

A G E N D A

of the General Body Meeting of
NAGPUR UNIVERSITY TEACHERS' ASSOCIATION
to be held at 12.00 noon on **SUNDAY, the**
9th May, 2004 at
Smt. Kesharbai Lahoti Mahavidyalaya,
Amravati.

Agenda of the General Body Meeting of Nagpur University Teachers' Association to be held at 12.00 noon on Sunday, the 9th May, 2004 at Smt. Kesharbai Lahoti Mahavidyalaya, Amravati, is as follows :-

ITEM NO. 355 :

CONFIRMATION OF MINUTES :

TO CONFIRM the minutes of the General Body meeting of Nagpur University Teachers' Association held at 12.00 noon on Sunday, the 30th November, 2003 at Jagadamba Mahavidyalaya, Achalpur

Notes :- 1) Copy of the minutes was Circulated on pages 113 to 117 of 2003 NUTA Bulletin.

2) Corrections, if any, were invited in the copy of the Minutes of the General Body Meeting of Nagpur University Teachers' Association held at 12.00 noon on Sunday, the 30th November, 2003 at Jagadamba Mahavidyalaya, Achalpur, vide No.CIM/16 Dated 15th December, 2003 published on page 121 of 2003 NUTA Bulletin. No correction was received..

ITEM NO. 356 :

APPROVAL TO THE ANNUAL REPORT :

TO CONSIDER AND APPROVE the Annual Report regarding the working of the Association for the calendar year ending on 31st December, 2003.

Notes : (i) As per Article VI (b) (iii) of the Constitution of NUTA, the Annual Report of the working of the Association is prepared by the Executive Committee (vide item No.2 of 2004) and is to be placed for the approval of the General Body. (ii) The Copy of the Annual Report is circulated in this NUTA Bulletin on page 60 to 62 (iii) Prof. E.H.Kathale, Secretary will present the Annual Report on behalf of the Executive Committee.

ITEM NO. 357 :

APPROVAL TO THE ANNUAL BUDGET :

TO APPROVE the Annual Budget of the Association for the Financial year commencing on 1st April, 2004.

Notes : (i) Prof. S.A.Tiwari, Treasurer, NUTA, will present the Budget on behalf of the Executive Committee. (ii) The copy of the Budget is circulated on page No.60 of 2004 NUTA Bulletin.

ITEM NO.358 :

APPOINTMENT OF THE AUDITORS :

TO CONSIDER AND APPROVE the following resolution for the appointment of Auditors for the Financial year ending on 31st March, 2004 namely :-

"C.R.Sagdeo & Co. Chartered Accountant "Prabha

Niwas" Nagpur be appointed as auditor for the Financial year ending on the 31st March 2004"

Note : (i) As per Article VII of the Constitution of NUTA the "General Body shall appoint auditors annually in the Annual Meeting of the Association." (ii) The Executive Committee resolved to recommend the above resolution, (Vide item No. 4 of 2004) which is now placed before the General Body for its approval. (iii) Prof. S.A.Tiwari, Treasurer, on behalf of the Executive Committee, will move the resolution.

विषय क्रमांक. ३५९ :

महागाई भत्याचा काही भाग मुळ वेतनात समाविष्ट करणे

कार्यकारी मंडळाच्या वतीने प्रा. एस.ए.तिवारी हे पुढील प्रस्ताव मांडतील:-

रुपयाची दर दिवसाला घसरत जाणारी क्रयशक्ती सावरून धरण्यासाठी मुळ वेतनावर महागाई भत्ता देण्याची व्यवस्था अनेक वर्षांपूर्वी सुरु करण्यात आली. १ जानेवारी १९८६ या दिनांकाला संपूर्ण महागाई भत्ता मुळ वेतनात

NAGPUR UNIVERSITY TEACHERS' ASSOCIATION

MEETING NOTICE : 2

Date : 15. 04. 2004

From

Dr. E.H.Kathale,

Secretary, NUTA,

N-162, Reshim Bagh, Nagpur-440 009.

To,

All the members

of the Nagpur University Teachers' Association

Dear members,

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

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

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

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

Date and Place of the meeting

at 12.00 Noon on, Sunday, the

9th May, 2004

at Smt. Kesharbai Lahoti Mahavidyalaya,
Amravati.

समाविष्ट केल्यानंतर पुढच्या ६ महिन्यात १ जुलै १९८६ ला वाढलेल्या ग्राहक निर्देशांकानुसार ४ टक्के महागाई भत्ता द्यावा लागला, तो १ जानेवारी १९९६ मध्ये १४८ टक्क्यावर गेला. १ जानेवारी १९९६ रोजीचा सारा महागाई भत्ता मुळ वेतनात समाविष्ट केल्यानंतरसुद्धा पुढच्याच १ जुलै १९९६ ला वाढलेल्या ग्राहक निर्देशांकानुसार ४ टक्के महागाई भत्ता द्यावा लागला, १ जानेवारी २००४ ला तो ५९ टक्क्यावर गेलेला आहे. ग्राहक निर्देशांकामध्ये होणाऱ्या वाढीनुसार "महागाई भत्ता ज्या ज्या वेळी मुळ वेतनाच्या ५० टक्के पेक्षा जास्त होईल त्या त्या वेळी मुळ वेतनाच्या ५० टक्के एवढी महागाई भत्त्यातील रक्कम मुळ वेतनाचा भाग म्हणून समाविष्ट करण्याची" ५ व्या वेतन आयोगाची शिफारस (अहवाल परिच्छेद १०५.११) केंद्र शासनाने स्विकारली असून त्याप्रमाणे प्रत्यक्ष कारवाई करणारे केंद्राचे शासन आदेश १ मार्च २००४ रोजी निर्गमित झालेले आहे.

केंद्र शासनाने नेमलेला वेतन आयोग केंद्राच्या शासकीय कर्मचाऱ्यांसाठी असतो हे खरे असले तरी डिसेंबर ७७ मध्ये राज्य शासनाने जो धोरणात्मक निर्णय घेतला तो असा होता की, "राज्य शासकीय व इतर कर्मचाऱ्यांच्या वेतनश्रेण्या सुधारण्याकरिता राज्य शासनाकडून स्वतंत्र वेतन आयोग नियुक्त न करता केंद्र शासन जेव्हा जेव्हा केंद्रीय कर्मचाऱ्यांसाठी वेतन आयोग नियुक्त करील तेव्हा तेव्हा त्या वेतन आयोगाच्या शिफारशीवरील केंद्र शासनाचे वेतन विषयक निर्णय (Decisions of the Central Government on the Commission's recommendations in regard to pay scales) राज्य शासकीय कर्मचाऱ्यांच्या तुलनीय प्रवर्गाना लागू करण्यात येतील. वेतन निश्चितीचे सूत्र देखील केंद्र शासनाप्रमाणे असेल"

डिसेंबर ७७ मध्ये जो धोरणात्मक निर्णय महाराष्ट्र शासनाने घेतला, त्यामध्ये आज सुद्धा बदल झालेला नाही, हे लक्षात घेता मुळ वेतनाच्या ५० टक्के एवढा महागाई भत्त्याचा भाग मुळ वेतनात वळता करणारे शासन आदेश तत्परतेने निर्गमित करण्यात यावेत अशी मागणी हे सभागृह करीत आहे.

Notes :-

(i) Chapter 105 on "Compensation for Price Rise" from the report of the Fifth Central Pay Commission is printed on pages 45 to 48 of 2004 NUTA Bulletin.

(ii) Para 28 of the Speech made by the Central Finance Minister while presenting an Interim budget, for part of the year 2004-05 in Lok Sabha on 3 Feb. 2004. is circulated on page 48 of 2004 NUTA Bulletin.

(iii) Office Memorandum issued by Government of India : Ministry of Finance, Department of Expenditure : New Delhi, dated the 1 March, 2004 regarding Merger of 50 % of Dearness allowance/Dearness Relief with basic pay/pension to Central Government employees/pensioners w.e.f. 1.4.2004 is circulated on page 48 of 2004 NUTA Bulletin.

विषय क्रमांक. ३६० :

वरिष्ठ श्रेणीत ५ वर्षे सेवा झाली नसेल तर एकूण सेवा लक्षात घेऊन निवडश्रेणीत स्थाननिश्चिती करणे

कार्यकारी मंडळाच्या वतीने प्रा. डॉ. डी.यु.पोच्छी हे पुढील प्रस्ताव मांडतील :-

निवडश्रेणी देतांना वरिष्ठ श्रेणीत ५ वर्षे सेवा झाली नसेल तर एकूण सेवा लक्षात घेऊन निवडश्रेणीत स्थाननिश्चिती करावी अशी स्पष्ट तरतुद ११ डिसेंबर १९९९ च्या शासन निर्णयाच्या परिच्छेद १६ मध्ये नमुद आहे. विद्यापीठ अनुदान आयोगाच्या २४ डिसेंबर १९९८ च्या नोटीफिकेशनच्या परिच्छेद ७.८ मध्ये सुद्धा तसा स्पष्ट उल्लेख आहे. "जुन्या योजनेत एका श्रेणीतून दुसऱ्या श्रेणीत जाण्याचा कालावधी मोठा होता तो आता कमी झाल्यामुळे सुरुवातीच्या संक्रमण काळात अशी स्थिती येवू शकते." असा

(सहपत्र : दोन)

प्रा.बी.टी.देशमुख, दिनांक : ०६.०३.२००४
विधानपरिषद सदस्य,३, सुबोध कॉलनी, क्रमांक : हिंद/ एलसी ५
विदर्भ महाविद्यालयजवळ, फोन नं.नि. २५३००८०
अमरावती. - ४४४ ६०४ का. २६६३६४६

प्रति,
मा. संचालक, उच्च शिक्षण,
महाराष्ट्र राज्य, पुणे.

मार्फत :- उपसंचालक, उच्च शिक्षण अमरावती विभाग, अमरावती.

विषय : शिक्षण संचालक, उच्च शिक्षण यांनी शासन निर्णयाच्या विरोधात काढलेले "वरिष्ठ श्रेणीमधून निवडश्रेणी मध्ये जाण्यासाठी सरसकट वरिष्ठ श्रेणीतील ५ वर्षांची सेवा आवश्यक ठरविणारे" दि. १४ फेब्रुवारी २००२ रोजीचे आदेश तत्परतेने दुरुस्त करण्याबाबत.

संदर्भ : उक्त विषयावर सेक्रेटरी नुटा (कार्यवाह, नागपूर विद्यापीठ शिक्षक संघ) यांनी आपणास दिलेले ५ मार्च २००४ चे निवेदन.

मा. महोदय,
स.न.वि.वि.

संदर्भामध्ये नमूद केलेल्या निवेदनाची मला अग्रेषित केलेली प्रत काळजी पूर्वक अवलोकन केल्यानंतर काही बाबी आपल्या लक्षात आणून देण्यासाठी मुद्दाम हे पत्र लिहित आहे.

२. पाचव्या वेतन आयोगाच्या वेतनश्रेणीमध्ये स्थाननिश्चिती करण्यासाठी आपल्या कार्यालयाने मूळात तयार केलेले नमुने व प्रपत्रे वारंवार बदलविण्यात आल्यामुळे या कामास त्यावेळी बराच विलंब लागला होता हे आपणास आठवत असेलच. नमुने व प्रपत्रामध्ये वारंवार दुरुस्त्या ही गोष्ट जशी अवांछनीय समजली पाहिजे तसेच शासननिर्णयाच्या विरोधात किंवा शासननिर्णयाशी विसंगत सूचना उच्च शिक्षण संचालनालयातून निर्गमित होणार नाहीत याची काळजी घेणे सुद्धा आवश्यक आहे असे मला वाटते.

३. आपल्या कार्यालयातून आपल्या स्वाक्षरीने निर्गमित झालेल्या १४ फेब्रुवारी २००२ च्या परिपत्रकातील "त्याची निवडश्रेणीमधील स्थाननिश्चिती

मात्र वरिष्ठ श्रेणीत ५ वर्षे सेवा पूर्ण झाल्यानंतरच करण्यात येईल." ही सूचना पूर्णपणे शासननिर्णयाच्या विरोधात व शासननिर्णयाशी विसंगत आहे ही गोष्ट मी आपल्या लक्षात आणून देऊ इच्छितो. विद्यापीठ अनुदान आयोगाच्या मार्गदर्शनाची सुद्धा त्यामध्ये पूर्णपणे अवहेलना झालेली आहे.

४. आणखी सोप्या भाषेत प्रतिपादन करावयाचे तर असे म्हणता येईल की ११ डिसेंबर १९९९ च्या शासन निर्णयाच्या परिच्छेद १६ मध्ये "If number of years required in a feeder cadre are less than those stipulated in this notification, thus entailing hardship to those who have completed more than the total number of years in their entire service for eligibility in the cadre, may be placed in the next higher cadre after adjusting the total number of years." अशी तरतुद असतांना १४ फेब्रुवारी २००२ च्या आपल्या आदेशामध्ये मा. उच्च शिक्षण संचालक यांनी "त्याची निवडश्रेणीमधील स्थाननिश्चिती मात्र वरिष्ठ श्रेणीत ५ वर्षे सेवा पूर्ण झाल्यानंतरच करण्यात येईल." असा सरळ सरळ शासननिर्णयाशी विसंगत आदेश काढणे अनुचित आहे. हा आदेश काढतांना शासननिर्णयाच्या परिच्छेद १२ मधील तरतुद फक्त लक्षात घेण्यात आली व परिच्छेद १६ मधील तरतुद वाचण्यातच न आल्याने व याबाबतच्या विद्यापीठ अनुदान आयोगाच्या २४ डिसेंबर च्या नोटीफिकेशनमधील परिच्छेद ७.८ सुद्धा न वाचल्यामुळे, तसेच विद्यापीठ अनुदान आयोगाच्या ४ एप्रिल २००० च्या आदेशातील परिच्छेद २.८.० लक्षात न घेतल्यामुळे ही चूक झाली असे दिसून येते.

५. या चुकीच्या आदेशामुळे वित्त विभागाच्या पूर्ण मान्यतेनंतर काढलेल्या शासननिर्णयाने दिलेला "एकूण सेवेचा निवडश्रेणीमध्ये स्थाननिश्चिती होतांना लाभ मिळण्यापासून" अनेक शिक्षक वंचित राहिले आहेत आपण क्षेत्रिय अधिकाऱ्यांना आदेश देवून हा दोष तत्परतेने दूर करावा अशी आपणास विनंती आहे. केलेली कारवाई आपण कळविल्यास मला आनंद वाटेल. पत्रोत्तराबद्दल मी आपला आभारी होईल.

आपला विनित,
(बी.टी.देशमुख)
विधानपरिषद सदस्य

स्पष्ट खुलासाही विद्यापीठ अनुदान आयोगाने २४ डिसेंबर १९९८ च्या नोटीफीकेशनमध्येच केलेला आहे. विद्यापीठ अनुदान आयोगाने ९ ऑक्टोबर २००३ च्या पत्रान्वये ही भूमिका पुन्हा स्पष्ट केलेली आहे. असे असतांना “त्याची निवडश्रेणीमधील स्थाननिश्चिती मात्र वरिष्ठ श्रेणीत ५ वर्षे सेवा पूर्ण झाल्यानंतरच करण्यात येईल.” असे मुळ शासन निर्णयाशी (११.१२.१९९९) संपूर्णपणे विसंगत व विरोधी आदेश असलेले एक परिपत्रक शिक्षण संचालक उच्च शिक्षण यांनी दिनांक १४ फेब्रुवारी २००२ रोजी निर्गमित केलेले असून त्यामुळे अनेक शिक्षकांना या लाभापासून वंचित रहावे लागले आहे. शासन निर्णयाच्या विरोधात परिपत्रके काढण्याच्या उच्च शिक्षण संचालकांच्या या वृत्तीचा तिव्र धिक्कार करण्यात येत असून त्यांनी ते तत्परतेने मागे घ्यावे अशी मागणी करण्यात येत आहे.

Notes :-

(१) “शिक्षण संचालक, उच्च शिक्षण यांनी शासन निर्णयाच्या विरोधात काढलेले “वरीष्ठ श्रेणीमधून निवडश्रेणी मध्ये जाण्यासाठी सरसकट वरिष्ठ श्रेणीतील ५ वर्षांची सेवा आवश्यक ठरविणारे” दि. १४ फेब्रुवारी २००२ रोजीचे आदेश तत्परतेने दुरुस्त करण्याबाबत” या विषयावर :

(i) संघटनेच्या सचिवांनी व सहसचिवांनी मा. संचालक उच्च शिक्षण यांना सादर केलेले दिनांक ५ मार्च २००३ रोजीचे निवेदन (सहपत्र : एक) सन २००४ च्या नुटा बुलेटीनच्या पृष्ठ ६३ व ६४ वर प्रसृत करण्यात आले आहे.

(ii) संघटनेच्या अध्यक्षांनी मा. संचालक उच्च शिक्षण यांना सादर केलेले दिनांक ६ मार्च २००३ रोजीचे निवेदन (सहपत्र : दोन) सन २००४ च्या नुटा बुलेटीनच्या पृष्ठ ५८ वर प्रसृत करण्यात आले आहे.

(iii) संघटनेच्या अध्यक्षांनी दिनांक ६ मार्च २००४ रोजी पाठविलेल्या पत्राला मा. शिक्षण संचालक उच्च शिक्षण यांनी उत्तरादाखल दिनांक ८.४.२००४ रोजी पाठविलेले पत्र (सहपत्र : तीन) सन २००४ च्या नुटा बुलेटीनच्या पृष्ठ ६४ वर प्रसृत करण्यात आले आहे.

विषय क्रमांक. ३६१ :

कंत्राटी पद्धतीच्या नेमणूकाबाबत शासननिर्णयाच्या विरोधात उच्च शिक्षण संचालक यांनी अटी लादणे

(अ) कार्यकारी मंडळाच्या वतीने प्रा. डॉ. एकनाथ कठाळे हे पुढील प्रस्ताव मांडतील :-

“कंत्राटी पद्धतीने वरील नियुक्त्या जास्तीत जास्त २ वर्षे किंवा महाराष्ट्र लोकसेवा आयोग, विद्यापीठासाठीच्या/विद्यापीठाने महाविद्यालयासाठी स्थापित केलेल्या विहित निवड समितीमार्फत निवड झालेल्या नियमित उमेदवार उपलब्ध होणे यापैकी जे अगोदर घडेल तेवढ्या कालावधीसाठी असतील. त्यानंतर या कंत्राटी नियुक्त्या आपोआप संपुष्टात येतील. ” अशा प्रकारचा स्पष्ट उल्लेख २५ जुलै २००२ च्या शासननिर्णयामध्ये आहे. १९ जुलै २००३ च्या शासननिर्णयामध्ये “ही पदे भरण्याच्या संदर्भात दिनांक २५ जुलै २००२ मधील अटी लागू राहतील” असा स्पष्ट उल्लेख आहे. असे असतांना उच्च शिक्षण संचालनालयाने ना हरकत प्रमाणपत्र देतांना त्यामध्ये शासन निर्णयाशी विसंगत “वरील नियुक्त्या एका शैक्षणिक वर्षासाठी राहतील” असा मजकूर दाखल केला आहे. शासननिर्णयाच्या विरोधात अटी लादण्याच्या उच्च शिक्षण संचालकांच्या या कृतीचा तिव्र निषेध करण्यात येत असून ही कृति तिव्र असंतोषाला आमंत्रण देणारी आहे हेही नमुद करण्यात येत आहे.

(ब) कंत्राटी पद्धतीने पदे भरण्याबाबतच्या कागदपत्रांची नोंद घेणे :-

RULES FOR PROPOSING AMENDMENTS

(Reproduced from page 97 of 1977
NUTA Bulletin)

1. Any proposal before the meeting may be amended
 - (a) by leaving out a word or words or
 - (b) by leaving out a word or words in order to add or insert a word or words or
 - (c) by adding or inserting a word or words.
2. An amendment to be in order shall : (a) not constitute a direct negative to the original resolution : (b) be relevant to and within the scope of the resolution to which it is moved.

“कंत्राटी पद्धतीच्या नियुक्त्या संदर्भात ना हरकत प्रमाणपत्र देतांना शिक्षण संचालनालय (उ.शि.) यांनी लादलेली शासन निर्णयाशी विसंगत व शासन निर्णयाच्या विरोधातील अट रद्द करण्याबाबत” या विषयावर :-

(i) २५ शिक्षकांनी दिनांक १२ मार्च २००४ रोजी संचालक उच्च शिक्षण यांना पाठविलेले निवेदन (सहपत्र : चार)

(ii) संघटनेच्या अध्यक्षांनी मा. संचालक उच्च शिक्षण यांना सादर केलेले दिनांक १५ मार्च २००३ रोजीचे निवेदन (सहपत्र : पाच)

(iii) संघटनेच्या अध्यक्षांनी दिनांक १५ मार्च २००४ रोजी पाठविलेल्या पत्राला मा. शिक्षण संचालक उच्च शिक्षण यांनी दिनांक ८.४.२००४ रोजी उत्तरादाखल पाठविलेले पत्र (सहपत्र : सहा)

या कागदपत्रांची नोंद घेणे

(उपरोक्त (i), (ii) व (iii) अनुक्रमे सन २००४ च्या नुटा बुलेटीनच्या पृष्ठ क्रमांक ६५ व ६६ वर प्रसृत करण्यात आले आहे.)

(क) प्रा. डॉ. एकनाथ कठाळे यांनी मांडलेला पुढील पर्यायी प्रस्ताव विचारात घेणे :-

मा. शिक्षण संचालक (उच्च शिक्षण) यांनी दिनांक ८.४.२००४ रोजी विधानपरिषद सदस्य प्रा.बी.टी.देशमुख यांना पत्र लिहून कंत्राटी पद्धतीच्या नेमणूकाबाबत शासननिर्णयाच्या विरोधात निर्णय त्यांच्या कार्यालयातून निर्गमित झाला होता ही गोष्ट प्रांजळपणाने कबूल केली व ती चूक दुरुस्त करण्याचे आदेश तत्परतेने क्षेत्रिय अधिकाऱ्यांना दिले याबद्दल ते धन्यवादास पात्र आहेत.

मात्र याबाबत अशीच चूक शासकिय महाविद्यालयातून नेमण्यात आलेल्या कंत्राटी शिक्षकांच्या बाबतीत झाली आहे. वस्तुतः तेच शासननिर्णय व त्याच तरतुदी शासकिय महाविद्यालयातील शिक्षकांना सुद्धा लागू आहेत. तेथे सुद्धा ती चूक तत्परतेने दुरुस्त करण्यात यावी अशी विनंती ही सभा मा. उच्च शिक्षण संचालकांना करित आहे. चूक तत्परतेने दुरुस्त झाली नाही तर शासकिय महाविद्यालयातील अशा शिक्षकांचा कार्यकाळ ३० एप्रिल २००४ रोजी संपुष्टात येईल व तसे होऊ नये म्हणून उच्च शिक्षण संचालनालयातील भ्रष्टाचाराच्या मांडवाखालून जाण्याच्या अपप्रसंगाला त्यांना तोंड द्यावे लागेल किंवा मा. उच्च न्यायालयाचे दार ठोठाविण्याचा प्रसंग या शिक्षकांवर येईल मात्र संचालकांनी तत्परतेने दुरुस्ती केल्यास असा प्रसंग अथवा अपप्रसंग सहज टाळता येण्यासारखा आहे.

विषय क्रमांक. ३६२ :

प्रा.बी.बी.हेडा यांचे अभिनंदन

(अ) कार्यकारी मंडळाच्या वतीने प्रा.डॉ. अनिल सोमवंशी हे पुढील प्रस्ताव मांडतील :-

दीर्घ काळपर्यंत महात्मा गांधीचे स्वीय सचिव म्हणून कार्य केलेल्या श्री. प्यारेलाल ह्या अधिकारी व्यक्तीच्या लेखणीतून उतरलेल्या “महात्मा गांधी लास्ट फेज” या गांधीजीवरील चरित्र ग्रंथाचा मराठी अनुवाद “नुटा बुलेटीन”चे माजी संपादक, संघटनेचे एक जेष्ठ नेते, मराठीचे सेवानिवृत्त प्राध्यापक श्री. ब्रिजमोहन हेडा यांनी “महात्मा गांधी अखेरचे पर्व” या शिर्षकाखाली चार खंडात प्रसिद्ध केल्याबद्दल ही सभा त्यांचे हार्दिक अभिनंदन करित आहे. महात्मा गांधीच्या जीवन चरित्राची माहिती उपलब्ध करून देणारी पुस्तके मराठीत कमी आहेत अशातला भाग नाही. परंतु गांधीजीचे स्वीय सहाय्यक म्हणून कार्य केलेल्या, तसेच अनेक वर्षे ‘हरिजन’ या साप्ताहिकाचे संपादकपद भूषविलेल्या, खुद्द गांधीजी हयात असतांना व त्यानंतरही ‘यंग इंडिया’ व ‘हरिजन’ मधून केलेल्या लेखनातून, तसेच स्वतंत्र ग्रंथातून केलेल्या लिखाणामुळे गांधीजींच्या जीवनावरील व त्यांच्या तत्त्वज्ञानावरील एक विश्वसनीय व खात्रीलायक भाष्यकार हा लौकिक मिळविलेल्या, प्यारेलाल यांच्या सारख्या सिद्धहस्त लेखकाच्या लेखणीतून उतरलेल्या “महात्मा गांधी लास्ट फेज” या मूळ इंग्रजी ग्रंथाचा मराठी मध्ये अनुवाद उपलब्ध नव्हता ही फार मोठी उणीव श्री. हेडा यांच्या मेहनतीने भरून निघालेली आहे याचा या सभागृहाला मनापासून आनंद वाटतो. “पराग एजन्सिज, अकोला” या प्रकाशकांनी हे चारही खंड प्रकाशित केले असून नुकतेच ३० जानेवारी २००४ रोजी गांधीजींच्या पुण्यतिथीच्या दिवशी सेवाग्राम येथे त्यांचे समारंभपूर्वक प्रकाशनही झाले आहे. वयपरतले प्राध्यापक या नात्याने सेवानिवृत्त झाल्यावर व अनुषंगाने बुलेटीन व संघटनेच्या कामातून निवृत्ती स्वीकारल्यानंतर प्रा. ब्रिजमोहन हेडा यांनी हाती घेतलेले अनुवादाचे हे काम पुढची अनेक वर्षे अतिशय मेहनतीने व कष्टाने पूर्णत्वाला नेले. मराठी साहित्याच्या दालनात ही सेवा रुजू करताना सेवानिवृत्तीनंतरच्या कार्यकालाच्या उत्तम उपयोगाचा एक सुदृढ नमुनाच त्यांनी शिक्षकांच्या समोर ठेवला आहे. अशी या सभागृहाची भावना आहे.

SECRETARY'S REPORT ON THE WORKING OF THE ASSOCIATION FOR THE YEAR ENDING ON 31st DECEMBER, 2003.

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

Dear Friends,

(1) It gives me great pleasure to accord you all a cordial welcome on behalf of the Executive Committee of NUTA and my own behalf. It is indeed a proud privilege for me to place before this august body a brief account of our activities and achievements during the year 2003.

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

(3) During the year, the organization achieved success in getting a few of our demands fulfilled by the Government. The President of the organization, Prof.B.T. Deshmukh followed up the issues in the legislative council with his usual perseverance and got the relevant orders issued by the Government. They include G.R. dated 14th August, 2003 and 16th October, 2003 on release of D.A. restoring parity with the rate of D.A. admissible to the central government employees and arrears to the state government and other employees, and G.R. dated 14th August, 2003 and 16th October, 2003, on dearness relief and arrears of dearness relief to the state government pensioners/family pensioners. It must be mentioned here that the pressure built up by the organizations of Govt. and semi Govt. employees out side the house was mainly instrumental in

moving the Govt. in this behalf.

(4) Prof. B.T. Deshmukh, President, NUTA and his associates in the Legislative Council with their parliamentary skills and perseverance succeeded in getting the positive assurances from the ministers of the concerned departments on important issues like arrears of fifth pay to the teachers working in Amravati university, creation of B.C. cell for Amravati university, revised pay-scales to the teachers working in D.Ed. colleges and M.C.V.C., alongwith the I.T.I. instructors, filling of vacant posts at university and college levels .

(5) PARTICIPATION IN ACTION PROGRAMME:

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

b) AIFUCTO'S Mumbai Conference:

The 22nd Statutory Conference of the AIFUCTO, hosted by the Bombay University and College Teachers' Union was held from 20th to 22nd October, 2003 at Mumbai. Mumbai Conference was successful in all respects. It adopted an important resolution on movement, (circulated on Page No.98 of 2003 NUTA Bulletin). I am glad to report to this august body that five NUTA delegates attended the conference and participated actively in the

BUDGET FOR THE FINANCIAL YEAR - 2004-2005

OFFICIAL ACCOUNTING YEAR OF THE TRUST : 2004-2005 (AS PER SCHEDULE VII-A OF THE B.P.T.A. 1950)

Name of the Trust : NAGPUR UNIVERSITY TEACHERS' ASSOCIATION.

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

ESTIMATED RECEIPTS	RS. P.	ESTIMATED DISBURSEMENTS	Rs. P
I. OPENING BALANCE :		A) NON-RECURRING :	
i) Cash in hand ... ..	... ..	i) Major Repairs or rebuilding of the assets etc. ... ..	... ..
ii) Cash in Bank	15,000 00	ii) Net purchase of immovable property ... ..	... ..
II. ESTIMATED RECEIPTS :		B) RECURRING :	
(A) NON RECURRING		i) Rents, rates taxes etc.	4,000.00
i) Ordinary Donations to be received for specific earmarked objects (permanent subscription to NUTA Bulletin) ... ..	... ..	ii) Administrative Expenses ... ..	... ..
ii) Ordinary Donations ... ..	... ..	a) Stationery, Typing , Cyclostyling & Printing	2,25,000.00
(B) RECURRING :		b) Travelling Expenses	40,000.00
i) Rent etc. on immovable property	... ..	c) Postage and Telephone.	10,000.00
ii) Interest on Fixed Deposits	2,70,000 00	d) Misc. expenses	4,000.00
iii) Dividend shares etc	20,000 00	e) Bank commission	400.00
iv) Income from Agri. land ... ..	... ..	f) Legal Expenses	1,000.00
v) Other revenue Receipt ... ..	... ..	g) Audit fees	1,500.00
vi) Legal Aid Fund ... ..	... ..	h) Affiliation fees ... ..	... ..
III. REALISATION FROM DISPOSAL OF ASSETS :	... ..	i) MFUCTO	4,000.00
IV EXCESS OF EXPENDITURE OVER INCOME :	23,500 .00	ii) AIFUCTO	7,000.00
	... ..	iii) Contribution to public trust\ admn. Fund ... ..	... ..
		vi) Books Library	12,000.00
		iii) Payment of Salaries	9,600.00
		iv) Transfer of Depreciation Fund	
		v) Special & Current repairs of building Furniture etc	10,000.00
		vi) Excess of income over expenditure ... ..	... ..
TOTAL Rs.	3,28,500.00	TOTAL Rs.	3,28,500.00

NOTE : Estimated enrolment of members during the year is expected to be 10. On this account the Association will receive an estimated amount of Rs. 40,010/- However this amount cannot be included in the estimated receipts because this amount is to be invested in fixed deposit receipts or any other Govt. Securities as per Article III of the Constitution . - Sd. **S. A. Tiwari**, Treasurer.NUTA

deliberations. The participant delegates were:-Dr. E.H. Kathale, Prof.A.W. Dhage, Dr.R.B. Golait, Prof.M.D. Misal and Prof.S.S. Hajare.

(c) Meeting of the teachers who were adversely affected by the decision in respect of feeder cadre.

Friends, meeting of the teachers, affected by not counting the total service, if the number of years required in a feeder cader are less than those stipulated for placement in the next higher cader, was convened by NUTA on 31st May, 2003 at Shikshak Bhavan, Amravati. The meeting was attended by 59 teachers from Amravati and Nagpur University area. On behalf of the NUTA Executive Prof.B.T. Deshmukh, President, NUTA, Dr.E.H. Kathale, Dr.D.U. Pocchi, Prof.S.A. Tiwari, Dr.A.G. Somvanshi and Prof.Sushil Kalmegh were present. (minutes of the meeting circulated on page 88 of 2003 NUTA Bulletin).

(d) District meetings for creating awareness among the

CHANGE OF ADDRESS ACKNOWLEDGEMENT NO.20

Requests for changes in address for the purpose of mailing and correspondence, have been reaching us frequently from the members. So to record these changes in Life Member's Register systematically, and to follow up these changes effectively, steps have been taken by The Treasurer.

2. We hereby acknowledge the receipt of the requests for change in address from members whose Life Membership Numbers and changed addresses are included in Twentyfifth and Twentysixth List of Changed Addresses of Life Members of NUTA. Details of the said list are as follows:-

(A) TWENTYFIFTH LIST :- Serialized Nos : of the changed Addresses from 1137 to 1161 (Notified in 2003 Ex. File on Page 49) The Life membership Numbers of those requesting members are as follows :-

71, 610, 748, 1042, 1203, 1216, 1217, 1321, 1351, 1870, 1920, 2125, 2508, 2524, 2582, 2603, 2673, 2940, 3654, 4072, 4112, 4345, 4395, 4605, 4740 = Total 25

(B) TWENTYSIXTH LIST:- Serialized Nos : of the changed Addresses from 1162 to 1202 (Notified in 2004 Ex. File on Page 6 & 7) The Life membership Numbers of those requesting members are as follows :-

37, 582, 893, 894, 1025, 1323, 1323, 1339, 1628, 1708, 1960, 2270, 2391, 2439, 2524, 2550, 2809, 2917, 2919, 3038, 3124, 3304, 3319, 3396, 3461, 3467, 3515, 3609, 3619, 3630, 3659, 3801, 3803, 3805, 3984, 4074, 4336, 4396, 4477, 4584, 4781, = Total 41

3. No separate and individual acknowledgement shall be issued in this regard.

4. Hereafter requests for change in address shall be sent only to me. (Prof. S.A. Tiwari, Treasurer NUTA, 42, Shankar Nagar, Amravati-444 606.)

5. Members may please note that such requests sent to any other office bearer of NUTA Executive may not be speedily and effectively followed up. We hope that the members shall continue to cooperate with us to serve them better.

6. Acknowledgement No. 19 was published on page No.21 of 2003 NUTA Bulletin, containing address changes from 1074 to 1136 in List No. 24 of changed addresses.

15.03.2004

S.A. Tiwari
Treasurer, NUTA

teachers regarding the report of Dr.Janardan Waghmare study group.

You are aware that the Government of Maharashtra had appointed the study group under the Chairmanship of Dr.Janardan Waghmare for preparing the draft of 10th five year plan on education. The report of the study group was submitted to the Government of Maharashtra without making it public. All these activities were done secretly. Office Bearers of the organization procured the copy of the report by informal means and it was circulated in the first issue of 2003 NUTA Bulletin. The study group made various recommendations and suggestions, which have got long term and far-reaching adverse effects on education in general and higher education in particular. Taking into consideration the seriousness of the impact of adverse recommendations made by the study group, the NUTA Executive decided to convene meetings at district places for creating awareness among the college teachers. The important issues like non-payment and delayed payment of non-salary grants and salary grants to the colleges were also discussed in these meetings. These meetings were addressed by Prof.B.T. Deshmukh, President, NUTA and other office bearers of the organization.

(e) The government of Maharashtra has issued a G.R. dated, 23rd September, 2003 regarding non-salary grants to the non-government aided arts, commerce, science, law and education colleges, which has created unrest in the educational field. The Vidarbha Management Association and its action committee had decided to organize a morcha to the Legislative Assembly at Nagpur on 8th December, 2003 against the G.R. of 23rd September, 2003. You are aware that the general body of NUTA held on 30th November, 2003, had resolved to support the action of 8th December, 2003. I am pleased to inform this house that the NUTA members participated in the morcha in large number. The gathering was addressed by Prof.B.T. Deshmukh, Dr.E.H. Kathale and Dr. Shashikant Waikar along with other office bearers of the different organizations.

(6) LATE MADHAVRAO LIMAYE MEMORIAL AWARD TO PROF. B.T. DESHMUKH:

Friends, I am pleased to inform the august body that during the reporting period, our President, Prof.B.T. Deshmukh has been honoured with the prestigious Late Madhavrao Limaye Memorial Award for his outstanding, excellent and efficient performance in the legislative council. The award was presented to Prof. B.T. Deshmukh, on 8th February, 2003 at Nasik by senior freedom fighter Shree Datta Tamhane. The very first award of Rs.50,000/- in cash and memento has been initiated by the reputed Sarvajanic Vachanalaya, Nasik in the memory of Ex-MLA and freedom fighter Late Madhavrao Limaye. I congratulate Prof.B.T. Deshmukh, on my behalf and on behalf of all of you.

(7) LIBRARY FOR THE ORGANIZATION:

Friends, an idea was mooted by NUTA Executive and particularly our President, Prof.B.T. Deshmukh that we should have a small library of our own for the organization. However, the dream could not be materialized for some or the other reasons. I am pleased to inform the august body that Prof.B.T. Deshmukh donated Rs.40,000/- from the amount of late Madhavrao Limaye award, which he has received for his outstanding performance in the legislative council to begin the work of a library for the organization. NUTA executive also decided to contribute Rs.60,000/- for this work. This was endorsed and approved by the general body of NUTA held on 27th April, 2003 at Wani. Some of our NUTA activists also donated Rs.68,000/- Thus a corpus of Rs.1,68,000/- was created. I express my heartfelt thanks to Prof.B.T. Deshmukh and other colleagues for their gesture. I assure you that the work of library would be started at the earliest.

(8) PROBLEM OF NET/SET AFFECTED TEACHERS:

8.1 Friends you are aware that Government of Maharashtra, has issued a G.R. on 18th October, 2001, whereby teachers appointed on or after 11/12/1999 were to be terminated before completion of their probation period. Some of the teachers from different Universities of Maharashtra were issued termination orders and other teachers falling in this category were in the process of issuance of termination orders as a consequence of resolution dated 18/10/2001.

8.2 These teachers had filed petitions before the Mumbai High Court and the Benches of Mumbai High Court at Nagpur and Aurangabad and they were granted status quo/stay. Ultimately their petitions were clubbed for final hearing by Hon'ble Mumbai High Court. You are also aware that Mumbai High Court has delivered an important judgment in respect of this bunch of petitions on 18/04/2002. According to this decision of the Mumbai High Court a time bound programme was given to submit the proposals to the UGC for the grant of relaxation by the respective universities before 18th December, 2002. I am glad to inform you that in both (Nagpur and Amravati) the Universities proposals of these teachers were submitted within prescribed time limit.

8.3 I place on record my sincere thanks to the honorable Vice Chancellors of Amravati and Nagpur University for submitting well defined, lawfully well drafted proposal to UGC on 10.12.2002 and 17.12.2002 respectively. I am sure that the details of lawful qualifications in existence from 25.9.89 to 30.12.1999, Cut-off date in respect of old qualification and New qualifications, alongwith the details of the Supreme Court judgement narrated in this submission by the Amravati University and Nagpur University will help the UGC in it's appreciation of Net-Set issue.

8.4 I am also pleased to inform you that the NUTA representatives elected on different bodies of Amravati and Nagpur Universities contributed in framing and finalizing these proposals based on sound and lawful arguments.

8.5 You are also aware that MFUCTO too has submitted

**सहसंचालक कार्यालय, उच्च शिक्षण, अमरावती
विभाग, अमरावती-४४४ ६०४**

दुरध्वनी क्रमांक ०७२१-२५७४५५२

क्रमांक ससं/उशि/लले/०४/१२०७

दिनांक १२.४.२००४

प्रा.बी.टी.देशमुख,

विधानपरिषद सदस्य,

३, सुबोध कॉलनी, विदर्भ महाविद्यालयाजवळ, अमरावती.

विषय : वरिष्ठ श्रेणीमधून निवड श्रेणीमध्ये जाण्यासाठी सरसकट वरिष्ठ श्रेणीत ५ वर्षांची सेवा आवश्यक सेवा ठरविणारे दिनांक १४.२.२००२ चे आदेश दुरुस्त करणेबाबत.

संदर्भ : मा. शिक्षण संचालक, उच्च शिक्षण, महाराष्ट्र राज्य, पुणे ह्यांचे पत्र क्रमांक आरएसपी/२००४/४११६२/स्थनि/अमती/विशि-२, दिनांक ८.४.२००४.

महोदय,

आपल्या दिनांक ६.३.२००४ च्या पत्राच्या अनुषंगाने मा. शिक्षण संचालक, उच्च शिक्षण, महाराष्ट्र राज्य, पुणे ह्यांनी आपणास उद्देशून लिहिलेले संदर्भाधीन पत्र ह्यासोबत आपणाकडे माहितीस्तव सादर करण्यात येते आहे. यासंबंधात शासनास व विद्यापीठ अनुदान आयोगाकडे प्रस्ताव सादर करण्यात येत असून शासन स्तरावरून आदेश प्राप्त होताच त्याप्रमाणे कार्यवाही करून आपणास कळविण्यात येईल असे मा. शिक्षण संचालकांनी आपल्या पत्रात नमूद केलेले आहे.

आपला विश्वासू,
सहसंचालक, उच्च शिक्षण,
अमरावती विभाग, अमरावती

a memorandum to the UGC, on appointment of teachers in the universities and colleges in Maharashtra and the NET/SET qualification condition, on 30th March, 2003 and requested the UGC to provide an opportunity to the MFUCTO to explain in person the various aspects of this problem in the form of improper treatment of NET/SET qualification condition. The UGC has informed that the matter was under consideration of the Commission in consultation with the universities in the state of Maharashtra. We look forward that the Chairman UGC will respond to the organization in positive term and would invite MFUCTO to explain its stand.

(9) TASKS AHEAD:

a) The discrimination caused by the government regarding the date of implementation of fifth pay commission pay-scales to the teachers of unaided engineering colleges has also not been done away with. It would be an important task for us to see that justice is done to them.

b) The government of Maharashtra had issued the G.R. dated 25th July, 2002 on contractual appointments of teachers in the colleges which was in total violation of the provisions of M.U.Act, 1994 and the existing statutes of the universities, Because of our struggle at state level under the leadership of MFUCTO, Government of Maharashtra was compelled to stay the operation of the same. However, the government of Maharashtra has again issued a new G.R. dated 19th July, 2003 with a few cosmetic changes by which the government has directed appointments of lecturers on contractual basis.

The MFUCTO therefore, called upon the Government not to proceed with the implementation of the new G.R. dated 19th July, 2003 and earlier G.R. dated 25th July, 2002 and to withdraw the same forthwith and replace it by a G.R. allowing recruitment of lecturers in the universities and colleges on the basis of the provisions of M.U.Act, 1994.

c) Ambani-Birla report alongwith Waghmare Committee has posed a serious challenge before the field of education in general and higher education in particular. It will have to be fought tooth and nail in the years to come. The issues pertaining to the Librarians and the Directors of Physical education will have also to be addressed.

(10) MEMBERSHIP OF NUTA:

The NUTA membership has reached upto 4788 at the end of year. This year the increase in membership is 27.

a) I am glad to inform you that NUTA Bulletin has completed its 28th year of purposeful existence. This year alongwith special issues, we have circulated 124 pages of regular NUTA Bulletin. If you go through the NUTA bulletin from first to the last page, you will find that NUTA Executive has tried to give up-to-date information to all its members about their problems and how the NUTA Executive particularly its President Prof. B.T. Deshmukh has focussed them at Maharashtra Govt.level through the Legislative Council.

b) I am thankful to the press and their representatives both from Nagpur and Amravati areas, for a wide coverage of the activities of the Association. This report shall not be complete unless I acknowledge the active co-operation and support of all the members of NUTA and also from non-members i.e. University, College and Junior College Teachers in the activities of the Association and response given by them to the various calls given by NUTA from time to time.

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

**शिक्षण संचालक, उच्च शिक्षण यांनी शासन निर्णयाच्या विरोधात काढलेले
वरिष्ठ श्रेणीमधून निवडश्रेणी मध्ये जाण्यासाठी सरसकट वरिष्ठ
श्रेणीतील ५ वर्षांची सेवा आवश्यक ठरविणारे
दि. १४ फेब्रुवारी २००२ रोजीचे आदेश
तत्परतेने दुरुस्त करण्याबाबत.**

(सहपत्र : एक)

NAGPUR UNIVERSITY TEACHERS' ASSOCIATION

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

नागपूर विद्यापीठ शिक्षक संघ

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

Date:-05/03/2004.
Ph: 2741098

प्रति,
मा. संचालक, उच्च शिक्षण,
महाराष्ट्र राज्य, पुणे.

मार्फत :- उपसंचालक, उच्च शिक्षण अमरावती विभाग, अमरावती.

विषय : शिक्षण संचालक, उच्च शिक्षण यांनी शासन निर्णयाच्या विरोधात काढलेले "वरिष्ठ श्रेणीमधून निवडश्रेणी मध्ये जाण्यासाठी सरसकट वरिष्ठ श्रेणीतील ५ वर्षांची सेवा आवश्यक ठरविणारे" दि. १४ फेब्रुवारी २००२ रोजीचे आदेश तत्परतेने दुरुस्त करण्याबाबत.

मा. महोदय,

दि. ७.१२.९९ रोजी महाराष्ट्र प्राध्यापक महासंघ (एमफुक्को) यांचे प्रतिनिधी आणि शासनाच्या वतीने मा. उच्च व तंत्रशिक्षण मंत्री यांच्यात झालेल्या चर्चेमध्ये पाचव्या वेतन आयोगाच्या संदर्भातील केंद्र शासनाचे २७ जुलै १९९८ व ६ नोव्हेंबर १९९८ चे आदेश आणि २४ डिसेंबर १९९८ च्या विद्यापीठ अनुदान आयोगाच्या नोटीफिकेशनने सुचविल्याप्रमाणे पाचव्या वेतन आयोगाच्या वेतनश्रेण्या एक समग्र योजना म्हणून १.१.१९९६ पासून महाराष्ट्रात लागू करण्याचे मान्य करण्यात आले आहे. (सहपत्र - एक) या चर्चेच्या कार्यवृत्तातील आवश्यक तो मजकूर पुढील प्रमाणे :-

"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 pay scales of teachers in Universities and Colleges following the revision of pay scales 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 "

(२) उपरोक्त चर्चेनुसार महाविद्यालयीन आणि विद्यापीठीय शिक्षकांना पाचव्या वेतन आयोगाच्या शिफारसीप्रमाणे महाराष्ट्र शासन निर्णय क्र. No.NGC-1298/(4619)/UNI/4 ११ डिसेंबर १९९९ (सहपत्र-दोन) नुसार नवीन वेतनश्रेण्या दिनांक १.१.१९९६ पासून लागू करण्यात आल्या. तसेच वरिष्ठ व निवडश्रेणीच्या स्थाननिश्चितीची (करिअर अँडव्हान्समेंट) व्यवस्था सुद्धा लागू करण्यात आली. ११ डिसेंबर १९९९ च्या शासन निर्णयाप्रमाणे वरिष्ठश्रेणी व निवडश्रेणी मध्ये स्थाननिश्चिती करतांना:-

१) पहिला प्रकार एम्.फिल् वा पीएच.डी. ही शैक्षणिक पदवी नसलेल्या प्राध्यापकांचा असून त्यांना ६ वर्षांनंतर वरिष्ठ श्रेणी व वरिष्ठ श्रेणीत ५ वर्षे सेवा केल्यानंतर निवडश्रेणी देण्याची तरतुद आहे.

२) दुसरा प्रकार एम्.फिल्. गुणवत्ता धारकांचा असून त्यांना ५ वर्षांनंतर वरिष्ठश्रेणी व वरिष्ठ श्रेणीत ५ वर्षे सेवा केल्यानंतर निवडश्रेणी देण्याची तरतुद आहे.

३) तिसरा प्रकार पीएच.डी. गुणवत्ता धारकांचा असून त्यांना ४ वर्षांनंतर वरिष्ठ श्रेणी व वरिष्ठ श्रेणीत ५ वर्षे सेवा केल्यानंतर निवडश्रेणी देण्याची तरतुद आहे.

निवडश्रेणीत स्थाननिश्चिती होण्यासाठी सहपत्र २ वरील शासननिर्णयाच्या परिच्छेद १२ प्रमाणे वरिष्ठ श्रेणीत ५ वर्षे सेवाकालावधी असावा. ही बाब तिनही प्रकाराबाबत लागू आहे. ती तरतुद पुढील प्रमाणे :-

"Career advancement - Minimum length of service for eligibility to move into the grade of Lecturer (Senior Scale) would be four years for those with Ph.D.; five years for those with M.Phil, and six years for others at the level of Lecturer, and for eligibility to move into the Grade of Lecturer (Selection Grade)/ Reader, the minimum length of service as Lecturer (Senior Scale) shall be uniformly five years"

(३) परंतु ज्या प्राध्यापकांची स्थाननिश्चिती चवथ्या वेतन आयोगाप्रमाणे वरिष्ठ श्रेणीमध्ये झालेली आहे, त्यांना पाचव्या वेतन आयोगाप्रमाणे निवडश्रेणीमध्ये स्थाननिश्चिती करतांना त्यांची सेवा वरिष्ठ श्रेणीमध्ये पाच वर्षे झालेली नसेल तर त्याचा संपूर्ण सेवाकाळ विचारात घेवून निवडश्रेणीत स्थाननिश्चिती देण्यात यावी अशी तरतुद ११ डिसेंबर १९९९ च्या शासननिर्णयाच्या (सहपत्र-२) परिच्छेद १६ मध्ये करण्यात आलेली आहे. ती पुढील प्रमाणे :-

"If number of years required in a feeder cadre are less than those stipulated in this notification, thus entailing hardship to those who have completed more than the total number of years in their entire service for eligibility in the cadre, may be placed in the next higher cadre after adjusting the total number of years."

(४) सहपत्र दोनवरील राज्य शासनाच्या शासननिर्णयामध्ये ही जी तरतुद आली आहे तीचे मुळ विद्यापीठ अनुदान आयोगाच्या (UGC NOTIFICATION ON REVISION OF PAY SCALES, MINIMUM QUALIFICATIONS FOR APPOINTMENT OF TEACHERS IN UNIVERSITIES & COLLEGES AND OTHER MEASURES FOR THE MAINTENANCE OF STANDARDS 1998) २४ डिसेंबर १९९८ च्या नोटीफिकेशनमध्ये (सहपत्र-तीन) आहे. अशी व्यवस्था का करावी लागली याचे कारणही त्यात नमुद आहे. "The scheme of revision of pay scales, minimum qualifications for appointment, other service conditions of University and College Teachers, Librarians, Directors of Physical Education and Registrars of Universities as a measure for the maintenance of standards in higher education." या मथळ्याखाली ही व्यवस्था

परिच्छेद ७.८.०. मध्ये पुढील शब्दात दिलेली आहे. :-

“If number of years required in a feeder cadre are less than those stipulated in this notification, thus entailing hardship to those who have completed more than the total number of years in their entire service for eligibility in the cadre, may be placed in the next higher cadre after adjusting the total number of years.

This situation is likely to arise as, in the earlier scheme, the number of years required in a feeder cadre were much more than those envisaged under this notification.”

(५) विद्यापीठ अनुदान आयोगाने आपल्या नोटीफिकेशन D.O.F-3-1/2000(ps) मार्च २०००/४ एप्रिल २००० (सहपत्र चार) मध्ये रेग्युलेशन प्रकाशित करून त्यामध्ये विद्यापीठीय व महाविद्यालयीन शिक्षकांकरीता “Minimum Qualifications for Appointment and Career Advancement in University and Colleges” या मथळ्याखाली परिच्छेद २ मध्ये करिअर अँडव्हांसमेंटची संपूर्ण योजना दिलेली आहे. त्यातील Sub-Clause 2.8.0 खालील प्रमाणे आहे. :-

“If the number of years required in a feeder cadre are less than those stipulated in this notification, thus entailing hardship to those who have completed more than the total number of years in their entire service for eligibility in the cadre, may be placed in the next higher cadre after adjusting the total number of years. This situation is likely to arise as in the earlier scheme, the number of years required in a feeder cadre were much more than those

(सहपत्र : तीन)

**उच्च शिक्षण संचालनालय, उच्च शिक्षण,
महाराष्ट्र राज्य, पुणे
दिनांक ८.४.२००४.**

क्रमांक आरएसपी/२००४/४११६२/स्थानि/अमती/विशि-२,

प्रति,

प्रा.बी.टी.देशमुख,

विधानपरिषद सदस्य, ३, सुबोध कॉलनी,

विदर्भ महाविद्यालयाजवळ, अमरावती - ४४४ ६०४

विषय : वरिष्ठ श्रेणीमधून निवड श्रेणीमध्ये जाण्यासाठी सरसकट वरिष्ठ श्रेणीत ५ वर्षांची सेवा आवश्यक सेवा ठरविणारे दिनांक १४.२.२००२ चे आदेश दुरुस्त करणेबाबत.

संदर्भ :- १) सहसंचालक उच्च शिक्षण अमरावती विभाग अमरावती यांचे पत्र क्र. सस/अन-१/लेले/०३ दि. ८.३.२००४

२) आपले दि. ६.३.२००४ चे निवेदन

उपरोक्त विषयाबाबतचे संदर्भाधिन पत्र कृपया पहावे.

विद्यापीठ अनुदान आयोगाने मा. प्रधान सचिव, उच्च शिक्षण केरळ राज्य यांना उद्देशलेले दि. ९.१०.२००३ रोजीचे पत्रानुसार अधिव्याख्यात्याची एकूण सेवा ११ वर्षे पूर्ण झाल्यावर निवड श्रेणीमध्ये स्थान निश्चिती करण्याबाबतचे कळविलेले आहे. मात्र याबाबतीत या संचालनालयाकडे अद्याप पर्यंत शासनाकडून या संदर्भात आदेश प्राप्त झालेले नाहीत.

सबब उपरोक्त विषयी शासनास व विद्यापीठ अनुदान आयोग यांचेकडे प्रस्ताव सादर करण्यात येत आहे. तरी याबाबत शासन स्तरावर आदेश प्राप्त होताच त्या प्रमाणे कार्यवाही करण्यात येईल व सुधारित आदेश काढण्यात येतील व सत्वर ते आपणास कळविण्यात येईल. ही विनंती

शिक्षण संचालक (उच्च शिक्षण)
महाराष्ट्र राज्य पूणे

प्रत माहितीसाठी :- सहसंचालक, उच्च शिक्षण, अमरावती विभाग अमरावती

envisaged under this notification.”

(६) निवडश्रेणी देतांना वरिष्ठ श्रेणीत ५ वर्षे सेवा झालेली नसेल तर एकूण सेवा लक्षात घेऊन वरिष्ठ श्रेणीत स्थाननिश्चिती देण्याची ही व्यवस्था महाराष्ट्रासहीत अनेक राज्यांमध्ये विद्यापीठ अनुदान आयोगाच्या शिफारशीनुसार शासन निर्णय काढून १.१.१९९६ नंतर अमलात आली. त्यातील काही उदाहरणे नमुना म्हणून पुढे दिली आहेत. :-

अ) महाराष्ट्र शासनाने सदर व्यवस्था मान्य करण्याबाबत स्पष्ट निर्देश दिले आहेत. ही व्यवस्था सहपत्र दोन वरील शासननिर्णयाच्या परिच्छेद १६ मध्ये नमुद आहे.

ब) मध्यप्रदेश शासन निर्णय G.R.No.F-233/99/38-99 dated 11.10.1999 (सहपत्र - पाच) याचा परिच्छेद ८ अ पहा.

क) प्रमुख सचिव, उत्तर प्रदेश शासन यांचे दिनांक २५ जुलाई २००२ (सहपत्र - सहा) रोजीचे पत्र. क्र. १२१४/७०-१-२००२-३ (३) २०००.

(७) विद्यापीठ अनुदान आयोगाने आपल्या दि. ९ ऑक्टोबर २००३ (सहपत्र - सात) रोजीच्या प्रधान सचिव उच्च शिक्षण, केरळ राज्य यांना पाठविलेल्या पत्रात ही भूमिका पुन्हा स्पष्ट केलेली आहे ती पुढील शब्दात :-

“I am directed to inform you that as per clause 7.8.0 of UGC Notification No.F3-1/ 94 (PS) dated 24-12-1998 the Lecturers who got promotion/ placement as Lecturer (Senior scale) after completion of 8 years service, are eligible for promotion as Lecturer- (Selection grade) on completing of total 11 year service i.e., without completing 5 years service as Lecturer (senior scale).”

(८) शासन निर्णय NGC-1298 (4619) UNI/4 ११ डिसेंबर १९९९ च्या परिच्छेद १६ मध्ये वरिष्ठ श्रेणीत ५ वर्षे सेवा झालेली नसली तरी एकूण सेवा लक्षात घेऊन निवडश्रेणीत स्थाननिश्चिती करण्याची स्पष्ट तरतुद असतांना सुद्धा उच्च शिक्षण संचालकांच्या क्रं. आर.एस.पी.-२०००/ पाचवा आयोग/८२३/विशि-२, दि. १४ फेब्रुवारी, २००२ च्या (सहपत्र - आठ) आदेशावरून याबाबत शासन निर्णयात असलेल्या तरतुदींचा विचार न करता संबंधित शिक्षकांने वरिष्ठ श्रेणीमध्ये पाच वर्षे पूर्ण केल्यानंतरच निवडश्रेणी मध्ये स्थाननिश्चिती करण्याचा शासन निर्णयाच्या विरोधात क्षेत्रिय अधिकाऱ्यांनी आग्रह सुरु ठेवला आहे. त्यामुळे असंख्य शिक्षकांवर अन्याय झाला असून शासन निर्णयातील तरतुदींचे स्पष्ट उल्लंघन झाले आहे.

(९) विनंती :- उपरोक्त आधारावर आपणांस नम्र विनंती करण्यात येते की, सहपत्र आठ वरील आपल्या कार्यालयाने निर्गमित केलेल्या परिपत्रकाच्या शेवटच्या परिच्छेदातील या परिपत्रकानेच जन्मास घातलेला “त्याची निवडश्रेणीमधील स्थाननिश्चिती मात्र वरिष्ठ श्रेणीत ५ वर्षे सेवा पूर्ण झाल्यानंतरच करण्यात येईल.” हा उल्लेख तत्परतेने मागे घेण्यात यावा व त्या जागी शासननिर्णयातील “If number of years required in a feeder cadre are less than those stipulated in this notification, thus entailing hardship to those who have completed more than the total number of years in their entire service for eligibility in the cadre, may be placed in the next higher cadre after adjusting the total number of years.” या तरतुदीप्रमाणे कारवाई करण्याचे परिपत्रक निर्गमित करावे. ही विनंती

Yours Sincerely,

(A.G.Somavanshi)
Joint Secretary, NUTA.

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

सहपत्र : एक ते आठ (निवेदनात नमुद केल्याप्रमाणे) सोबत जोडलेली आहेत.

प्रतिलिपी : प्रा.बी.टी.देशमुख, विधानपरिषद सदस्य, यांना माहितीकरिता व आवश्यक कार्यवाहीकरिता समादराने अग्रेषित.

**कंत्राटी पद्धतीच्या नियुक्त्या संदर्भात ना हरकत प्रमाणपत्र देतांना शिक्षण
संचालनालय, (उ. शि.) यांनी लादलेली शासन निर्णयाशी
विसंगत व शासन निर्णयाच्या विरोधातील
अट रद्द करण्याबाबत.**

(सहपत्र : चार)

प्रति,

मा. संचालक, उच्च शिक्षण,
महाराष्ट्र राज्य, पुणे.

मार्फत :- सहसंचालक, उच्च शिक्षण अमरावती विभाग

अर्जदार :- कंत्राटी पद्धतीने नियुक्त झालेले अमरावती विभागातील शिक्षक.

विषय : कंत्राटी पद्धतीच्या नियुक्त्या संदर्भात ना हरकत प्रमाणपत्र देतांना शिक्षण संचालनालय, (उ. शि.) यांनी लादलेली शासन निर्णयाशी विसंगत व शासन निर्णयाच्या विरोधातील अट रद्द करण्याबाबत.

संदर्भ : १) शासन निर्णय क्र. बैठक १००२/(९१/२००२)/आस्था १ दि. २५ जूलै २००२ (सहपत्र क्र. १, पृष्ठ १ ते ४)

२) शासन निर्णय क्र. संकिर्ण १००२/(५५३/२००२)/आस्था १ दि. १९ जूलै २००२ (सहपत्र क्र. २, पृष्ठ ५ ते ६)

3) Notification No. 4/Estt./Contract/2003/173 Dated 25.8.03 of Directorate of Technical Education, Maharashtra State, Mumbai. (सहपत्र क्र. ३, पृष्ठ ७)

४) शिक्षण संचालक (उच्च शिक्षण) यांचे रिक्त पद भरण्यास ना हरकत प्रमाणपत्र क्र. अमवि २३/२००२/समायोजन/अशि/मवि-३ दिनांक १०.९.०३ (सहपत्र क्र. ४, पृष्ठ ८ ते ९)

मा.महोदय,

१. उपरोक्त संदर्भ क्र. १ च्या शासन निर्णयानुसार अमरावती विभागातील विविध महाविद्यालयामध्ये अधिव्याख्याता म्हणून कंत्राटी पद्धतीने आमची नियुक्ती झालेली आहे. सदरच्या शासन निर्णयामध्ये “कंत्राटी पद्धतीने वरील नियुक्त्या जास्तीत जास्त २ वर्षे किंवा महाराष्ट्र लोकसेवा आयोग/विद्यापीठासाठीच्या महाविद्यालयासाठी स्थापित केलेल्या विहित निवड समितीमार्फत नियमित उमेदवार उपलब्ध होणे या अगोदर जे घडेल तेवढ्या कालावधीसाठी असतील” (सहपत्र क्र.१, परिच्छेद २, पृष्ठ ३) असे स्पष्टपणे नमुद केलेले आहे.

२. यापुढे संदर्भ क्र. २ च्या शासन निर्णयामध्ये “कंत्राटी पद्धतीने पदे भरण्याच्या संदर्भात दिनांक २५ जूलै २००२ मधील अटी लागू राहतील” (सहपत्र क्र. २, परिच्छेद २, पृष्ठ ६) असेही स्पष्टपणे नमुद केलेले आहे.

३. तसेच संदर्भाकित दोन्हीही शासन निर्णय तंत्र शिक्षण संचालनालय व उच्च शिक्षण संचालनालय व विद्यापीठे यांचे करिता एकच असून (Directorate of Technical Education, Maharashtra State यांचे Notification “The Directorate of Technical Education, M.S. Mumbai invites the applications for filling up vacant posts of Lecturer on contract basis in following subjects/ courses for 2 years or till regular candidates nominated from M.P.S.C. becomes available whichever is earlier, in various Govt. polytechnics and Enggineering Colleges in the State” (सहपत्र क्र. ३, पृष्ठ ७) याप्रमाणे असून त्यांनी अर्हताप्राप्त उमेदवारांच्या २ वर्षासाठी नियुक्त्या सुद्धा केलेल्या आहेत.

४. उच्च व तंत्र शिक्षण विभागासाठीचे उपरोक्त दोन्हीही शासन निर्णय एकच असतांना शिक्षण संचालनालय (उच्च शिक्षण) यांचे रिक्त पद भरण्यास ना हरकत प्रमाणपत्र देतांना “कंत्राटी पद्धतीने वरील नियुक्त्या एका शैक्षणिक वर्षासाठी राहिल” (सहपत्र क्र. ४ परिच्छेद ३, पृष्ठ ९) असे आदेश निर्गमित झाले असल्यामुळे आम्हा सर्व शिक्षकांच्या नियुक्त्या दि. ३०.४.२००४ रोजी संपुष्टात येणार आहेत.

५. संदर्भ ४ वर नमुद केलेल्या आपल्या कार्यालयाने निर्गमित केलेल्या ना हरकत प्रमाणपत्रातील हाताने दुरुस्त केलेला “कंत्राटी पद्धतीने वरील नियुक्त्या एका शैक्षणिक वर्षासाठी राहिल” हा भाग पुर्णपणे शासन निर्णयाशी विसंगत व शासन निर्णयाच्या विरोधात असल्यामुळे तो ताबडतोब रद्द करावा व शासन निर्णयाप्रमाणे कृती करण्यात यावी ही विनंती.

धन्यवाद

दिनांक : १२.०३.०४

आपले विश्वासू
कंत्राटी पद्धतीने नियुक्त शिक्षक (२५)
अमरावती विभाग

प्रतिलिपी : मा. आ.प्रा.वी.टी.देशमुख, सदस्य विधान परिषद, महाराष्ट्र राज्य यांना माहितीकरिता व पुढील कार्यवाहीसाठी सादर
सहपत्रे : क्र. १ ते ४, पृष्ठ क्र. १ ते ९ प्रमाणे जोडलेली आहेत.

(सहपत्र : पाच)

प्रा.बी.टी.देशमुख,

विधानपरिषद सदस्य,

३, सुबोध कॉलनी, विदर्भ

महाविद्यालयाजवळ, अमरावती-४४४ ६०४

प्रति,

मा. संचालक, उच्च शिक्षण, महाराष्ट्र राज्य, पुणे.

मार्फत :- उपसंचालक, उच्च शिक्षण अमरावती विभाग, अमरावती.

विषय : कंत्राटी पद्धतीच्या नियुक्त्या संदर्भात ना हरकत प्रमाणपत्र देतांना शिक्षण संचालनालय (उ.शि.) यांनी लादलेली शासन निर्णयाशी विसंगत व शासन निर्णयाच्या विरोधातील अट रद्द करण्याबाबत.

संदर्भ : उक्त विषयावर अमरावती विभागातील २५ शिक्षकांनी आपणास सादर केलेले दिनांक १२.३.२००४ चे निवेदन.

मा. महोदय,

स.न.वि.वि.

संदर्भामध्ये नमूद केलेल्या निवेदनाची मला अग्रेषित केलेली प्रत काळजी पूर्वक अवलोकन केल्यानंतर काही बाबी आपल्या लक्षात आणून देण्यासाठी मुद्दाम हे पत्र लिहित आहे.

२. उच्च शिक्षण संचालनालयातून वारंवार शासननिर्णयाशी विसंगत किंवा शासन निर्णयाच्या विरोधात परिपत्रके काढली जावीत ही अत्यंत आक्षेपार्ह अशी बाब आहे.

३. “कंत्राटी पद्धतीने वरील नियुक्त्या जास्तीत जास्त २ वर्षे किंवा महाराष्ट्र लोकसेवा आयोग, विद्यापीठासाठीच्या/विद्यापीठाने महाविद्यालयासाठी स्थापित केलेल्या विहित निवड समितीमार्फत निवड झालेला नियमित उमेदवार उपलब्ध होणे यापैकी जे अगोदर घडेल तेवढ्या कालावधीसाठी असतील. त्यानंतर या कंत्राटी नियुक्त्या आपोआप संपुष्टात येतील.” अशा प्रकारचा स्पष्ट उल्लेख शासन निर्णयामध्ये असतांना व महाराष्ट्र शासनाच्या एकाच खात्याच्या अधिपत्याखाली असलेल्या तंत्र शिक्षण संचालनालयाने त्याची विनचुकपणे अम्मलबजावणी केली असतांना त्याच खात्याच्या अखत्यारित असलेल्या उच्च शिक्षण संचालनालयाने मात्र “या नियुक्त्या एका शैक्षणिक वर्षासाठी राहिल” असे परिपत्रक काढलेले पाहून आश्चर्य वाटले.

४. आपल्या कार्यालयातून निर्गमित झालेले १०.९.२००३ चे हे ना हरकत प्रमाणपत्र (संदर्भिय निवेदना सोबतचे सहपत्र चार) आपण काळजीपूर्वक पाहिल्यास आपल्या असे लक्षात येईल की, त्याच्या परिच्छेद ३ मधील मुळ मुद्रित मजकूर हा विनचूक व शासननिर्णयाशी सुसंगत असा आहे, पण त्यावर शाईने खोडून शासन निर्णयाशी विसंगत व विरोधी मजकूर दाखल करण्यात आलेला आहे. अशा कृत्यामागील हेतु सुद्धा भ्रष्टाचाराला खतपाणी घालणारे असू शकतात.

५. शासन निर्णयाशी विसंगत असा मजकूर खोडताड करून दाखल केल्यामुळे या शिक्षकांच्या मनामध्ये तिव्र असंतोष व अस्वस्थता निर्माण झालेली आहे. आपण क्षेत्रिय अधिकाऱ्यांना आदेश देवून हा दोष तत्परतेने दूर करावा अशी आपणास विनंती आहे. केलेली कारवाई आपण कळविल्यास मला आनंद वाटेल. पत्रोत्तराबद्दल मी आपला आभारी होईल.

आपला विनित,

(बी.टी.देशमुख)

विधानपरिषद सदस्य

(सहपत्र : सहा)

डॉ. एस.एन.पठाण, शिक्षण संचालक, उच्च शिक्षण

क्रमांक अमवि/२३/२००४/आढावा/मवि-३ शिक्षण संचालनालय,

उच्च शिक्षण, महाराष्ट्र राज्य, पुणे-१

दिनांक ८.४.२००४

विषय : कंत्राटी पद्धतीच्या नियुक्त्या संदर्भात ना हरकत प्रमाणपत्र देतांना शिक्षण संचालनालय, उच्च शिक्षण यांनी लादलेली शासन निर्णयाशी विसंगत व शासन निर्णयाच्या विरोधातील अट रद्द करण्याबाबत.

संदर्भ : आपले जावक क्रमांक हिंद/एलसी/६, दिनांक १५.०३.२००४ मा. आदरणीय बी.टी. देशमुख साहेब

महोदय,

शासन निर्णय क्रमांक बैठक १००२/(९१/२००२)/आस्था-१ दिनांक २५.०७.२००२ नुसार कंत्राटी पद्धतीने नियुक्त्या जास्तीत जास्त २ वर्षे किंवा महाराष्ट्र लोकसेवा आयोग/विद्यापीठासाठीच्या/विद्यापीठाने महाविद्यालयासाठी स्थापित केलेल्या विहित निवड समितीमार्फत निवड झालेला नियमित उमेदवार उपलब्ध होणे यापैकी जे अगोदर घडेल तेवढ्या कालावधीसाठी असतील असा शासन निर्णय आहे. याबाबतील अधिव्याख्यात्यांना २००३-२००४ मध्ये ना हरकत प्रमाणपत्र देतांना संचालनालयांची अशी धारणा होती की, विभागाचा आढावा हा सन २००३-२००४ मध्येच पूर्ण होईल व नंतर या नियुक्त्या रीतसर पूर्ण वेतनावर करण्यासंबंधीचे आदेश कदाचित शासन स्तरावरून होतील म्हणून एक वर्षासाठी ना हरकत प्रमाणपत्र सुरुवातीला देण्यांत आले. परंतु हा आढावा पूर्ण झाला नाही आणि म्हणून त्या ठिकाणी ना हरकत प्रमाणपत्र हे एका वर्षासाठी देण्यात आलेले आहेत त्याऐवजी शासन निर्णय कंत्राटी पद्धतीने नियुक्त्या जास्तीत जास्त २ वर्षे किंवा महाराष्ट्र लोकसेवा आयोग विद्यापीठासाठीच्या विद्यापीठाने महाविद्यालयासाठी स्थापित केलेल्या विहित निवड समितीमार्फत निवड झालेला नियमित उमेदवार उपलब्ध होणे यापैकी जे अगोदर घडेल तेवढ्या कालावधीसाठी असतील असे दुरुस्तीपत्र काढण्याबाबतचे आदेश सर्व विभागीय सहसंचालकांना देत आहोत व याबाबतील शासन धोरणांशी विसंगत निर्णय संचालनालयाचा राहणार नाही अशी खबरदारी घेण्याच्या सूचनाही सर्व सहसंचालकांना त्वरित देण्यांत येत आहेत व तशी दुरुस्ती सहसंचालकांनी करावी असे आदेश त्यांना देण्यात येत आहेत. त्यामुळे शिक्षकांच्या मनामध्ये कोणत्याही प्रकारचा असंतोष निर्माण होणार नाही अशी संचालनालयाची धारणा आहे.

सदर बाब आपण माझ्या निदर्शनास आणून दिल्याबद्दल मी आपला आभारी आहे.

कळावे,

आपला स्नेहांकित,

(डॉ.एस.एन.पठाण)

प्रति,

प्रा.बी.टी.देशमुख,

विधानपरिषद सदस्य,

३, सुबोध कॉलनी, विदर्भ महाविद्यालयाजवळ, अमरावती-४४४ ६०४.

प्रत : सर्व विभागीय सहसंचालक, उच्च शिक्षण, यांना माहिती व आवश्यक त्या कार्यवाहीस्तव अग्रेषित

सहसंचालक कार्यालय, उच्च शिक्षण, अमरावती विभाग,

अमरावती-४४४ ६०४

दुरध्वनी क्रमांक ०७२१-२५७४५५२

क्रमांक ससं/उशि/लले/०४/१२०२

दिनांक ८.४.२००४

प्रा.बी.टी.देशमुख, विधानपरिषद सदस्य,

३, सुबोध कॉलनी, विदर्भ महाविद्यालयाजवळ, अमरावती.

विषय : कंत्राटी पद्धतीच्या नियुक्त्या संदर्भात ना हरकत प्रमाणपत्र देतांना शिक्षण संचालनालय, उच्च शिक्षण यांनी लादलेली शासन निर्णयाशी विसंगत व शासन निर्णयाच्या विरोधातील अट रद्द करण्याबाबत.

संदर्भ : मा. शिक्षण संचालक, उच्च शिक्षण, महाराष्ट्र राज्य, पुणे ह्यांचे पत्र क्रमांक अमवि/२३/२००४/आढावा/मवि-३, दिनांक ८.४.२००४.

महोदय,

आपल्या दिनांक १५.३.२००४ च्या मा. शिक्षण संचालकांना लिहिलेल्या

पत्रावर मा. शिक्षण संचालकांनी कार्यवाही करून कंत्राटी पद्धतीच्या शिक्षकांच्या नियुक्त्या जास्तीत जास्त २ वर्षे किंवा महाराष्ट्र लोकसेवा आयोग/विद्यापीठासाठीच्या/विद्यापीठाने महाविद्यालयांसाठी स्थापन केलेल्या विहित निवड समितीमार्फत निवड झालेला नियमित उमेदवार उपलब्ध होणे यापैकी जे अगोदर घडेल तेवढ्या कालावधीकरिता असतील अशी दुरुस्ती संदर्भाधीन पत्रान्वये केलेली आहे.

कंत्राटी पद्धतीच्या नियुक्त्यांसंबंधातील ही बाब आपण संचालनालयाच्या निदर्शनास आणून देऊन कंत्राटी पद्धतीने नियुक्त झालेल्या शिक्षकांना न्याय मिळवून दिला याबद्दल धन्यवाद.

मा. शिक्षण संचालकांनी आपणास लिहिलेल्या संदर्भिय पत्राची प्रत यासोबत आपणाकडे पाठविण्यात येत आहे.

आपला विश्वासू,

सहसंचालक, उच्च शिक्षण, अमरावती विभाग, अमरावती.

SCHEME OF PERMANENT AND CONTINUOUS PENSION LOK ADALAT

LAW AND JUDICIARY DEPARTMENT

Mantralaya, Mumbai 400 032,

dated the 25th February 2004

NOTIFICATION

Legal Services Authorities Act, 1987

No. LAA 2003/1157/C.R. 36/D-22 - In pursuance of the provisions of sub section (1) of Section 19 of the Legal Services Authorities Act, 1987 (39 of 1987), the Maharashtra State Legal Services Authority with the Approval of the State Government, hereby pleased to frame the following **Scheme of permanent and Continuous Pension Lok Adalat**, namely :-

1. (1) This Scheme may be called the Permanent and Continuous Pension Lok Adalat Scheme, 2003.

(2) It shall come into force from the date of publication of the Scheme in the *Maharashtra Government Gazette*.

2. *Organization* :- Maharashtra State Legal Services Authority has decided to constitute Pension Lok Adalat/s and may request High Court Legal Services Committee at Mumbai and Sub-Committees at Aurangabad or Nagpur to organize permanent and Continuous Pension Lok Adalat as follows :-

(a) The pension Lok Adalat may be held every month on non working high Court Saturday or Sunday, as would be convenient.

(b) The Pension Lok Adalat may be organized in the premises of the High Court at Bombay, Aurangabad or at Nagpur

(c) The Pension Lok Adalat shall have jurisdiction to determine and to arrive at a compromise or settlement, as regards pension and/or gratuity, between the parties to a dispute in respect of any case pending before any authority, Tribunal or Court with respect to the employees of

(i) State Government,

(ii) Local Self Government and,

(iii) State Government Corporations,

Provided that the Lok Adalat shall have no jurisdiction in respect of any case or matter relating to an offence not compoundable under any law.

3. As per Section 19 (2) of the Legal Services Authorities Act, 1987 every pension Lok Adalat shall consist of -

(a) a retired Honorable judge of High Court, Bombay as Head of the panel;

(b) a retired Chief Secretary or Secretary as would be nominated by the State Government;

(c) an eminent Advocate.

The Lok Adalat so organized shall follow the procedure laid down in the Legal Services Authorities Act, 1987.

4. Formation of a Committee to take follow up action -

The Government of Maharashtra shall issue orders regarding appointment of a Committee with the following members to take follow up action on the directions given by the pension Lok Adalat

Chairman ... Director of Pension (Nodal Officer, not below the rank of Secretary.)

Members .. (1) Deputy Secretary to Government (Pension) Finance Department.

(2) Deputy Secretary to Government G.A.D. Department.

(3) Joint Secretary (Personnel)/Deputy Secretary to Government of the Concerned Department of Mantralaya.

5. **Publicity** - (a) After fixing the date and venue of Pension Lok Adalat extensive publicity shall be given to the proposed Pension Lok Adalat through the media of T.V./Radio/Posters/Publicity Department of Government. Every available forum shall be utilized for giving wide publicity to the Lok Adalat.

(b) Special circulars in respect of the proposed Pension Lok Adalat shall be issued by the Government of Maharashtra to its all concerned departments.

(c) The High Court Legal Services Committee shall with the permission of the High Court affix notice of the pension Lok Adalat on the Notice Board of the High Court.

(d) The High Court Legal Services Committee shall request the Registrar, High Court, Bombay to issue directions to the concerned departments to sort out all the cases pertaining to pension and with the coordination of the High Court Legal Services Committee issue notices to the parties calling for their willingness to place their matter before permanent Lok Adalat. A list shall be prepared of matters, which are to be placed before the permanent and continuous pension Lok Adalat.

By order of the Legal Services Authority.

S.D.Paithane

I/c Member Secretary,

By order and in the name of the Governor of Maharashtra

S.R.Dongaonkar

Principal Secretary and Senior Legal Advisor

MAHARASHTRA STATE LEGAL SERVICES AUTHORITY

To,

The Secretary, High Court Legal Services Committee, 105 High Court, (P.W.D.) Building Fort, Mumbai - 400 032

2) The Secretary, High Court Legal Services Sub committee Aurangabad.

3) The Secretary, High Court legal Services Sub Committee Nagpur

Subject : Organization and functioning of permanent and Continuous Pension Lok Adalat

Sir,

I am directed to request you to organize sittings of Permanent and Continuous Pension Lok Adalat in consultation with the head of the panel and Panel members of the Pension Lok Adalat. His Lordship and the Executive Chairman Shri. Justice A.P.Shah wants to start the functioning of permanent and continuous Pension Lok Adalat from March 2004 at Mumbai you are therefore requested to do the needful and inform this office accordingly as early as possible so that the matter can be placed before the Honourable Executive Chairman.

The contact details of the head of panel members of Permanent and continuous pension Lok Adalat are as follows :

1) Honourable Justice Shri. A.B.Palkar (Retired) as Head of the panel. C/o Bhawe & co. 2nd Floor 65, M.G.Road, Opp. HSBC Bank Bldg. Hutatma Chowk, Mumbai 400 023 Tel (O) 2267 7242 and 2267 1810 Resi : Flat No. 301, RBI Ameya Co-op Housing Society Opp. Bhawani Shankar Temple Mankikar Road Sion Mumbai 22 Mobile 9820126558 Tel. (R) 28075660

2. Retired Chief Secretary or Secretary as would be nominated by Government.... Member.

3. Shri. Rafik Dada Senior Advocate, When the sitting of pension Lok Adalat is held at Mumbai member. President, Bombay Bar Association, High Court, Original Side, Bombay Room No. 56, 3rd Floor High Court Main Building Dr. M. Kane Marg Bombay 400 032. Tel. : 2267 3367, Fax : 2701160 Res. 25, Unique House 4th Floor, Sayed Abdulla Brelvi Road, Fort Mumbai - 400 001 Phone : 2266 4215, 2269 5097

ii) Shri. K.H. Deshpande, Senior Advocate, When the sitting of Pension Lok Adalat is held at Nagpur, Member \Office : Block No. S/2 Shiv Shanta Apartment 2nd Lane, Behind Hitvada Press Dhantoli Nagpur - 440 012 Phone No. 2542165 (O) Residence : 40- C, 2nd Lane, Behind Hitvada Press, Dhantoli Nagpur 440 012 Phone No. 2523833 (R)

iii) Shri P.M.Shah Senior Advocate when the sitting of pension Lok Adalat is held at Aurangabad, Member 184/A, N-3 CIDCO Aurangabad - 431 003 Tel : (0240) 2483636, 2483666

The name and contact details of the Government nominated member and follow up action committee will be communicated to you as soon as it is made known to this authority.

The pending matters can be dealt with as usual as per Section 19(5)(i) of Legal Services Authorities Act. 1987. The other matters as per Section 19(5)(ii) can be dealt with and registered as per litigation (pension)

Yours Faithfully

S/d

I/c Member Secretary

UGC'S MODEL ACT FOR UNIVERSITIES OF THE 21ST CENTURY IN INDIA

A Desperate 'Act' towards All Round Commercialisation of Higher Education

Vijender Sharma, Member, Executive Council, University of Delhi

In the backdrop of "advances in information and communication technologies (ICT) and their deep penetration in the higher education sector, globalization of higher education and entry of foreign universities in the country to be partners of local institutions or to establish independent campuses..... and steady decline in the financial support available from the Government, both at the Central and the State levels", the University Grants Commission (UGC) had, in June 2003, appointed an Expert Committee to conduct a review of the governance, organization and management of Universities in the country and to recommend a Model Act for Universities of the 21st century in India, with a view "to prepare the Indian University system for the future." The Committee consisted Prof. B.S. Sonde, Former V.C., Goa University as Convener, along with Prof. Ram Takwale, Former V.C., IGNOU, Prof. A. Gnanam, Former V.C., Pondicherry University and Prof. G. D. Sharma, Senior Fellow, NIEPA as members and Dr. (Mrs) Pankaj Mittal, Joint Secretary, UGC as Secretary of the Committee.

GROUND FOR SUSPICION

The Committee prepared a Concept Paper in October 2003 entitled "Towards Formulation of Model Act for Universities of the 21st Century in India." While Part I of the Paper covers 'Towards Guidelines for a Model Act', Part II of the Paper is a Questionnaire seeking responses from various stake holders of the University system in the country, including Schools/ Departments/Colleges, Faculty/Staff/Students/Alumni Associations, Central/State Government Departments, Educational Trusts, Employers and Parents, individually/ collectively, to respond to the Questionnaire so that their

responses could be used for the formulation of a Model Act.

Since the time the BJP-led NDA Government came to power at the Centre, so many decisions have been taken by the Government and the UGC which have crippled the system of higher education in the country. On none of the issues, the Central Government or any of its agencies including the UGC had any debate or discussion with the academic or any stakeholders: students, parents, and people at large. All decisions were imposed by notifications and circulars. The Minister for Human Resource and Development has not given even a single second's time since 1998 to the Federation of Central Universities Teachers' Associations (FEDCUTA) and All India Federation of University and College Teachers' Organisation (AIFUCTO) to discuss any of the issues or their concerns and demands. The fact that this is the first time that all concerned have been called upon to respond to the questionnaire so that the responses "could be used to the formulation of a Model Act" gives rise to the suspicion about the intention of the Central Government. Contents of the Concept Paper and telegraphically worded leading questions in the questionnaire which have to be answered in Yes or No confirm the suspicion that this is a desperate act of the Government towards all round commercialization of higher education in India.

THE CONCEPT PAPER

The Concept Paper notes, "Indian Universities, like their counterparts elsewhere in the world, have been performing many additional functions now a days, e.g., undertaking sponsored R&D and continuing education, providing

अखिल भारतीय विश्वविद्यालय एवम महाविद्यालय शिक्षक महासंघ

ALL INDIA FEDERATION OF UNIVERSITY & COLLEGE TEACHERS' ORGANISATIONS

(Regd. under Act. XXI of 1860)

403, Nanak Sai Residency, Abids, Lane Opp to Papaji Ka Dhaba, Hyderabad-500 001. Ph. & Fax: 040-24756914
Mobile: 34756914 E-mail: aifucto@rediffmail.com Website : www.aifucto.org

C/03/2004 : DATED : 9-03-2004

TO ALL THE MEMBERS OF NATIONAL EXECUTIVE
COMMITTEE & ALL AFFILIATED UNITS

Dear Friend

PRIME MINISTER MEETS AIFUCTO DELEGATION

The Prime Minister, Shri Atal Bihari Vajpayee, met the Delegation of the AIFUCTO on Friday, 5th March 2004 at 7.15 p.m. at his official residence at 7 Race Course Road, New Delhi,

You may recall that the AIFUCTO had given a call for staging a Massive March of the University and College teachers from all over the country to the P.M.'s residence on 16th February 2004. While the AIFUCTO was preparing to go ahead with the MARCH, messages were received that the Prime Minister would be willing to meet the Delegation of the AIFUCTO. The MARCH was not proceeded with, in view of the dissolution of parliament and the possibility of a meeting with the Prime Minister. On 1-3-2004, we have received a message from Prime Minister's office informing that Prime Minister agreed to meet the AIFUCTO delegation on 5-3-2004.

The Meeting with the Prime Minister was to discuss some important issues that had remained un-implemented by the HRD Ministry in spite of the agreement between the AIFUCTO and HRD Ministry dated 5th September 1998 and the decision of the Tripartite Meeting between AIFUCTO, UGC and the HRD held on 6th October 1999. The AIFUCTO Delegation which was led by the President, Prof. Anil Bhattacharya, and consisted of -

Prof. B. Vijay Kumar, General Secretary; Prof. Nikhil Desai, Treasurer; Prof. C.R. Sadasivan, Secretary; Prof. Ms. Kranti Jejurkar, Secretary; Prof. V.K. Tiwari, Secretary; Prof. Vazir Singh Nehra, Vice President; Prof. Ghanshyam Singh, Vice President; Prof. L.N. Pandey, Zonal Secretary; Prof. Dina Nath Singh, Vice President, FUPCTA.

The AIFUCTO submitted a Memorandum listing the important

outstanding issues and annexing a number of documents in support. This Memorandum is printed below.

The AIFUCTO leadership explained each of the important demands to the Prime Minister who keenly listened to the delegation on all the issues, viz.,

1) CAS to Professors at the college level; 2) Third Promotion to University and College teachers; 3) CAS from 1-1-1996 and Rs. 14,940/- fixation; 4) Parity of DPEs and Librarians, suitable scales for Instructors and coaches; 5) NET/SLET exemption for Ph.Ds; 6) Democratic governance of Universities and entry of foreign universities.

An additional issue that was also raised was relating to problems of women teachers and condonation of breaks in their service. The meeting lasted for about 30 minutes and Shri S.K. Tripathi, Secretary, Dept. of Secondary and Higher Education, MHRD was also present.

After raising all the issues when the AIFUCTO requested the PM to respond, he stated that after the issuance of the Notification for elections, it was not possible for him to make any specific assurances. However, he expressed his feeling that the demands were genuine and reasonable, and that the process would be completed. Within a month and a half or so, the elections would be over and the matter would be resolved and justice done to the teaching community

The AIFUCTO expressed its grateful thanks to the Prime Minister for the meeting and hoped that discussion on issues will continue in the future.

FISE circular is herewith attached.

With warm Greetings

Yours fraternally
B. VIJAY KUMAR
General Secretary

knowledge-based advice and consultancy, preparation/publication of educational material like books/study reports/research papers and extending services to society. Of late, the worldwide advances, particularly in new Information and Communication Technologies (ICT), are greatly influencing the University system in the country. However, major issues like size, access, equity, relevance, quality and resource constraints continue to dominate the working of Indian Universities."

Since the "Universities are becoming complex institutions", an appropriate strategy needs to be adopted "for their governance, organization and management." Therefore, the Acts of Indian Universities should be changed "to bring in some uniformity in the working of Universities" through a Model Act framework, so that there is a "smooth transition from the earlier teachercentric focus to the required learner-centric educational processes and activities," and so that the Universities accept "the challenges of globalisation to offer high quality education and other services in a competitive manner". The new Acts of Universities would be "flexible and responsive to rapid changes taking place in the society (Read: market - Author)." According to the Paper, the new common Act for all the universities would help the universities to benefit from ICT revolution and to "become competitive nationally and inter-nationally" and help "India to become a Knowledge Super Power by the year 2020."

The UGC expects that "early adoption of this Model Act by Universities in the country will enable them to meet the X-Plan Vision and Strategy of UGC and to keep pace with the worldwide changes taking place so rapidly in higher education and research." This Vision and Strategy of the UGC is to prepare the Universities and institutions of higher education for privatization and commercialization, and to make them financially selfsufficient and respond to the market. This X-

Plan document clearly states, "in a way, India has partially privatized the higher education by initiating nongrantable teaching programs and dual fees structure for professional subjects."

In the proposed new structure, the UGC would have increased role in order to "provide advice/guidance to ensure the quality/standard of higher education." It is stated that the success of a University depends not only on the Act, but also on its personnel, their sense of dedication, discipline and responsibility, and the traditions/conventions they establish. Therefore, the teachers are being called upon to revisit the governance of Universities and the content of University education "as the content and teaching methodology have to keep pace with the explosive growth of knowledge."

The conventional Universities form a significant segment of the University system in India at present. They have a long standing, with most of them being multi-faculty institutions engaged in general education in faculties like Arts, Science, Commerce. They have been suffering because of their reduced funding over the last several years. However, this is being conceded by the UGC for the first time. "While, University funding by Central/State Governments has been a well-established tradition in the country", the Concept Paper points out, "this practice is steadily declining now a days." The setting up of professional Universities (e.g., technical, medical, law) and deemed Universities (by Private/Joint Sector), the Paper notes "is relatively new in the country, with the latter category expanding rapidly in recent years. However, private Universities and virtual Universities are of very recent origin, and they are only at few locations at present. But, due to the commercial nature of their activities, their number and nationwide spread are likely to increase in the coming years. Foreign Universities in the country are yet very few in number

अखिल भारतीय विश्वविद्यालय एवम महाविद्यालय शिक्षक महासंघ

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

(Regd. under Act. XXI of 1860)

403, Nanak Sai Residency, Abids, Lane Opp to Papaji Ka Dhaba,
Hyderabad-500 001. Ph. & Fax: 040-24756914 Mobile: 34756914
E-mail: aifucto@rediffmail.com Website : www.aifucto.org

Sri Atal Bihari Vajpayee
Hon'ble Prime Minister of India
NEW DELHI.

Date : 5-3-2004

Dear Prime Minister, Sir,

On behalf of University and College Teachers of the country we sincerely thank you for agreeing to meet the AIFUCTO delegation in spite of your busy schedule. With deep sense of shock we are approaching you with a hope that the matter of 5-9-1998 agreement of MHRD, with AIFUCTO will receive immediate and serious consideration at your level. It may not be out of place, to mention that in spite of our best efforts, we could not have even a single meeting with Hon'ble Minister of HRD Dr. Murali Manohar Joshi after 5-9-1998 and this has led to the present dead lock.

We request you to implement the following at the earliest.

1. CAS to Professor at college level.
2. Third promotion to University and College Teachers.
3. CAS from 1-1-1996 and Rs. 14,940/- fixation.
4. Parity of DPEs & Librarians, suitable scales for instructors and Coaches.
5. NET/SLET exemption for Ph.D's
6. Democratic Governance of Universities & Entry of foreign Universities.

The relevant notes is herewith enclosed.

Thanking you,

With warm regards.

Yours Sincerely
B. VIJAY KUMAR
General Secretary

RELEVANT NOTES

1. CAS to professor at college level

In spite of having same qualifications teachers in higher education are treated differently at Universities and colleges. AIFUCTO has brought to the notice of MHRD/UGC that all teachers in higher education should be treated equally. Rastogi pay review committee recommended that all Readers may be promoted to level of Professor irrespective whether they work at a college or University. Even UGC has given orders/modalities to that effect. But later UGC/MHRD has withdrawn CAS to professor at college level. We request you to restore CAS to professor at college level at the earliest.

2. Third Promotion to University and College Teachers

Universities & Colleges are basically teaching institutions. But Promotions are given based on Research degrees. It is agreed that Teachers who may not have research degrees but contributed for development of higher education should be promoted to the level of Professors scale after completion of about 25 years of service. MHRD agreed to evolve a scheme within four weeks after 5-9-1998. But so far no such scheme is evolved. Even if the third promotion is given the financial commitment will not be huge as all these teachers must have reached the scale of Professor. This type of third promotion is available to all Government employees except University and college teachers. We request you to give this third promotion to the University and college teachers at the earliest.

3. CAS from 1-1-1996 and Rs. 14,940/- fixation

During 1986 pay revision the CAS is implemented from 1-1-1986 but now in 1996 scales the CAS is implemented from 27-7-1998 and Rs. 14,940/- fixation benefit is given only to a section of the teachers and denied to others. We request you to implement CAS from 1-1-1996 and give the fixation benefit of Rs. 14,940/- to the teachers who are not given third promotion.

4. Parity of DPEs & Librarians, suitable scales for instrutors and Coaches.

In spite of assurance to maintain the parity of DPEs & Librarians to that of teachers orders to that effect are not issued so far. And similarly Suitable scales for instructors, coaches and accompanists, were not evolved so far. We request you to expedite the matter.

5. NET/SLET exemption for Ph.D's

To develop reseach at University level Rastogi Pay Review Committee has recommended that NET/ SLET exemption be given for all Ph.D's we request you to exempt all Ph.D's for apperance of NET/ SLET.

6. Democratic Governance of Universities & entry of Foreign Universities

Many Universities in the country are having nominated Senates and Syndicates instead of elected Senates and Syndicates. We request you to restore the Democratic Governance of the Universities. We also request you to ban entry of Foreign Universitis into the country.

being mostly located in bigger cities. But, with the globalisation of higher education and increased emphasis being laid by them on professional courses, it is expected that this category will also expand rapidly in the coming years." In this era of rapid commercialization of higher education, "so far, only a small segment of the University system has exhibited its readiness to meet the challenges of the 21st century. This makes it necessary to look into this issue from all angles and correct the situation urgently, for all the Universities in the country to become Universities of the 21st century." This correct the situation means that the Universities would be forced to change their character which the University community established in last several decades and respond to the market rather than the needs of the people at large.

COMMERCIAL AND CORPORATE CULTURES

The academic units like faculties, departments, colleges, schools are generally academic in their approach, the central administration manned by officials may not be so. It is likely to be of the bureaucratic type. Some times, the Paper points out, 'this can result in difficulties, as academic decisions: being based on committees' deliberations may not be always easy and practical for implementation by the concerned officials. In such situations, it is only the wisdom and positive approach of senior academics in the University hierarchy that can come to the rescue of the system.' What is being suggested is that

the collective functioning through committees should be replaced by the so called 'wisdom and positive approach of senior academics.'

With the Universities being forced to take many additional functions in order to raise funds, the Paper points out that "two new cultures have now come up, viz., commercial culture and corporate culture. The former culture is useful to support activities like continuing education, testing and consultancy, distance education and publication/distribution of course material, which are important for revenue generation and time bound work. On the other hand, the latter culture emphasizes the leadership role provided by senior academics/officials and the top-down planning and monitoring practices which may be introduced by them in the functioning of the University. "The distance and continuing education, which cater to the needs of the disadvantaged sections of the society, has been declared to be a commercial activity. And instead of democratic and collective governance of the Universities by the University community, the Corporate Culture is sought to be introduced with so called senior academics rescuing the system. Who would these so called senior academics be? Undeserving careerists and failed teachers who are found in abundance to help the Government to implement its anti-people agenda for some gratification.

Learning is a personalized process not dependent on

UGC'S MODEL ACT FOR UNIVERSITIES OF THE 21ST CENTURY IN INDIA: A CRITIQUE

BY DUTA

The DUTA takes a serious note of the move of the UGC to commercialise higher education through proposed enactment of the Act entitled MODEL ACT FOR UNIVERSITIES OF THE 21ST CENTURY IN INDIA which 'will be applicable to all the types of universities in the country.' **The proposed act aims at forcing all the universities to mobilise resources to become self sufficient and thus paving the way for withdrawal of government funding from higher education.** This model act while completely privatizing and commercializing higher education would further undermine the social role of education in India with vast majority of under privileged sections of the society. The act if enacted would lead to explosive growth of private, virtual and foreign universities in the country with unlimited and unrestricted jurisdiction.

Growth of Private, Virtual and Foreign Universities

The concept paper of the model act advocates the need for setting up of private and virtual universities. It states that:

The conventional Universities form a significant segment of the University system in India at present. They have a long standing, with most of them being multi-faculty institutions engaged in general education in faculties like Arts, Science, Commerce. They have been suffering because of their reduced funding over the last several years. While, University funding by Central/ State Governments has been a well established tradition in the country, this practice is steadily declining now a days. The setting up of professional Universities (e.g., technical, medical, law) and deemed Universities (by Private/ Joint Sector), is relatively new in the country, with the latter category expanding rapidly in recent years. However, private Universities and virtual Universities are of very recent origin, and they are only at few locations at present. But, due to the commercial nature of their activities, their number and nationwide spread are likely to increase in the coming years.

The UGC formulation is geared to overhaul the higher education system **to facilitate the entry of the foreign universities and to accommodate the requirements of General Agreement on Trade in Services under the World Trade Organisation.** Education, especially higher education is one of the services which will be traded under GATS. This is clear from the following formulation :

Foreign Universities in the country are yet very few in number being mostly located in bigger cities. But, with the globalization of higher education and increased emphasis being laid by them, on professional courses, it is expected that this category will also expand rapidly in the coming years.... This makes it necessary to look into this issue from all angles and correct the situation urgently for all the Universities in the country to become the Universities of the 21st century.

Commercialization and Corporatisation of Higher Education

The commercial orientation of the proposed act is succinctly clear at different points in the text and rather laments the slow progress in the area:

More recently, with many additional functions being taken up by the Universities, **two new cultures have now come up, viz., commercial culture and corporate culture.** The former culture is useful to support activities like continuing education, testing and consultancy, distance education and publications distribution of course material, which are important for revenue generation and time bound work. On the other hand, the latter culture emphasizes the leadership role provided by senior academics officials and the top-down planning and monitoring practices which may be introduced by them in the functioning of the University. However, such a mixed culture and its possible benefits have yet to be well accepted in the Indian University system.

Additional features in proposed blueprint for Act

(which would be enacted by the Parliament in the case of Central Universities and respective Assemblies in case of the State Universities):

- incorporation of the provision: the mobilisation of financial resources to become self sufficient;
- Pro-Vice-Chancellor: person with knowledge/experience of business/finance to take charge of resource generation and related aspects.
- Jurisdiction : not relevant any more.
- Membership of Executive Council : only ex-officio and nominated (thus elected component to be done away with)

The concept paper lays emphasis on

- i) replacement of class room teaching by distance education
- ii) resource generation through sponsored research, consultancy, testing services, preparing students for competitive examinations/ interviews/entrepreneurship/new careers and creation of text/reference books, audio/video cassettes/tapes/CDs/floppies.
- iii) setting up (by university) a "company or Registered Society" and associate and collaborate with the Private Sector".

Practical example of self-financed institutions in Maharashtra

Some of institutes/colleges which were made self-sufficient have now to generate resources for maintenance of institution, payment of salaries of teaching and non-teaching staff and payment of pension to retired employees.

The Maharashtra Government has withdrawn itself even from payment of pension to retired employees.;

DUTA HAS RESOLVED TO RESIST AND FOIL THIS MOVE OF THE UGC.

To ensure participation on massive scale by all teachers, Staff Association office bearers would seek/mark the attendance of all their members in various action programs.

technology, whereas educating is a social process dependent on interactivities between learners and teachers, which may make use of tools and technologies. As a result, education has to keep pace with the worldwide changes and on-going ICT revolution. With the changing society, the teaching-learning process must also change. Therefore, teachers and academic communities have been called upon to play a central role. "This can be done under the framework of the University's Act, with built-in flexibility to introduce changes as and when necessary in response to its changing needs (of the market - Author)."

REVENUE GENERATION

In view of "the on-going globalization in the higher education sector, the steady reduction in Government funding of the Universities, and the increasing influence of ICT on education" a generalized University of the 21st century in the country has to "perform multiple functions." In addition to already existing traditional functions, the Model Act, applicable to all the types of Universities in the country, would include "the mobilization of financial resources to become self sufficient" as one of its objects and would have statutory provisions for raising resources through:

1. Sponsored R&D projects funded, apart from Government agencies, by industries and companies,
2. Consultancy and testing services for "industries, companies and other institutions in India/abroad,
3. Preparing the outgoing students for National/State level competitive examinations, interviews,

entrepreneurship, new careers and other opportunities, and 4. Creation and preparation of educational/research material like Text/Reference Books, Audio/Videotapes/cassettes, floppies/CDs.

Further, "for financial and physical resources generation/mobilization from various sources, like Central/State Governments, Non-Governmental Organizations, International Funding Agencies, Philanthropists and other donors," the Universities would be allowed to set up a "Company or Registered Society" and associate and collaborate "with the Private Sector.", Thus the Vision and Strategy of the UGC in times to come is not only that the Universities should respond to the market needs, but the universities should become the part of the market and private sector by setting up companies and registered societies for revenue generation. The fundamental task of the Universities to assimilate, create and disseminate knowledge is of least priority for the Vision and Strategy of the UGC.

In the wake of "diminishing financial support from the Government", lot of emphasis has been put, in the Concept Paper and the Questionnaire, on revenue generation and financial self-efficiency. Therefore, one of the main functions of the Vice Chancellor would be "mobilizing financial and other resources." In order to help the Vice Chancellor, an additional post of Pro-Vice Chancellor, a senior academic with knowledge or experience of business or finance, would be created to take charge of resource generation and related aspects. There would

SHACKLING UNIVERSITIES

Kamal Mitra Chenoy

THE REDUCTION of fees, demands for a higher student teacher ratio and changes in the course structure in the Indian Institutes of Management by the Ministry of Human Resource Development are a strategy for political control. The timing of these moves just before the general elections makes this clear. A more sinister move is the proposed "Model Act for Universities of the 21st Century in India" prepared by the University Grants Commission and circulated as a Concept Paper in October 2003.

The thrust of the paper is to protect the powers of Governors as Chancellors "against curtailing the[ir] power and position ..." These Chancellors who are political appointees of the Centre despite the Sarkaria Commission's recommendations often intervene in universities, coming into conflict with State Governments. The Act proposes that the State universities, like Central universities, have a Visitor who will be the Governor (in Central universities it is the President) to "carry out recommendations of the Council of Ministers at the Centre/State, as the case may be; But, to have powers of discretion and judgement in various functions relating to the University, including:... Advising the Chancellor/Vice Chancellor in their duties/responsibilities;... Coordination with the UGC."

This is unprecedented. This means that the President elected by the ruling regime and the Governors appointed by them will ensure the implementation of the recommendations, not only policies, of their Governments, advise the Vice-Chancellors on their functioning and coordinate between the Universities and the UGC. Governors will now dominate State universities disregarding the State Government policies. The universities would become subservient to Government dictates, contrary to the UGC's claim that this Act protects university autonomy.

This government control is safeguarded by removing elected teachers' representation from the Executive (Management) Council as proposed membership will be "Ex Officio and nominated." In the Academic Council, elected representation is not assured as reference is to "nominated/elected representatives of teachers ..." There is no mention of elected students representation. The reasons are indicated in the attached questionnaire which asks "Should there be specific provision in the Model Act for: Depoliticisation of the campus for a healthy academic environment?" An empowered university community will resist arbitrary political control - thus the need for depoliticisation.

Most significant is the constitutional aspect. Higher education is a concurrent subject, under the jurisdiction of both the Union and the State Governments, but at no stage have the State Governments been consulted. The five-member committee drafting this proposal, comprised three former Vice-Chancellors, a former member secretary, UGC, and a joint secretary, UGC, "gratefully acknowledge(d) the many useful, enriching and interesting discussions it had with Prof. Arun Nigavekar, Chairman, UGC, and Prof. V.N. Rajasekharan Pillai, Vice Chairman, UGC, which have been of considerable help in the preparation of this paper."

The paper is full of contradictions. It proposes that the Visitor "appoint a renowned academic as Chancellor." Later this changes to "Senior citizen of high distinction to be appointed..." The paper's definitions of education are mind-boggling. It states that "a generalized [sic.] University of the 21st century" has to perform multiple functions like "Educational, Sponsored Research and Consultancy, Continuing Education and Extension." This implies that continuing education and extension are not educational, nor are sponsored research and consultancy. The paper advocates yoga as an extra curricular activity to "inculcate national spirit, team work and discipline..." How yoga can do this is unstated, though in keeping with the dominant ideology in the MHRD. The most amazing question is "Should the Visitor oversee and review the working of the Universities? If YES, how often?" No one could predict that. The MHRD pushed Vedic astrology might help.

The paper referring to academic and bureaucratic cultures in universities adds "two new cultures [that] have now come up, viz., commercial culture and corporate culture." Corporate culture is apparently noncommercial, and philanthropic. Instead it is defined as "emphasizing the leadership role provided by senior academics/officials and top down planning and monitoring practices..." The emphasis on top-down planning contrasted with decentralised or bottom-up planning is a bureaucratic, not an academic or corporate, concept of planning.

The paper assumes diminished, if not zero, State funding for the universities, substituted by corporate funding and internally generated resources. This is never explained. The World Bank in its report, 'Higher Education in Developing Countries - Peril and Promise' [2000] conceded, "As knowledge becomes important, so does higher education. The quality of knowledge generated within higher educational institutions is becoming increasingly critical to national competitiveness." Since national competitiveness is crucial for India's ability to meet the challenges of globalisation, higher education merits public funding. This question deserves more attention than this paper gives it. Instead, it asks whether the "UGC [should] seek advice from the CAG of India... To provide Universities increased financial autonomy?"

The way the paper has been drafted, the lack of consultation with the States, universities, educationists, teachers' and students' associations is frightening. It represents an attempted political takeover of higher education that is unprecedented. Do people believe that shackled, fund starved universities can build an India shining? Even if the UGC is feeling good? Its rejection therefore, is a national imperative.

(The author is a former President, Federation of Central Universities Teachers' Associations [FEDCUTA], & Professor, School of International Studies, JNU.)

be provisions for constituting various Boards for distance education, publication, sponsored research, consultancy, etc. that would help raise funds. In a market-model university, departments that make money, study money or attract money are given priority. Heads of universities and institutions of higher education: the Vice Chancellors, Directors, Principals, are now assuming the role of traveling salesmen to promote their programs,

DISTANCE EDUCATION

In the Model Act, common for all the Universities, emphasis would be on “distance education for the society at large, which would be provided using audio/video broadcasts and/or ICT and related new technologies as against the earlier correspondence courses, now becoming obsolete.” Main slogan of private and business universities world over “Any time, Any where, Any discipline learning for Any one” has been made the central slogan for the distance education programs of the universities in India. Following the practices of business universities, students would be allowed to take courses of their choice from many Universities at a time with the facility of interinstitutional students’ mobility by mutual credits transfer, and Degree/Diploma would be awarded jointly by Universities in partnership. For this purpose “State-wide /Country-wide virtual classrooms would be set up.”

The distance education, described by the Concept Paper as a commercial activity, would be one of the sources of revenue generation. However, the marginalized and disadvantaged sections of the society who opt for the correspondence courses would be kept out of this stream as well, Only those sections who can pay the fees for profit-making courses and have access to electronic media and the Internet would be able to enroll in these courses. In order to make distance education as the main system of education the Concept Paper recommended that one of objects of the common Act should be “smooth transition from the earlier teacher-centric focus to the required learner-centric educational processes and activities.” The proposed transition to learner-centric system would actually come out to be computer-centric system, which would be the main system for distance education.

DEPOLITICISATION OF UNIVERSITIES

Ambani and Biria had recommended to the Prime Minister in April 2000 that a legislation should be enacted “banning any form of political activity on campuses of universities and educational institutions.” Responding to the requirement of these businessmen and since the Universities are proposed to be the part of market and private sector, the new Act would have statutory provision “for maintaining campus peace and harmony” and good public relations with respect to all its constituents, like students, faculty, staff, alumni, parents, funding agencies, press/media, Government, UGC and society at large. For peace and harmony, even the normal trade union activities will not be allowed. This is clear from the questionnaire wherein responses have been invited on “Depoliticisation of the campus for a healthy academic environment.”

OTHER PROVISIONS

There may be some flexibility “to maintain some variation in the University Acts to facilitate regional emphasis.” The Concept Paper is “against curtailing the power and position of the Chancellors (Governors of States at present-Author)”. In the new act, President of India or Governor of the State would discharge the constitutional responsibilities relating to the Central/State University as Visitor and they would have ‘powers of discretion and judgment’ in various functions relating to the University, including the appointment of the Chancellor and

Vice-chancellor and their duties and responsibilities, and deciding appeals, petitions, representations, etc. In order to facilitate networked learning centres distributed all over the country and even abroad, the jurisdiction of the Universities will not be relevant any more. The Executive (Management) Council, the highest authority with powers to frame Statutes/ Ordinances, Regulations would have only Ex-Officio and nominated members and the provisions of elected representatives, on this body would be withdrawn.

There are five points that emerge from the exercise of formulating the model Act common for all the universities which show the intention, of the Central Government and UGC:

- 1) They want to completely withdraw from the funding of the universities, colleges and institutions of higher educations.
- 2) They want the universities and institutions of higher education to prepare themselves to be part of globalisation and face the consequences in the event of India becoming part of General Agreement on Trade in Services (GATS) and throws open its higher education sector to the transnational providers of education for profit-making.
- 3) Therefore, they want that the universities and institutions of higher education should not be dependent on the funding from the Government and its agencies.
- 4) That is why, they are trying to make an Act with the provisions by which the universities and institutions of higher education in India can do and become part of the business.
- 5) As a result, a vast majority of students who come from the disadvantaged and weaker sections and the lower middle class would be excluded from the benefits of higher education because these sections cannot bear the exorbitant cost of education,

In order to create an environment for these purposes, the Government and UGC have been working overtime for last several years by reducing state funding of and limiting access to higher education, heavy cost recovery, loans to students, terming higher education as a non-merit good, assessment and accreditation of institutions, autonomous status to colleges. self-financing courses and institutions increased workload of teachers and non-teaching employees contractual appointments and privatization and commercializations of higher education, etc. If the Model Act is allowed to be adopted an orderly development of higher education in India in the 21st century shall not take place. No longer will truth be sought through education, except whatever suits the corporate interests.

Therefore the Questionnaire attached to the Concept Paper should not be responded to. Rather a detailed critique of and opposition to the Government policy of privatization and commercialization of higher education under the dictates of the World Bank, WTO and GATS should be the response of teachers students, parents and all stakeholders in higher education. As citizens of India, we have to ensure that the Government takes care of public interests and act to protect public services like health and education from the predatory elements that preach the ideology of the marketplace as the solution to every issue. The attempt to introduce a model Act is a desperate attempt of the BJP-led NDA Government towards all round commercialization or higher education in the country. In order to fail this attempt of the Government, no one can afford to be complacent. It is the responsibility of the whole society to rise to the occasion and take measures so that the process of dismantling the higher education system in the country is reversed.

NUTA BULLETIN (Official Journal of NAGPUR UNIVERSITY TEACHERS' ASSOCIATION) **CHIEF EDITOR** : Prof. A.G.Somvanshi, Shankar Nagar, AMRAVATI-444 606. **EDITOR** : Prof. S.S. Gawai 1, Abhinav State Bank Colony, Chaprashi Pura, Camp, AMRAVATI 444 602. **PUBLISHER** : Prof. S.R. Kalmegh, Lahari Apartment, Keshao Colony, Camp, AMRAVATI 444 602. Type Setting at NUTA Bulletin Office, Phundkar Bhavan, Behind Jain Hostel, Maltekadi Road, Amravati-444 601. **PRINTED AT** Bokey Printers, Gandhi Nagar, Amravati. (M.S) **REGD NO. MAHBIL/2001/4448** Licenced to post without prepayment **LICENCE NO. NR/ATI/78/2002** Name of the Posting office : **R.M.S. Amravati.** Date of Posting : **24.04.2004**

If Undelivered , please return to : NUTA Bulletin Office, Phundkar Bhavan, Behind Jain Hostel, Maltekadi Road, **Amravati-444 601.**

To,.....

.....

.....

.....

.....