठी तदर्थ सहाय्य म्हणून २ कोटी ३० लक्ष रूपये आज पावेतो का पाठविण्यात आले नाही ? आणि पाठविण्यात आले असतील तर मागील पगार पूर्ण का झाला नाही ? आणि या कामासाठी रक्कम अपुरी पडत असेल तर त्याला शासन मान्यता घेऊन ती अजून पावेतो का पाठविण्यात आला नाही ? या प्रश्नांची ताबडतोब उत्तरे मिळाली पाहिजेत.

अनेक विद्याशाखा असलेल्या अनेक माध्यमातून शिक्षण देणाऱ्या विदर्भातील खामगावच्या बऱ्याच नावाजलेल्या व जुन्या कॉलेजची आर्थिक परिस्थिती केवळ आपल्या आकृतिबंधाने (तात्पुरत्या काळासाठी का होईना) मोडकळीस आलेली आहे. ही गोष्ट १०+२+३ चे परिणाम विदर्भात व महाराष्ट्रात वेगवेगळे कसे होत आहे हे जाणणारा सामान्य माणूस सुद्धा सांगू शकेल व त्यामुळे तेथील शिक्षक व शिक्षकेत्तर कर्मचाऱ्यांचे पगार ११ महिने पर्यंत होऊ शकले नाहीत. असे असतांना आपल्या कर्तव्यगार अधिकाऱ्यांनी १० नोव्हेंबर पावेतो एक महिन्याचे सुद्धा तदर्थ सहाय्य तिथे पोचणार नाही याचा जो बंदोबस्त केला तो पाहून “केवढे हे क्रौर्य” असेच कुणीही म्हणेल. अधिकाऱ्यांनी ही जी अमलबजावणी केली ती आपल्या संमतिने केली असेल तर ती गोष्ट शिक्षक व शिक्षकेत्तर कर्मचाऱ्यांची अत्यंत घोर फसवणूक करणारी ठरेल.

महाराष्ट्र शासनाच्या आकृतिबंधाने महाविद्यालयांवर आणून टाकलेल्या गंडांतराचा परिणाम म्हणून महिनोन्महिने पगाराशिवाय काम करण्याला शिक्षक व शिक्षकेत्तर कर्मचाऱ्यांचा स्पष्ट नकार मी पुन्हा एकदा आपल्याला निर्धारपूर्वक कळवीत आहे.

आश्वासन पत्राच्या परिच्छेद ३ मध्ये सांगितल्याप्रमाणे मागील पगारासाठी आश्वासित तदर्थ सहाय्य १५ डिसेंबर पर्यंत त्या त्या महाविद्यालयामध्ये विवरण पत्र पाहून पाठविले गेले पाहिजे. त्याला काही रक्कम कमी पडत असल्यास शासकीय ठरावामध्ये नमूद केल्याप्रमाणे शासकीय संमती घेऊन ते या तारखेच्या आत पाठविले जाईल या बाबतची कारवाई झाली पाहिजे. दुर्दैवाने असे न होऊ शकल्यास शासनाच्या या निर्णयाचा तिव्र प्रतिकार करण्याचा आम्हा शिक्षकांच्या निर्धाराने पहीले पाऊल म्हणून दिनांक २० डिसेंबर १९७७ पासून मी व नुटाच्या कार्यकारी मंडळातील माझे दोन सहकारी श्री. बी.बी. हेडा व श्री. व्ही.एस. कुळकर्णी असे तीन शिक्षक बेमुदत उपोषणास प्रारंभ करू.

त्वरीत कारवाईच्या स्वरूपात पत्राचे उत्तर आल्यास मी आपला आभारी होईन.

आपला नम्र

(भा.नु. देशमुख)

अध्यक्ष, नागपूर विद्यापीठ शिक्षक संघ.

Copy to :-

1) Secretary, E. &amp; Y.S.D. Bombay.

2) Director of Higher Education, Pune.

3) All the Members of NUTA Delegation.

4) All the Members of NUTA Executive Committee.

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(13)

**माननीय शिक्षणमंत्री, महाराष्ट्र राज्य यांचे कार्यालयात नागूर विद्यापीठ शिक्षक संघाच्या प्रतिनिधी मंडळाने शिक्षण मंत्र्याशी दिनांक १५-१२-७७ रोजी केलेल्या चर्चेचा अहवाल**

प्रतिनिधी मंडळामध्ये सर्वश्री वी.टी. देशमुख, शरद कळणावत, अरविंद वारहाते, दि.स. जाजुर्ले व बी. एस. देशमुख यांचा समावेश होता. शासनाच्या वतीने शिक्षणमंत्री श्रीमती प्रतिभाताई पाटील यांचे शिवाय शिक्षणसचिव श्री. डी.एस. सुकथनकर, संयुक्त सचिव श्री डी.के. जैन व उच्च शिक्षण संचालक श्री सु.दा. बाळ हे उपस्थित होते.

२) दिनांक १४-९-७७ ला शिक्षण सचिवांच्या सहीने देण्यात आलेल्या आश्वासन पत्राच्या परिच्छेद ३ ची अम्मलबजावणी झालेली नाही. हा मुद्दा प्रतिनिधी मंडळाने मांडला व त्या सोबत आपली आकडेवारी सादर केली. उच्च शिक्षण संचालकांनी त्यांच्या जवळ असलेली आकडेवारी दिली. उभय पक्षांनी दिलेल्या आकडेवारीत फारसा फरक नाही असे दिसून आले. उच्च शिक्षण संचालकांनी एप्रिल ७७ ते सप्टेंबर ७७ ह्या काळातील महाविद्यालयातील शिक्षक व शिक्षकेत्तर कर्मचाऱ्यांची थकीत पगारांची महसूल विभागावर आकडेवारी पुढील प्रमाणे दिली.

नागूर विभाग	७३ लाख ५० हजार रूपये
औरंगाबाद विभाग	५० लाख ६८ हजार रूपये
पुणे विभाग	१६ लाख २२ हजार रूपये
(पुणे व शिवाजी विद्यापीठ मिळून)	
मुंबई विभाग	६ लाख १ हजार रूपये
एकूण	१ कोटी ४६ लाख रूपये

प्रतिनिधी मंडळाने आकडेवारी मान्य केली व असे असतांना थकीत पगाराचा प्रश्न १० नोव्हेंबरच्या आत का निकालात निघाला नाही अशी पृच्छा केली.

३) एप्रिल ७७ ते सप्टेंबर ७७ च्या काळातील थकीत पगाराची रक्कम देण्याबाबतचे आदेश १० नोव्हेंबरच्या आत काढण्याचे स्पष्ट आश्वासन प्रतिनिधी मंडळाला शासनातर्फे देण्यात आले आहे. ही गोष्ट शिक्षणमंत्र्यांनी निसंदिग्ध शब्दात कबूल केली. शिक्षण संचालक (उच्च शिक्षण) यांनी सुद्धा असेच ठरले होते असे सांगितले. बऱ्याच चर्चेनंतर शिक्षण सचिवांनी दिनांक ११ सप्टेंबर ७७ ह्या दिवशी, तसेच १२ व १३ तारखेच्या चर्चेच्या वेळी आपण उपस्थित नव्हतो, फक्त १४ सप्टेंबर रोजीच शेवटच्या क्षणी ह्या चर्चेला उपस्थित होतो आणि त्यामुळे परिच्छेद ३ च्या अर्थाच्या व अम्मलबजावणीच्या संदर्भात आपला जो समज झाला तो विनयुक्त नसल्याचे सांगितले.

याबाबत प्रतिनिधी मंडळाने आपली तिब्र प्रतिक्रिया व्यक्त केली असता

(12)

**Invitation by Hon. Edn. Minister for Discussion.**

**Office of the Minister for Education  
GOVERNMENT OF MAHARASHTRA  
Mantralaya, Bombay-400032  
Dt. 11 Dec. 1977.**

To,

- 1) Prof. B.T. Deshmukh, Amravati
- 2) Shri. S.K. Kalnawat, Yeotmal.
- 3) Shri. A.V. Barhate, Nagpur
- 4) Shri D.S. Jajurley, Warora
- 5) Shri B.S. Deshmukh, Akola
- 6) Shri G.S. Vaidya, Amravati

**Ref :-** Letter No. NT/F/16 dt. 17-11-77, Letter No. NT/F/18 dt. 27-11-77, Letter No. NT/F/20 dt. 5-11-77 from President NUTA, Addressed to the Education Minister.

Dear Sirs,

A meeting to discuss the problems mentioned in above referred letters, has been arranged in the Chamber of Minister of Education, Mantralaya at 12-00 noon on 15th December 1977. You are requested to kindly make it Convenient to attend the same.

Yours sincerely,  
(Sd. )

Personal Assistant to the Education Minister

शेवटी शिक्षण सचिवांनी "That was a bonafide misunderstanding and when it is accepted, now none should be blamed or cursed" असे उद्गार काढले. त्यानंतर मग या बाबतची चर्चा थांबली.

एप्रिल ते सप्टेंबरच्या थकीत पगाराचा निपटारा करण्यासाठी तदर्थ सहाय्य महाविद्यालयांना देण्याचे आदेश काढण्याचे काम पुढच्या १० दिवसात खात्यामार्फत पूर्ण केले जाईल असे शासनातर्फे सांगण्यात आले. त्यानंतर ६ वाजता चर्चा थांबली व शिक्षण सचीव आणि प्रतिनिधी मंडळाने बसून चर्चेचे कार्यवृत्त तयार केले.

ह्या कार्यवृत्ताला माननीय शिक्षण मंत्र्यांची संमती घेण्याकरिता रात्री ८।। वाजता माननीय शिक्षण सचीव, संयुक्त सचीव, नुटाचे अध्यक्ष आणि सचीव असे चार जण शिक्षण मंत्र्यांच्या निवासस्थानी गेले. कार्यवृत्त वाचल्यावर "आपण १० दिवसाची वेळ टाकताहात ते दहा दिवसात बरोबर झाले पाहीजे याची काळजी घ्या नाहीतर आताच ४-५ दिवस वाढवून घ्या" असे उद्गार शिक्षण सचिवांना उद्देशून शिक्षण मंत्र्यांनी काढले व शेवटी टंकलिखित प्रतीवर १० दिवस हे शब्द खोडून तेथे पंधरवाडा असे शब्द शिक्षण सचिवांनी टाकले व कार्यवृत्तावर सही करून त्याची प्रत संघटनेच्या अध्यक्षांना दिली. कार्यवृत्ताची प्रतिलिपी सोबत जोडली आहे.

अरविंद वारहाते  
सचीव नुटा

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(14)

**MINUTES of the meeting of NUTA delegation with the Hon'ble Minister for Education Govt. of Maharashtra, Held on 15/12/1977 at Mantralaya Bombay**

A further discussion was held in the Chamber of Minister (Edu.) today when the following persons were present :-

1. Minister for Education in the Chair.
2. Secretary, Education & Youth Services Deptt.,
3. Joint Secretary, Education & Youth Services Deptt.,
4. Director of Education (Higher Education)

**On behalf of NUTA,**

1. Prof. B.T. Deshmukh
2. Shri S.K. Kalnawat
3. Shri A.V. Barhate
4. Shri D.S. Jajurley
5. Shri B.S. Deshmukh

The representatives of the NUTA pointed out that in their view, clause (3) of the statement dated 14th September, 1977 signed by the Secretary E & YSD had not been implemented at all and this had created dis-satisfaction amongst the ranks of teachers in Vidarbha region.

The discussion revealed that there had been a gap in understanding the implications of the aforesaid clause (3) and its implementation. Minister (Edn.) reiterated that in the earlier discussion, there was a clear commitment to the effect that Colleges will be given requisite adhoc assistance to wipe out the dues of salary etc. relating to the period from 1st April, 1977 to 30th September, 1977 so that before the Salary Payment Scheme is implemented from October, 1977 onwards (which would ensure regular payment of salaries from that month onwards), the current dues of salaries etc. from the beginning of the current financial year upto the end of September would have been cleared.

In pursuance of the aforesaid commitment, it was decided that the E& YSD will take up the question of issue of orders within next fortnight for release of ad hoc assistance to the Colleges in Maharashtra to enable them to wipe out the salary dues of College staff for the period from 1-4-1977 to 30-9-77.

Sd/-  
D.M. Sukthankar,  
15-12-77  
Secretary E&YSD

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(15)

३० डिसेंबर पर्यन्त आश्वासनपूर्ति न झाल्यास ३ जाने. पासून काम बंद केले जाईल

“नुटाच्या प्रतिनिधी मंडळाची मा. शिक्षण मंत्र्यांशी दि. १५-१२-७७ रोजी मुंबई येथे मंत्र्यांच्या कार्यालयात जी चर्चा झाली तिचा प्रतिनिधी मंडळाने सादर केलेला अहवाल व या चर्चेचे शिक्षण सचिवांच्या सहीने दिलेले कार्यवृत्त यांचा बारकाईने अभ्यास करण्यात आला.

२) एप्रिल ते सप्टेंबर ७७ या काळातील थकीत पगाराचा निपटारा पगार वाटपाच्या योजनेच्या माध्यमातून १० नोव्हें.७७ च्या आत करण्याच्या शासनातर्फे देण्यात आलेल्या आश्वासनाची पूर्ति केवळ अधिकाऱ्यांच्या गैरसमजामुळे होऊ न शकल्याबद्दल ही सभा तीव्र संताप व्यक्त करित आहे.

३) सदरहू आश्वासनाची पूर्ति ३० डिसेंबर ७७ च्या आत शासनातर्फे करण्यात येईल असे आता पुन्हा जे लेखी नमुद करण्यात आले आहे त्याची पूर्तता ३०-१२-७७ च्या आत न झाल्यास शिक्षकांनी पुन्हा धीर धरावा असे सांगण्याचा शासनाला नैतिक अधिकार उरणार नाही व विदर्भातील महाविद्यालयीन शिक्षक ३ जाने. ७८ पासून आपले शिकवण्याचे काम थांबवतील.

४) प्रतिनिधी मंडळाशी झालेल्या चर्चेत उच्च शिक्षण संचालक यांनी सादर केलेले महाविद्यालयीन शिक्षक व शिक्षकेतर कर्मचाऱ्यांच्या थकवाकीचे महाराष्ट्राच्या निरनिराळ्या भागातील आकडे अवलोकिले असता आकृतिबंधाचा जबर फटका हा फक्त विदर्भ व मराठवाड्यालाच कसा बसला हे चटकन लक्षात येते व त्यामुळे थकीत पगाराची ही समस्या विदर्भात आकृतिबंधामुळेच निर्माण झाली आहे ही नुटाने घेतलेली भूमिका शासकीय अधिकाऱ्यांनी सादर केलेल्या आकडेवारीने सिद्ध झालेली आहे.

५) अन्याय निवारणार्थ आंदोलन ही अलग गोष्ट आहे. पण लेखी स्वरूपात मान्य करण्यात आलेल्या मुदतबंद आश्वासनाची पूर्ति करवून घेण्यासाठी शिक्षकांवर आंदोलन करण्याची पाळी यावी ही दुर्दैवी गोष्ट आहे. आकृतिबंधामुळे विदर्भात निर्माण झालेल्या समस्यांचे शासनाला योग्य वेळी नीट आकलन न झाल्यामुळे अगोदरच विदर्भातील विद्यार्थ्यांचे अतीव नुकसान झाले आहे. ३० डिसेंबर ७७ पर्यंत आश्वासनाची पूर्ति न झाल्यास ३ जाने. ७८ पासून शिकविण्याचे काम बंद होऊन विद्यार्थ्यांचे नुकसान झाल्यास त्याची संपूर्ण जबाबदारी महाराष्ट्र शासनावर राहिल.- 1977 NB P 117

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(16)

महाविद्यालयांच्या प्राचार्यांना शिक्षकांनी सामुहिकपणे धावयाचा निवेदनाचा मसुदा

महाविद्यालयाचे नाव  
माननीय प्राचार्य,  
महोदय,

१ एप्रिल ते ३० सप्टेंबर १९७७ या काळातील संपूर्ण थकित पगाराचा निपटारा करण्यासाठी महाविद्यालयांना तदर्थ सहाय्य १० नोव्हेंबर १९७७ च्या आत पाठविल्या जाईल अशा प्रकारचे लेखी आश्वासन शिक्षण सचिवांच्या सहीने १४-९-७७ च्या पत्रातील परिच्छेद ३ प्रमाणे देण्यात आलेले होते. कोणत्याही कारणाने का होईना या आश्वासनाची पूर्ती होऊ शकली नाही ही दुर्दैवी वस्तुस्थिती शासनाने मान्य केलेली आहे.

आता आश्वासनाची पूर्ती ३० डिसेंबरच्या आत केली जाईल असे शासनातर्फे नागपूर विद्यापीठ शिक्षक संघाला सांगण्यात आलेले आहे. आम्हाला अशी खात्री आहे की महाराष्ट्र शासन आपल्या ह्या वचनाचा निश्चितपणे आदर व अंमल करील. दुर्दैवाने असे न झाल्यास शिक्षकांनी पुन्हा धीर धरावा असे सांगण्याचा शासनास नैतिक अधिकार असणार नाही.

असे न झाल्यास ३ जानेवारी १९७८ पासून शिकविण्याचे काम थांबविण्याचा आम्ही शिक्षकांनी नागपूर विद्यापीठ शिक्षक संघाच्या निर्देशानुसार निर्णय घेतलेला आहे.

कृपया नोंद घ्यावी.  
सविनय सादर

आपले विनित

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(17)

BALRAJAHER,  
M.A. Pol.Sc.) M.A.(Soc.)D.B.M.

REGISTRAR  
NAGPUR UNIVERSITY  
NAGPUR

Nagpur :  
The 28th, Dec. 1977

Dear Shri Deshmukh,

Shri. D.M. Sukhtankar, Secretary, Department of Education, Government of Maharashtra had informed me on telephone, today evening, that he has already sent a letter at your Amravati address. He has dictated the contents of the same to me on telephone. He desires me that the same be forwarded to you for your information.

Yours Sincerely,  
Sd/-  
(B. Y. Aher)

To,  
Prof. B.T. Deshmukh, President NUTA, Camp, Nagpur.

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(18)

To,  
Shri. B.T. Deshmukh  
President,  
Nagpur University Teachers' Association, AMRAVATI.

The 28th December 1977

Sir,

With reference to the discussion, which you and four other Office Bearers of Nagpur University Teachers' Association, had with the Minister of Education, on 15th December, 1977 ( a copy of the brief record of which was handed over personally to you later in the evening of that day), I am directed to inform you that instructions have been issued today to the Director of Higher Education, M.S. Poona, authorising him to release additional Ad-hoc assistance not exceeding 75 lakhs in the aggregate, to the aided non-Government Arts, Science, Commerce and Education Colleges affiliated to Nagpur University, to enable them to clear the actual arrears of salary and allowances of their teaching and non-teaching staff, relating to the period from 1-4-77 to 30-9-77. The Director of Higher Education, has decided to have two meetings with the college authorities - one at Nagpur from 7th to 9th (both days inclusive) and the other at Amravati on the 10th and 11th January, 1978 to verify the actual arrears on the spot where after the additional Ad-hoc assistance equal to the verified amount of arrears relating to the aforesaid period, will be released by him expeditiously.

Yours faithfully,  
Sd/- D.M. Sukhtankar

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(19)

नुटाच्या कार्यकारिणीचा ठराव

दिनांक ३०-१२-७७ रोजी नागपूर येथे झालेल्या नागपूर विद्यापीठ शिक्षक संघाच्या कार्यकारिणीच्या तातडीच्या सभेत पुढील ठराव मंजूर करण्यात आला.

ठराव : एप्रिल ७७ ते सप्टेंबर ७७ या काळातील थकित पगाराचा निपटारा करण्यासाठी शासनातर्फे जी कारवाई करण्यात आल्याचे नागपूर विद्यापीठ शिक्षक संघाला कळविण्यात आले आहे ते लक्षात घेता दिनांक ३ जानेवारी ७८ पासून सुरू होऊ घातलेले 'कामबंद आंदोलन' स्थगित करण्याचा निर्णय घेण्यात येत आहे. - (1978 NB P 1)

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(20)

**GOVERNMENT OF MAHARASHTRA.****D.O. : Education & Employment Department : Mantralaya Annexe, Bombay-400032.**

S.G. DAITHANKAR, Secretary.

**DATED : 24TH APRIL, 1982.**

Dear Sir,

1. Thank you very much for withdrawing the boycott by your Organisation on the Examination. We are now anxious to start the negotiations with the office bearers of your Organisation in relation to your pending demands.

2. In the meantime, the broad thinking of the Government on pending specified demands indicated in the **Annexure, enclosed alongwith this letter.**

3. Let me also repeat Government's stand that there shall be no victimisation in the context of boycott which has already been withdrawn.

With regards to yourself and your colleagues.

Yours sincerely,  
Sd/- (S.G. Daithankar)

To:

Dr. L.B. Kenny, President, M.F.U.C.T.O. Bombay-400002

**ANNEXURE****Demands made by M.F.U.C.T.O. : Position as on 24th April, 1982****Sr.No./ Demand / Progress**

**Demand 1.** Scale of Rs. 700-1600 for librarians and Directors of Physical Education with effect from 1-1-73.

**Progress 1.** a) Acceptable in principles with effect from 1.4.1980. Actual implementation will however, depend on the guide-lines to be issued by the Government of India.

b) Suggestion for giving effect from 1-1-73 will be taken up with the Central Government.

**Demand 2.** Full protection of part-time teachers : banning of clock hour appointments in degree and junior colleges.

**Progress 2.** a) Retrospective protection for part time teachers not conceptually acceptable. However, the problems of part time teachers are negotiable and in fact they are under active consideration.

b) The matter of banning of clock hour appointments is acceptable in principle. However difficulties in translating this into practice can be thrashed out at the time of negotiation.

**Demand 3.** Protection to all confirmed teachers against closure of departments, subjects, faculties and colleges. (with special application to Vidarbha and Marathwada regions) against re-arrangement of work load and against the revised norms of class strength in colleges of education.

**Progress 3.** Negotiable.

**Demand 4.** Protection of status and Rs. 700-1600 scale to all upgraded demonstrators, tutors/method-masters from the date of their first upgradation and protection of scale of Rs. 700-1600 to all P-4 teachers; work load of P-6 teachers to be reduced to 15 clock hours; revision of scales for P-5 teachers. Proper pay fixation of teachers deprived for their due increments due to change of management, change of cadre, service break and acceptance of lower pay and salaries in the pre-1973 pay scales.

**Progress 4.** Under consideration. Negotiable. As for pay fixation, area-wise or individual-wise can be decided at the time of negotiations. Specific cases can be attended if brought to the notice of Government.

**Demand 5.** Interim relief of Rs. 300 per month to all teachers in the universities and colleges (degree and junior) pending quinquennial pay revision.

**Progress 5.** Not acceptable. Principle of parity involves.

**Demand 6.** Tripart benefit scheme of pension contributory provident fund and gratuity, with option. Medical allowance and leave travel allowance.

**Progress 6.** a) Extending pension-cum-gratuity scheme to college and University employees is acceptable in

principle. This extension will, however, be in the nature of an option to choose either from the existing terminal benefits or pension-cum-gratuity scheme.

b) Extending facility of medical benefits is accepted in principle. Orders will be issued in due course.

c) Facility of leave travel concession is acceptable. Specific proposal with relevant details is awaited from D.E. (H.E.)

**Demand 7.** Rationalisation of minimum qualifications conditions including problem of M.Phil, B-plus and consistently good academic record; upgradation of demonstrators/ tutors/ method masters who have improved qualifications after 1-7-75.

**Progress 7.** a) Government of India and UGC have been moved already. Relaxation has been received recently, necessary orders will be issued.

b) The demand for upgradation of demonstrators, tutors, method masters who have acquired lecturer's qualification after 1-7-1975 to 31st March, 1980 has been accepted and these posts have been upgraded from 1-7-1981.

**Demand 8.** Relaxation of condition for the continuation of subjects and no enforcement of class strength not exceeding 60 students as per consensus.

**Progress 8.** a) As far as relaxations of conditions or the continuation of the subject is concerned, the demand has already been accepted to the extent perceivable. The practical suggestions can be considered at the time of negotiations.

b) Ideal class strength has already been accepted in principle but enforcement will depend on the facilities like class room etc.

**Demand 9.** Amendments of Acts to ensure that only members from the Judiciary are appointed as Presiding officers on the College Tribunals and to give powers to the Tribunals to enforce decisions.

**Progress 9.** This question is being further examined.

**Demand 10.** Introduction in Maharashtra of free education upto standard XII.

**Progress 10.** Not acceptable.

**Demand 11.** Scale of Rs. 700-1600 and other perquisites to all teachers in the faculties including Ayurved, Engineering & Technology and in colleges of art in the non-agricultural universities.

**Progress 11.** The concerned Departments have been moved suitably. It can be expediated.

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**GOVERNMENT OF MAHARASHTRA**

**NO. USG 1186/1166/UNI.4, : Education & Employment Department, Mantralaya Annexe, Bombay - 32**  
**Dated the 29th July, 1986**

To,  
The President,  
Maharashtra Federation of University and College Teachers' Organisation,  
6/84, Shivanand, Play Ground Cross Road, Vile Parle (East), Bombay- 400 0057

**Subject :-** Demands submitted by MFUCTO, Agreement reached in respect of the..

Sir,

I am directed to refer to your letter No. ENN/MF/86/15, dated 28th May 1986 addressed to the Chief Minister and copy endorsed to the Chancellor of the Non-Agricultural Universities in Maharashtra on the subject mentioned above and to forward herewith a copy of the minutes of the discussion held by the Minister for Education with the representatives of the MFUCTO on 28th and 29th July 1986 in this behalf. I am also directed to convey sincere thanks for the discussion that was held in these meetings in the cordial manner.

Yours faithfully,  
(V.A. Pandit)  
Deputy Secretary to Government.

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(23)

**Minutes of the discussions that are held by the Minister (Education)**  
**with the representatives of the MFUCTO on 28th**  
**July 1986 to discuss their demands.**

A meeting of the Maharashtra Federation of University and College Teachers' Organisations was convened on 28th July 1986 in the Committee Room of the Minister for Education to discuss the demands still remaining to be discussed after the meeting on 15th July 1986. Before this meeting certain aspects of the demand for the Security of Service were examined at a meeting where the Minister for Education, the Vice-Chancellor of Bombay University,

Dr.(Kum.) M.D. Bengalee and Shri E.N. Manjrekar, President of the B.U.C.T.U. and also of the M.F.U.C.T.O. were present. Officers of the Education Department were also present.

The Consensus arrived at this meeting was considered at the meeting between the M.F.U.C.T.O. and the Minister for Education immediately following. The points of

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**MAHARASHTRA FEDERATION OF UNIVERSITY AND COLLEGE TEACHERS' ORGANISATIONS**  
**Kimatrai Building, Maharshi Karve Marg, Bombay 400 002**

**24th April 1982.**

**Withdrawal of Boycott of Examinations**

The Executive Committee of the MFUCTO had talks with the Education Minister, Smt. Sharatchandrika Patil, when the Education Secretary Shri Daithankar was also present. Prof. Ram Kapse, Prof. N.D. Patil, Prof. B.T. Deshmukh and Shri Sant from among the MLAs were also present.

The Education Secretary gave a report of the steps taken by the Government regarding the demands of the MFUCTO. The MFUCTO noted with satisfaction that the Govt. was keen to settle the long pending demands of the teachers.

In view of this it was decided to withdraw the boycott of university and Board examinations throughout the state.

The MFUCTO calls on the teaching community in the colleges and universities to now cooperate with the conduct of examinations in the interests of the students. The MFUCTO taken this opportunity to thank the parents and guardians as well as the students for bearing with us during the dark days of our struggle. The MFUCTO thanks various fraternal organisations who have extended their unflinching support to the demands and the struggle of the teachers. We thank the political parties as well as their representatives who issued resolutions in support of the teachers and through their elected representatives raised the issue in the legislature.

Special thanks are due to Prof. Ram Kapse, B.T. Deshmukh and Prof. N.D. Patil who as professors intervened and helped in arriving at this amicable settlement.



agreement at this meeting are as under :-

#### POINT RAISED

(1) Security of Service (A) Many appointments which should be made on probation are made "on purely temporary basis".

**AGREEMENT** (1) (A) The Govt. of Maharashtra accepted the recommendation of the Vice-Chancellor of Bombay University in this regard and agreed that the phrase "appointed on temporary basis" will henceforth be deleted from appointment letters to teachers in all the Universities. It was agreed to make a similar request to other Universities in the State.

**POINT RAISED** (B) (i) Problem of B.C. candidates appearing before Selection Committee for B.C. posts.

**AGREEMENT** (B) (i) Whenever a teacher is to be selected against reserved posts the Selection committee should include a member of the B.C. to protect interests of B.C. candidates.

**POINT RAISED** (B) (ii) The Problem of open category candidates appointed against reserved posts because B.C. candidates are not available.

**AGREEMENT** (B) (ii) If a qualified candidate is appointed against a reserved post he should not be called for interview again in the second and the third year but should be reappointed if B.C. candidate is again not available; and when the post gets dereserved should be confirmed W.C. the date on which the post gets dereserved is per Govt. rules. Managements shall be advised to adhere strictly to Govt. instruction regarding reservation for B.C. candidates. In some junior colleges qualified B.C. candidates appointed against reserved post are not appointed on probation. Govt. shall reiterate its instruction to appoint them on probation.

**POINT RAISED** (C) Problem of Teachers who are required to improve their qualifications.

**AGREEMENT** (C) Teachers who are selected although they have deficiency in qualifications will be appointed on probation for 2 years but will be required to improve their qualifications within a period of 8 years.

**POINT RAISED** (D) Problem of teachers whose deficiency in qualifications was condoned by respective Universities.

**AGREEMENT** (D) In the case of Teachers whose deficiency in qualifications was condoned by their respective Universities and whose age as on this date is 50 years or more Govt. will not insist on their improving qualifications. Other teachers in this category will be granted extension of 8 years to improve their qualifications. The Govt. and the University will expeditiously recommend this proposal to the U.G.C. and seek its approval. The question of extending time limit for improving qualification beyond 1987 in respect of Jr. College teachers will be considered.

**POINT RAISED** (E) The question of protection in service to teachers of various categories who suffer from insecurity as a result of being rendered surplus, reduction in workload, closure of subject, class, faculty, etc. etc.

**AGREEMENT** (E) A Five-Member Committee consisting of 2 Govt. Officers, 1 Representative of University and 2 Representatives of the MFUCTO will be set up to examine and recommend upon all the problems arising out of insecurity of service and any anomalies. This Committee will finalize its report within 2 months and Govt. will take suitable decisions within a further period of 2 months.

**POINT RAISED** (F) Problem of Teachers who are required to improve their qualifications but who do not enjoy the facilities to do so. - Bombay University recommendation in this regard.

**AGREEMENT** (F) All those teachers who are required to improve their qualifications in respect of First Degree/Post-graduate Degree/ M.Phil. etc. will be given a period of 8 years to acquire their qualifications from the date on which such facilities were made available. Other Universities will be requested to make available all the facilities in this regard for teachers. A suitable reference will be made to the U.G.C.

to consider extending the period for acquiring these qualifications.

N.B. - So far as problems regarding insecurity of service resulting from conditions discussed at 1(A) to (F) above are concerned to whatever decisions are taken in respect of Degree Colleges and Universities will apply mutadis mutandis to Junior College Teachers as well, subject to provisions in Secondary School Code and the Maharashtra employees of Private Schools (Conditions of Service) Regulation Act, 1977 and Rules made thereunder. The question of continuance of DHE Courses and grant or payscales will be DHE holders examined separately.

#### POINT RAISED

2. Pay-scale of Rs. 600-1030 be sanctioned for Vocational Teachers and Physical Education Teachers in Junior Colleges.

#### AGREEMENT

It was decided to take to final decision in respect of Vocational Teachers within a period of two months. As far as the Physical Education Teacher are concerned, it has been decided to examine this point expeditiously.

**POINT RAISED** 3. Medical Allowance and Leave Travel Facilities to Junior College Teachers.

**AGREEMENT** It was intimated in the meeting held on 15th July 1986 that Govt. will strive to arrive at a decision regarding medical reimbursement scheme for Junior College Teachers by January next at the latest. Min. (Edn.) indicated that on a review, it is agreed to expedite this decision by October and keeping in view that the problem is not confined only to Junior College Teachers but also applies to other sections of education.

As for leave travel concession facilities, the matter will be examined expeditiously in all its aspects.

**POINT RAISED** 4. Payment of Interim Relief.

**AGREEMENT** Government has already sanctioned the payment of Interim Relief vide Govt. Resolution, Fin. Deptt., No. VSD. 1086/365/SRV-7, dtd. 8th July 1986. The Interim Relief thus sanctioned is being released from the month of July paid in August. The arrears will also be worked out and paid during the next few months as and when the funds become available.

**POINT RAISED** 5. Upgradation of P4 category teachers and absorption in the Senior Colleges. Upgradation of P5 category teachers.

**AGREEMENT** It was agreed to examine this problem denovo and revised orders will be issued soon.

**POINT RAISED** 6. Pay-scale of Rs. 700-1600 may be sanctioned to all the Librarians and the Director of Physical Education with effect from 1.1.73.

**AGREEMENT** It was clarified that the question will have to be decided in consultation with the U.G.C. and a recommendation will be made to that body in this behalf.

**POINT RAISED** 7. Proper fixation of pay of teachers who have changed colleges, Universities, categories, and break in service and proper fixation of rest category teachers.

**AGREEMENT** It was stated during the discussion that the problem of rest category teachers (teachers from Marathwada and Pune University) has already been examined and the Govt. orders are expected to be issued within a month. In respect of other Universities, information will be collected and decisions will be taken early. As regards the pay fixation cases, it was stated during the discussion that the same is being re-examined at Govt. orders are likely to be issued shortly.

**POINT RAISED** 8. Stoppage of Increments

**AGREEMENT** All stopped increments & salary will be released.

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**Statement dated 23.9.87 of Prof. Ram Meghe, Minister for Education and Miss Chandrika Kenia, State Minister in connection with strike of University and College Teachers from 4th August 1987.**

The strike of University and College teachers on All India level was started on 4th August, 1987. The strike was withdrawn at All India Level with effect from 5th September, 1987, but sections of teachers are still on strike in Maharashtra. We have held a series of meetings with the representatives of MFUCTO. From the very beginning, we have been appealing to the representatives of the Union to withdraw the strike in the interest of student community and to settle various issues by negotiations. During discussions, efforts were made to understand each other's view points. In the light of the discussions, we would like to make the following offer to the teaching community in regard to various issues.

**Payment of Pay and Allowances for the strike period.**

Appreciating the offer of the teachers to make up for the lost teaching days by putting in extra work, after the withdrawal of the strike, Government would make an advance of an amount equivalent to pay and allowances relating to about 50% of the total strike period as soon as the strike is withdrawn. In particular, on the basis that the strike is withdrawn from 24.9.1987, payment for the period 4.8.1987 to 31.8.1987 would be made as soon as the strike is withdrawn. This advance would be in consideration of the corresponding extra working periods/days which would be put in by the teachers to compensate the lost teaching days in accordance with the scheme to be worked out by the Government. The scheme would involve additional periods on working days including Saturdays. The advance in respect of remaining 50% of the total strike period would be paid after the teachers have fully compensated the lost

teaching days. For this purpose, an undertaking from the individual teachers for making good the lost teaching days would be obtained. Any decision in this regard would apply Mutatis Mutandis to the Directors of Physical Education and Librarians.

2. **There would be no victimisation** i.e. no disciplinary action of any sort in respect of strike action at any level and any category except in cases involving criminal action and/or violence.

**3. Timing and Manner of Implementation of Package Scheme.**

a) Government of India instructions on "revision of pay-scales to the teachers in Universities and Colleges and other measures for maintenance of standards in higher education" dated 17th June 1987, as amended by subsequent agreements dated 4th and 5th September 1987, would be implemented by State Government with the recommended scales of pay subject to what is stated in sub para (e) below as a package scheme with effect from 1.1.1986.

b) Similarly, instructions about DPE's and Librarians as received from Government of India would also be implemented.

c) Government orders would be issued as far as possible within four months of the receipt of the detailed instructions from the Central Government.

d) While working out the package scheme and manner of implementation, the Government would take into account all the relevant factors including U.G.C. and Government

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**HIGH COURT : O.O.C.J. : WRIT PETITION NO. 1941 OF 1982**

(1) Bombay University and College Teachers Union, having its office at Kimatrai Building, 79, Maharshi Karve Marg, Bombay 400 002 (2) Eknath Narayan Manjrekar of Bombay Indian Inhabitant, residing at 6/84, Shivanand Society, Playground Cross Road, Vile Parle (East), Bombay 400 057..... **Petitioners**

**V/S**

(1) University of Bombay having its Registered office at M.G. Road, Bombay 32. (2) Principal, Parle College, having his Registered office at Dixit Road, Vile Parle (East), Bombay 400 057 (3) State of Maharashtra..... **Respondents**

Shri J.P. Cama for the petitioners, Shri M.B. Palshikar for respondent No.1 Respondents 2 and 3 absent (though duly served).

**CORAM : PENDSE J.**

**TUESDAY, AUGUST 5, 1986 : ORAL JUDGEMENT**

1. Petitioner No.1 is a Union of College teachers, while petitioner No.2 is a teacher working in Parle College, the Principal of which is respondent No.2. On April 2, 1982 petitioner No. 1 gave call to its members to take leave from their work on April 19, 1982 to show their support to the striking textile employees. The members were advised to apply for casual leave on April 19, 1982, and accordingly some of the teachers of the Parle College applied for casual leave on April 17, 1982. The applications for casual leave were neither rejected nor granted by the College Administration and the teachers remained absent from work on the relevant date. When the teachers went to collect their wages at the end of the month, the administration informed them that the question as regards payment of one day on which the teachers remained absent would be considered in meeting of the Association of Principals of various colleges in Bombay. Subsequently, the petitioners learnt that the Association of Principals left the question for determination of the State/Government, and on May 4, 1982 the members of the teaching staff were informed that their applications for casual leave stand rejected and their absence on April 19, 1982 is treated as absence without permission. The action of the administration is under challenge.

2. Shri Cama, learned counsel appearing on behalf of the petitioners, is right in his submission that it is not permissible for the administration to treat the absence of the teachers as absence without permission. The teachers had applied for casual leave to show their solidarity to the textile employees, who were on strike for a considerable length. The teachers had not remained absent without informing the administration but on the other hand the teachers applied for casual leave. In case the employees are entitled to take the casual leave, then it is difficult to appreciate how the administration can refuse applications on the ground that their absence would be treated as one without pay. **The administration cannot ignore that the college teachers are paid their wages for the work which they carry out in the whole month and it is not permissible to withhold the wages because of absence of one day. It is, therefore, not possible to sustain the decision taken by the administration.**

3. Accordingly, petition succeeds and the rule is made absolute in terms of prayer (a), but with a condition that the teachers who had applied for casual leave on April 17, 1982 had on that day such leave available to them. There will be no order as to costs.

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of India guidelines on service conditions with a view to improve the standards in higher education.

e) While finalising this scheme, the recommendation of the Equivalence Committee would be taken into account to remove any anomalies, in respect of scale of pay recommended by the Committee for Director of Education.

#### 4. Pay scale of Junior College Teachers.

Government has noted the concern of MFUCTO regarding its demand for Junior College Teachers' pay scales of Rs. 2200-4000 (pay scale of the Senior College Lecturers). Government note that the Chhattopadhyaya Commission has reportedly made the recommendation to this effect. Govt. shall examine the demand on merit. Government also note that Union Minister for Human Resource Development has made a statement in parliament on revision of pay scales on Central School Teachers in the light of recommendation both of Fourth Pay Commission and Chattapadhyaya Commission. All these matters stand referred to equivalence Committee. Government would announce its decision in this regard as part of its overall decision on the equivalence Committee.

#### 5. Implementation of Agreement of 29.7.1986.

Government would expeditiously implement the unimplemented parts of the Agreement dated 29.7.1986. However, 5-members Committee as contemplated in item 1(E) of Agreement dated 29.7.1986 would be constituted within 3 weeks of withdrawal of strike.

6. The teachers in Colleges outside the purview of Education Department.

Minister for Education would write to the Minister of Medical Education and Minister of social Welfare for similar action after due examination in respect of Item 1,2 and 3 in respect of teachers in Unani Ayurvedic and Social Work Colleges.

We feel that offer as above made by Government is very reasonable one and meets the genuine demands of the teaching community relating to implementation of revised pay scales, treatment of the strike period and related matters consistent with maintenance of standards in the field of Higher Education. Governments offer is open only if the package as whole is accepted by the Association and the strike is withdrawn and not otherwise. Government appeals to MFUCTO to respond to this offer in the spirit in which it is made and advise the teachers to join their duties forthwith.

(Mrs. Kumud Bansal)  
Secretary (Higher Education)

(M.R. Kolhatkar)  
Secretary (Education)

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### Statement made by the MFUCTO Executive Committee on 23.9.87 at the meeting with the Minister (Education) and the Minister of State (Education), Govt. of Maharashtra

The MFUCTO takes note of the statement made by Prof. Ram Meghe, Minister (Edn.) in the presence of Miss Chandrika Kenia, Minister of State for Education on 23.9.87 on the question of revision of payscales of University, College and Junior College teachers and on the Agreement dt. 29.7.86 between the Govt. of Maharashtra and the MFUCTO.

2. The MFUCTO also notes the stand of the Govt. of Maharashtra regarding payment of salaries and allowances to all those who participated in the strike call given by the MFUCTO and its affiliated units, and the assurance that there will be no victimisation of any teacher including part-time and contributory teachers, librarians and DPEs at any level

in connection with the strike.

The MFUCTO understands that no condition in the statement made by the Education Minister today would be so interpreted as to adversely affect the present terms and conditions of service of the teachers, including the terms in the consensuses reached previously between the Govt. and MFUCTO and subsequently filled in the High Court of Bombay and the MFUCTO reserves its right to resist any adverse change in the service conditions.

4. The MFUCTO hereby reiterates its assurance already given to students to compensate for the loss of days during the strike.

5. In view of the appeal from the Minister (Edn.) and in the interests of the students community the MFUCTO hereby decides to withdraw unconditionally the indefinite strike with immediate effect. The teachers, however, will join duties w.e.f. 25th September 1987.

6. The MFUCTO sincerely appreciates the efforts made by the Minister (Edn.), the Minister of State (Edn.), and their two Secretaries and other officers during the negotiations.

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(27)

### Minutes of the meeting held in the Chamber of Minister for Education on 19th February, 1988.

The meeting was held in the Chamber of Minister for Education on 19th February, 1988. The following office bearers and members of the MFUCTO were present for the meeting.

1. Shri S.M. Paranjape
2. Shri Arun Dixit
3. Smt. Rohini Gawankar
4. Shri B.T. Deshmukh.
5. Shri E.N. Manjrekar
7. Shri K.K. Theckedath

After discussion the following statement was agreed to.

"This is in continuation of the earlier agreement signed on 23rd September 1987 with Special reference to para 4 where the Government has agreed to examine this issue of scale of Rs. 2200-4000 for Junior College Teachers on merit. This issue came up again in the meeting with the Co-ordination Committee which concluded on 9th of February 1988.

However, after the meeting with the MFUCTO representatives today, it has been pointed out by the Government that there is an anomaly in giving scales of Rs. 1640-2900 to Junior College Teachers in as much as Head Masters 600-950 have been recommended a scale of Rs. 2000-3500. The Government desires that the anomaly is removed and in the light of the earlier agreement, discussions will be held in a series of sittings with MFUCTO and Maharashtra State Federation of Junior College Teachers before the 25th of March, 1988, with a view to settling the issue as per agreement with the Co-ordination Committee and the MFUCTO."

The Minister (Education) appeals to MFUCTO and Maharashtra State Federation of Junior College Teachers to withdraw the agitation.

In response to the above statement and appeal from the Hon'ble Minister of Education, the MFUCTO agrees to suspend the present boycott of H.S.C. examination. However, on account of difficulties explained the MFUCTO will formally announce the decision in the evening of Sunday 21st February, 1988.

E.N. Manjrekar  
President - MFUCTO

V.R.Drauid  
Secretary, E & E.D.

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(28)

**Minutes of the meeting of Vice-Chancellors of Non-agricultural Universities called by the Hon'ble Minister of Education to discuss the work-load of college teachers on 26th December 1988, at 3 p.m. at his residence.**

A meeting of Vice-Chancellors of Non-agricultural Universities was called by the Hon'ble Minister of Education to discuss the work-load of college teachers on 26th December 1988, at 3 p.m. at his residence. The following Vice-Chancellors were present :-

- (1) Prof. (Mrs.) Kamalini Bansali, Vice Chancellor, S.N.D.T. Women's University, Bombay;
- (2) Dr. (Miss) M.D. Bengalee, Vice-Chancellor, University of Bombay, Bombay;
- (3) Dr. K.G. Deshmukh, Vice-Chancellor, Amravati University, Amravati
- (4) Dr. R.G. Takwale, Vice-Chancellor, Pune University, Pune
- (5) Dr. K.B. Pawar, Vice-Chancellor, Shivaji University, Kolhapur;
- (6) Dr. M.G. Bokare, Vice-Chancellor, Nagpur University, Nagpur;
- (7) Prof. G.L. Abhyankar, Pro Vice-Chancellor, University of Bombay, Bombay.

In addition, the Secretary, Higher Education, the Secretary, Education, the Director, Higher Education, and other officials from Higher Education Department, were present, and took part in the discussion.

As per the guidelines of the University Grants Commission, the work-load of a full-time college teacher for various activities, including academic, should be 40 (forty) hours a week. Any good teacher particularly one who is involved in creative activity and who has a spirit of challenge towards giving his best to the students, would always spend much more than 40 hours a week in academic pursuits.

Considering the outer limit of 40 hours and looking to the problems of rural, urban and metropolitan colleges and also the pattern of class-room teaching of different Universities, the following broad guide-lines have been formulated :-

(i) A degree college teacher will spend minimum 20 hours per week on college premises and balance of time on

related academic and other work.

The break-up of 20 hours shall be as follows :-

- (a) 15/16 hours of class-room teaching
- (b) 5/4 hours shall be spent on other activities related to students. Whether the class-room teaching should be of 15 or 16 hours per week be decided by the respective Universities. The class-room teaching shall include lectures, practical demonstrations and tutorials if any are provided. The duration of a period be of 45 minutes or 50 minutes as may be decided by each University.

5/4 hours per week provided for other activities shall include extension activities, guiding the students for projects and research, participating in enrichment programme/courses, field-visits, NSS, NCC, Sports, Adult Education Literacy Programme etc. as may be worked out by each Principal for his staff.

In addition, a teacher shall do administrative work and work related to internal examination as entrusted by the Principal. He shall take part in University examinations, doing invigilation, valuation etc., as assigned do him, for which they will be getting additional remuneration from the University. These details shall be worked out by each university or the college.

The work-load of a teacher shall be calculated on the basis of 15 hours per week by the Government for grant purpose. It was also decided that the appraisal of teacher be done regularly as per the guide-lines now circulated by the University Grants Commission.

Prof. (Mrs.) Kamalini Bansali	Dr(Miss)M.D. Bengalee
Dr. K.G. Deshmukh	Dr. R.G. Takwale
Dr. K.B. Pawar	Dr. M.G. Bokare
Prof. G.L. Abhyankar	

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**परिशिष्ट-६**

No. NGC 3482/18/13496/V/A,  
Directorate of Education, Maharashtra State, Pune-1.  
Date : 17-9-83.

To:  
The Principals of Non-Government  
Arts, Science and Commerce Colleges in the State

**Subject :** Non-Government Colleges -  
Workload - of college teachers in the -  
Sir/Madam,

Please refer to Government orders contained in their Resolutions, Education and Employment No. NGC/2080/160284/(5987)/UNI-2, dated 1.6.1981, 3-8-1981 and 1-9-1981 on the subject of norms of workload for fulltime and part-time college teachers.

2/- Since clarifications were needed to determine (i) available workload (ii) the number of teachers required and (iii) Grant-in-aid admissible to the collegiate institution etc., as a result of the various Government orders, the problem was referred to Government for their consideration. Government after careful consideration have now clarified as follows :

1. The workload obtainable as on 1.8.79 in the Non-Government Colleges may be taken into account for

assessment of grant.

2. The staff which was in position as on 1.8.79 in the Non-Government colleges may be treated as stabilised for the purposes of salary grant and,

3. The orders of workload issued by Government vide their Resolution referred to above, be made applicable from 1982-83 instead of 1981-82.

Thus it will be seen that the orders of workload are to be made effective from the accounts year 1982-83 i.e. grants to be assessed now during the year 1983-84, will be based on the workload in the year 1982-83 on the basis of the Government orders contained in their resolution referred to above. You are, therefore, requested to take these orders into consideration and send in requisite proposals if any, in the matter to this Directorate through the Administrative Officer of the Region concerned.

Yours faithfully,  
Sd/O  
Director of Education,  
(Higher Education),

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(29)

कृषीतर विद्यापीठे व त्यांना संलग्नित अशासकीय कला,  
वाणिज्य, विज्ञान व शिक्षण महाविद्यालयांतील  
शिक्षकांना सेवेमध्ये संरक्षण देण्याच्या  
दृष्टीने अभ्यास करण्यासाठी  
नेमलेल्या पाच सदस्य  
समितीचा अहवाल.

अनुक्रमणिका

अ.क्र.	तपशील	पृष्ठांक
१.	प्रस्तावना .. .. .	५५८
२.	पूर्वपीठिका .. .. .	५५८
३.	समितीच्या शिफारशी .. .. .	५५९
४.	सर्वसाधारण शिफारस .. .. .	५६१
५.	परिशिष्ट - १ .. .. .	५६०
६.	परिशिष्ट - २ .. .. .	५६१
७.	परिशिष्ट - ३ .. .. .	५६२
८.	परिशिष्ट - ४ .. .. .	५६२
९.	परिशिष्ट - ५ .. .. .	५६५
१०.	परिशिष्ट - ६ .. .. .	५६६

कृषीतर विद्यापीठे व त्यांना संलग्नित अशासकीय कला, वाणिज्य, विज्ञान व शिक्षण  
महाविद्यालयातील शिक्षकांना सेवेमध्ये संरक्षण देण्याच्या दृष्टीने  
अभ्यास करण्यासाठी नेमलेल्या  
समितीचा अहवाल.

(29)

## कृषीतर विद्यापीठे व त्यांना संलग्नित अशासकीय कला, वाणिज्य, विज्ञान व शिक्षण महाविद्यालयांतील शिक्षकांना सेवेमध्ये संरक्षण देण्याच्या दृष्टीने अभ्यास करण्यासाठी नेमलेल्या पाच सदस्य समितीचा अहवाल.

### प्रस्तावना

१. दिनांक २३/९/८७ रोजी कृषीतर विद्यापीठे व त्यांना संलग्नित अशासकीय महाविद्यालयांतील शिक्षकांच्या संपावावत शासनाने "एमफक्टो" प्राध्यापक संघटनेने दिलेल्या विविध मागण्या संदर्भात परिच्छेद ५ नुसार दिनांक २९/६/८६ च्या करारामधील अंमलबजावणी न झालेल्या मुद्यांची त्वरेने अंमलबजावणी व्हावी, असे नमूद केले आहे. त्यानुसार सदर करारामधील बाब क्रमांक १ (इ) मध्ये अभिप्रेत असल्याप्रमाणे प्राध्यापकांनी संप मागे घेतल्यानंतर तीन आठवड्यांच्या आत उपरोक्त प्रश्नांचा अभ्यास करण्यासाठी एक पाच सदस्य समिती शासनाने नियुक्त करावयाची होती.

२. शासनाकडील अ.शा. पत्र शिक्षण व सेवायोजन विभाग क्र. युएसजी/१२८६/११८१/विशि-४, दि. १५-१०-८७ अन्वये उपनिर्दिष्ट पाच सदस्य समिती स्थापन करण्यात आली. सदर शासनपत्राची प्रत सोबत परिशिष्ट -१ मध्ये जोडली आहे. या समितीमध्ये खालील सदस्य आहेत.

१. शिक्षण संचालक (उ.शि.) म.रा. पुणे (शासनाचे प्रतिनिधी)....निमंत्रक
२. उपसचिव, शिक्षण व सेवायोजन विभाग, मंत्रालय, मुंबई (शासनाचे प्रतिनिधी) .... सदस्य
३. प्राध्यापक बी.टी. देशमुख (एमफक्टोचे प्रतिनिधी)....सदस्य
४. प्राध्यापक संभाजीराव जाधव (एमफक्टोचे प्रतिनिधी)....सदस्य
५. डॉ. बी.पी. सावळे, कुलसचिव, शिवाजी विद्यापीठ, कोल्हापूर (विद्यापीठाचे प्रतिनिधी).... सदस्य

३. उपरोक्त समितीच्या कार्यकक्षा व मार्गदर्शकतत्वे खालील प्रमाणे सूचित केली आहेत.

(१) सदर समिती महाविद्यालयातील विषय, वर्ग, विद्याशाखा बंद झाल्याचा परिणाम म्हणून, तसेच अभ्यासक्रम बदल, विषयांची संख्या कमी झाल्याने शिक्षकांचा कार्यभार कमी झाल्यामुळे त्यांच्या सेवेसंबंधी निर्माण झालेल्या प्रश्नांसंबंधात शासनाने वेळोवेळी काढलेले प्रचलित आदेश व घालून दिलेली तत्वे व संबंधित विद्यापीठांचे परिणियम विचारात घेऊन शिफारशी करील.

(२) सदर समिती अतिरिक्त आर्थिक भारासह शिफारशी सुचवील.

४. वरील समितीच्या बैठका शिक्षण संचालक (उ.शि.) महाराष्ट्र राज्य, पुणे-१, यांच्या कार्यक्षेत्रातील क्षेत्रात खालील तारखांना घेण्यात आल्या :-

दिनांक ६ नोव्हेंबर १९८७, ५ डिसेंबर १९८७, १ जानेवारी १९८८, २ मार्च १९८८, २३ मे १९८८, १८ व १९ ऑगस्ट १९८८, २९,३० ऑगस्ट १९८८, ६ व ७ सप्टेंबर १९८८, २८ आक्टोबर १९८८, १७ नोव्हेंबर १९८८, २४ नोव्हेंबर १९८८.

या समितीचा अहवाल तयार करण्याकामी सर्व सदस्यांनी दिलेल्या सहकार्याबद्दल समितीचे निमंत्रक त्यांचे आभारी आहेत.

### पूर्वपिठिका

५. कृषीतर विद्यापीठे व त्यांना संलग्नित अशासकीय कला, (सामाजिक शास्त्रांसह) वाणिज्य, विज्ञान (गृहविज्ञानसह) व शिक्षण महाविद्यालयांत काम करणाऱ्या शिक्षकांच्या विविध मागण्या संबंधात शासनाबरोबर "एमफक्टो" प्राध्यापक संघटनेने करार केला होता. सदर करारामधील काही मागण्या त्यानंतरच्या कालावधीत शासनाने आवश्यक ते आदेश काढून मान्य केल्या आहेत. मात्र ज्या मागण्यांवाबत अद्याप अंमलबजावणी झालेली नाही, अशा मागण्यांची अंमलबजावणी त्वरेने करावी, याबाबत दि. ५ ऑगस्ट, ८७ ते २५ सप्टेंबर, १९८७ च्या कालावधीतील प्राध्यापकांच्या संपानंतर, सदर संघटनेला शासनाने दिलेल्या "ऑफर" मधील परिच्छेद-५ अनुसार पाच सदस्य समितीची शासनाने नेमणूक केली आहे. (त्याचा लागू पुरता उतारा परिशिष्ट - २ मध्ये सोबत जोडला आहे.) सदर समितीच्या कार्यक्षेत्र नमूद केल्याप्रमाणे या समितीने वेगवेगळ्या कारणास्तव शिक्षकांच्या सेवेसंबंधी निर्माण झालेल्या विविध

प्रश्नांवाबत विचार करून त्याबाबतच्या आपल्या शिफारशी या अहवालात संकलित केल्या आहेत.

६. भारत सरकारने नेमलेल्या शिक्षण आयोगाच्या (सन १९६४-६६) शिफारशीनुसार सर्व राज्यांतून एकच शैक्षणिक आकृतीबंध असावा, असा विचार प्रथमतः मांडला गेला. त्याबाबतची कार्यवाही करण्याच्या दृष्टिकोनातून महाराष्ट्र शासनाने इतर राज्यांबरोबरच नवीन शैक्षणिक आकृतीबंध (१०+२+३) १९७५-७६ सालापासून अंगिकारला. तत्पूर्वी राज्याच्या काही भागामध्ये (११+४) असा अभ्यासाचा आकृतीबंध अस्तित्वात होता, तर राज्याच्या काही भागात (१०+१+३) किंवा (११+३) असा १४ वर्षांचा अभ्यासक्रमाचा आकृतीबंध होता. या नवीन बदलामुळे इयत्ता १० वी हे माध्यमिक शिक्षणाचे अखेरचे वर्ष म्हणून निश्चित करण्यात आले. राज्याच्या काही भागामध्ये ११+१ (पदवीपूर्व) +३ किंवा ११+४=१५ असा शैक्षणिक आकृतीबंध अस्तित्वात होता व काही भागात १०+१+३ हा आकृतीबंध १०+१+३=१४ वर्षे असा होता. ज्या भागात हा १४ वर्षांचा शैक्षणिक आकृतीबंध अमलात होता, तेथे नवीन शैक्षणिक आकृतीबंध (१०+२+३) कार्यान्वित करतांना १९७६-७७ या वर्षाच्या प्रथम वर्षात व त्यापुढील वर्षी क्रमशः द्वितीय व तृतीय वर्षाकरिता पात्रता परीक्षा उत्तिर्ण झालेले विद्यार्थी उपलब्ध न झाल्याने विद्यार्थी संख्येत घट झाली. परिणामतः १९७६-७७ ते १९७८-७९ या वर्षीच्या नियमित वर्गाकरिता विद्यार्थी उपलब्ध होऊ शकले नाहीत. तसेच, इयत्ता ११ वी व १२ वी ही दोन वर्षे उच्च माध्यमिक शिक्षणाची म्हणून समजण्यात आली. महाविद्यालयाकडे अस्तित्वात असलेले पदवीपूर्व शिक्षणाचे वर्ग बंद करून जवळ जवळ सर्व महाविद्यालयांना इयत्ता ११ वी व १२ वी चे वर्ग जोडण्यात आले. त्यामुळे महाविद्यालयीन शिक्षकांच्या संदर्भात पदे अतिरिक्त होण्याचे प्रश्न उपस्थित झाले. समितीच्या असे लक्षात आले की, त्यानंतरच्या काळातसुद्धा पुढे दिलेल्या कारणांमुळे पदे अतिरिक्त होत राहिली. ती कारणे अशी :

१. कार्यभार कमी होणे.
२. विषय बंद होणे.
३. वर्ग बंद होणे.
४. विषय संख्या कमी होणे.
५. वर्गसंख्या कमी होणे.
६. विद्याशाखा बंद होणे.
७. व तत्सम अन्य प्रश्न.

७. या प्रश्नांची सोडवणूक करण्याच्या दृष्टीने अशासकीय कला, वाणिज्य, विज्ञान व शिक्षण महाविद्यालयातील शिक्षकांच्या सेवासुरक्षितते संबंधी शासनाने वेळोवेळी आदेश/नियम निर्गमित केले आहेत. तरी देखिल प्रचलित नियम व त्यातील तरतुदी सेवासुरक्षिततेच्या संदर्भात विसंवाद निर्माण करतात व ते विसंवाद संपुष्टात आणण्यासाठी उपाययोजनांची शिफारस करण्याकरिता या समितीची नेमणूक झाली.

(१) आकृतीबंधामुळे अतिरिक्त झालेल्या पदांची समस्या/प्रश्न सोडविण्याकरिता महाराष्ट्र शासनाने तात्पुरती उपाययोजना म्हणून शासन निर्णय शिक्षण व सेवायोजन विभाग क्रमांक एचएससी/१०७६/४१९/२०-२१, दिनांक ११ जून, १९७६ (सोबत परिशिष्ट ३ मध्ये जोडला आहे.) अन्वये महाविद्यालयातील शिक्षकांचे संवर्ग ठरविण्या संबंधात (पी-१, पी-२, वगैरे) मार्गदर्शक सूचना निर्गमित केल्या आहेत व त्याप्रमाणे प्रत्येक विद्यापीठाने तदर्थ समिती नेमून आपल्या विद्यापीठांतर्गत शिक्षकांची चौकशी तपासणी करून पी-१ ते पी-५ अशी संवर्गसूची तयार केली आहे.

(२) राज्यातील सर्व अकृषी विद्यापीठांमध्ये तदर्थ समितीद्वारा (अॅडव्हाक कमिटी) अतिरिक्त शिक्षक ठरविण्याचे काम चालू असताना सेवेत असलेल्या, परंतु ज्यांचा समावेश पी-१ ते पी-५ या संवर्गात होऊ शकला नाही, अशा अधिव्याख्यात्यांना अॅडव्हाक कमिटीने रेस्ट (उर्वरित) या संवर्गात समाविष्ट केले व पुढील शासकीय कागदपत्रांत अशा शिक्षकांचा उल्लेख रेस्ट कॅटेगरी शिक्षक असाच करण्यात आलेला आढळून येतो. या शिक्षकांच्या सेवांना संरक्षण

देण्यासंबंधी समितीने या अहवालात काही शिफारशी केल्या आहेत. या शिफारशीची काटेकोरपणे अंमलबजावणी करता यावी म्हणून समिती **रेस्ट कॅटेगरी शिक्षकांची व्याख्या पुढील प्रमाणे निश्चित करित आहे :**

**व्याख्या :** दिनांक ७-२-१९७५ ते ३०-९-१९७६ या कालावधीत व्याख्यात्याच्या पदास आवश्यक असणारी व संबंधित विद्यापीठांनी विहित केलेली शैक्षणिक अर्हता धारण करणारे जे अधिव्याख्याते निर्वाह रित्त पदावर (क्लिअर व्हॅकन्सीमध्ये) वरिष्ठ महाविद्यालयांत नियुक्त झालेले आहेत, अशा अधिव्याख्यात्यांना रेस्ट (उर्वरित) कॅटेगरी संवर्गातील व्याख्याते समजावे.

(३) उपरोक्त शासन निर्णय दिनांक ११ जून, १९७६ मध्ये महाविद्यालयीन शिक्षकांची पी-१ ते पी-५ पैकी कोणत्या संवर्गात गणना करावयाची, याचा तपशील नमूद आहे. त्यापैकी पी-१, पी-२, पी-३ व पी-५ या संवर्गातील शिक्षकांना वरिष्ठ महाविद्यालयामध्ये सामावून घेण्याचा प्रश्न फार मोठ्या प्रमाणावर मार्गी लागला असला, तरी पी-४ संवर्गातील शिक्षकांपैकी ज्यांना आजपावेतो वरिष्ठ महाविद्यालयाच्या सेवेमध्ये सामाऊन घेतलेले नाही, अशा शिक्षकांच्या संदर्भात शासनाने करावयाच्या कार्यवाही बाबत या अहवालात समितीने शिफारशी केल्या आहेत.

(४) शासनाकडील पत्र जा. क्र. एनजीसी २०८३/१९३८२/(७७२४)/सूएनआय-२ दिनांक २६-९-१९८६ **परिशिष्ट क्र. ४** मध्ये जोडले आहे. त्यामागील परिच्छेद - २ (२) मध्ये स्टॅबिलाईज्ड स्टाफ (स्थिरपद शिक्षक) संबंधी विवेचन नमूद आहे. त्यातील मजकुरास अनुलक्षून स्थिरपद शिक्षक कुणास समजावे, याची व्याख्या पुढील प्रमाणे करण्यात येत आहे.

**स्थिरपद शिक्षक (स्टॅबिलाईज्ड स्टाफ) :-** “दिनांक १-८-७९ रोजी उपलब्ध असणाऱ्या कार्यभारास अनुसरून अस्तित्वात असणाऱ्या अशासकीय महाविद्यालयातील शिक्षकवर्ग स्थिरपद शिक्षक संवर्गापैकी समजावेत” व त्यानुसार वेतन अनुदानाची आकारणी करण्यात यावी. या तरतुदीचा आधार घेऊन उच्च न्यायालयामध्ये दाखल केलेल्या याचिका क्रमांक १७३४ सन १९८४ मधील दि. २६-२-१९८७ रोजी दिलेल्या निर्णयाची प्रत सोबत **परिशिष्ट क्रमांक ५** वर जोडली आहे. त्यातील परिच्छेद ३ मध्ये शेवटी न्यायालयाने नमूद केलेला मजकूर पुढील प्रमाणे आहे.

The respondent No. 1 was teaching in the College on August 1, 1979, the workload obtainable on that day should be taken into account and the Services of respondent No. 1 should be stabilised for the purpose of salary grant.

#### समितीच्या शिफारशी

८. सदर अहवालाच्या परिच्छेद ६ मध्ये नमूद केलेल्या विविध प्रश्न/कारणांसाठी अशासकीय कला, वाणिज्य, विज्ञान व शिक्षण महाविद्यालयात अतिरिक्त ठरलेल्या व्याख्यात्यांच्या सेवेला संरक्षण देण्या संदर्भात शासनाकडे शिफारस करणे, हे या समितीचे एक प्रमुख कार्य आहे. समितीने या बाबतच्या शिफारशी या अहवालाच्या परिच्छेद १० मध्ये केलेल्या आहेत. महाविद्यालयातील अतिरिक्त ठरलेल्या शिक्षकांचे सेवासंरक्षण करण्याकरिता शिफारशी करित असतांना समितीने माध्यमिक व उच्च माध्यमिक स्तरावर अतिरिक्त ठरणाऱ्या शिक्षकांना ज्या प्रकारे सेवासंरक्षण देण्यात येते, त्याचे काळजीपूर्वक व तपशीलवार अवलोकन केले असून, त्या धर्तीवर अशासकीय महाविद्यालयातील अतिरिक्त शिक्षकांना द्यावयाच्या सेवासंरक्षणाबाबत समितीने शिफारशी सुचविल्या आहेत. समितीच्या असे लक्षात आलेले आहे की, महाराष्ट्रातील खाजगी शाळातील कर्मचारी सेवेच्या शर्ती अधिनियम १९७७ (सन १९७८ चा अधिनियम क्र. ३) या कायद्यान्वये सेवाशर्तीचे नियमन करण्यात येत असून, त्यात १९८७ च्या महाराष्ट्र अधिनियम क्र. ३० मध्ये काही बदल केले आहेत. १९८७ मध्ये दुरुस्ती करण्यात आलेले कलम ५ मध्ये अशा रितीने अतिरिक्त ठरलेल्या शिक्षकांची एक यादी तयार केली पाहिजे व कोणत्याही व्यवस्थापनाने नवीन नेमणुका करित असताना या यादीतील शिक्षकांना सामावून घेतले पाहिजे, अशा प्रकारचे बंधन व्यवस्थापनावर घालण्यात आलेले आहे. सामान्यतः अशासकीय कला, वाणिज्य, विज्ञान व शिक्षण महाविद्यालयामध्ये अतिरिक्त ठरलेल्या / होणाऱ्या प्राध्यापकांकरिता परिच्छेद १० मध्ये सूचविलेल्या शिफारशी या तरतुदीवरच आधारित आहेत.

९. सर्वसाधारणपणे महाविद्यालयांत अतिरिक्त ठरणाऱ्या व्याख्यात्यांना सामावून घेण्याबाबतचे नियम/मार्गदर्शक तत्त्वे शासनाकडून निश्चित होण्याआधी सध्या अस्तित्वात असणाऱ्या (१) पी-४ संवर्गातील (२) उर्वरित संवर्गातील (रेस्ट कॅटेगरी), तसेच (३) स्थिरपद (स्टॅबिलाईज्ड) व्याख्यात्यांच्या बाबतीत असणारी वैशिष्ट्ये विचारात घेऊन समिती खालील शिफारशी करित आहे.

**पी-४ शिक्षक :-** या अहवालातील मागील प्रकरणामध्ये उल्लेखिलेल्या दिनांक ११ जून, १९७६ च्या शासन निर्णयामध्ये पी-१, पी-२, पी-३, पी-४ व पी-५ असे महाविद्यालयीन शिक्षकांचे संवर्ग संबंधित विद्यापीठांनी कशा प्रकारे ठरवावयाचे आहेत, याचा तपशील सविस्तर पणे नमूद केलेला आहे. त्यानुसार संबंधित विद्यापीठांनी त्यांच्या क्षेत्रातील संलग्नित असणाऱ्या संबंधित महाविद्यालयातील शिक्षकांचे वर्गीकरण तदर्थ समितीद्वारा पी-१ ते पी-५ या प्रकारात करून प्रकारनिहाय याद्या प्रसिद्ध केलेल्या आहेत. या संवर्गापैकी पी-४ संवर्गातील काही शिक्षकांच्या बाबतीत कार्यवाही होण्याचे अजूनही बाकी आहे. पी-४ संवर्गात असणाऱ्या शिक्षकांपैकी सर्वच प्रयोग निर्देशकांनी व पाठ निर्देशकांनी अधिव्याख्यात्यासाठी विहित केलेली शैक्षणिक अर्हता धारण केलेली होती. त्यांना शासनाने १ जुलै १९७५ पासून अधिव्याख्याता समजून अधिव्याख्यात्यास देय असणारी वेतनश्रेणी लागू केली असली तरी, त्यानंतरच्या कालावधीत न्यायालयीन याचिकामुळे व विद्यार्थी संख्या कमी झाल्यामुळे त्यांच्यापैकी काहीना महाविद्यालयीन स्तरावर अद्यापही सामाऊन घेण्यात आलेले नाही, असे समितीच्या निदर्शनास आले. काही न्यायालयीन निर्णयामुळे पी-५ संवर्गातील प्रयोग निर्देशकांना संरक्षणाच्या बाबतीत अग्रक्रम मिळाल्यामुळे पी-४ संवर्गातील अर्हताप्राप्त प्रयोग निर्देशकांना पदांच्या अभावी व शैक्षणिक कार्यभाराच्या कमतरतेमुळे वरील वेतनश्रेणीत सामाऊन घेतले गेले नाही. तथापि, त्यामुळे पी-४ संवर्गातील प्रयोग निर्देशकांवर अन्याय झालेला आहे.

**त्यांना पदावनत केल्याच्या तारखेपासून पुनः वेतनवाढ दिल्यानंतर त्यांची पुनःश्च वेतननिश्चिती करण्यात यावी व वेतननिश्चितीसाठी त्यांनी केलेली सर्वसेवा वरिष्ठ वेतनश्रेणीत केलेली आहे, असे मानून हे सेवासातत्य वरिष्ठ वेतनश्रेणीतील त्यांच्या वेतननिश्चितीसाठी ग्राह्य धरावे,** अशी समिती शिफारस करित आहे. असे करताना पी-४ संवर्गातील जे शिक्षक अद्याप वरिष्ठ महाविद्यालयामध्ये सामावून घ्यावयाचे राहिले आहेत, अशा शिक्षकांची विद्यापीठ-निहाय यादी विद्यापीठांनी तयार करावी व यादीतील शिक्षकांची संबंधित विषयांची जागा त्यांच्या विद्यापीठ क्षेत्रात ज्या महाविद्यालयामध्ये उपलब्ध होईल, त्या ठिकाणी यादीतील शिक्षकांस निवड पद्धतीचा अवलंब न करता विद्यापीठामार्फत नेमणूक देऊन त्या शिक्षकांस वरिष्ठ महाविद्यालयात प्राथम्याने सामावून घेण्यात यावे.

**१० रेस्ट कॅटेगरी शिक्षक :-** रेस्ट कॅटेगरी शिक्षक कोणास म्हणावे, या विषयीची व्याख्या समितीच्या अहवालामध्ये परि-७ चा उप परिच्छेद (२) मध्ये नमूद केलेली आहे. रेस्ट कॅटेगरी शिक्षकांमध्ये ढोबळ मानाने दोन प्रकारचे शिक्षक आहेत. ते पुढीलप्रमाणे आहेत:

१. ७.२.७५ या दिवशी कोणत्या तरी महाविद्यालयामध्ये जे सेवेत होते, (प्रसंगी त्या महाविद्यालयात त्यांची सेवा एक वर्षापासून अनेक वर्षापर्यंत सुद्धा झालेली असली तरी) व नंतर त्यांनी विविध कारणांसाठी ७.२.७५ नंतर, आणि ११ जून, १९७६ चा महाराष्ट्र शासन आदेश निघण्यापूर्वी महाविद्यालय बदलले असले तरी, अशा तऱ्हेचे शिक्षक (ज्यांना पुढे अशा दि. ११.६.१९७६ चा आदेश निघणार आहे, याची स्वाभाविकपणे कल्पना नव्हती व म्हणून त्यांनी त्या वेळेच्या पद्धतीप्रमाणे महाविद्यालय बदलून नवीन नेमणूक घेतली.) या प्रकरणात येतात.

२. दुसऱ्या प्रकारात ढोबळ मानाने ७.२.७५ नंतर वरिष्ठ महाविद्यालयाच्या सेवेत नवीन नेमणुकीत आलेल्या रेस्ट कॅटेगरी शिक्षकांचा समावेश होतो. नवीन आकृतीबंधाच्या वाटचालीमध्ये विद्यार्थी संख्येवर झालेल्या परिणामामुळे मुख्यत्वे करून या रेस्ट कॅटेगरी शिक्षकांना कनिष्ठ महाविद्यालयाच्या सेवेमध्ये समाविष्ट व्हावे लागले. काही ठिकाणी महाविद्यालय बदलावे लागले तर, काही ठिकाणी कनिष्ठ महाविद्यालयाच्या सेवेतून ते वरिष्ठ महाविद्यालयात आले आणि काही ठिकाणी काही महिने किंवा वर्षेपर्यंत ज्यांना सेवेच्या बाहेर रहावे लागले व नंतरच्या काळात ते पुन्हा वरिष्ठ किंवा कनिष्ठ महाविद्यालयाच्या सेवेमध्ये नियुक्त झाले, त्यातील काही अजूनही कनिष्ठ महाविद्यालयीन सेवेतच आहेत. अशा सर्व रेस्ट कॅटेगरी शिक्षकांविषयी समितीची अशी शिफारस आहे की, या रेस्ट कॅटेगरी शिक्षकांना पी-१, पी-२ व पी-३ कॅटेगरी शिक्षकांना सेवा व वेतनाबाबत जी शाश्वती देण्यात आलेली आहे, ती शाश्वती व संरक्षण लागू करण्यात यावे, जेणेकरून वरिष्ठ महाविद्यालयामध्ये त्यांची प्रथम नियुक्ती झाल्याच्या दिनांकापासून त्यांना सेवा व वेतन सातत्य दिले जाईल. नवीन शैक्षणिक आकृतीबंधामुळे अशा संवर्गातील शिक्षकांना अन्य व्यवस्थापनात जावे लागले असेल तरीही त्यांना हे संरक्षण देण्यात यावे.

३. सदरहू परिच्छेदाच्या उपपरिच्छेद दोनमध्ये समितीने रेस्ट कॅटेगरी शिक्षकांविषयी जी शिफारस केलेली आहे, ती करित असताना नवीन आकृतीबंधाच्या वाटचालीमध्ये मराठवाडा व विदर्भामध्ये जी विशेष परिस्थिती अस्तित्वात होती ती लक्षात घेणे समितीला आवश्यक वाटले. या परिस्थितीचा

संक्षिप्त उल्लेख अहवालाच्या परिच्छेद ६ मध्ये करण्यात आलेला आहे. समितीच्या असे लक्षात आले आहे की, नवीन आकृतीबंधाची वाटचाल होत असताना मराठवाडा व विदर्भामध्ये हा आकृतीबंध त्यापूर्वी एकूण १४ वर्षांचा होता आणि राज्याच्या इतर भागामध्ये तो १५ वर्षांचा होता. मराठवाड्यामध्ये आकृतीबंध १४ वर्षांचा असल्यामुळे १५ वर्षांच्या आकृतीबंधाशी समायोजन होत असताना परिच्छेद सहामध्ये नमूद केल्याप्रमाणे १९७५-७६ पासून १९८०-८१ पर्यंत पदवी परीक्षेच्या एक एका वर्गामध्ये पात्रता परीक्षा उत्तीर्ण झालेल्या विद्यार्थ्यांची नियमित तुकडी उपलब्ध नव्हती. त्या मागोमाग येत असलेल्या तुकडीमध्ये फक्त वार्षिक परीक्षा उत्तीर्ण होऊन काही प्रमाणात जे विद्यार्थी प्रवेश घेतात असे विद्यार्थी ७५ ते ८० या कालखंडामध्ये मराठवाडा व विदर्भातील महाविद्यालयीन वर्गांना या सुधारीत आकृतीबंधाच्या वाटचालीमुळे उपलब्ध होऊ शकले नाहीत. स्वाभाविकपणे त्याप्रमाणात कार्यभार कमी झाला. त्यामुळे रेस्ट कॅटेगरी शिक्षकांची संख्या मोठ्या प्रमाणात मराठवाड्यामध्ये व त्या खालोखाल विदर्भामध्ये असून इतर भागामध्ये ती तुलनेने कमी आहे.

नवीन आकृतीबंधाच्या अंमलबजावणीमुळे शिक्षकांना संरक्षण देण्यासाठी ज्याप्रमाणे पी-१, पी-२ इत्यादी संवर्ग निर्माण करण्यात आले; तशाच प्रकारचे संरक्षण नवीन आकृतीबंधाचा परिणाम झालेल्या रेस्ट कॅटेगरी शिक्षकांना देण्यासाठी समितीने वरीलप्रमाणे शिफारस केलेली आहे. तथापि, शिस्तभंगाच्या कारणांसाठी यथोचित कार्यवाही करून ज्यांना सेवामुक्त करण्यात आले आहे अशा व आपणहून ज्यांनी राजीनामा दिला व त्यानंतरच्या सहा महिन्यापेक्षा कमी नाही इतक्या कालखंडासाठी कोणत्याही स्तरावर सेवेत नसलेल्या रेस्ट कॅटेगरी शिक्षकांना ही शिफारस लागू नाही.

११. स्थिरपद शिक्षकांच्या सेवेत संरक्षण :- वेगवेगळ्या वेळी अस्तित्वात असलेले कार्यभार व त्यासाठी आवश्यक असलेल्या शिक्षकांची संख्या आणि त्या संख्येच्या वेतनवाढीवर धावत्याचे अनुदान याबाबत शिक्षण संचालक (उच्च

शिक्षण) यांनी दिनांक १७ सप्टेंबर १९८३ रोजी काढलेले परिपत्रक सोबत जोडलेले आहे. (परिशिष्ट क्र. ६..)

सदरहू परिपत्रकात, दि. १ ऑगस्ट, १९७९ रोजी जो कार्यभार अस्तित्वात होता, तो कार्यभार स्थिर कार्यभार समजला जावा आणि तो लक्षात घेऊन अनुदान निर्धारण करावे. तसेच, १ ऑगस्ट, १९७९ रोजी सेवेत असलेल्या शिक्षकांचा वर्ग हा "स्थिर-पद" झालेला शिक्षक (स्टॅबिलाईज्ड स्टाफ) समजावा, असे नमूद केलेले आहे. स्थिर-पद झालेल्या शिक्षकांना सेवेतून काढलेल्या एका प्रकरणामध्ये (रिटपिटिशन नं. १७३४/१९८४) मुंबई उच्च न्यायालयाने दिनांक २६ फेब्रुवारी १९८७ रोजी दिलेला निर्णयसुद्धा या संदर्भात समितीला महत्वाचा वाटतो. (ह्या उच्च न्यायालयाच्या निर्णयाची सत्यप्रत परिशिष्ट क्र. ५ म्हणून सोबत दिलेली आहेत.) ह्या निकाल पत्रातील पुढील उतारा ध्यानात घेण्यासारखा आहे.

In our judgement, the Tribunal very rightly relied upon the letter dated September, 17, 1983 addressed by the Director of Education to principals of all Non-Govt. Colleges in the state---- The letter clearly recites that it is issued clarification of subject of norms of workload for full-time and part time college teachers as prescribed by the Resolution dated June, 1, 1981 to which reference is made herein above. The Govt. after careful consideration clarified that position by pointing out that (a) the workload obtainable as on August, 1, 1979 in the non-government colleges may be taken into account for assessment of grant; and (b) the staff which was in position as on August, 1, 1979 may be treated as stabilised for the purpose of salary

## परिशिष्ट- १

अ.ना. कुलकर्णी : उपसचिव

अ.शा.प.क्र. यूएसजी/१२८६/(१९८१) विशि-४

शिक्षण व सेवायोजन विभाग मंत्रालय, मुंबई ४०० ०३२ : दिनांक १५-१०-१९८७

विषय :- कृषीतर विद्यापीठे व त्यांना संलग्नित अशासकीय कला, वाणिज्य, विज्ञान व शिक्षण महाविद्यालयातील शिक्षकांना सेवेमध्ये संरक्षण देण्याच्या दृष्टीने अभ्यास करण्यासाठी समिती नेमण्याबाबत...

प्रिय श्री

कृषीतर विद्यापीठे व संलग्नित अशासकीय कला, वाणिज्य, विज्ञान व शिक्षण महाविद्यालये यातील शिक्षकांच्या संपासबंधात शासनाने "एमफुक्टो" ला दि. २३/९/१९८७ रोजी दिलेल्या ऑफरच्या परिच्छेद ५ मध्ये शासन २९/७/८६ च्या करारामधील अंमलबजावणी न झालेल्या मुद्यांची त्वरेने अंमलबजावणी करेल असे नमूद करण्यात आले आहे. तथापि, २९/७/८६ च्या कराराच्या बाब क्र. १ (इ) मध्ये अभिप्रेत असल्याप्रमाणे संप मागे घेतल्यानंतर तीन आठवड्यांचे आत एक पाच सदस्य समिती उपरोक्त प्रश्नांचा अभ्यास करून शासनास शिफारस करण्यासाठी स्थापन करण्यात येईल. त्यानुसार खाली नमूद केलेल्या पाच सदस्यांची समिती यासाठी स्थापन करण्यात यावी.

१. शिक्षण संचालक (उच्च शिक्षण) पुणे (शासनाचे प्रतिनिधी)....निमंत्रक
२. उपसचिव (उच्च शिक्षण) शिक्षण व सेवा योजन विभाग मंत्रालय, मुंबई (शासनाचे प्रतिनिधी) ....सदस्य
३. प्रा. बी.टी. देशमुख (एमफुक्टोचे प्रतिनिधी)....सदस्य
४. प्रा. संभाजी जाधव (एमफुक्टोचे प्रतिनिधी) ....सदस्य
५. श्री. सावळे, कुलसचिव, शिवाजी विद्यापीठ (विद्यापीठाचे प्रतिनिधी).... सदस्य

उपरोक्त समितीची कार्यक्षमता व मार्गदर्शक तत्त्वे खालीलप्रमाणे राहतील.

१. सदर समिती विषय, वर्ग आणि विद्याशाखा बंद झाल्याचा परिणाम म्हणून तसेच अभ्यासक्रम बदल, विषयांची संख्या कमी झाल्याने, शिक्षकांचा कार्यभार कमी झाल्यामुळे त्यांच्या सेवेसंबंधी निर्माण झालेल्या प्रश्नासंबंधात शासनाने वेळोवेळी काढलेले प्रचलित आदेश व घालून दिलेली मार्गदर्शक

तत्त्वे, तसेच संबंधित विद्यापीठाचे परिणियम विचारात घेऊन शिफारशी करील.

२. सदर समिती जादा आर्थिक भारासह शिफारस सुचवील.
३. समितीच्या निमंत्रकांना त्यांच्या आवश्यकतेनुसार समितीच्या बैठकांना उपस्थित राहून सहाय्य करण्याकरिता संबंधित अधिकाऱ्यांना पाचारण करण्याचे अधिकार राहतील.
४. सदर समिती आपला अहवाल शासनास दोन महिन्यांचे मुदतीत सादर करील.
५. अशासकीय सदस्य, जे ८ कि.मि. अंतराचे आत रहात असतील त्यांना प्रतिदिन रुपये २०/- या दराने समितीच्या बैठकीस हजर रहाण्यासाठी मंजूर करण्यात येतील. त्यांच्या प्रवास व दैनिक भत्त्यांची विले शासन निर्णय वित्त विभाग क्र. टी.आर.प १४७७/१०३२/सी-एसईआर ५ दि. २३.९.१९७७ नुसार नियमित करण्यात येतील व शिक्षण संचालक, उच्च शिक्षण हे ती प्रतिस्वाक्षरीत करतील. त्या साठीचा खर्च शिक्षण संचालक, उच्च शिक्षण आपल्या मंजूर अनुदानातून भागवतील.
२. शिक्षण संचालक, उच्च शिक्षण, पुणे यांनी या समितीच्या सदस्यांशी संपर्क शाधून समितीच्या बैठकीची तारीख, स्थळ व वेळ वेळोवेळी निश्चित करावी व त्याप्रमाणे सर्व सदस्यांना कळवावे.

आपला स्नेहांकित,  
सही/-  
(अ.ना.कुलकर्णी)



grant. The respondent No. 1 was teaching in the college on August, 1, 1979, the workload obtainable on that day should be taken into account and the services of respondent No.1 should be stabilised for the purpose of salary grant.---

Accordingly, rule is discharged. The Administrative Officer, Higher Education Grants, Poona Region is directed to cancel the disallowed memo for the years 1982-83 & 1983-84 in respect of pay and allowance payable to respondent No. 1, The State Govt. is also directed not to raise any objection in case of respondent No. 1, if he rejoins the petitioner institution and the petitioner institution allot his part of the lectures in the Senior Colleges and remaining in the Jr. College. The State Government is bound to reimburse the institution in respect of the amount which be required to be paid to respondent No. 1 the back wages. Respondent No. 1 shall convey his willingness to rejoin the petitioner institution within two weeks from to-day. In the circumstances of the case, there will be no order as to costs.

शासनाच्या ९ ऑगस्ट, १९८३ रोजीच्या परिपत्रक क्र. एनजीसी/२०८३/१११६५९/(७६४१) युएनआय अन्वये २६ सप्टेंबर, १९८३ स काढलेल्या परिपत्रकांन्वये व त्या आधारावर उच्च न्यायालयाने उक्त प्रकरणात दिलेला निर्णय लक्षात घेऊन स्थिर पद प्राध्यापकांपैकी एखादे पद परिच्छेद क्र. ६ मध्ये नमूद केलेल्या कारणांनी जर अतिरिक्त होत असेल तर या संवर्गातील शिक्षकांना सेवानिश्चिती, सेवासातत्य व वेतननिश्चिती याबाबत उच्च न्यायालयाच्या उक्त प्रकरणात दिलेल्या निर्णयाप्रमाणे संरक्षण देण्यात यावे. अशी समितीची शिफारस आहे.

#### सर्वसाधारण शिफारशी

१२. पी-१ ते पी-५ संवर्गातील शिक्षक, तसेच रेस्ट कॅटेगरी शिक्षक, स्थिरपद शिक्षक ही त्या त्या वेळेला उत्पन्न झालेल्या परिस्थितीला तोंड देण्यासाठी त्या त्या वेळी करण्यात आलेली उपाय योजना होती. नवीन आकृतीबंध अमलांत आणण्याच्या प्रक्रियेत वरिष्ठ महाविद्यालयांमध्ये अनेक प्राध्यापक अतिरिक्त ठरत आहेत, असे लक्षात आल्यावर करावयाच्या उपाययोजना ढोबळ मानाने त्या त्या वेळेला करण्यात आल्या. त्या विषयीचे विवेचन वर आलेले आहे. तथापि, त्यातील काही शिक्षकांना संरक्षण देण्यापासून वंचित व्हावे लागले आहे, त्याबाबतच्या शिफारशी सुद्धा समितीने वर नमूद केलेल्या आहेत. तथापि, वरिष्ठ महाविद्यालयीन स्तरावर काम करीत असलेला शिक्षक परिच्छेद क्र. ६ मध्ये नमूद केलेल्या कारणांनी अतिरिक्त होत असेल तर, त्यांच्या सेवा शाश्वतीच्या बाबत व वेतनासह सेवा शर्तीच्याबाबत संरक्षण देण्यासाठी काय उपाय योजना सुचवावी, हे समितीचे एक प्रमुख काम आहे.

या संदर्भात उच्च माध्यमिक स्तरावर काम करणाऱ्या शिक्षकांपैकी कोणी अतिरिक्त झाल्यास सेवा शर्ती विषयी काय प्रावधाने उपलब्ध आहे, या विषयी समितीने बारकाईने छाननी केली. महाराष्ट्र खाजगी शाळेतील कर्मचारी (सेवेच्या शर्ती) विनियमन १९७७ अन्वये (सन १९७८ चा महाराष्ट्र अधिनियम क्र. ३) त्या स्तरावर अशा सेवा शर्तीचे नियमन केले जाते. सदरहू कायद्यामध्ये सन १९८७ च्या महाराष्ट्र अधिनियम क्र. ३० अन्वये पुढे काही दुरुस्ती करण्यात आल्या. या कायद्याच्या कलम ५ मध्ये अशा परिस्थितीत करावयाच्या

#### परिशिष्ट-२

Statement dated 23-7-1987 of Prof. Ram Meghe. Minister for Education and Miss Chandrika Kenia, State Minister in connection with strike of University and College Teachers from 4th August 1987.

#### 5. Implementation of Agreement of 29.7.1986

Government would expeditiously implement the un-implemented parts of the Agreement dated 29-7-1986. However, 5-Members Committee as contemplated in Items I (E) of Agreement dated 29.7.1986 would be constituted within 3 weeks of withdrawal of strike.

उपाय योजनेचा खुलासा करण्यात आलेला आहे. व्यवस्थापनाने रिकामे पद शक्य तितक्या लौकर विहित करण्यात आलेल्या पद्धतीने यथोचित अर्हता प्राप्त व्यक्तीची नेमणूक करून भरले पाहिजे. तथापि, असे असताना प्रथम खालील परंतुकामधील तरतुदींचे पालन करण्यात आले पाहिजे.

“भरावयाची रिक्त जागा पदोन्नतीद्वारे भरावयाची नसल्यास, अशा जागेकरिता योग्य उमेदवार जिल्हा शिक्षणाधिकारी/मुंबई करिता जिल्हा शिक्षण निरीक्षक यांच्याकडे असणाऱ्या अतिरिक्त शिक्षकांच्या यादीमध्ये योग्य शिक्षक उपलब्ध आहे की नाही, याची खात्री करून, अशी व्यक्ती उपलब्ध असल्यास त्या व्यक्तीस व्यवस्थापनाने नेमणूक द्यावी.

तसेच, अशा अतिरिक्त यादीवर योग्य व्यक्ती उपलब्ध नसेल तरच अन्य प्रकारच्या व्यक्तीची नेमणूक करावी.”

समितीने या तरतुदींचा विचार करून विद्यापीठीय कायद्यामध्ये काय सुधारणा व्हावी, या विषयीचे एक प्रारूप सुचविण्याचे ठरविले आहे. निर्बाध रिक्त (Substantive Post) (सबस्टॅटिव्ह पोस्ट) पदावर काम करीत असलेल्या आणि त्या पदावर एकूण दोन वर्षे सेवा झालेल्या शिक्षकांना कायम किंवा मानीव कायम समजले जावे (डीम्डकन्फर्मड) आणि अशा प्रकारचा शिक्षक अतिरिक्त होत असेल तर, अशा अतिरिक्त शिक्षकांची यादी विद्यापीठीय पातळीवर तयार ठेवली जावी आणि कोणत्याही महाविद्यालयामध्ये त्या विषयाची जागा भरावयाची असल्यास अशा अतिरिक्त शिक्षकाला त्या जागेवर सामावून घेतले जावे. विद्यापीठ कायद्यामध्ये करावयाच्या दुरुस्तीचे प्रारूप पुढीलप्रमाणे असावे, असे समितीला वाटते.

The Management shall before proceeding to fill in such vacancies in accordance with the prescribed procedure shall ascertain from the University whether there is any suitable person available on the list of Surplus persons maintained by the University for absorption in other colleges and in the event of such person being available the Management shall appoint that person.

कायद्यामध्ये उपरोक्त तरतुद समाविष्ट करीत असताना काही अनुषंगिक तरतुदीसुद्धा त्या सोबत कायद्यामध्ये अंतर्भूत कराव्या लागतील असे समितीला वाटते. त्या पुढील प्रमाणे आहेत.

अ) अशा प्रकारे सामावून घेतलेल्या शिक्षकांना त्यांचे वेतनासह सेवा सातत्य, तसेच ह्या सेवा सातत्यामुळे मिळणारे वेतनासह अन्य सेवा लाभ यापासून वंचित ठेवले जाणार नाही.

ब) एखाद्या महाविद्यालयामध्ये निर्बाध रिक्त पदावर एकूण (यथोचित रित्या नेमल्या गेलेल्या त्याच्या नेमणुकीला विद्यापीठीय मान्यता प्राप्त झाली असेल तर) २४ महिन्यांपेक्षा जास्त सेवा एखाद्या शिक्षकाने केलेली असेल तर, तो शिक्षक त्या पदावर कायम झालेला किंवा मानीव कायम झालेला आहे, असे समजावे.

क) निर्बाध रिक्त पद कोणते या विषयी वाद निर्माण झाल्यास, लीव्ह वेकन्सी किंवा लीन वेकन्सी नसलेले, राखीव नसलेले, व सातत्याने २४ महिन्यांपेक्षा जास्त काळ (कार्यभारानुसार) अस्तित्वात असलेले पद हे निर्बाध रिक्त पद समजावे.

ड) विद्यापीठाच्या परिणयमांनी निश्चित केलेल्या निवड समितीच्या द्वारे वरिष्ठ महाविद्यालयीन स्तरावर शिक्षकांची निवड करावयाची असल्यामुळे अशा सामावून घेतलेल्या शिक्षकांच्या बाबतीत निवड समितीची प्रक्रिया लागू राहणार नाही.

इ) वरील प्रावधाने विद्यापीठ कायद्यामध्ये समाविष्ट करीत असताना, त्याच्या यथोचित अंमलबजावणीसाठी, महाराष्ट्र एम्प्लॉईज ऑफ प्रायव्हेट स्कूलस (कंडिशनस ऑफ सर्व्हिस) रूल्स १९८१ (२० ऑक्टोबर, १९८७ रोजी प्रसिद्ध केलेले) अन्वये प्राथमिक, माध्यमिक व उच्च माध्यमिक स्तरावरील शिक्षकांच्या सेवाशर्ती संदर्भात ह्या अगोदरच करण्यात आलेल्या तरतुदी, आवश्यक त्या फेरफारासह, विद्यापीठ कायद्यामध्ये समाविष्ट करण्यात याव्यात, अशीही शिफारस ही समिती करीत आहे.

अशा प्रकारच्या अनुषंगिक तरतुदी विद्यापीठ कायद्यात करावयाच्या दुरुस्तीच्या प्रारूपामध्ये समाविष्ट कराव्या लागतील, अशी समितीची शिफारस आहे.

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परिशिष्ट-३

*Ad Interim Arrangements regarding Junior College Classes attached to Colleges in the State.*

**GOVERNMENT OF MAHARASHTRA : EDUCATION AND YOUTH SERVICES DEPARTMENT**

Resolution No. HSC/1076/419-XX-XXI Sachivalaya, Annexe, Bombay 400 032,

**DATED 11th JUNE 1976**

**Read** - (i) Government Resolution, Education and Youth Services Department No. HSC-1076/419-XX-XXI, dated 6th May 1976.

(ii) Letter No. HSC/1976/A, dated 13th May, 1976 addressed by the Director of Higher Education, Maharashtra State, Pune to the Principals of all Arts, Science and Commerce Colleges in the State.

**RESOLUTION**

The Director of Higher Education and the Universities have communicated to all the affiliated Arts, Science and Commerce Colleges in the State certain uniform guidelines (vide Appendix) for the determination and absorption of (i) college teachers in different grades and (ii) tutors/demonstrators and persons in equivalent (Rs. 250-400 grade) hereinafter referred to collectively as the "teaching staff" who may be rendered surplus at the collegiate level, with the coming into force of the Junior College pattern and gradual withering away of the old F.Y./P.D./P.U. classes. The Colleges have also furnished to the Ad hoc Committees, set up for each University area in terms of paragraph 6 of the guidelines, relevant information regarding their teaching staff. ON the basis of the information so furnished, the work

regarding determination of the teaching staff that would be necessary at the collegiate level for the academic year 1976-77, the teaching staff which will be rendered surplus at the collegiate level during the year and the manner in which such surplus teaching staff could be absorbed to the extent possible, is in progress. This work is expected to be completed latest by the end of September 1976.

2. Pending completion of the work mentioned above, and without prejudice to any contract and the terms and conditions of service in force regarding superannuation/retirement etc. and further without prejudice to the disciplinary action taken in accordance with the provisions of the Statutes made by the University concerned, it is hereby directed that the following ad interim arrangements shall be made :-

(i) Status quo ante shall be maintained in respect of the teaching staff who are in continuous service and who were appointed in colleges on or before 7th February 1975 in clear vacancies, and they should be continued to be paid their salary and allowances in their respective scales and at rates as hithertofore.

(ii) While allotting work at the collegiate level, preference should be given to the five categories of teaching staff

परिशिष्ट-४

**GOVERNMENT OF MAHARASHTRA**

**NO. NGC 2083/113821/(7724) UNI.2 Dated the 26 September, 1983.**

Education & Employment Department Mantralaya Annexe, Bombay - 400 032

To :

The Secretary to the Chancellor,  
Raj Bhavan, Malbar Hill, Bombay - 400 035

**Subject** :- Question raised by the Vice-Chancellor, Marathwada University, with regard to the workload prescribed for teachers in affiliated colleges.

Sir,

I am directed to refer to your D.O. letter No. CS/MG/MISC/37/83/M/1708, dated 23rd June, 1983 on the subject mentioned above and to state that orders regarding workload of full time and part-time college teachers have been issued by Government vide Government Resolutions, Education and Employment Department No. NGC 2080/160284/(5987)/UNI-2, dated 1.6.81, 15.6.81, 3.8.81 and 1.9.81. These orders are applicable with effect from 1981-82. There are about 34 college teachers in Marathwada who have been considered as part timers consequent upon the operation of work load based on norms prescribed by Government.

2. Pursuant to the orders issued about the norms of work load Government vide Government letter, Education and Employment Department No. NGC/111659/(7641)/UNI.2 dated 9.8.1983 has issued clarifications as under :

(1) That the workload obtainable as on 1.8.79 in Non-Government Colleges may be taken into account for assessment of grant;

(2) The staff which was in position as on 1.8.79 in the Non-Government Colleges may be treated as "stabilised staff" for the purpose of salary grant;

(3) The orders of workload issued vide Government Resolutions dated 1.6.81, 3.8.81 and 1.9.81 would be made applicable from 1982-83 instead of 1981-82.

In view of the above decision, the problems of college teachers in Marathwada may not now subsist. Even then the Director of Higher Education, has already been requested to examine the cases of College teachers in Marathwada who have been rendered as part time teachers due to implementation of workload, norms in the light of orders issued by Government vide Government letter dated 9.8.83. Pending review of the cases, it has also been decided that advance payment may be made to the college teachers in Marathwada who have been considered as part-time teachers due to calculation of workload subject to the condition that the advance payment should be adjusted against the salaries and allowances that would become due to them after examining the position in the light of Government orders contained in Government letter, dated 9.8.1983. The Director of Higher Education, Pune has already been given necessary direction in the matter.

Yours faithfully,

Sd/-

(B.K. GARGE)

DEPUTY SECRETARY TO GOVERNMENT.

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mentioned in paragraph of the uniform guidelines referred to above, in the order in which the said categories have been consecutively mentioned. Such of the teaching staff in these five categories who cannot be provided work at the collegiate level shall be allotted work in the Junior College classes opened in accordance with the prescribed conditions and attached to the colleges.

(iii) Services of members of the teaching staff, who were appointed on or after 8th February 1975 may be terminated if they cannot be allotted any work either at the collegiate level or at the junior college level; the question of appointing any fresh persons in lieu of persons whose services are so terminated does not arise and shall not be permissible. If they can be allotted work either at the collegiate level or at the junior college level and are therefore, required to be continued in service, such continuation shall be on a purely temporary basis and a clear understanding of this fact should be given to the persons concerned.

(iv) If it is absolutely necessary to appoint any fresh teaching staff for the work at the Junior College level, such fresh teaching staff shall be appointed on a purely temporary basis and terminable at any time without any notice, in relaxation of the ban imposed on recruitment of fresh teachers for Junior College classes and pending completion of the work mentioned in paragraph (I) above. Relevant particulars (such as name, age, qualifications etc.) of fresh teachers so appointed on a purely temporary basis shall be forthwith communicated to the Regional Deputy Director of Education of the Region concerned for post facto approval on the merits of each case. The teachers so appointed shall be paid salary, allowances etc. in accordance with the orders "contained in Government Resolution, Education and Youth Services Department, No. HSC-1076/419-XX-XXI, dated 6th May 1976.

3. Pending determination of (i) the complement of teaching staff required at the collegiate level for the academic year 1976-77 and (ii) the teaching staff allocable to the Junior College level, it will not be possible to pay the instalment of grant for the Junior College classes attached to colleges for the quarter July-September, 1976, in accordance with the procedure laid down in paragraph 2-XIX of Government Resolution, Education and Youth Services Department, No. HSC 1076/419-XX-XXI, dated 6th May 1976. However, those institutions which have collected tuition fees for the full term from the Junior College students from whom tuition fee is recoverable should have adequate funds at their disposal to pay the salary and allowances of teachers teaching Junior College classes for a period of 3 months. Therefore, only those institutions which have continued the practice of collecting tuition fees on a monthly basis from the Junior College students should be paid an ad hoc "on account" instalment of grant at the rate of Rs. 2,500 per division of F.Y.J.C./S.Y.J.C., of any stream, for the quarter July-September, 1976 and the expenditure on that account should be debited to the head "277, Education-D-Pre-University (v) Assistance to Non-Government Institutions (v) (b) schemes in the Five Year Plan -- (i) Grant-in-aid to Non-Government Junior Colleges-Demand No.70" and met from the sanctioned grants thereunder during the current financial year. This amount should be adjusted while releasing the subsequent quarterly instalments of grant for the year 1976-77 in respect of Junior College classes in accordance with the procedure laid down in paragraph 2-XIX, of Government Resolution, Education and Youth Services Department, No. HSC-1076/419-XX-XXI, dated 6th May, 1976. The adjustment shall be effected, in any case, while releasing the instalment of the grant for the final quarter January-March, 1977.

4. Education Officers of Zilla Parishads/Education Inspectors of Greater Bombay should disburse ad hoc "on account" instalment of grant for the quarter July-September, 1976 to the Institutions concerned, after verifying that (i) they have been collecting tuition fees from the student of the Junior College classes only on monthly basis and (ii) that the number of divisions for which grant is claimed at the rate of Rs. 2,500 per Division are Divisions which have been duly sanctioned by the Education Department and have been actually opened after fulfilling the prescribed conditions.

5. This Government Resolution issues in consultation with the Finance Department, vide its U.O.R. No. CR. 1492/76,

EXP-5, dated 11th June 1976.

By order and in the name of the Governor of Maharashtra  
D.M. Sukthankar,  
Secretary to Government.

## APPENDIX

(Accompaniment to Government Resolution, Education and Youth Services Department No. HSC 1076/419-XX-XXI, dated 11th June 1976)

### *Guidelines for the absorption of teachers determined as surplus at the college level.*

For the purpose of absorption, teachers at the collegiate level who are considered as surplus and may or may not have been served with notices of termination of service on that account, should be classified as follows :-

(i) College teachers who were either confirmed in clear vacancies or who had completed two years of continuous service in clear vacancies in a college or college under the same management on or before 7th February, 1975.

(ii) College teachers who were in service on or before 7th February 1975 and were also in continuous service upto the end of the academic year 1975-76 and had completed more than two years of continuous service in a college or colleges under the same management, as at the end of the academic year 1975-76

(iii) College teachers who were in service on or before 7th February 1975 and were also in continuous service upto the end of the academic year 1975-76 in a college or colleges under the same management but had not completed two years of continuous service upto the end of academic year 1975-76.

(iv) College tutors/Demonstrators and persons in equivalent grade (Rs. 250-400) who were either confirmed in clear vacancies or who had completed two years of service in clear vacancies in a college or colleges under the same management on or before 7th February 1975 and who fulfil the qualifications prescribed by the University concerned for appointment as lectures and are, therefore, entitled to deemed date of 1st July 1975;

(v) College tutors/demonstrators and persons in equivalent grade (Rs. 250-400) who were either confirmed in clear vacancies or who had completed two years of service in clear vacancies in a college or colleges under the same management on or before 7th February 1975 but who do not fulfil the qualifications prescribed by the University concerned for appointment as lecturers.

(2) The cases of teachers in category (i) above should be regulated as follows :-

(A) For each subject, the total work-load at the collegiate level for the academic year 1976-77 should be first assessed (in terms of number of periods). While assessing the work-load at the Collegiate level, the work-load of P.U.C./P.D./F.Y./F.Y.J.C./S.Y.J.C., should not be taken into consideration. The work-load of only Intermediate, Junior and Senior B.A./B.Sc./B.Com. classes (i.e. the top three classes of the three-year degree course) should be taken into consideration for assessing the work-load at the collegiate level. The subjectwise work-load of tutors/demonstrators etc. should also be converted into teaching periods in accordance with the existing norms of the University and taken into account while calculating the work-load at the collegiate level. Once such total work-load is calculated, the number of teachers required to look after that work-load should be assessed by applying the existing norms of work-load prescribed by the University concerned. If this number (say X) is more than the existing number of teachers in category (i) in that college for that subject, there, will be no surplus in this category [i.e. category, (i)\ at the collegiate level for that subject. However, if the existing number of teachers in category (i) for that subject is more than the said number (X) of teachers, there will be some surplus teachers in category (i) at the collegiate level.

An example would make this position clear. Suppose for a subject, say, Economics the teaching work-load (including tutorials etc.) in a college at the collegiate level is 50 periods. Let us further assume that, according to the University norms, these 50 periods will justify three teachers and one more teacher who can have only less than full work-load. If the existing number of teachers in category (i) at the collegiate level is 5, then the number of fully surplus teachers in category (i) would be one and partially surplus teachers will also be one. The junior most teacher (amongst the teachers of

"Economics") in category (i) will then be considered as fully surplus and the teachers next senior to him in that category will be considered as partially surplus, so far as that college is concerned.

(B) So far as the partially surplus teacher in category (i) is concerned, he may be deemed to be a college teacher for the purposes of protection of his present pay scale (Rs. 700-1,100, Rs. 400-800, Rs. 300-600 as the case may be). Such a partially surplus teacher will be held eligible for the revised U.G.C. pay scale if the U.G.C./ Govt. of India agrees to recognise him as a college teacher in spite of his partial work-load at the college level. Let us assume that a partially surplus teacher has work-load at the collegiate level of four periods and that the full work-load prescribed by the University for a college teacher is 20 periods. It would mean that this partially surplus teacher has 1/5th of the prescribed work-load at the prescribed work-load at the Junior College level; i.e. 4/5th of 17 or 18 clock hours, as the case may be. Rules regarding vacations, timings etc. governing the Junior College classes would be applicable to such partially surplus teachers who are allotted work in Junior College classes to make up for their full work-load.

(C) The fully surplus teacher in category (i) above, who is the junior most in that category, should be given an option to declare whether;

(a) he is willing, if so directed, to be appointed in some other college in the State where he can be given full work-load at the collegiate level and can be continued as a fully occupied collegiate level teacher. **OR**

(b) he is not willing to go to some other college in the State, but is willing to work in the Junior College classes attached to his college on the clear understanding that if he is so appointed to teach the Junior College classes, he will not be entitled to the revised U.G.C. scale till he is teaching Junior College classes. His existing scale (Rs. 700-1,100, Rs. 400-800 or Rs. 300-600) will, however, be protected. If he exercises this option, he should be absorbed and appointed to teach Junior College classes attached to his college, for teaching his principal subject and/or a subsidiary subject offered by him for his post-graduate and /or graduate level examination. On such absorption, he will have, however, to acquire the professional qualification of B.Ed. or a Diploma or Certificate in teaching approved by the Education Department, within a period of five years. If and when a vacancy arises at the collegiate level in his college, he should be absorbed there, on a priority basis.

(D) The name, age, qualifications, experience and other relevant particulars of every fully surplus teacher in category (i) who exercises his option as at (a) in the preceding subparagraph (C) should be communicated by the college management to the Director of Higher Education, Central Building, Poona 411 001, as also to the Registrar of the University concerned, so as to facilitate his absorption as a college level teacher in any college in the State where a suitable vacancy at the collegiate level for him is available.

3. After the cases of teachers in category (i) are dealt with in the manner indicated in paragraph 2 above, the cases of teachers in category (ii) (vide paragraph 1 above) should be taken up for consideration. If, after absorbing the surplus teachers in category (i) at the collegiate level, any vacancies remain at the collegiate level, teachers in categories (ii), (iii) and (iv) should be absorbed in those vacancies, in that order. Within any one category the absorption will be in the order of seniority in that category. However, if they cannot be so absorbed in the vacancies at the collegiate level, they should be absorbed, as per seniority in vacancies at the Junior College level. When they are so absorbed, they will be given an option to either continue in their existing collegiate scale (i.e. Rs. 300-600 or Rs. 400-800 or Rs. 250-400, as the case may be) or to adopt the Junior College scale of Rs. 300-650. They will have, however, to acquire the professional qualification of B.Ed. or a Diploma or Certificate in teaching approved by the Education Department within a period of 5 years. If and when vacancies arise at the collegiate level any time in future, they should be absorbed in those vacancies in the order of their seniority, subject to their fulfilling the prescribed qualifications.

4. Principles of determining inter se seniority of college teachers. --(a) A list of teachers teaching a particular subject in a college or in all the colleges under a particular management should first be drawn up.

(b) All teachers in each (subject-wise) list should then be grouped grade-wise (i.e. Rs. 700-1,100, Rs. 400-800, Rs. 300-600 and Rs. 250-400) into different groups.

(c) The group of teachers working in a higher grade should be considered as senior to the group of teachers working in

a lower grade.

(d) Within a grade-wise group of teachers, seniority should be determined on the basis of length of service in the grade.

(e) If two teachers happen to be appointed in the same grade on the same date, their inter se seniority in that grade should be determined on the basis of their seniority in the next lower grade. If there is no such next lower grade, the person who is older in age will be considered as senior to the person who is younger in age.

5. Tutors/Demonstrator - Tutors/Demonstrators and persons in equivalent grades (Rs. 250-400) who were either confirmed in clear vacancies or who had completed 2 years of service in clear vacancies in a college/colleges under the same management, on or before 7th February 1975 and who fulfil the qualifications prescribed by the University concerned for appointment as Lecturers and are, therefore, entitled to the deemed date 1st July 1975, will be classified in Category (iv) (vide para, 1 above). They should be absorbed as college level teachers or as Junior College level teachers, in the manner indicated in paragraph 3 above.

College tutors/demonstrators etc. who fall in category (v) in paragraph 1 will be listed according to seniority, subject-wise, and may be absorbed in the Junior College Classes, if any vacancy or vacancies remain after absorbing the surplus teachers in categories (i) to (iv) in paragraph 1, subject to the following conditions :-

(a) Such of these tutors/demonstrators etc. who have only a Bachelor's or Master's degree or a higher qualification but who do not have the professional teaching qualification should acquire such qualification (B.Ed. or a Diploma or Certificate approved by the Education Department) within a period of five years, failing which they will not be entitled to earn further increments in their existing scale of Rs. 250-400.

(b) Such tutors/demonstrators etc. will be entitled to the Junior College scale of Rs. 300-650 only after they acquire the prescribed qualifications for a Junior College teacher, viz., a Second Class post graduate degree plus prescribed professional teaching qualification (i.e. B.Ed. or a Diploma or Certificate approved by the Education Department).

College tutors/demonstrators etc. who were in service on or before 7th February, 1975 but who were not confirmed or had not completed more than 2 years of continuous service in clear vacancies in a colleges or colleges under the same management on or before 7th February 1975, will be listed according to their seniority, subject-wise, and effort will be made to absorb them as per needs in the vacancies available in High Schools by giving them, protection of their existing scale viz. Rs. 250-400; provided that they shall acquire the professional teaching qualification of B.Ed. within a period of five years, failing which they will not be entitled to earn further increments in their existing scale of Rs. 250-400.

6. The above mentioned guidelines have been framed after detailed consultation with the Vice-Chancellors of Universities. The Principal of colleges to whom these guidelines will be communicated by the Director of Higher Education as well as by the Vice-Chancellors of Universities should take immediate further steps in consultation with their managements to proceed with the work in accordance with the guidelines and to absorb the surplus teachers. The Vice-Chancellors of Universities have agreed to nominate one or two representatives to work with the Director of Higher Education and/or his representatives on one or more Adhoc Committees for each University area.

7. The managements of colleges should approach the University authorities for the abolition of surplus posts at the college level in the light of the calculation of the subject-wise work-load available at the collegiate level so that they may retain only the required number of teachers as college teachers. The teachers who are rendered surplus at the collegiate level should be appointed as Junior College teachers, on their absorption as such in the manner indicated in paragraphs 2 and 3 read with paragraph 4 above. The maximum number of S.Y.J.C., divisions allotted to each college have already been communicated to the Principals of colleges.

8. Each Ad hoc Committee will generally oversee the completion of work in accordance with the guidelines and give guidance if required by the college authorities in that behalf. For this purpose, the Ad hoc Committees may meet the principals of colleges at convenient, places to iron out the difficulties and to check on the spot the manner in which the college authorities have done the work of absorption vis-a-vis the guidelines. Every effort should be made to complete the entire work latest by the end of the first week of June 1976.

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परिशिष्ट-५

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
**WRIT PETITION NO. 1734 OF 1984**

Sau. Sushila Athawale, Principal, M.S. Kakade College (Arts and Commerce), Someshwar Nagar, Nira, Dist. Poona. ....  
*Petitioner (Orig. Respondent)*

V/S

(1) Shri B.R.Bhadange, At & Post : Nira, Taluka Purandar, Dist : Pune. (2) Shri M.C. Date, M.S. Kakade College Someshwar Nagar, Nira, Dist : Pune (3) State of Maharashtra. .... *Respondents (No. 1 Orig. Appellant)*

Shri P.B. Apte for the petitioner, Shri Subhash Langote for respondent No. 1, Shri Y.S. Jahagirdar for respondent No. 2, Shri R.D. Rane, A.G.P. for respondent No. 3

**CORAM : PENDSE & SUGLA, JJ. : THURSDAY, FEBRUARY 26, 1987**  
**ORAL JUDGEMENT (Per Pendse, J.)**

1. By this petition filed under Article 227 of the Constitution of India, the Principal of M.S. Kakade College, Someshwar Nagar, Nira, District Pune is challenging the legality of the order dated February 5, 1984 passed by the Presiding Officer, College Tribunal, setting aside the order of termination of respondent No. 1 and directing that respondent No. 1 should be reinstated with full back wages.

The few facts which gave rise to on the passing of the order by the Tribunal are as follows :-

2. Respondent No.1 was appointed on temporary basis as a lecturer in the subject of Political Science on September 7, 1978. The appointment of respondent No. 1 was continued for the next academic year 1979-80, but only in respect of the first term, that is the appointment was made with effect from July 2, 1979 and ending with October 25, 1979. Respondent No.1 was appointed only for a duration of one term in the academic year, because the pay scales of the lecturers were revised in accordance with the directions of the University Grants Commission and it was decided that the lecturers would be appointed after they are selected by the Selection Committee appointed by the University, to which the college is affiliated. M.S. Kakade College is affiliated to Pune University and the Selection Committee of the Pune University interviewed number of candidates on August 10, 1979 and selected two candidates for the post of lecturer in Political Science. In order of preference, Date, respondent No. 2 was the first lecturer, while respondent No. 1 was the second. In accordance with the selection, respondent No.1 was appointed on August 11, 1979 and order was effective from October 26, 1979, while Date took over charge with effect from August 16, 1979.

3. On May 20, 1983 the College informed respondent No. 1 that his services stand terminated with effect from June 20, 1983 as the work-load available for delivering lectures in Political Science was not enough to accommodate two lecturers. The College authorities also informed respondent No. 1 that the grant given by the State in respect of salary paid to respondent No.1 was discontinued. The result of this communication led to filing of appeal No. 17 of 1983 by respondent No.1 before the Poona/Shivaji Universities College Tribunal. It is required to be stated at this juncture that before the Tribunal the appellant had joined only the College authority as party respondent. The Tribunal raised three questions for determination and they were as to whether respondent No.1 was a confirmed teacher, whether the termination of service of respondent No.1 was in contravention of law, contract or conditions of service, and whether the order of termination was malafide. The Tribunal recorded a finding that respondent No.1 was a confirmed teacher and his services were terminated in contravention of law. The finding on the question as to whether the termination was malafide was recorded in favour of the College authorities. As the result of the conclusions reached by the Tribunal, the order of termination was set aside and respondent No.1 was directed to be reinstated. The order of the Tribunal is under challenge.

The petitioner has added Shri Date as party respondent No. 2 and the State Government as part respondent No.3,

though both these respondents were not parties in the appeal filed before the Tribunal.

4. Shri Apte, learned counsel appearing on behalf of the College authorities, submitted that the Tribunal was in error in concluding that the service of respondent No.1 had become permanent on the date of termination. The learned counsel urged that respondent No.2 could not be considered as a permanent employee because in accordance with the letter dated May 4, 1981, copy of which is annexed as exhibit "P" to the petition, the University had informed the Principals of all the affiliated Colleges that teachers who have completed two years of continuous service need not necessarily be considered as eligible for confirmation in case they had not complied with the requisite qualifications as required under Government Resolution dated October 25, 1977. Shri Apte submitted that respondent No.1 did not secure the requisite qualifications and therefore the college authorities were not bound to confirm him. We are unable to see any merit in this submission for more than one reason. In the first instance on April 6, 1982 the College authorities had informed the Deputy Registrar of the University of Poona that respondent No.1 had completed two years of continuous service and therefore has been confirmed by the management. The letter, copy of which is annexed as Exhibit "Z" to the petition, leaves no manner of doubt that the College authorities had treated respondent No.1 as a permanent teacher. Secondly, the contention of Shri Apte that University had intimated that teachers should not be made permanent unless the teachers comply with the required qualifications does not seem to be an accurate submission. Shri Langote, learned counsel appearing on behalf of respondent No.1, invited our attention to the letter dated October 12, 1982 issued by the Deputy Registrar of the University to the Principal of Kakade College and which clearly reads that question of confirmation of the service of a teacher is in no way connected to the University and shall be dealt with only by the management. In view of these undisputed facts, we have no hesitation in concluding that the finding recorded by the Tribunal that respondent No.1 was a permanent teacher is correct and deserves acceptance. Indeed, in our judgement, the question of permanency had no bearing to the main issue which was agitated before the Tribunal.

5. Shri Apte then submitted that service of respondent No.1 was terminated because the workload available for imparting lectures in the subject of Political Science were not sufficient to keep the service of two teachers. In accordance with the various Government Resolutions issued by the Government from time to time in accordance with the norms fixed by the U.G.C. it is not in dispute that a full time teacher is required to deliver twenty lectures in a week. Shri Apte submitted that the available lectures in the College in the subject of Political Science were 28 in number and it was not possible for the College authorities to employ two lecturers. Shri Date was required to take 20 lectures in a week and respondent No.1, who was second lecturer, could take only eight lectures. Shri Apte submitted that to retain the service of respondent No.1, the college management advised respondent No.1 to take the remaining lectures in the Junior College and respondent No.1 agreed to adopt

that course and was continued in employment for the academic year 1980-81 and 1981-82. Shri Apte submitted that the College authorities had no objection to continue with that course, but for the fact that the State Government, who was to give grant in respect of salaries of the teachers, declined to reimburse the College authorities in respect of salary paid to respondent No. 1. In view of this position, the question which required determination of the Tribunal was whether the State Government was justified in declining to reimburse the College authorities in respect of the salaries payable to respondent No.1

Shri Apte invited our attention to the Government Resolution dated June 1, 1981 issued by Education and Employment Department and copy of which is annexed as Exhibit "A" to the petition. The learned counsel urged that clause (c) of Part I of this Resolution deals with workload of full time college teachers, and this clause prescribes that in case there is one department in the College and where the teacher concerned is able to deliver only 12 periods per week, then he shall be considered as a full-timer provided the teacher make good the short-fall by teaching in the junior college. We fail to appreciate how this clause in the Resolution has any bearing to the facts of the present case. It is undoubtedly true that the college authorities are running a department for the subject of Political Science, but the Department has not engaged only one teacher who is able to deliver only 12 lectures. The lectures available in the subject of Political Science are 28 in number and they are more than enough to appoint a full time lecturer. The clause on which reliance is placed by Shri Apte therefore has no application whatsoever to the facts of the case. Shri Apte also invited our attention to clause 5 of Part-II of this Resolution, which deals with workload of part-time college teachers. In our judgement, this paragraph has also no bearing to the facts of the case. The clause prescribes that part-time teachers would be entitled to half the pay scales applicable to the full-time teacher provided such part time teachers are able to take half of the workload of full-time teachers, that is eleven periods of 45 minutes subject to the teaching work of minimum eight periods of 45 minutes per week. The clause prescribes that such part-time teachers would be entitled to half the salary payable to full-time lecturer. We are unable to appreciate how this provision would have any bearing to the facts of the case. In the present case respondent No.1 was advised to take 8 lectures in the senior college and the balance lectures in the junior college. The real crux of the matter is whether the action of the State Government in preventing the college authorities from adopting this course is correct or otherwise. In our judgement, the Tribunal very rightly relied upon the letter dated September 17, 1983 addressed by the Director of Education to Principals of all Non-Government Colleges in the State. Copy of this letter is annexed as Exhibit "C" to the petition, and the letter clearly recites that it is issued for clarification of subject of norms of workload for full-time and part-time college teachers prescribed by the Resolution dated June 1, 1981, to which reference is made hereinabove. The Government after careful consideration clarified the position by pointing out that (a) the workload obtainable as on August 1, 1979 in the non-government colleges may be taken into account for assessment of grant; and (b) the staff which was in position as on August 1, 1979 may be treated as stabilised for the purpose of salary grant. Shri Langote rightly submitted that the Tribunal has justified in relying upon this clarification issued by the State Government and concluding that as respondent No.1 was teaching in the college on August 1, 1979 the workload obtainable on that day should be taken in to account and the service of respondent No. 1 should be stabilised for the purpose of salary grant with reference to the situation existing then. In our judgment, the Tribunal very rightly relied upon this resolution to hold that the expression "stabilisation" used by the Director of Education means that the service of respondent No. 1 could not have been terminated but the college authorities very rightly advised respondent No.1 to take the available lectures in the senior college and the balance in the junior college. In our judgment, the State Government could not have disallowed the salary grant in respect of respondent No.1 when college authorities adopted this course. We have heard Shri Rane, learned Assistant Government pleader appearing on behalf of the State Government, and the learned counsel could not point out any reason why the salary grant was disallowed in face of the clarification issued by the Director of Education on September 17, 1983. In our judgment, the disallowance memo issued by the Administrative Officer, Higher Education Grants, Poona

Region, for the years 1982-83 and 1983-84 in respect of pay and allowance of respondent No.1 was clearly erroneous and is required to be quashed. The Administrative Officer, Higher Education Grants is bound to allow the pay and allowance to respondent No. 1

6. Before we part with this case, it is necessary to give clarification in respect of the observations made by the Tribunal in respect of the claim of seniority of respondent No.1 over that of Date. In our judgment, the issue about the comparative seniority between respondent No.1 and date was not available for adjudication before the Tribunal for more than one reason. Respondent No. 1 was aggrieved by the order of termination issued by the College authorities and the ambit of inquiry before the Tribunal was whether the order of termination was justified or otherwise. The Tribunal should not have entered upon the issue as to whether respondent No.1 was senior over that of Date, and in our judgment the observations made by the Tribunal in that connection should be ignored. The Tribunal also overlooked that Date was not a party to the appeal filed before the Tribunal and therefore any observations made by the Tribunal in absence of Date would be most unjust. There is one more circumstance which we wish to point out at this juncture and that is that respondent No. 1 had joined employment with some other educational institution after the date of termination by the petitioner institution. In spite of order of termination effective from June 20, 1983 respondent No. 1 was continued as part-time teacher in the junior college and senior college for the academic year 1983-84. Respondent No.1 thereafter joined some other educational institution. We are referring to these facts only to give clarification to the final order passed by the Tribunal directing reinstatement of respondent No. 1 with full back wages from the date of termination till reinstatement. It hardly requires to be stated that the salary received by respondent No.1, either from the petitioner institution or any other educational institution, which he had served during the period commencing from the date of termination till the date of reinstatement, will have to be taken into consideration and respondent No.1 cannot claim the same salary over again. With this clarification the writ petition fails.

7. Accordingly, rule is discharged. The Administrative Officer, Higher Education Grants, Poona Region is directed to cancel the disallowance memo for the years 1982-83 and 1983-84 in respect of pay and allowance payable to respondent No.1. The State Government is also directed not to raise any objection in case respondent No.1 rejoins the petitioner institution and the petitioner institution allots him part of the lectures in the Senior college and the remaining in the junior college. The State Government is bound to reimburse the institution in respect of the amount which would be required to be paid to respondent No.1 towards the back wages. Respondent No.1 shall convey his willingness to rejoin the petitioner institution within two weeks from today. In the circumstances of the case, there will be no order as to costs.

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शासनाने नेमलेल्या पाच सदस्य समितीच्या अहवालावरील  
संबंधित सदस्यांच्या स्वाक्ष्या

१. श्री. पं.तु. महाजन, निमंत्रक .....
- शिक्षण संचालक (उ.शि.) महाराष्ट्र राज्य, पूणे (शासनाचे प्रतिनिधी)
२. श्री. अ.ना. कुलकर्णी सदस्य .....
- उपसचिव, शिक्षण व सेवा योजन विभाग, मंत्रालय, मुंबई (शासनाचे प्रतिनिधी)
३. श्री. व.अ. पंडित, सदस्य.....
- उपसचिव, शिक्षण व सेवा योजन विभाग, मंत्रालय मुंबई, (शासनाचे प्रतिनिधी)
४. प्राध्यापक बी.टी. देशमुख सदस्य.....
- (एमफक्टोचे प्रतिनिधी)
५. प्राध्यापक, संभाजीराव जाधव सदस्य.....
- (एमफक्टोचे प्रतिनिधी)
- डॉ. बी.पी. साबळे सदस्य.....
- कुलसचिव, शिवाजी विद्यापीठ, कोल्हापूर (विद्यापीठांचे प्रतिनिधी)

स्थळ : मुंबई

दिनांक : २९ डिसेंबर १९८८

स्थळ प्रतीवर समितीच्या सर्व सदस्यांच्या सहा आहेत.

पं.तु. महाजन, निमंत्रक

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**DISCUSSIONS OF THE REPRESENTATIVES OF THE MAHARASHTRA FEDERATION OF  
UNIVERSITY AND COLLEGE TEACHERS' ORGANISATIONS (MFUCTO)  
WITH THE CHIEF MINISTER OF MAHARASHTRA.**

**On behalf of the Government of Maharashtra:**

1. The Chief Minister,
2. The Minister for Education,
3. The Minister of State for Education,
4. Chief Secretary,
5. Secretary (Education Department)
6. Secretary (Finance Department)
7. Director of Higher Education,
8. Deputy Secretary (Education Department)

**On behalf of the MFUCTO :**

1. Prof. E.N. Manjrekar, President
2. Prof. C.R. Patil, General Secretary,
3. Prof. B.T. Deshmukh
4. Prof. Sambhaji Jadhav
5. Prof. K.K. Thekedath,
6. Prof. S.M. Bhave,
7. Prof. Koshore Bhide
8. Prof. Arun Dixit
9. Prof. Rohini Gawankar
10. Prof. S.K. Kalnawat,
11. Prof. Vithal More.

Protracted talks were held between the chief Minister and the representatives of the MFUCTO on 28th December, 1988 and on 11th, 13th, 14th, 17th and 18th January, 1989. The copy of the agreement reached by the Government of Maharashtra and the MFUCTO is enclosed.

(KUMUD BANSAL)  
SECRETARY (HIGHER EDUCATION)  
18.1.1989

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(31)

**AGREEMENT REACHED IN THE DISCUSSIONS OF THE REPRESENTATIVES OF THE  
MAHARASHTRA FEDERATION OF UNIVERSITY AND COLLEGE  
TEACHERS' ORGANISATIONS (MFUCTO) WITH THE  
CHIEF MINISTER OF MAHARASHTRA.**

The State Government has carefully considered the Government of India's instructions regarding revision of pay scales for University and College teachers and other relevant guide-lines and has decided to implement them in the following manner :

(1) The Government of India suggestions on revision of pay scales for teachers in Universities and Colleges Dt., 17th June, 1987 as amended by subsequent agreement dt. 4th and 5th Sept. 1987 and the Government of India's suggestions dt. 22nd July, 1988 would be implemented by the State Government with the recommended scales of pay, including the element of promotions involved there in as a composite scheme w.e.f. 1.1.1986, except that in respect of the scale of Rs. 4,500-7,300 the matter will be considered further by the Government.

(2) Similarly, suggestions about D.P.Es. and Librarians as received from the Government of India vide their letter dt. 22nd July, 1988 will be implemented on aforesaid lines. In addition, suggestions in respect of librarians covered by Government of India's circular No. F.2-3/84 U.I., dated 16th January, 1987 and U.G.C.'s circular No. F. 1-96/81 - CPP I dated 5th May, 1987 will be considered.

(3) Regular and systematic appraisal of performance of teachers is an essential element in the management of education and this has been taken into account in the design for the career development of teachers. U.G.C. has recently circulated the report of the Task Force set up by it for the performance appraisal of teachers.

However, till it becomes operational, the existing screening mechanism/selection procedures or those prescribed on a provisional basis by the University/State Government will apply to all placements/promotions to the Senior Scale/ Selection Grade Lecturers and Readers. Until the respective Universities have framed, as per the guide-lines to be issued by the U.G.C., the necessary statutes relating to the procedure (including the composition of the

screening/Selection Committee) for promotion to the Senior Scale/Selection Grade, the existing Assessment Committee (constituted to assess the performance of a teacher before he is allowed to draw the increment after the stage of Rs. 1,300 in the existing pay scale of Rs. 700-1,600) including a representative of the D.H.E. wherever not already included, be charged with the implementation of the process of selection for promotion to the Sr. Scale as well as Selection Grade. After a period of three years from the date of issue of Government Resolution regarding the revised scales of pay, Government will, in consultation with the U.G.C., review the operation and functioning of the performance appraisal system and the effectiveness of the mechanism created therefor, and take suitable remedial measures in consultation with the U.G.C.

(4) "Work-Load":

(A) Teachers in University/College will have a workload of not less than 40 clock hours in a week.

(B) (a) Out of the 40 clock hours mentioned in (A) above, a teacher in an affiliated college should be present on the official premises of the college for about 20 to 24 clock hours in a week (about four clock hours per day on an average).

(b) Out of the time that a teacher in an affiliated college is present on the official premises of the college as mentioned in (a) above, the time spent on lecturing tutorials, practicals, demonstrations would be as follows :

(i) 17 lectures + 3 Tutorials/Practicals = 20 X 50 minutes, 1,000 minutes.

In case of subjects under the science faculty, 20 periods of 50 minutes each would include both lectures and practicals as well as tutorials, if any.

(ii) If, unfortunately, tutorials are not held, then 18 lectures of

50 minutes each = 900 minutes

OR

20 lectures of 45 minutes = 900 minutes

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In case of demonstrators/tutors, if any, doing purely practicals/demonstration work on tutorials, the norm regarding work-load will be 20 practicals/demonstrations or tutorials of 50 minutes each.

The residual time for which a lecturer, demonstrator/tutor in an affiliated college should be present on the official premises of the college (vide B (a) above) should be devoted to seminars, co-curricular activities, extension work testing/internal examinations etc. as may be decided by the University.

(5) The above revised work-load should be implemented without additional staff. Similarly, care would be taken to ensure that services of no permanently approved full-time or part-time teacher or similar teacher who is appointed on hourly basis, working in clear vacancies, are terminated merely on the ground that they have been rendered surplus as a result of the revised work-load; such permanently approved surplus full-time or part-time or hourly basis teachers will be absorbed as such, in course of time, in the same college or any other affiliated college in the district, against any fresh vacancies or additional work-load which may get created in future.

(6) 50% arrears on account of implementation of revised scales of pay from 1.1.1986 will be given to the teachers in cash and the remaining 50% will be deposited in the G.P.F. Accounts of the respective teachers, to be blocked for a period of three years except in cases of retirement/death/resignation.

(7) Government would make an advance of an amount equivalent to pay and allowances relating to about 50% of the total strike period as soon as the strike is withdrawn. In particular, on the basis that the strike is withdrawn by 19th January, 1989, payment for the period 12.12.1988 to 31.12.1988 would be made as soon as the strike is withdrawn. This advance would be in consideration of the corresponding extra working periods/days which would be put in by the teachers to compensate the lost periods/days in accordance with the scheme to be worked out by the Government/University. The scheme would involve additional periods on working days and holidays and vacation also, if necessary. The advance in respect of remaining 50% of the total strike period would be paid after the teachers have fully compensated the lost teaching periods/days. For this purpose, an undertaking from the individual teachers for making good the lost teaching periods/days would be obtained. Any decision in this regard would apply, mutatis mutandis, to the Directors of Physical Education and Librarians.

(8) There would be no victimisation, i.e. no disciplinary action of any sort in respect of strike action, at any level and any category, except in cases involving criminal action and/or violence.

(9) As directed by the Chief Minister, Minister for education would write to the Minister of Medical Education and Minister of Social Welfare regarding similar action only in respect of paragraphs (7) and (8) above, after due examination, in respect of teachers in Unani, Ayurvedic and Social Work Colleges.

(10) Formal Government Orders regarding the revised pay scales will be issued by 28th Feb. 1989.

(KUMUD BANSAL)  
SECRETARY (HIGHER EDUCATION)  
18.1.1989.

In view of the mutual agreement as above, the MFUCTO hereby withdraws the indefinite strike with immediate effect. The teachers are being requested to join duties on or before 20th January, 1989.

(E.N. MANJREKAR)  
PRESIDENT, MFUCTO  
18.1.1989

(PROF. C.R. PATIL)  
GENERAL SECRETARY, MFUCTO.  
18.1.1989

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**Discussions of the representatives of the Maharashtra Federation of University and College Teachers' Organisation (MFUCTO) with the Hon. Minister for Higher & Technical Education on behalf of the Government were held on 7.12.99 at 4.00p.m.**

The following were present.

- 1) Hon. Minister for Higher & Technical Education
- 2) Shri M.A. Sarpotdar, Deputy Secretary
- 3) Dr. Vijay Khote, O.S.D.
- 4) Shri. Bhattalwar, Under Secretary.
- 5) Prof. B.T.Deshmukh, M.L.C.
- 6) Prof. C.R. Sadashivan
- 7) Shri Sambhaji Jadhav
- 8) Shri K.K. Thekedatta.

Other members of the Executive Committee were also present.

The Government of India have, after taking into consideration the recommendations of University Grants Commission, decided to revise the pay-scales of teachers in the Central Universities and Colleges, vide their letter dated 27th July, 1998. Government of India, vide their letter dated 27th July 1998, 6th November, 1998 & UGC's notification dated 24th December, 1998 informed the State Government of the same for consideration.

Government of Maharashtra has considered these aforesaid letters and notification and has taken the decision as follows :- The Government of India's suggestions on "Revision of payscales of teachers in Universities and Colleges following the revision of payscales of Central Government employees on the recommendations of 5th Central Pay Commission" dated the 27th July, 1998 amended vide a letter dated 6th November, 1998 including UGC's notification dated 24th December, 1998 would be implemented by the State Government with recommended scales of pay, as a composite scheme with effect from 1.1.1996 with the following modifications :-

1. The age of superannuation of teachers will remain the same as at present i.e. 60 years.

2. Payment of arrears on account of D.A. and other allowances will be regulated as per Govt. Orders applicable to State Govt. employees.

3. As regards the revision of pay - scales of Principals, at present there are three types of pay-scales. Those will continue and pay will be revised accordingly.

4. The Government Orders will be issued by 20th December, 1999.

5. As it is likely that because of late communication to University and College teachers about the withdrawal of strike, some of them may be absent on 8th December, 1999 from respective institutions, the Government agrees that they will not be in any way victimised.

**M.A. SARPOTDAR**

Place : Mumbai  
Date : 7.12.1999

Deputy Secretary to Government  
Higher & Technical Education Deptt.

The Executive Committee of Maharashtra Federation of University & College Teachers' Organisations (MFUCTO) has considered the above statement of Government giving the position of Government regarding scales of pay and record our dissent to the modifications and reserve our right to raise the matter at an appropriate time. We appreciate the sincere efforts made by the Honourable Minister of Higher & Technical Education towards resolving the problems and hereby withdraws the call for the indefinite strike which was scheduled to start from 8th December, 1999.

**C.R. SADASIVAN**  
President  
Place : Mumbai

**SAMBHAJI JADHAV**  
General Secretary.  
Date : 7.12.1999

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क्र. : एनजीसी/२००२/१५११२/प्रा. संघटना/बैठक/मवि-१,  
शिक्षण संचालनालय, (उच्च शिक्षण), : महाराष्ट्र राज्य, पुणे-१.  
दिनांक :- १७.१०.२००२

प्रति,  
प्रा. सी.आर. सदाशिवन,  
जनरल सेक्रेटरी, एमफुक्टो संघटना,  
गोकुळदास बिल्डिंग नं. १, स.वि. रोड, बोरिवली (प.) मुंबई - ४०००९२.  
विषय :- दि. १६.९.२००२ रोजी एमफुक्टो संघटना बैठक, इतिवृत्त.

महोदय,

मा. शिक्षण संचालक, उच्च शिक्षण यांचे अध्येक्षतेखाली दि. १६.९.२००२ रोजी पुणे येथे एमफुक्टो संघटनेच्या पदाधिकाऱ्यांसमवेत झालेल्या बैठकीचे इतिवृत्त सोबत जोडून सादर केलेले आहे. आपल्या संघटनेमार्फत संघटनेच्या पदाधिकारी यांना सादर इतिवृत्त निर्गमित करावे, ही विनंती.

आपला

शिक्षण संचालक, (उच्च शिक्षण)  
यांचेकरिता.

## दि. १६.९.२००२ रोजी नौरोसजी वाडीया कॉलेज, पुणे येथे दुपारी १.०० वाजता एमफुक्टो संघटना पदाधिकाऱ्यांसमवेत झालेल्या बैठकीचे इतिवृत्त

दि. १६.९.२००२ रोजी नौरोसजी वाडीया कॉलेज, पुणे येथे दुपारी १.०० वाजता एमफुक्टो संघटना पदाधिकाऱ्यांसमवेत झालेल्या बैठकीचे इतिवृत्त सादर बैठकीस खालील अधिकारी व एमफुक्टो संघटनेचे पदाधिकारी उपस्थित होते.

अ.क्र. अधिकारी/पदाधिकारी यांचे कार्यालय/महाविद्यालयांचे नांव नांव व पदनाम

- १.डॉ. एस.एन. पठाण, शिक्षणसंचालक, शिक्षण संचालनालय. (उच्चशिक्षण)
- २.श्री. चं.रा. माने. प्रशासन अधिकारी, (उच्च शिक्षण), शिक्षण संचालनालय
- ३.श्री. ए.डी. पाटील, प्रशासन अधिकारी(उच्च शिक्षण), शिक्षण संचालनालय
- ४.श्री. डी.एस. शिंदे,अधिक्षक, शिक्षण संचालनालय
- ५.श्री. एच.बी.शिंदे.,अधिक्षक, शिक्षण संचालनालय
- ६.श्री. व्ही.बी. पाटणकर, शिक्षण सहसंचालक,(उच्च शिक्षण), विभागीय सहसंचालक, पुणे.
- ७.श्री. एल.डी. कोकाटे, प्रशासन अधिकारी (उच्च शिक्षण), विभागीय सहसंचालक, पुणे
- ८.डॉ. सी.आर. सदाशिवन, महासचिव, एमफुक्टो, पी.डी.एल.कॉ.,मुंबई
- ९.श्री. एकनाथ कठाळे,पदाधिकारी, जी.एस.कॉलेज, नागपूर
- १०.डॉ.एम.डी. जहागिरदार,पदाधिकारी. मौलाना आझाद कॉ., औरंगाबाद
- ११.श्री. व्ही.बी. पाथीकर, पं. नेहरू शिवाजी कॉ. औरंगाबाद
- १२.श्री. यु.डी. सुर्यवंशी,पदाधिकारी, एल.बी.एस.कॉलेज, धर्माबाद
- १३.श्री. ए.टी. सानप,पदाधिकारी, प्रेमराज सारडा कॉ. अहमदनगर
- १४.श्री. एम.एम. ताटे,पदाधिकारी, इंद्रायणी कॉलेज, तळेगांव (द.)
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- १६.श्री. एस.के. अगरवाल,पदाधिकारी, एच.पी.टी. कॉलेज, नाशिक
- १७.डॉ. तृप्ती मुखोपाध्याय,पदाधिकारी, सिद्धार्थ कॉलेज, मुंबई
- १८.श्री. आर.आर. सप्रे,पदाधिकारी, जी.के.जी. कॉलेज, कोल्हापूर
- १९.श्री. एम.एम. पवार,पदाधिकारी, डॉ. पतंगराव कदम कॉलेज, सांगली
- २०.श्री. ए.एस. जरग,पदाधिकारी, डी.आर.माने कॉलेज, कागल
- २१.श्री. विजय पाटील,पदाधिकारी, डॉ. पतंगराव कदम कॉलेज, सांगली
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- २६.श्री. डी.जी. पाटील,पदाधिकारी, जी.टी.पी. कॉलेज, नंदूरबार

प्रथमतः मा. शिक्षण संचालक यांनी सादर बैठकीचे पत्र जरी जूनमध्ये मिळाले असले तरी तिचे आयोजन करण्यामध्ये कार्यवाह्यामुळे विलंब झालेला असून यापूर्वी दि. ९.९.०२ रोजी ती घेण्याचे योजिले असूनही ती त्यावेळी घेता आली नाही आणि ती आज संपन्न होत आहे, ही परिस्थिती कथन करून डॉ. सदाशिवन यांनी दि. ७ जून २००२ च्या पत्रामध्ये कळविलेल्या विषयांचे अनुषंगाने चर्चा करण्यास प्रारंभ करण्यास सुचविल्याप्रमाणे पुढील विषयनिहाय चर्चेस प्रारंभ झाला.

१. स्थाननिश्चिती करिता ग्राह्य धरावयाची सेवा (विशि-२) : ज्या अधिव्याख्यात्यांची निवड श्रेणीमधील स्थाननिश्चिती दि. २७.७.१९९८ नंतरच्या दिनांकास येत असेल त्यांची एकूण सेवा ११ वर्षे ज्या दिनांकास पूर्ण होईल त्या पुढील दिनांकापासून त्यांना निवडश्रेणीमध्ये स्थाननिश्चिती मंजूर करावी, हा मुद्दा डॉ. सदाशिवन यांनी मांडला. त्यावर विद्यापीठ अनुदान मंडळाच्या तरतूदी त्याचप्रमाणे शासन निर्णयामधील तरतूदी यांचा उहापोह करण्यात आला. प्रदीर्घ चर्चेअंती मा. शिक्षण संचालक, डॉ. पठाण यांनी सुचविले की, शासन निर्णयातील तरतूदींचे अवलोकन करता त्यामधील संदिग्धता स्पष्ट करून घेणे आवश्यक आहे. त्याकरिता दोन पद्धतीने कार्यवाही करणे शक्य आहे. पैकी,

प्रकार १ :- शासन निर्णयातील तरतूदीप्रमाणे नेमकी कोणती कार्यवाही अपेक्षित आहे, याची धारणा शासनाकडे व्यक्त करून पक्की करून घेणे.

प्रकार २ :- एमफुक्टोच्या मताप्रमाणे दि. २७.७.१९९८ नंतर एकूण सेवा ११ वर्षे पूर्ण होवून किती अधिव्याख्याते निवड श्रेणीमध्ये वेतन निश्चितीस/स्थाननिश्चितीस पात्र ठरतात, याची माहिती महाविद्यालय/विभाग निहाय एमफुक्टो संघटनेने तयार करून ती संचालनालयास सादर करावी. म्हणजे संचालनालय स्तरावरून ती शासनास सादर करून त्याकरिताचे शासनादेश प्राप्त करून घेणे शक्य होईल.

यासंदर्भात संचालनालय स्तरावर याविषयी होकारार्थी अथवा नाकारात्मक निर्णय घेता येणार नाही, कारण यामध्ये शासनावर येणाऱ्या संभाव्य आर्थिक भाराचा विचार करता दुसऱ्या शब्दात आर्थिक भाराशी संबंधित हा विषय असल्यामुळे यावर शासन आदेश प्राप्त करून घेणे क्रमप्राप्त आहे.

२. निवडश्रेणीच्या पात्रतेकरिता रिफ्रेशर/उजळणी वर्गाची संख्या ओरिएंटेशन कोर्सची संख्या निश्चित करणे (विशि-२) : ५ व्या वेतन आयोगाच्या सुधारित वेतनश्रेणी नुसारच्या वरिष्ठ व निवड वेतन श्रेणीमधील स्थाननिश्चितीकरिता एकूण ३ रिफ्रेशर कोर्सेस व १ ओरिएंटेशन कोर्स झाले असले पाहिजेत. तथापि वरिष्ठ वेतनश्रेणीतील स्थाननिश्चितीनंतर दोन रिफ्रेशर कोर्सेस होणे

आवश्यक असल्याची तरतूद शासन निर्णयामध्ये नमूद करण्यात आली आहे. काही अधिव्याख्यात्यांचे २ रिफ्रेशर कोर्सेस वरिष्ठ श्रेणीमध्ये असतानाच पूर्ण झाले असल्यामुळे पुढील रिफ्रेशर कोर्सकरिता महाविद्यालय सोडत नाही. किंवा रिफ्रेशर कोर्सचे संयोजक त्यांना स्विकारत नाहीत. अशा परिस्थितीत जर अधिव्याख्यात्यास निवड वेतनश्रेणीकरिता पात्र ठरविण्यासाठी या कोर्ससची गणती कशी करावयाची हा मुद्दा एमफुक्टो पदाधिकाऱ्यांकडून उपस्थित करण्यात आला. यावर मा. शिक्षण संचालक, डॉ. पठाण यांनी सांगितले की, महाविद्यालयामधील विविध परिस्थितीत प्राचार्यांना संबंधित अधिव्याख्यात्यांना रिफ्रेशर/ओरिएंटेशन कोर्सकरिता पाठविणे शक्य होत नाही. रिफ्रेशर/ओरिएंटेशन कोर्ससच्या पूर्ततेकरिता संबंधितांनी अतिआग्रही (रिजिड) भूमिका घेणे योग्य नाही. तथापि या कोर्ससचा मुख्य हेतू/उद्देश विचारात घेता विभागीय पातळीवर विभागीय सहसंचालक, (उच्च शिक्षण) यांनी घेतलेली हरकत योग्य आहे. कारण प्रत्येक विषयामध्ये कालक्रमानेनुसार अत्यंत महत्वाचे बदल झालेले असतात, त्याचे ज्ञान संबंधित अधिव्याख्यात्यांना असणे गरजेचे आहे. असे असले तरीपण ज्या अधिव्याख्यात्यांचे तीन रिफ्रेशरचे कोर्स व एक ओरिएंटेशन कोर्स निवडश्रेणीच्या पात्रता दिनांकापूर्वी झालेले असतील त्यांना निवडश्रेणीच्या स्थाननिश्चितीकरिता पात्र समजणे आवश्यक आहे. तत्पूर्वी संबंधित अधिव्याख्यात्यास वरिष्ठ वेतनश्रेणी मिळाल्यानंतर विहित रिफ्रेशर/ओरिएंटेशन कोर्स का पूर्ण करता आले नाहीत, यामागील पूर्वपिठीका जाणून घेणे गरजेचे आहे.

३. ५ व्या वेतन आयोगाप्रमाणे फरक रक्कम अदा करणे (विशि-२): मुंबई विभागांतर्गत शिक्षण महाविद्यालये व विधी महाविद्यालयातील शिक्षकांना ५ व्या वेतन आयोगाच्या सुधरित वेतनश्रेणीप्रमाणे वेतन निश्चिती होवूनही फरक रकमेचे थकित वेतन अद्याप अदा झालेले नाही. हा मुद्दा चर्चेकरिता उपस्थित करून डॉ. सदाशिवन यांनी २३ महाविद्यालयांमध्ये थकित वेतनाची पूर्ण रक्कम अदा केली असल्याचे मान्य केले. अध्यापक महाविद्यालये तसेच विधी महाविद्यालयासमवेत उर्वरित महाविद्यालयांना १५ ऑक्टोबर २००२ पूर्वी थकित अनुदानाची रक्कम वितरित करण्यात येईल, असे मा. शिक्षण संचालक, डॉ. पठाण यांनी सांगितले. त्याप्रमाणे काही महाविद्यालयांना/शिक्षकांना सादर थकित वेतन अदा करणे शिल्लक राहिले असल्यास उपलब्ध माहितीच्या आधारे डिसेंबर २००२ च्या अधिवेशनामध्ये पुरवणी मागणीचा प्रस्ताव मंजूर करून घेण्याचा प्रयत्न करण्यात येईल. असे स्पष्ट करण्यात आले.

४. महाविद्यालयीन शिक्षकांना अनुज्ञेय असणाऱ्या रजा (मवि-१) : महाविद्यालयीन शिक्षकांना नैमित्तिक रजा १५ असाव्यात, १२ असाव्यात अगर ८ असाव्यात. यासंबंधी स्पष्टता झाली नसल्याचे निदर्शनास आणून संपूर्ण यु.जी.सी. पॅकेजची अंमलबजावणी होणे आवश्यक असल्याचा मुद्दा डॉ. सदाशिवन यांनी चर्चेकरिता उपस्थित केला. या संदर्भात मा. शिक्षण संचालक, डॉ. पठाण यांनी स्पष्ट केले की, यासंबंधीचा प्रस्ताव संचालनालय स्तरावरून शासनाकडे सादर झालेला आहे. त्याचप्रमाणे सादर प्रस्तावावर शासन स्तरावरील सद्यःस्थिती जाणून घेण्याकरिता श्री. अ.मा. भट्टलवार, अवर सचिव यांचेशी दूरध्वनीवरून संपर्क साधून माहिती जाणून घेण्याचा मा. शिक्षण संचालक, (उच्च शिक्षण) यांनी प्रयत्न केला. परिणामस्वरूप सर्वाना ज्ञात झाले की, या संदर्भात झालेल्या बैठकीचे इतिवृत्त मान्य झाले असून पुढील काही दिवसातच वित्त विभागाकडून त्यास मान्यता मिळणार आहे. वित्त विभागाची मान्यता मिळाल्यानंतर शासन स्तरावरून पुढील कार्यवाही करणे शक्य होईल.

तरीदेखील यासंदर्भात संचालनालयाने शासनास सादर केलेल्या प्रस्तावावरील निर्णय/आदेश यथाशिघ्र उपलब्ध करून घेण्याकरिता संचालनालय स्तरावरून अर्धशासकीय पत्र लिहून शासनास स्मरण द्यावे, असे मा. शिक्षण संचालक, डॉ. पठाण यांनी सुचविले.

५. महाविद्यालयांचे मासिक वेतन अनुदान वितरणामधील अनियमितता. (लेखा-२) : डॉ. सदाशिवन यांनी महाविद्यालयामधील कर्मचाऱ्यांचा पगार दरमहा १ तारखेस होत नाही, काही वेळा पगार २ महिन्यांचे विलंबाने मिळतो. त्यामुळे महाविद्यालयांना वेतन अनुदान योग्य ती खबरदारी घेवून अग्रिम स्वरूपात अगोदर उपलब्ध करून दिल्यास हा विलंब टाळता येईल. हा मुद्दा चर्चेकरिता उपस्थित केला. यावर मा. शिक्षण संचालक, (उच्च शिक्षण) यांनी स्पष्ट केले की, वेतन अनुदानाचे वितरण हे निधीच्या उपलब्धतेवर अवलंबून आहे. पर्याप्त निधी उपलब्ध असल्यास त्याचे वाटप राज्यातील सर्व विभागीय कार्यालयांना १ महिना अगोदर करण्याची कार्यवाही लेखा-२ शाखेने करावयाची आहे. त्यामुळे पुढील महिन्याचे १ तारखेस कर्मचाऱ्यांना पगाराची रक्कम महाविद्यालयांना अदा करणे शक्य होणार आहे.

दुर्वेदाने पर्याप्त निधी/तरतूद उपलब्ध नसल्यास तरतूद किती प्रमाणात

उपलब्ध आहे, याचे कारण निश्चित करून ज्या प्रमाणात तरतूद कमी असेल त्या प्रमाणात विभागांतर्गत सर्व संबंधित महाविद्यालयांचे अग्रिम वेतन अनुदान कमी करून ते वितरित करावे. विभागीय कार्यालयांच्या हलगर्जीपणामुळे वेळेत अग्रिम वेतन अनुदानाची वितरण (वरील कार्यपद्धतीचा अवलंब करून) न झाल्यास त्याची जबाबदारी निश्चित करून कार्यवाही करण्यात येईल. अशा प्रकारची अर्ध शासकीय पत्रे सर्व विभागीय सहसंचालक, उच्च शिक्षण यांना तात्काळ निर्गमित करावे, असे सुचविण्यात आले.

६. अतिरिक्त अधिव्याख्यात्यांचे समावेशन. (मवि-३) : राज्यातील अशासकीय महाविद्यालयातील अतिरिक्त शिक्षकांचे समावेशन प्रथमतः विभागीय पातळीवर करण्यात येते. व विभागीय पातळीवर समावेशन शक्य नसल्यास अशा शिक्षकांची नावे विषयनिहाय संचालनालयास कळविण्यात येतात, अशा शिक्षकांचे समावेशन संचालनालय स्तरावरून अन्य विभागामध्ये केले जाते. ही कार्यवाही झाल्यानंतर जुन्या महाविद्यालयात कार्यभारानुसार अथवा अन्य कारणामुळे रिक्त जागा निर्माण झाल्यास पूर्वीच्या शिक्षकांच्या समावेशनाने ती भरावयाची असल्यास त्यास शासन मान्यतेची आवश्यकता असणार नाही. असे मा. शिक्षण संचालक, डॉ. पठाण यांनी सांगितले.

७. शिक्षक पद ६ महिन्यापेक्षा अधिक काळाकरिता रिक्त राहिल्यास त्याचे पुनरुज्जीवन करण्याची आवश्यकता. (मवि-१) : प्रचलित शासन नियमानुसार शिक्षक/शिक्षकेतर पद महाविद्यालयामध्ये ६ महिन्यापेक्षा अधिक कालावधीकरिता रिक्त राहिल्यास ते व्यपगत झाले आहे, असे समजून कार्यवाही केली जाते. दुसऱ्या शब्दात या पदावर भरती करता येत नाही. जोपर्यंत शासनाकडून अशा पदाच्या पुनरुज्जीवनास मान्यता मिळत नाही, तोपर्यंत ते भरता येत नाही. हा नियम शिक्षक पदांना लागू केल्यास संबंधित विषयांच्या शिक्षकांचे पद रिक्त राहण्यावर विद्यार्थ्यांचे शैक्षणिक नुकसान होते. अतिरिक्त कार्यभार दुसऱ्या शिक्षकास द्यावयाचा झाल्यास त्या विषयाचा शिक्षक उपलब्ध नसतो. उपलब्ध असल्यास वेळापत्रक मांडण्यामध्ये अडचणी निर्माण होतात. या सर्व अडचणी विचारात घेता शिक्षकांचे पद महाविद्यालयीन शिक्षणाच्या दृष्टीकोनातून व्यपगत करणे ही सर्वथा अशैक्षणिक स्वरूपाची बाब ठरते. त्याचा विद्यार्थ्यांच्या शिक्षणावर विपरित परिणाम अटळ आहे. त्यामुळे शैक्षणिकदृष्ट्या प्रगत अशा महाराष्ट्राची वाटचाल शैक्षणिकदृष्ट्या अधोगतीकडे चालली आहे, असे शासन धोरण असल्याची जनमानसात शासनाची प्रतिमा होणार आहे. हे होवू नये, याकरिता शासनाने शिक्षक पदे कदापि व्यपगत करू नयेत, याकरिता संचालनालय स्तरावरून शासनास अवगत केले जाईल, असे मा. शिक्षण संचालक, (उच्च शिक्षण) यांनी व्यक्त केले. शिक्षकांची रिक्त पदे कोणत्या पद्धतीने भरावी हा शासन धोरणाचा भाग होवू शकतो. शासन आदेशानुसार ती भरली जातील, मात्र ती व्यपगत होणार नाहीत, याकरिता स्वतः मा. शिक्षण संचालक (उच्च शिक्षण) प्रयत्न करणार असल्याचे स्पष्ट करण्यात आले.

८. एमफुक्टो संघटनेचा नियोजित संप. (मवि-१) : शासनाने कंत्राटी पद्धतीच्या नियुक्त्यासंदर्भात निर्गमित केलेल्या शासन निर्णय दि. २५ जुलै २००२ ला स्थगिती दिली असल्यामुळे एमफुक्टो संघटनेकडून आयोजिलेला संप करण्याची योजना रद्द केल्याची डॉ. सदाशिवन यांनी स्पष्ट केले.

९. शिक्षक पद भरण्याकरिता ना हरकत प्रमाणपत्र (मवि-३) : कंत्राटी पद्धतीने शिक्षक पदावरील भरतीस ना हरकत प्रमाणपत्राची आवश्यकता नाही, असे शासनादेश विद्यमान आहेत. तथापि यासंबंधीच्या शासन निर्णय दि. २५ जुलै २००२ ला शासनाने स्थगिती दिलेली आहे. सबब महाविद्यालयांनी विभागीय कार्यालयात व विभागीय सहसंचालक, (उच्च शिक्षण) यांच्या कार्यालयांनी या संचालनालयास संबंधित विषयाच्या शेवटच्या शिक्षकास उपलब्ध होणाऱ्या कार्यभाराचे विवरण विविध प्रपत्रामध्ये सादर करून ना हरकत प्रमाणपत्र घेणे आवश्यक आहे. असे मा. शिक्षण संचालक, (उच्च शिक्षण) यांनी स्पष्ट केले.

यानंतर श्री. शिवाजी पाटील यांनी समारोपाचे भाषणामध्ये बैठकीमध्ये चर्चितलेल्या विषयांच्या अनुषंगाने करावयाची कार्यवाही/अंमलबजावणी १ आ वड्यामध्ये व्हावी, अशी अपेक्षा व्यक्त केली आणि बैठक संपल्याचे घोषित केले.

मान्यतेस्तव.

शिक्षण संचालक, (उच्च शिक्षण),  
महाराष्ट्र राज्य, पुणे-१ करिता.

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