

**MINUTES**

of the General Body Meeting of  
NAGPUR UNIVERSITY TEACHERS' ASSOCIATION  
held at 12.00 noon on **SUNDAY, the**  
**8 th October, 2006 at**  
**Jeevan Vikas Mahavidyalaya, Thugaon Deo**  
**Tal. : Narkhed Dist. : Nagpur**

General Body of Nagpur University Teachers' Association met at 12.00 noon on Sunday, the 8 th October, 2006 at Jeevan Vikas Mahavidyalaya, Thugaon Deo, Tal. : Narkhed Dist. : Nagpur. Prof. Anil Dhage, Vice President was in the chair. The membership numbers of the members present at the meeting are as follows :-

0042, 0048, 0072, 0090, 0260, 0466, 0476, 0519, 1113, 1161, 1177, 1406, 1849, 2439, 2524, 2575, 2664, 2666, 2861, 2896, 3341, 3351, 3432, 3446, 3485, 3492, 3498, 3566, 3612, 3669, 3771, 4027, 4038, 4179, 4185, 4285, 4287, 4311, 4312, 4313, 4339, 4340, 4341, 4492, 4782, 4786, 4832, 4833, 4870, 4873, 4890, 4944, 5003, 5067, 5068, 5070, 5071, 5072, 5073

Agenda of the General Body meeting was circulated on pages 57 to 61 of 2006 NUTA Bulletin.

At the outset, the Vice President Prof. Anil Dhage informed the House that Prof. B.T. Deshmukh, President was unable to attend the General Body meeting. The Chairman requested Dr. S.A.Tiwari, Treasurer to read the letter of Prof. B.T.Deshmukh, in which Shri. Deshmukh sought "Leave of Absence". The letter of Prof. B.T.Deshmukh is as given below :-

“प्रति,  
नुटाचे सर्व सन्माननीय सदस्य यास  
मा. सभासदहो,

अध्यक्षांनी आमसभेची तारीख ठरविल्यानंतर नुटाच्या आमसभेची बैठक बोलाविण्यासाठीची “प्रथम सूचना” सन २००६ च्या नुटा बुलेटीनमध्ये पृष्ठ क्रमांक ४५ वर प्रसृत करण्यात आली. अशी प्रथम सूचना पुरेशी अगोदर प्रकाशित केली जाते. (१) सभेची तारीख सर्व सदस्यांना कळविणे, जेणेकरून आपल्या कामकाजातून सदस्यांना तो दिवस आमसभेच्या कामकाजासाठी राखून ठेवता यावा, हे एक (२) व दुसरे म्हणजे सभासदांना काही ठराव आमसभेच्या विचारार्थ पाठवावयाचे असल्यास ते त्यांना पाठविता यावेत, ही दोन प्रमुख उद्दीष्टे आमसभेची प्रथम सूचना देण्यामागे असतात.

२) प्रथम सूचना प्रकाशित झाल्यानंतर नुटाच्या कार्यकारी मंडळाची बैठक बोलाविली जाते. (१) आमसभेच्या बैठकीचे ठिकाण ठरविणे, ही नुटाच्या कार्यकारी मंडळाची जबाबदारी (नुटाच्या घटनेच्या परिच्छेद ८ प्रमाणे) असल्याने ते ठिकाण ठरविले जाते. (२) आमसभेसाठी आलेल्या सर्व ठरावांचा विचार कार्यकारी मंडळामध्ये केला जातो. (३) आमसभेसमोरील कामकाजाला कार्यकारी मंडळाच्या याच बैठकीत अंतिम स्वरूप दिले जाते व त्यानंतर आमसभेच्या बैठकीची “दुसरी सूचना” बुलेटीनमध्ये प्रकाशित केली जाते. या सूचनेमध्ये मुख्यत्वे (१) आमसभेचे स्थळ व (२) कामकाजपत्रिका समाविष्ट असते.

३) राष्ट्रकुल सांसदिय मंडळ या आंतरराष्ट्रीय संघटनेच्या महाराष्ट्र शाखेने यावर्षी महाराष्ट्रातील काही विधानमंडळ सदस्यांचा युरोपमधील निवडक आठ देशांमध्ये अभ्यासदौरा आयोजित केला असून त्यात एक प्रतिनिधी या नात्याने माझा समावेश आहे. हा दौरा ३ ऑक्टोबर २००६ पासून १९ ऑक्टोबर २००६ या तारखांमध्ये आहे. महाराष्ट्र विधानमंडळ

सचिवालयामार्फत गेल्या अनेक दिवसापासून या दौऱ्याची तयारी सुरु असली तरी प्रत्यक्ष तारखांचा निर्णय आमसभेची प्रथम सूचना प्रकाशित झाल्यानंतर व दुसरी सूचना प्रकाशित होण्यापूर्वी कळला.

४) आमसभेची दुसरी सूचना प्रकाशित करतांना आमसभेच्या बैठकीची तारीख बदलविण्याचा पर्याय उपलब्ध असतांना तसे करणे मला योग्य वाटले नाही. तारीख अध्यक्ष ठरवितात व त्यामुळे त्यांना ती बदलता येते हे खरे असले तरी प्रथम सूचनेमध्ये आमसभेच्या बैठकीची तारीख जाहीर करण्याचा वर नमूद केलेला पहिला उद्देश त्यामुळे असफल होतो. शिवाय अशी प्रथा पडणे हे सुद्धा योग्य नाही असे मला वाटले.

उपरोक्त कारणास्तव दिनांक ८ ऑक्टोबरच्या आमसभेच्या बैठकीला मला हजर रहाता येत नाही, याबद्दल मी क्षमाप्रार्थी आहे. अनुपस्थित रहाण्यास अनुमती असावी अशी विनंती आहे.

आपला विनित

दिनांक : ३०.०९.२००६

स्वा. /- बी.टी.देशमुख

अध्यक्ष 'नुटा' तथा विधानपरिषद सदस्य”

When Dr. S.A.Tiwari read out the above letter the House resolved to grant "Leave of Absence" to Prof. B.T.Deshmukh, then the house transacted the following business.

**ITEM NO. 436 :****CONFIRMATION OF MINUTES :**

(A) **CONFIRMED** the minutes of the General Body meeting of Nagpur University Teachers' Association held at 12.00 noon on Sunday, the **21 st May, 2006 at Late Narayanrao Amrutrao Deshmukh Mahavidyalaya, Chandur Bazar Dist. Amravati**, with the following Correction :- (1) On page 30 of 2006 NUTA Bulletin in item No. 424 (d) the word "Patil" be corrected as "Patile" At all places, wherever it occurs.

Notes :- 1) Copy of the minutes was Circulated on pages 29 to 33 of 2006 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 **21 st May, 2006 at Late Narayanrao Amrutrao Deshmukh Mahavidyalaya, Chandur Bazar Dist. Amravati vide No.CIM/21 Dated 2 nd July, 2006 published on page 33 of 2006 NUTA Bulletin. The following correction was received and adopted. :- (1) On page 30 of 2006 NUTA Bulletin in item No. 424 (d) the word "Patil" be corrected as "Patile" At all places, wherever it occurs - Proposed by Prof. Santosh Ambekar.**

**विषय क्रमांक ४३६ (अ) :****प्रा.सुरेश पांडे यांच्या दुःखद निधनावद्दल शोकप्रस्ताव**

प्रा. सुरेश पांडे यांच्या दुःखद निधनावद्दल प्रा. सुभाष गवई यांनी मांडलेला पुढील शोकप्रस्ताव **सम्मत करण्यात आला.**

“अमरावती येथील भारतीय महाविद्यालयातील समाजशास्त्र विषयाचे सेवानिवृत्त विभाग प्रमुख तथा नुटाचे आजीव सदस्य प्रा. सुरेश उर्फ चंद्रू पांडे यांचे रविवार, दि. १ ऑक्टोबर २००६ रोजी रात्री १०.३० वाजता हृदयविकाराने आकस्मिक निधन झाले. मृत्यूसमयी ते ६५ वर्षांचे होते. नुटाच्या आंदोलनात व कार्यात प्रा. सुरेश पांडे हे सतत सक्रिय राहत असत. नुटा सोबतच विविध सामाजिक व धार्मिक संस्थांचे ते सक्रिय सभासद होते.

विद्यार्थीप्रिय असणाऱ्या प्रा. सुरेश पांडे यांच्या आकस्मिक निधनाने पांडे कुटुंबियांवर दुःखाचा मोठा आघात झाला आहे. त्यांच्या या दुःखात नुटाचे सर्व पदाधिकारी व सदस्य सहभागी आहेत. प्रा. सुरेश पांडे यांच्या दुःखद निधनाबद्दल ही सभा शोक संवेदना व्यक्त करते व या दुःखातून सावरण्यासाठी त्यांच्या कुटुंबियांना परमेश्वर शक्ती देवो, अशी प्रार्थना करते.”

शोकप्रस्ताव मांडणाऱ्या सदस्यांनी आपल्या भावना व्यक्त केल्या. सभाध्यक्षांनी सुद्धा आपल्या भावना व्यक्त केल्या. सभेने दोन मिनिटे स्तब्ध उभे राहून दिवंगत सदस्यांना आपली आदरांजली वाहिली. सम्मत केलेल्या शोकप्रस्तावाची प्रत संघटनेच्या वतीने सचिव शोकाकुल कुटुंबियांकडे पाठवतील असे सभाध्यक्षांनी सांगितले.

**ITEM NO. 437 :**  
**APPROVAL TO THE AUDITED STATEMENT :**

(A) **CONSIDERED** and **APPROVED** the Audited Balance Sheet and Income and Expenditure Account of the Association for the year ended on 31st March, 2006.

**Notes :** (i) *The copy of the Audited Balance Sheet and Income and Expenditure Account of the Association for the said Financial year was circulated on page 58 & 59 of 2006 NUTA Bulletin.*

(ii) *The Audited Balance Sheet and Income and Expenditure Account were placed before the General Body by Prof. S.A.Tiwari, Treasurer, on behalf of the Executive Committee.*

**ITEM NO. 438 :**  
**STATEMENT ON FIXED SECURITIES POSITION :**

**NOTED** the Statement no. 17 showing the position of the Fixed Securities of the Association as on 31st March, 2006.

**Note :** (i) *Statement no.17 regarding the fixed securities of the Association as on 31st March, 2006, was circulated on page 60 of 2006 NUTA Bulletin.*

(ii) *The Statement showing the position of the Fixed Securities of the Association as on 31st March, 2006, was placed before the General Body by Prof. S.A.Tiwari, Treasurer, on behalf of the Executive Committee.*

**ITEM NO. 439**  
**ALL INDIA GENERAL STRIKE**

कार्यकारी मंडळाच्या वतीने प्रा.डॉ. अनिल सोमवंशी यांनी मांडलेला पुढील ठराव **सम्मत करण्यात आला. :-**

१) ज्याअर्थी, अखिल भारतीय राज्य सरकारी कर्मचारी महासंघ (All India State Government Employees' Federation), केंद्र शासकीय कर्मचारी संघटनांचा महासंघ (Confederation of Central Government Employees & Workers), अखिल भारतीय प्राध्यापक महासंघ (AIFUCTO) आणि माध्यमिक व उच्च माध्यमिक शिक्षकांचा भारतीय महासंघ (STFI), यांच्या प्रतिनिधींच्या ८ जुलै २००५ रोजी दिल्ली येथे झालेल्या परिषदेत (at All India Institute of Public Administration Auditorium, Delhi on 8 th July 2005) धोरण निर्धारणाचा जो मसुदा (DRAFT DECLARATION) संमत करण्यात आला व त्यामध्ये पुढील मागण्या निश्चित करण्यात आल्या :-

**“It is in this situation this Convention demands:**

1. Immediate grant of Right to Strike either by Parliamentary enactment or ratifying the relevant ILO Conventions and scrapping of British made anti-employees Govt. Servants' Conduct Rules,
2. Stopping of privatization of pension of the Govt. Employee and repeal of the pension Regulatory Authority Ordinance 2004 altogether.
3. Stopping privatization, downsizing and outsourcing of Govt. departments and activities and a total stop to fixed pay and fixed tenure contract appointment of the employees and teachers,
4. Filling up of several lakhs of vacancies in State Govt. and Central Govt. departments so that lakhs of

**MAHARASHTRA FEDERATION OF UNIVERSITY & COLLEGE TEACHERS' ORGANISATIONS**

University Club House, B-Road, Churchgate, Mumbai 400 020.

**Note on the meeting held on 14th October 2006 by MFUCTO with Dr. Bhalchandra Mungekar, Member of the HRD Committee to decide**

**on**

**NET AS ELIGIBILITY CONDITION FOR TEACHERS**

A Meeting was fixed by Dr. Bhalchandra Mungekar, Member of the Planning Commission, appointed as Chairman of the HRD Committee to decide on NET as eligibility Condition for teachers with a delegation of the MFUCTO at 4.30 p.m. at G.N.Khalsa College, Matunga, Mumbai on Saturday, 14th October 2006. It was an informal meeting communicated through telephonic message. Prof. C.R.Sadasivan, Dr. K.K.Theckedath (BUCTU) ; Prof. Sambhaji Jadhaw, Prof. S.S. Mankar (SUTA); Prof. P.R. Choudhari and Prof. M.B. Moharir (NMUCTO); Prof. A.P. Kulkarni (PUTA) were present.

**On behalf of the MFUCTO it was pointed out that MFUCTO was compelled to file CONTEMPT PETITION in the Hon'ble High Court at Bombay because the UGC failed to comply with the Orders of two Division Bench of the Hon'ble High Court. The time limit given to the UGC had expired more than three years back and the UGC was directing the MFUCTO not to approach the UGC but go to the MHRD which was clearly a breach of the Orders of the High Court. In respect of the teachers appointed from 19th September 1991 to December 1999 MFUCTO also pointed out that they are not covered by NET/SET qualification because NET/SET condition was not made mandatory minimum entry point qualification condition in Maharashtra through existing legal machinery till 11th December 1999. There was no question of even granting exemption from NET/SET**

to such teachers and that their cases should be dealt with separately by the Committee and they should be released from the condition of NET/SET with all service benefits. If this was not done, Exploitation of such teachers would continue in Maharashtra.

Dr. Mungekar pointed out that the Committee had submitted its interim report making M.Phil and Ph.D. as qualification conditions without NET/SET for appointment of teachers so that appointments could take place in various posts that were remaining vacant. However, it has come to his knowledge that the said provision was being misused by thousands of persons registering themselves for M.Phil degree in private institutions with High fees. He stated that the Committee may ask the UGC to reconsider the said recommendation. Dr. Mungekar stated that he understood the case of teachers in Maharashtra and assured that he would arrange a meeting for the MFUCTO with the UGC Chairman (Dr. Sukhdev Thorat) at an early date when he would himself remain present to see how the issue could be resolved. He also stated that on 16th November 2006 at Pune a meeting was being arranged by the Committee and MFUCTO would be invited to the meeting and MFUCTO should ensure that a delegation of the organization was sent to take part in the meeting.

Mumbai  
14th October 2006

(C.R.Sadasivan)  
President, MFUCTO

jobless youths get jobs and people get better service from the Govt.

5. Raising of interest rate of GPF from the present 8 % to earlier 12%.

6. Other demands raised by the sponsoring Committee of trade unions concerning the entire working class and the rural poor.

२) आणि; ज्याअर्थी, दिनांक ८ जुलै २००५ रोजी झालेल्या उपरोक्त परिषदेमध्ये कृतिकार्यक्रमाबाबत पुढीलप्रमाणे निर्धार व्यक्त करण्यात आला. :-

“The Convention strongly is of the opinion that considering the adamantly anti-worker attitude of the Govt. it is imperative to build up a militant and countrywide movement to put heavy pressure on the Govt. So that the above urgent demands are settled immediately, So this Convention decides that a countrywide campaign should be launched in the form of state-level and zonal level Conventions, rallies, group meetings, seminars, etc to educate and prepare employees for the struggle, followed by nationwide strike to be organized on these issues as early as possible.”

३) आणि; ज्याअर्थी, दुसऱ्या दिवशी म्हणजे ९ जुलै २००५ रोजी नवी दिल्ली येथे झालेल्या कर्मचारी संघटनांच्या राष्ट्रीय परिषदेतच (**National convention of trade Unions held on 9 th July 2005 at Mavalankar Hall, New Delhi**) केंद्र शासनाने आपल्या आर्थिक धोरणांना योग्य वळण द्यावे म्हणून पुढील मागणीपत्रक संमत करण्यात आले :-

“We demand of the Government of India to immediately effect a directional change in its economic policies and take actions on the following urgent demands.

1. Enact comprehensive legislation on service conditions and social security for unorganized sector workers and agricultural workers with adequate

government funding and effective monitoring system.

2. Suitably amend/change the National Rural Employment Guarantee Bill to ensure employment guarantee for the rural and urban unemployed within a time frame in line with commitment made in NCMP.

3. Halt moves towards downsizing of work force and lift ban on recruitment, stop contractorisation.

4. Strengthen inspection and enforcement machinery to ensure strict implementation of all labour laws including statutory minimum wages in all sectors including SEZs and EPZs, no pro employer changes in labour laws in the name of flexibility.

5. Enact legislation to prevent sexual harassment of women at work place and ensure full protection to women against atrocities.

6. Stop privatisation and disinvestment of profit making and strategic sector PSUs including national used banks, telecom, airports, port & dock, public transport etc, no privatisation of public services and utilities, stop merger of bank, no corporatisation of defence production units.

7. Take urgent measures for revival of sick/loss making but potentially viable PSUs.

8. Rescind measures raising FDI cap in telecom sector and permitting FDI in defence sector, drop proposed raising of cap on FDI in banking and insurance sectors, halt step to allow FDI in coal, retail and pension sectors, withdraw amendment bills on Banking Regulation and Reserve Bank of India Acts.

9. Review Electricity Act, 2003 and the National Electricity policy (announced on February 3, 2005), repeal provisions against cross -subsidization and on unbundling and privatisation of SEBs, eliminate rural urban divide,

*Dearness Relief on pension/family pension*

**GOVERNMENT OF MAHARASHTRA : FINANCE DEPARTMENT**

**Government Resolution : No. DRP-1006/74/SER-4 Mantralaya, Mumbai 400 032, dated 4th October 2006**

*Read :- Government Resolution, Finance Department, No. DRP 1006/133/SER-4 Dated 10th May 2006.*

**RESOLUTION**

Government is pleased to decide that dearness relief shall be paid to the State Government Pensioners/Family Pensioners on their basic Pension/Family Pension and Dearness pension/Dearness family pension (if any) **at the rate of 29%** with effect from **1st September 2006**.

2. Payment of dearness relief involving a fraction of a rupee shall be rounded off to the next higher rupee.

3. It will be the responsibility of the Pension Disbursing Authority, i.e. Pay and Accounts Officer, Mumbai/Treasury Officers, as the case may be, to calculate the quantum of dearness relief payable in each individual case.

4. Government is also pleased to direct that above decisions should, **mutatis mutandis**, apply to those employees including family pensioners of Recognised and Aided Educational Institutions, Non -Agricultural universities and Affiliated Non Government Colleges and Agricultural Universities to whom the pension scheme is made applicable.

5. In exercise of the powers conferred by the proviso to section 248 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962) and of all the other powers enabling it in that behalf, Government is further pleased to decide that the above decision shall apply to the pensioners including family pensioners of Zilla Parishads.

6. State Government Employees who had drawn lumpsum payment on absorption in a PSU/Autonomous body/Local

Bodies and have become entitled to restoration of 1/3rd commuted portion of pension as well as revision of the restored amount in terms of Government Resolution, Finance Department, No. COP 1099/306/SER-4, dated 15th November 1999 will also be entitled to the payment of dearness relief on full pension as per the provisions of Government Resolution, Finance Department, No. COP-1001/50/SER-4, dated 9th April 2001, at the prescribed rate and from the date, prescribed in paragraph 1 above.

7. The expenditure on this account should be debited to the Budget Heads to which the retirement benefits of the employees mentioned in the above paras are debited and should be met from the grants sanctioned thereunder.

8. All orders in force in regard to the payment of relief on pension sanctioned by Government from time to time will, **Mutatis Mutandis**, apply to the dearness relief now sanctioned.

9. This Government Resolution is available on the web site of Government of Maharashtra i.e. "www.maharashtra.gov.in" and its computer code number is 20061004120547001.

By order and in the name of the Governor of Maharashtra,

**(Usha P. Mahajan)**  
Deputy Secretary to Government



ensure supply to rural areas, agricultural sector and urban weaker sections.

10. Undertake immediate legislative measures to ensure right to strike for all workers and employees including in government services. Ensure unfettered right to organise and collective bargaining.

11. Constitute Sixth Pay Commission for the government employees.

12. Remove ceilings on eligibility and calculation in payment of bonus Act.

13. Raise interest rates on EPF, GPF, CMPF, PPF and small savings instruments by raising the administered rate of interest, scrap New pension system and the PFRDA Bill, restore the pre-2004 pension scheme for the new entrants in government services.

14. Carry out land reforms and step up public investment for irrigation facilities.

15. Strengthen public distribution system.

16. Take stringent measures for recovering NPAs and unpaid tax arrears from the defaulters in the corporate and big business lobby."

४) आणि; ज्याअर्थी, दिनांक ९ जुलै २००५ च्या राष्ट्रीय परिषदेत देशव्यापी आंदोलनाचा पुढील निर्धार व्यक्त करण्यात आला :-

"To press for immediate realization of these demands, this all India Convention of central trade unions and independent federations/unions, calls upon the workers, irrespective of affiliations, to unitedly carry out the country-wide action programme."

५) आणि; ज्याअर्थी, उक्त राष्ट्रीय परिषदेत समाविष्ट असलेल्या संघटनांच्या सुकाणू समितीने याबाबत पुढील आंदोलनाचा कार्यक्रम निश्चित केलेला आहे. :-

a) Aug. 16 to Sep 15, 2006 : Holding of Convention at State and Sectoral Levels

b) Sep 20, 2006 : National Day for Mobilization for General Strike

c) Nov 29, 2006 : Strike Notice to be served in respective establishments

d) Dec 14, 2006 : all India General Strike

६) आणि; ज्याअर्थी, अखिल भारतीय प्राध्यापक महासंघाच्या राष्ट्रीय कार्यकारी मंडळाने (NEC of AIFUCTO) दिनांक १३ ऑगस्ट २००६ रोजी आग्रा येथे झालेल्या बैठकीमध्ये पुढील प्रमाणे निर्णय घेतलेले आहेत.:-

**The NEC endorsed the view of Confederation of Central and State Government Employees and Teachers** that had expressed serious concern at the Central Government's move to privatize pension funds that posed serious threat to the existing pension schemes also. The failure of the Central Government to declare that the revised pay-scales of the 6th Central pay Commission would be implemented from 01.01.2006 and to sanction Rs. 1000/- per month towards interim Relief was criticized by the AIFUCTO. The AIFUCTO alongwith the Confederation of Central and State Government Employees and Teachers will take part in the March to Parliament being organized on 18th August at Jantar Matar, New Delhi at 10 a.m. and the Nation -wide strike on 14th December. The AIFUCTO called upon teacher movements throughout the country to expose the anti-employee policies of the Central Government including the move to privatize the pension scheme and to demand that the

move for privatization of pension scheme be scrapped. The AIFUCTO condemned the move to amend the Right to information Act, 2005 in such a way as to defeat the very purpose of the enactment.

**NEC accepted the following :** To participate in the Dharana and March to Parliament of Employees and Workers to be held on 18th Aug, 06 at New Delhi. AND To implement the Action Programme finalized at the National Convention of Workers held under the auspices of **Sponsoring Committee of Trade Unions :**

a) Aug. 16 to Sep 15, 2006 : Holding of Convention at State and Sectoral Levels

b) Sep 20, 2006 : National Day for Mobilization for General Strike

c) Nov 29, 2006 : Strike Notice to be served in respective establishments

d) Dec 14, 2006 : all India General Strike

त्याअर्थी, (१) उपरोक्त आंदोलनाच्या कृती कार्यक्रमांमध्ये सक्रीय सहभाग घेण्याचा निर्णय घेण्यात येत आहे.

(२) संघटनेच्या जिल्हा कार्यकारी मंडळाच्या तातडीने बैठकी आयोजित करण्यात याव्यात. जिल्हा पदाधिकाऱ्यांनी आपापल्या जिल्ह्यामध्ये दौरे आयोजित करून उपरोक्त आंदोलन यशस्वी करण्यासाठी कार्यरत व्हावे असे ठरविण्यात येत आहे.

(३) आपापल्या जिल्ह्यातील राज्य व केंद्रीय कर्मचाऱ्यांच्या संघटनांच्या पदाधिकाऱ्यांशी संपर्क साधावा व आंदोलन कार्यक्रम यशस्वी करण्याच्या सर्व औपचारिकता व कृती पूर्ण करण्याचे कामी सहभागी व्हावे अशी विनंती करण्यात येत आहे.

*Notes :- 1) Draft Declaration adopted by National Convention of All India State Government Employees' Federation And Confederation of Central Government Employees & Workers And AIFUCTO & STFI held at Delhi on 8 th July 2005 was circulated on page 88 of 2005 NUTA Bulletin.*

*2) Demand Memorandum adopted by National Convention of Trade Unions on 9 th July 2005 in a Convention held at Mavalankar Hall, New Delhi was circulated on page 89 of 2005 NUTA Bulletin.*

*3) Press Release issued Jointly by Thomas Joseph, President, & V.K.Tewari, General Secretary, All India Federation of University & College Teachers Organizations on 13th of August At Agra was circulated on page 46 of 2006 NUTA Bulletin.*

*4. Circular No. 11 / 05-06 issued by Dr. V.K.Tewari, General Secretary, All India Federation of University & College Teachers Organizations was circulated on page 55 of 2006 NUTA Bulletin.*

**विषय क्रमांक : ४४०**

**गणसंख्या :**

नुटाच्या घटनेतील खंड ५ मध्ये असलेल्या तरतुदीनुसार गणसंख्येच्या अभावी सुरुवातीला सभा अर्धा तासासाठी तहकुब करण्यात आली होती, ही बाब कार्यवृत्तामध्ये नोंदविण्यात येत आहे, असे सभाध्यक्षांनी जाहीर केले.

**विषय क्रमांक : ४४१**

**सभा व्यवस्थेबद्दल आभार :**

कार्यकारी मंडळाच्या वतीने सभाध्यक्षांनी महाविद्यालयाचे प्राचार्य व स्थानिक शाखेच्या इतर प्राध्यापकांनी, जिल्हा नुटाचे अध्यक्ष, सचिव व सदस्य यांनी, ही सभा यशस्वी करण्यासाठी घेतलेल्या परिश्रमाबद्दल आणि दिलेल्या सहकार्याबद्दल त्यांचे मनःपूर्वक आभार मानले. शेवटी सर्व उपस्थित सदस्यांचे आभार मानून सभा संपली असे अध्यक्षानी जाहीर केले.

स्वा / प्रा. अनिल ढगे  
अध्यक्ष

स्वा / डॉ. एकनाथ कठाळे  
सचिव

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**GOVERNMENT OF INDIA**  
**MINISTRY OF FINANCE : DEPARTMENT OF EXPENDITURE**  
**RESOLUTION**

NEW DELHI, THE OCTOBER 5, 2006 : ASVINA 13, 1928 (SAKA)

**No. 5/2/2006-EIII(A)** The Government of India have been considering for some time past the changes that have taken place in the structure of emoluments of Government employees over the years. Conditions have also changed in several respects since the last pay commission made its Report in 1997 Accordingly it has been decided to appoint the sixth central pay commission comprising of the following :-

1. Chairman : Mr. Justice B.N.Srikrishna
2. Member : Prof. Ravindra Dholakia
3. Member : Shri. J.S. Mathur
4. Member-Secretary : Smt. Sushama Nath

2. The terms of reference of the Commission will be as follows :-

(A) To Examine the principles, **the date of effect** thereof that should govern the structure of pay, allowances and other facilities/ Benefits, whether in cash or in kind to the following categories of employees :-

- (i) Central government employees - industrial and non-industrial.
- (ii) Personnel belonging to the All India Services.
- (iii) Personnel belonging to the Armed Forces.
- (iv) Personnel of the Union Territories.
- (v) Officers and employees of the Indian Audit and Accounts Department and
- (vi) Officers and employees of the regulatory bodies set up under Acts of Parliament.

(B) To transform the Central Government Organizations into modern professional and citizen friendly entities that are dedicated to the service of the people.

(C) To work out a comprehensive pay package for the categories of Central Government employees mentioned at (A) above that is suitably linked to promoting efficiency, productivity and economy through rationalization of structures, organisations, systems and processes within the Government with a view to everaging economy, accountability, responsibility, transparency, assimilation of technology and discipline.

(D) To harmonize the functioning of the Central Government Organisations with the demands of the emerging global economic scenario. This would also take in account, among other relevant factors, the totality of benefits available to the employees, need of rationalization and simplification thereof, the prevailing pay structure and retirement benefits available under the Central Public Sector Under-

takings, the economic conditions in the country, the need to observe fiscal prudence in the management of the economy, the resources of the Central Government and the demands thereon on account of economic and social development, defence, national security and the global economic scenario and the impact upon the finances of the States, if the recommendations are adopted by the States.

(E) To examine the principles which should govern the structure of pension, death cum retirement gratuity family pension and other terminal or recurring benefits having financial implications to the present and former Central Government employees appointed before January 1, 2004.

(F) To make recommendations with respect to the general principles financial parameters and conditions which should govern payment of bonus and the desirability and feasibility of introducing Productivity Linked incentive Scheme in place of the existing ad hoc bonus scheme in various Departments and to recommend specific formulae for determining the productivity index and other related parameters.

(G) To examine desirability and the need to sanction any interim relief till the time the recommendations of the Commission are made and accepted by the Government.

3. The Commission will devise its own procedure and may appoint such Advisers, institutional consultants and experts as it may consider necessary for any particular purpose. It may call for such information and take such evidence as it may consider necessary. Ministries and Departments of the Government of India will furnish such information and documents and other assistance as may be required by the Commission. The Government of India trusts that State Governments Service Associations and others concerned will extend to the Commission their fullest cooperation and assistance.

4. The Commission will have its headquarters in Delhi.

5. The Commission will make its recommendations within 18 Months of the date of its constitution. It may consider, if necessary, sending reports on any of the matters as and when the recommendations are finalized.

Ordered that the Resolution be published in the Gazette of India.

Ordered also that a copy of the Resolution be communicated to the Ministries/Departments of the Government of India, State Governments/ Administrations of Union Territories and all others concerned.

(Adarsh Kishore)  
Finance Secretary

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**APPOINTMENT OF THE SIXTH CENTRAL PAY COMMISSION**  
**GOVERNMENT OF INDIA : RESOLUTION**

**GOVERNMENT OF ASSAM**  
ORDERS BY THE GOVERNOR : LEGISLATIVE DEPARTMENT:: LEGISLATIVE BRANCH  
**NOTIFICATION**

**The 22nd December, 2005 : NO.LGL. 112/2005/158**

The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

**ASSAM ACT NO. XLVI OF 2005**

(Received the assent of the Governor on 19th December, 2005)

**THE ASSAM COLLEGE EMPLOYEES (PROVINCIALISATION) ACT,;**

**An Act to provide for provincialisation of the services of employees of the Non-Government Colleges in receipt of deficit grants-in-aid in the State of Assam.**

**PREAMBLE:** Whereas it is expedient to provincialise the services of employees of the Non-Government Colleges in receipt of deficit grants-in-aid from the Government of Assam. It is hereby enacted in the Fifty Sixth Year of the Republic of India as follows:

**1) SHORT TITLE, EXTENT AND COMMENCEMENT:**

(1) this Act may be called the Assam College Employees (Provincialisation) Act, 2005.

(2) It extends to the whole of Assam except the Autonomous Council areas under the Sixth Schedule to the Constitution of India:

Provided that the State Government may in consultation with the said Autonomous Councils extend this Act to the Autonomous Council areas by notification published in the Official Gazette.

(3) It shall be deemed to have come into force on and from the 1st day of December' 2005.

**2) DEFINITIONS:** In this Act, unless the context otherwise requires -

(a) "College" means any Non-Government College in Assam in receipt of deficit grants-in-aid from the Government and imparting general education in Arts, Commerce or Science stream in Graduate level;

(b) "employee" means an employee of a College both teaching or non-teaching appointed substantively against a sanctioned post;

(c) "existing employee" means an employee of a College both teaching and non-teaching appointed substantively against a sanctioned post and who is or has been in service on or after the 1st day of January, 2005;

(d) "Governing Body" means the body constituted by the Government in accordance with the provisions of the Assam Non-Government College Management Rules, 2001;

(e) "Government" means the Government of Assam;

(f) "provincialisation" means taking the liabilities for payment of salaries including dearness allowance, medical allowance and such other allowances as admissible to the government employees of similar category and gratuity pension, leave encashment, etc. as admissible, under the existing rules, to the employees of the State Government serving under the Government of Assam:

(g) "prescribed" means prescribed by rules made under this Act (h) "retired employee" means an employee who has retired on attaining the age of superannuation or otherwise.

**3) EMPLOYEES TO BE PROVINCIALISED:** Subject to the provisions of Article 30 and 309 of the Constitution of India, all employees of the Colleges, save and except the employees who exercise option to continue in the existing terms and conditions of service under clause (d) below, **shall be deemed to have become the employees of the Government** on and from the date on which the Colleges have been brought under the deficit system of grants-in-aid, on the

following terms and conditions, namely:

(a) all rules including the rules of conduct and discipline, which are applicable to the Government servants of corresponding grade similarly situated shall be applicable;

(b) the existing employees will continue to receive their respective existing scales of pay and other allowances etc. as admissible to them under relevant rules and orders of the Government:

(c) the posts in each provincialised College shall constitute an independent cadre for each category of employees. No inter cadre transfer from one college to another including mutual transfer shall be allowed;

(d) the existing employees who want to continue in the existing terms and conditions of service shall give an option in writing to the Director, Higher Education, Assam within a period of three months from the date of coming into force of this Act:

Provided that the option once exercised by an existing employee is final and cannot be changed afterwards:

(e) any existing employee who does not exercise option under clause. (d) shall be deemed to have opted for provincialisation under the provisions of this Act;

(f) the employees of the Colleges provincialised after coming into force of this Act shall have no right of option under clause (d); and

(g) all existing employees who do not exercise option under clause (d) shall have to refund the State Government's share of the Contributory Provident Fund with interest within six months from the date of coming into force of this Act:

Provided that if any existing employee who fails to refund the State Government's share of Contributory Provident Fund with interest within the said stipulated period such employee shall be deemed to have been opted to remain under the existing terms and conditions of service applicable to them before provincialisation.

**4) COLLEGES TO BE KNOWN AS ASSAM PROVINCIALISED COLLEGES:** After coming into force of this Act the Colleges provincialised under this Act shall be known as the Assam Provincialised Colleges as distinct from the Government Colleges in Assam.

**5) GOVERNMENT TO TAKE OVER THE SERVICES OF EMPLOYEES:** The services of all the employees, who do not exercise the option within the stipulated period under clause (d) of section 3, shall vest with the Government with effect from the respective date of provincialisation of the Colleges.

**6) SELECTION AND APPOINTMENT OF EMPLOYEES:** Appointments of both teaching and non-teaching posts in the Colleges shall be made by the Director of Higher Education, Assam on the basis of selection and recommendation of the Governing Body of the respective College in accordance with the Rules and Procedure of the Government in force.



**7) RULES TO BE FOLLOWED FOR SETTLEMENT OF PENSION:**

(1) The existing employees shall be governed by the existing pension Rules of the Government for the time being in force:

Provided that the employees who join on or after the 1st day of February, 2005 shall not be covered by the existing pension Rules of the Government. They shall be governed by such pension Rules or Scheme, as the case may be as may be framed by the Government from time to time.

(2) The Director of Higher Education, Assam shall process all pension cases and send them to the Accountant General, Assam as per laid down procedure.

**8) MODE OF PENSION TO EMPLOYEES WHO RETIRED/DIED PRIOR TO 1st JANUARY, 2005:**

Employees who retired/died, as the case may be, prior to 1st January, 2005 shall be given only superannuation pension or the family pension, as may be applicable under the existing pension Rules of the Government. They shall not be entitled to any other pensionary benefits:

Provided that the payment of such superannuation or family pension, as the case may be, are subject to refund of the Government's share of their Contributory Provident Fund within six months from the date of coming into force of this Act:

Provided further that if the Government's share of Contributory Provident Fund is not refunded in respect of a retired/ deceased employee within the aforesaid stipulated period no superannuation pension or family pension shall be admissible in respect of such employee.

**9) AGE OF SUPERANNUATION:** The provincialised employees shall go on superannuation on attaining such age at which a Government servant similarly situated superannuates.

**10) SUITS AND PROCEEDING:** No suit, prosecution

and other legal proceedings shall lie for anything done in good faith under this Act, except with the previous sanction of the Government.

**11) POWER OF INTERPRETATION AND REMOVAL OF DIFFICULTIES:**

(1) If any difficulty arises as to the interpretation of any provision of this Act, the interpretation of the Government shall be final;

(2) If any difficulty arises in giving effect to the provisions of this Act, the Governor may, by order do anything not inconsistent with the provisions of this Act, which appear to him to be necessary for the purpose of removing the difficulty.

**12) POWER OF THE GOVERNMENT TO MAKE RULES:**

(1) Except for the purpose of payment of pension which will be governed by the Assam Services Pension Rules 1969, the State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) All rules made by the State Government under this Act shall, as soon as may be after they are made, be laid before the State Legislature, while it is in session, for a total period of not less than fourteen days which may be comprised in one session or in two or more successive sessions, and shall, unless some later date is appointed, take effect from the date of their publication in the Official Gazette subject to such modifications or annulments as the Legislature may, during the said period agree to make, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

M. K. DEKA

Commissioner and Secretary to the Govt. of Assam,  
Legislative Department, Dispur.

*PRIMARY EDUCATION FOR THE POOR***PRIMARY EDUCATION SHOULD BE A RIGHT OF THE HAVE-NOTS,  
NOT A PURCHASE OF THE RICH.**

**JUSTICE V.R. KRISHNAIYER**

Primary Education ought to be universal in operation. Illiteracy is our nation's bete noire. Not a single soul should exist sans primary education. This is an inflexible fundamental. Whatever the cost to the exchequer, this value must come first.

**Industry is important, technology and research are great imperatives; speedy justice is high priority. But never should basic education come second. That is the obligation to the Indian child.**

All the natural resources must first be devoted to quantitative and qualitative education to the lowliest and the last. We have failed here as a nation, as a governmental administration, as a legislature, as a public interest - obligatory judiciary. Dr. Ambedkar would not have sat in a school, being a depressed class child, had his father not been a soldier in the First World War enjoying a military concession. All the constitutional mandates are futile. Why?

Is it not atrocious that Rs. 20,000 is charged for admission to even lower kindergarten (LKG) by private managements, with lawless licence. To call this self-financing is monstrous inexactitude perversely dignified.

What a shock and shame! I wish and hope with militant anguish that the Marxist led Governments and Nehru-inspired regimes will make LKG, UKG and Primary education not a purchase of the rich but a right of the have-nots without exception, whatever the cost. **Capitation fee collection should be visited by pain and penalty. We cannot stop youth's right to full development, which can be attained only by higher education through appropriate institutions.**

For this, the State must start its own colleges and universities or inspire, by special inducements and initiatives, the charities, churches, gods of all religions to serve the poor by free education. That is implicit in the Preamble and is a first **fiduciary** charge on the state's treasury.

Self-financing colleges are a **euphemism** for commercialisation of higher education, which is incongruous with our Socialist Republic's agenda. In this context, so much of state waste and extravagance has to be stopped, so much of private wealth in exaggerated **ostentation** has to be stopped. State **austerity** and pooling of private benefaction by state measures must be ruthlessly adopted and **adroity used for higher education**. There is, in this country, a large number of philanthropists as is evident from the colossal sums spent on many temples, mosques and churches.

**Self-financing is today to racket fleecing students to buy degrees beyond their financial capacity.**

**Let us realise our duty to those who hunger for higher education but have no means to fulfil their capabilities.**

(Courtesy : The Hindu)

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present : The Honourable Mr. Justice S. Siri Jagan

Tuesday, the 20th day of December, 2005/ 29th Agrahayana 192

O. P. NO. 36112 / 2002

**Petitioners :** E. T. Mathew, St. Stephen's College, Uzhavoor and Others (71 teachers) By Advocate Mr. Elvin Peter P. J.

**Respondents :-** (1) Union of India represented by its Secretary, Ministry of Human Resource Development, Department of Education, Government of India, New Delhi (2) State of Kerala represented by its Secretary, Higher Education Department Thiruvananthapuram (3) University Grants Commission Represented by its Secretary Bahadurshah Zafar Marg, New Delhi 110 002. R 1 and R 3 by standing Counsel Shri. Prakash Puthiadon. R 2 by Government Pleader.

This original Petition having come up for orders on 20-12-2005,  
the Court on same day passed the following:

**S. SIRI JAGAN, J.**

O. P. No. 36112 of 2002

Dated this, the 20th day of December, 2005

**ORDER**

This original petition is filed by a group of 72 unfortunate College Lecturers who moved into Lecturer, Selection Grade between 1-1-1996 and 27-7-1998 under the University Grants Commission scheme. As a result of the same, they were denied the benefit of placement in the pay scale of Rs. 14,940/- which was only granted to those Lecturers who moved into Selection Grade on or before 1-1-1996 and also were denied the benefit of career advancement which was granted only with effect from 27-7-1998. As a result of this, for reaching the stage of Rs. 14,940 in the pay scale of 12,000-420-18,300 for the petitioners, it would take 23 years whereas for the senior who moved into Selection Grade on or before 1-1-1996, it took only 21 years and those who were juniors to the petitioners, it took only 18 years. According to the petitioners, this anomaly arose on account of the injudicious implementation of the scheme for placement in the scale of pay and for career advancement. The fact that this was an anomaly which required to be corrected, has been accepted by the Central Government as is evident from Ext. P 7 minutes of the discussion between

the Union Minister of Human Resource Development and the Union of Employees of University Teachers. This anomaly was recognized by the State Government as is clear from Ext. P 11 minutes of the meeting held by the Minister of Education with the representatives of the recognized Teachers' Organizations of the College teachers. **This question was raised in the Parliament also wherein on 5-5-2000, in answer to the question by a Member of Parliament Sri. J. Chitranjan, the Minister for Human Resources Development gave the following answer as is evidenced by Ext. P 14 :**

“(a) The government has advised State Governments to implement the Career Advancement Scheme (CAS) for University and College Teachers w. e. f. 27-7-98 i. e. from the date of notification of the Scheme of revision of pay scales by the Ministry. The question of implementation of CAS w. e. f. 1-1-1996 has been considered in consultation with UGC and the representatives of Teachers' Federations. The proposal in this behalf will be submitted to the Cabinet for consideration and approval soon.”

Again, in Ext. P 17, the University Grants Commission has informed the General Secretary of the All India Federation of University and College Teachers' Organizations as follows:

“With reference to your letter dated 15-3-2002 on the above cited subjects, I am directed to say that the matter regarding of

**UNIVERSITY GRANTS COMMISSION**

BAHADUR SHAH ZAFAR MARG : NEW DELHI - 100 002

**Dr. (Mrs.) PANKAJ MITTAL**, Joint Secretary

Phone: Office: 232320 : FAX: 23219716 : E-mail: pmittal@ugc.ac.in : D.O.No.3-1/94(PS) 23rd March, 2006

Dear Sir / Madam,

The University Grants Commission has the mandate of maintaining standards of higher education in the country. **The Commission is pained to note that a large number of teaching posts are lying vacant**, for long period of time which is ultimately affecting the quality of higher education. During our interactions with university authorities various reasons for non filling up of teaching posts have been highlighted. You may be aware that at least one professor, two readers and three / four lecturers are the minimum required faculty for each department. This strength needs to be increased proportionate to the teaching load, research and extension activities of the department concerned.

The Commission as a short term measure had suggested to the universities and colleges for appointment of faculty on contract, part time and guest faculty. **However, continuation of these measure on long term basis affects the quality of education in higher education.** Therefore, there is need for appointment of regular faculty at the earliest possible.

The Commission during the year 1990, as a part of, implementation of Fourth Pay Commission had recommended to the universities for re-employment of superannuated teachers up to the age of 65 years. The Commission has also reiterated the provision of re-employment of superannuated teachers in its Fifth Pay Commission Notification No. 3-1/94 ( PS ) dated 24-12-1998. A copy of the instructions issued vide letter No. 1-67/79 (CPP-I) dated 11-4-90 and extracts of these instructions is enclosed for your ready reference. These provisions enable the universities and colleges to retain qualified and competent senior faculty.

The Universities are advised to make use of the existing provisions for re-employment of superannuated teachers as per the norms of the Commission and the **State Government may also take immediate action for filling up the vacant posts as per the norms of the Commission.** This may partly help the universities to overcome the shortage of faculty.

With kind regards.

Yours sincerely,  
Sd/( Pankaj Mittal )



benefit at Rs. 14,940 to teachers is under consideration of the Ministry of Human Resources Development. As far as the issue regarding attendance of refresher courses is considered, it is informed that there is no provision for exemption from such courses. The UGC had been extending the last date for participation in such courses, the last being 31-12-2000. As such all teachers are required to attend the requisite number of refresher courses. "

2. This problem appears to be one confronting every state in India. In fact, the Government of Uttar Pradesh had taken positive steps to rectify this anomaly and Ext. P. 18, with the concurrence of the University Grants Commission, **the said State had implemented the career advancement scheme with effect from 1-1-1996 instead of 27-7-1998.** It would be advantageous here to quote the English translation provided by the Petitioner of the Communication Ext. P 18 from the Government of Uttar Pradesh to the Director of Higher Education, Uttar Pradesh and ViceChancellors of all State Universities of Uttar Pradesh. It reads thus:

"1. I am by direction to inform you that in connection with the review of pay of teachers in the universities and colleges of UP vide GO. 390/70-2-99-16(45)/ 98-1-3 (III), dated 16-2-99 it has been mentioned that those S. G. Lecturers/ Readers who were in the earlier pay scale of 3700-5000 prior to 1-1-1996 and who complete five years of service as S. G. Lecturers / Readers would be fixed at Rs. 14940 in the scale of 12000-420-18300.

2. Keeping that fact in view, the Teachers' Organizations have drawn the attention of the Government to the fact that their Career Advancement Scheme was implemented only from 27-7-98. Therefore, those teachers who had become S. G. Lecturers / Readers between 1-1-96 and 27-7-98 should be fixed at Rs. 14940 in the scale of 12000-420-18300 as and when they complete five years of service as SG Lecturers/ Readers.

3. After due deliberations, it has been decided that the pay of all those who became SG Lecturers / Readers between 1-1-1996 and 27-7-98 and who complete five years of service be fixed at Rs. 14940 in the scale of 12000-420-18300. It has been decided to issue this order which is subject to the conditions stipulated in the HRD Ministry's letter F-1-22/97-U-I, dated 27-7-98. As a result of implementation of this order, 80 % of the excess expenditure incurred will be borne by the Central Government as per UGC's Letter dated 29-6-2004.

4. In this connection, the earlier order No. 390/70/2-99-

16(45)/98, dated 16-2-99 and the GO No. 3877/70-2-99-16(45)-98 dated 1-12-1999 stand revised.

5. This order is issued with the concurrence of the Finance Department Order No. U. O. E. 11-2316/ X-04 dated 27-12-2004.

6. Kindly place this order in the proper forum of the universities so that it is implemented within three weeks."

3. It is evident from the exhibits produced in this case that the **State of Kerala could not emulate the State of Uttar Pradesh because of lack of positive response from the Central Government and the University Grants Commission without concurrence from whom the State Government cannot implement the proposal in the same manner as the State of Uttar Pradesh has done.** In view of the fact that the University Grants Commission had granted concurrence for such action by the State of Uttar Pradesh would to show that the entire issue could have been solved if the State Government, Central Government and the University Grants Commission had taken a positive approach in the matter by applying their mind to the issue. In the above circumstances, I pass the following orders.

1. The 2nd respondent-Secretary, Higher Education Department, Government of Kerala shall immediately within a period of one month from the date of receipt of a copy of this order, take up the matter with the 1st respondent- Secretary, Ministry of Human Resource Development, Department of Education, Government of India and the 3rd Respondent - University Grants Commission putting forward the proposal for advancing the date of implementation of the Career Advancement Scheme of the College teachers from 27-7-1998 to 1-1-1996.

2. The Central Government and University Grants Commission shall, within a period of one month from the date of receipt of the proposal from the 2nd Respondent, apply their mind and pass appropriate orders thereon taking into consideration Exts. P 7 and P 17 as also the fact that in respect of College teachers of Uttar Pradesh, concurrence has been granted for a similar proposal as evidenced by Ext.P 18.

The registry shall forward one copy each of this order directly to each of the three respondents for compliance. Also handover copies of this order to the learned Government Pleader and learned Assistant Solicitor General for ensuring compliance.

Sd/ S. Siri Jagan, Judge

## GOVERNMENT OF INDIA

Ministry of Human Resource Development : Department of Secondary and Higher Education

128, 'C' Wing, Shastri Shavan, New Delhi - 110001 : Tel.: 23386451,23382698 Fax: 23385807

E-mail : [sudeep.banerjee@nic.in](mailto:sudeep.banerjee@nic.in)

**D. O. NO. SECY (S&HE)/2006/2837 : APRIL 18, 2006**

**SUDEEP BANERJEE,**

Education Secretary

Dear, **Chief Secretary,**

You are aware of the problem of the absence of regular teachers in the Universities and colleges in the State Sector. In the absence of regular teachers, good universities and colleges are irreversibly sliding back into mediocrity and worse. It is imperative therefore that all attempts be made to fill the posts of teachers in the Universities and colleges in an expeditious manner. It would be useful to start this campaign before the next academic session beginning in July / August.

**2. In the absence of regular teachers, contract teachers and low paid and ad-hoc teachers step in to perform the role of teachers in colleges and universities, which further impacts quality adversely.**

**3. This issue has disturbed academics all over the country and has also upset the UGC and us in the Ministry. One extreme way of tackling this problem would be to stop further assistance to these Universities and colleges which do not have regular teachers as per the norms.**

**even more drastic step would be that of derecognising such institutions.** This is an avoidable situation both because it would unnecessarily inconvenience the students and cause dislocation of their studies.

4. Recently, the UGC has again reiterated their concern through a D. O. Letter No. F.3-1/94 (PS), dated 22nd March, 2006 a copy of which I enclose. One measure that they have drawn attention to is that superannuated teachers could be re-employed up to the age of 65 years. This is an option that you could consider in the short term. Alternatively an independent scheme could be developed to use the services of the retired teachers.

5. I am sure you would take necessary steps in this regard at the earliest. We hope to call a meeting of the Secretaries of State Governments in-charge of Higher Education to review the progress regarding this in the next few weeks. It would indeed be very kind of you if you could personally review this matter at your level and share by your perspective with us.

With regards,

Yours sincerely,  
Sd/ (Sudeep Banerjee)

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

(Regd. Under Act XXI of 1860)

493 Urban Estate (Phase I) Jalandhar- 144 022] Punjab

Ph. : 98154-89493, 0181-5063493, 0181-4610493, 0181-2481493 E-mail: [tewari\\_vk@rediffmail.com](mailto:tewari_vk@rediffmail.com).

**CIRCULAR NO. 12/2005-06 : (EXTRACT) Dated : 23.09.2006**

**DR. V.K. TEWARI : General Secretary.**

**POSITION WITH RESPECT TO DEMANDS**

The Obs of AIFUCTO called on the Joint Secretary, Department of HE, MHRD on September 6 and issued the following Press Release which is self explanatory.

**PRESS RELEASE**

Jalandhar, September 7, 2006

The All India Federation of University and College Teachers Organizations (AIFUCTO) congratulated the teachers for the major victory which brought parity to Librarians and Directors of Physical Education (DPEs) with the teachers in Universities and Colleges which ended 10 year long discrimination with two important categories of teachers.

Sharing the decisions of the Government of India (GOI) conveyed to the AIFUCTO leadership by the officials of MHRD yesterday in New Delhi, Dr. V.K.Tewari, General Secretary informed that DPES and Librarians in the University System had been given revised Career Advancement Scheme (CAS). Every Assistant Librarian/DPE in a University, Librarian/DPE in a College would be eligible for placement in Senior Scale after 6 years of service and in selection grade after eleven years of services. Those with Ph.d. degree would be able to go upto the designations of Deputy Librarian, Deputy DPE equivalent to Reader and Librarian and Director of Physical Education equivalent to Professor in the Universities.

The benefit of fixation at Rs. 14940/- had also been granted. The Deputy Librarian/DPE, Assistant Librarian (Selection Grade), College DPE & Librarian (Selection Grade) with 5 years as on 1.1.96 would be eligible for placement at the minimum of Rs. 14940/-

The age of superannuation of DPEs & Librarian would be raised to 62 years.

The other major demand of implementation of CAS from 1.1.96 and not 27.7.98 would be finalized by the MHRD and Finance Ministry according to the direction of the Cabinet of GOI. Thus, the date of implementation of revised CAS for DPEs and Librarians would be decided shortly for which MHRD had initiated the steps and arrears would be released accordingly.

AIFUCTO demand for governmental steps to end stagnation of teachers was still under the consideration of GOI.

The GOI also approved creation of posts of Professors in Autonomous Colleges, however Professorship under CAS in all colleges was under consideration.

The MHRD would direct the UGC next week to issue appropriate orders with respect to revised CAS for DPEs and Librarians and fixation at Rs. 14940/-.

While expecting expeditious decisions on pending issues, the AIFUCTO profusely thanked Dr. Manmohan Singh, Prime Minister, Mr. Arjun Singh, Union Minister for Human Resource Development, Mr. Pawan Bansal, Minister of State for Finance and Members of Parliament for rectifying the injustice done by NDA Government 10 years ago.

**-Dr. V.K. Tewari, General Secretary.**

The OBs : Again called on the Joint Secretary, Dept. of HE, MHRD on September 21, on invitation and insisted that the date of implementation of revised CAS in the context of the parity with teachers should, at least be mentioned as 27.07.98. It was agreed upon. The JS also assured to forward the MHRD letter to UGC for further issuance of the letter to the Universities and the State Governments. It is being pursued with the UGC in the coming days. The issue of CAS from 1.1.96 is to be decided between the Secretary MHRD and Secretary Finance. On other issues there seems to be non-optimistic position, however, the issues of end to stagnation and Professorship under CAS in all colleges has been cleared by the Cabinet of GOI and accordingly to be implemented. The OBs also called on the Secretary, MHRD and requested him to do the needful with respect to taking the issue of CAS from 1.1.96 to its logical conclusion.

**MHRD AGREES TO CONSTITUTE PAY REVIEW COMMITTEE**

The Joint Secretary also informed that the Hon'ble Union Minister Shri. Arjun Singh has accepted the proposal to constitute Pay Review

Committee and accordingly the office of JS has started perusing the files for further instruction to the UGC.

The AIFUCTO will put up a sturdy Note on Terms of Reference and other issues.

**OTHER ISSUES**

**It is heartening to know that Mr. Sudeep Banerjee, Secretary, MHRD has taken a public stand that Education in India is not a commercial activity.** This is in response to the proposal of Mr. Ashok Jha, Secretary, Economic Affairs, GOI that Private-Public-Partnership should be a preferred mode for executing projects. The AIFUCTO has written to Mr. Banerjee supporting his view. Similarly, the Union Minister MHRD Mr. Arjun Singh has made it clear that quota shall apply to the **Foreign Institutions also and also that the Foreign Education providers should not indulge in profit Making and so the need to legislate on fee and admission**, This step is in consonance with AIFUCTO's position. The MHRD has proposed to the Cabinet that the age of retirement of faculty members of Central Educational Institutions should be raised to 65 with a further provision for reemployment till 70 years after superannuation. These three news items appeared in the Times of India, New Delhi, September 21, 2006. Earlier, the AIFUCTO's view on 65 years as age of retirement was solicited by the GOI and accordingly the General Secretary had sent a detailed note especially in the event of filling huge number of vacant posts by regular teachers and the non-availability thereof.

**Please Send State Reports, Annual Membership fee and other Items**

All the Leaders of the Organisations are hereby requested to send the Report on activities during 2005-06 for inclusion into the Report of the General Secretary. They are also requested to clear all their dues in the form of annual membership, they may bring the DDs in the name of AIFUCTO to the Conference. The State Leaders are again requested to submit : 1) Organisational Profile, 2) Educational Profile of the State, 3) Programs to create public awareness and other steps regarding the Education policies of the State and Central Governments.

**Supreme Court Accepts JM Lyngdoh's Recommendations**

As per the reports in the newspapers the Supreme Court has accepted JM Lyngdoh's Recommendations on mode of elections to the student bodies in the Universities and Colleges. AIFUCTO had made two representations, one at Chennai and one at Delhi. This is an interim judgement of the Supreme Court. The Leaders of the Organisations are requested to ensure that the students get participatory role in all matters concerning academics and finances of the Universities and Colleges so that there is no corruption of any kind and that there is accountability of all the stakeholders.

**Brutal Murder of Professor Sabharwal at Ujjain**

Although the Notice was very short yet it is commendable that the Leaders of the Teachers' Organisations lodged strong protest and observed September 5, the Teachers' Day as National Mourning-cum-Protest Day by wearing black badges, holding one-hour protest and condolence meetings on the campuses. many went to the media and also sent letters to the President of India seeking CBI enquiry and full protection to the Family of Prof. Sabharwal and the teachers of the College. The Prime Minister has also condemned the brutal killing of Prof. Sabharwal. We have to remain vigilant to ensure that the guilty are punished according to the law of the land.

**Preparation for Conference**

Dr. P. Jaya Gandhi, General Secretary AUT has already issued two circulars to all the NEC Members who are again requested to book their journey according to the new plan and contact : Dr. P. Jaya Gandhi, General Secretary, Association of University Teachers (Regd.), (Old No. 68) new No. 134, Rama Lane, Nungambakkam, Chennai - 600 034. Phone Office : 044- 28231797, 42664043. Cell : 09443679408. Email aut 28231797 @ yahoo.com, ramanan 71053 @yahoo.co.in jayagandhi55 @yahoo.com.

With fraternal regards,

Yours sincerely,  
**Dr. V.K. Tewari**  
General Secretary.  
AIFUCTO



**GOVERNMENT OF INDIA**

Ministry of Human Resource Development : Department of Higher Education, New Delhi  
**22nd September, 2006**

To,  
 The Secretary  
 University Grants Commission,  
 Bahadurshah Jafar Marg,  
 New Delhi-110 002

**Sub:** (i) Creation of posts of Professors in autonomous colleges

(ii) Career Advancement Scheme for Assistant Librarian/College Librarians/Assistant Director of Physical Education/College Director of Physical Education.

Sir,

I am directed to say that the question of creation of posts of Professors in UGC recognized autonomous colleges and the revision of Career Advancement Schemes for Assistant Librarian/College Librarians/Assistant Director of Physical Education/College Director of Physical Education has been under consideration of the Government. In this connection, the following decisions have been taken:-

**1. Creation of posts of Professors in autonomous colleges:**

Posts of Professor will be created in UGC recognized Autonomous Colleges in the ratio of 1: 4: 12 for Professors, Readers and Lecturers. The procedure of selection of Professor will be the same as that in the university.

**2. Career Advancement Scheme for Assistant Librarian/ College Librarians**

(i) Every Assistant Librarian in a University and a Librarian in a college, who is in the scale of pay of Rs.8000-275-13500 will be eligible for placement in a Senior Scale of Rs.10000-325-15200 if he/she has:

(a) completed 6 years of service as University Asstt. Librarian/ College Librarian after regular appointment.

(b) participated in two refresher courses/summer institutes, each of not less than four weeks duration or engaged in other appropriate continuing education programme of comparable quality, as may be specified by the UGC; and consistently satisfactory performance appraisal reports.

(ii) Every Assistant Librarian in the universities who has been placed in the Senior Scale will be eligible for promotion to the post of Deputy Librarian in the scale of pay of Rs.12000-420-18300 if he/she has:

(a) completed 5 years of service in the Senior Scale provided that the requirement of 5 years will be relaxed if his/her total service is not less than 11 years;

(b) obtained a Ph.D. degree or has an equivalent published work;

(c) made significant contribution to the development of Library service in the University as evident from self-assessment, reports of referees, professional improvement in the Library services, etc; as the case may be

(d) participated in two refresher courses/summer institutes, each of not less than four week's duration or engaged in other appropriate continuing education programmes of comparable quality as may be specified by the UGC after placement in the Senior Scale; and

(e) consistently satisfactory performance appraisal reports.

(iii) Promotion to the post of Deputy Librarian will be through a process of selection by a Selection Committee as in the case of promotion to the post of Readers. Posts of Deputy Librarians will be created for this purpose by upgrading the post of Assistant Librarian (Senior Scale).

(iv) Those Assistant Librarians in the universities in the Sr. Scale who do not have Ph.D. degree or equivalent published work, but fulfill the other criteria, mentioned in para (ii) above, will be placed in the grade 12000-420-18300, subject to the recommendations of the Committee. They will be designated as Assistant Librarian in the Selection Grade.

(v) The College Librarians who have been placed in the Senior Scale will also be eligible for placement in the Selection Grade of Rs.12000-420-18300 if they fulfill the criteria prescribed for University Assistant Librarians (Sr.Scale) as contained in paras (ii) & (iii) or (iv) above.

(vi) The Dy. Librarian, Asstt. Librarian (Sel. Grade)/College Librarian (Selection Grade) with 5 years as on 1.1.1996 shall be eligible

for placement at the minimum of Rs. 14940/- as done in the case of Readers.

**3. Career Advancement Scheme for Assistant Director of Physical Education/ College Director of Physical Education.**

(i) Every Assistant DPE/College DPE who is in the scale of pay of Rs.8000-275-13500 will be eligible for placement in the Senior Scale of Rs.10000-325-15200 if he/she has:

(a) Completed six years of service as University Assistant DPE/ College DPE after regular appointment;

(a) Passed the physical fitness test

(c) Consistently good appraisal reports:

(d) Should have attended at least one orientation and one refresher course of not less than four weeks duration each with proper and well-defined evaluation procedure.

(ii) Every Assistant DPE in Universities who has been placed in the Senior Scale will be eligible for promotion to the post of Deputy DPE in the scale of pay of Rs.12000-420-18300 if he/she has:

(a) Obtained a Ph.D. Degree in physical education. Candidates from outside the university system, in addition, shall also possess at least 55% of the marks or an equivalent grade of 'B' in the UGC 7 point scale at the Master's degree level;

(b) Five years experience as University Assistant DPE (Senior Scale)/College DPE (Senior Scale) or in the equivalent post in the same scale (excluding three years of research experience for Ph.D.)

(c) Evidence of organizing competitions and conducting coaching camps.

(d) Evidence of having produced good performance teams/athletes for inter-university combined university and at higher level etc.

(e) Passed the physical fitness test; and

(f) Consistently good appraisal reports.

(iii) Promotion to the post of Deputy DPEs will be through a process of selection by a Selection Committee as in the case of promotion to the post of Readers. Posts of Deputy DPE will be created for this purpose by upgrading the post of Assistant DPEs (Sr. Scale).

(iv) Those Assistant DPEs in the universities in the Senior Scale who do not have Ph.D. degree or equivalent published work, but fulfill the other criteria, mentioned in Para (ii) above, will be placed in the grade of Rs.12000-420-18300, subject to the recommendations of the Committee. They will be designated as Assistant DPEs in the Selection Grade.

(v) The College DPEs who have been placed in the Senior Scale will also be eligible for placement in the Selection Grade of Rs.12000-420-18300, if they fulfill the criteria as prescribed for Assistant DPEs (Senior Scale) in Universities as contained in para (ii) & (iii) or (iv) above. They will be designated as College DPEs in the Selection Grade.

(vi) The Deputy DPEs/Assistant DPEs (Sel. Grade)/ College DPEs (Selection Grade) with 5 years as on 1.1.1996 shall be eligible for placement at the minimum of RS.14940/- as done in the case of Readers.

**4. Date of implementation of the revised Career Advancement Scheme**

The Career Advancement Scheme as mentioned above will be effective, for the present, from 27.7.1998, i.e. the date from which the CAS for teachers is applicable under the existing orders, vide this Ministry's letter No. F.1-22/97 U.I dated 27.7.1998.

**5. Age of the Superannuation**

It has been decided that the age of superannuation for Assistant Librarians/College librarians and Assistant Directors of Physical Education/College Directors of Physical Education would henceforth be 62 years.

It is requested that the above may be brought to the notice of all concerned.

Yours faithfully,  
**(R. Chakravarty)**  
 Deputy Secretary to Government of India

Copy to: (1) Member-Secretary, AICTE (2) Secretary, Indian Council for Agricultural Research, Krishi Shavan, New Delhi

- R. Chakravarty, Deputy Secretary to Government of India



# AIFUCTO POLICY ON HIGHER EDUCATION

## Draft

(The following draft was circulated in the statutory conference of AIFUCTO held on 12th & 13th of August 2006 at Agra and will be finalized at the Annual Conference of AIFUCTO to be held at Chennai/Madras on 1st, 2nd & 3rd December 2006 - Editor)

## Share Knowledge; Share Development

### Need for a Policy Statement

The All India Federation of University and College Teachers' Association (AIFUCTO) has an important role to play in the formulation of the national level policies on education, particularly higher education. This is especially so today for more than one reason. The role of higher education as an engine of inclusive development has now been universally recognized. At the same time, the consensus that used to characterise the educational policies of the nation is fast disappearing. Presently, the field of higher and technical education is the battleground of conflicting ideologies. It appears that a major policy shift in this critical area is on the anvil. A critical and creative intervention of AIFUCTO is the need of the hour. It is to facilitate such a meaningful intervention that AIFUCTO's policy framework on higher education is drafted. The objective is not to innovate, but to define and clarify the philosophy of education, that the organization has been championing ever since its inception and to relate it to the emerging national and international scenario.

### Globalization and Higher Education

The technological engine of globalization is knowledge revolution. It is the third important revolution that has shook the world, the first two being agricultural revolution and industrial revolution. The pace and extent of changes being brought about by the present revolution are more far reaching than that brought about either by agricultural revolution or industrial revolution. The most important capital component of agricultural revolution was arable land. It was natural resources in industrial revolution. The new revolution has placed knowledge at the centre stage of the productive process. In other words, knowledge revolution has replaced land, capital, natural resources and finance capital by knowledge capital as the most important agent of development.

The shifting determinants of development from traditional material based capital resources to non-material knowledge resources clearly indicate that development in future is linked up with acquisition, production and dissemination of knowledge. While it took a few thousand years for agricultural revolution and a few hundred years for industrial revolution to transform the world and its people, knowledge revolution can transform people's lives in decades. Knowledge-based resources differ significantly in character from material resources. **While material resources are consumed when they are utilized, knowledge resources increase when shared. Material resources are costly to transport and store, whereas knowledge resources are easily transportable at rapid speed and can be stored at negligible cost.** These vital differences between material capital and knowledge capital have not only telescoped the time gap in development, but also made it possible to universalize the fruits of this development. Historically, development has occurred under conditions in which access to critical resources was restricted to a relatively small portion of the population. The distinct characteristic of knowledge as a resource makes it possible, for the first time, to multiply and share a crucial resource among the entire population. With the development of modern media that brings sound and video images into every household, and with the advent of the internet that enables us to reach out to sources of knowledge around the world, we could utilize the opportunity to close the development gap that separates the world's most prosperous communities from their poorer cousins.

But unfortunately the technological possibilities for democratization of human welfare have not been fruitfully exploited so far. The statistics released by Human Development Report (UNDP, 2005) clearly shows that the gap between the rich and the poor within and between countries is increasing year after year. Twenty years ago, a person born in sub-Saharan Africa could expect to live 24 years less than one in a rich country and the gap was declining. Today it is 33 years

and widening, mainly due to AIDS. Life expectancy has also declined in East Europe with the figure for Russia dropping from 70 in 1990 to 59 at present. Of the 73 countries for which data are available, 53 (with more than 80 percent of the world's population) have seen inequality rise. **One billion people lack access to safe drinking water.** One billion people survive on less than \$1 a day. 2.6 billion people lack access to improved sanitation. 18 countries with a combined population of 460 million people registered lower scores on the HDI in 2003 than in 1990. The richest 20 percent hold three-quarters of the world's income and the poorest 20 percent 1.5 percent of the world's income. **The world's 500 richest people have more income than the poorest 416 million people.** What HDR 2005 has exposed is not the failure of technology, but the failure to use the new technology for massification of human welfare. It is a political failure. We have the structures of democracy. The content of democracy is still a dream.

The environmental cost of the current phase of globalisation is another indication of deficit of wisdom in development. The explosion in world freight has a debilitating impact on global environment. The transport sector alone accounts for about 20 to 25 percent of the total carbon emissions. A kiwi fruit, flown from New Zealand to Europe, causes carbon emissions equal to five times the weight of the fruit. It is estimated that consumption of fossil fuels at the present rate could cause global warming within the current century itself. The green house gases and acid rain that environmental pollution produces have already begun to adversely impact human, animal and plant life. **Clearly the present pace of development is unsustainable.**

The gap between the equitable dream and the inequitable reality is the result of the failure to integrate information, knowledge and wisdom. Information is said to double every three years. This does not automatically lead to a doubling of knowledge over the same period. Information is not the same as knowledge. It is only a raw material for the production of knowledge. Relevant information has to be selected, processed and synthesized into knowledge. The procedure involves both inspiration and perspiration. Systematic training in the form of education can improve both capabilities. The higher the levels of education, and better the quality of education imparted, the greater the opportunities for growth and development. But development by itself cannot guarantee welfare to all. **While knowledge empowers human beings, it does not teach them how to use the power that has been placed at their disposal.** One needs wisdom to make the right choices. Knowledge is only one of the components of wisdom. The other component is ethics. A wise man's choices are moved by love and informed by knowledge. We need to incorporate an ethical dimension to our developmental policy in order to make the benefits of knowledge revolution available to the majority of the population.

**Massification of education, including higher education, is the key to massification of human welfare.** It is generally accepted that an enrolment rate of at least 20 % of the relevant age group (between 17 and 23) is an essential condition for development today. Whereas the developed countries have crossed the 50 % mark, India still lags behind at around 8 %. The dream of becoming a knowledge super power by 2020 will be a mirage unless there is massification of higher education and technological empowerment of the working class. This would require a fresh conceptualization of the synergic relationship between equity and excellence. Hitherto equity and excellence have been treated as dichotomous entities. In the new context, excellence has to be conceived as equity. The competitive global scenario in the current knowledge based economy demands simultaneous promotion of both quantity and quality of higher education. The old dichotomy between quality and quantity is no longer relevant **We have to devise a national strategy for transforming our demographic burden into a**

**demographic advantage.** More than 54 % of the 100 odd crores that inhabit our country belong to the below 25 age group. While most developed nations have to support an aging population, **India alone has the advantage of a youthful working population. The surest way to march ahead of other nations in development in the next twenty-five years is to invest now in the development of this human resource.** A sustainable agenda for higher education has to address the concerns of equity and excellence. It is necessary to go beyond the goal of universal primary and secondary education. **We should provide "quality education for all young people" as declared by the Geneva Conference of the UNESCO (2004).** There should also be provision for adult and continuing education, which would help people to update their knowledge and skills so that they could participate in the economic and social life and live healthy and meaningful lives even in old age. The curriculum at all stages should also be reinvented to inculcate in the learner the personal and societal qualities conducive to sustainable development. This would require a revision of funding strategies to impart quality higher education to all those who have the intellectual competence and emotional aptitude for scholarly pursuits. Though the system of Indian higher education, with more than 17000 institutions imparting education to more than one crore young people and employing more than 4.5 lakh teachers, is the second largest in the world, the enrolment ratios in India at 7 % of the relevant age group compares unfavorably with more than 80 % in most of the developed countries, more than 50 % in developed countries taken together and more than 20 % in most of the developing countries. **Most of the developed countries have achieved their present status by sustaining a heavily subsidized system of higher education over a long period.** India, with more its 26% of the population living below poverty line, cannot hope to enlarge enrolment to the desirable levels unless the government invests more and more at all levels of education, including higher education. **The promise of investing 6% of the GDP on education still remains a pipe dream.** Even as public investment needs to be supplemented by private investment, the executive, the judiciary and the legislature must embark on a proactive role in setting up a proper regulatory framework for ensuring a more equitable, democratic and participatory system of education in private institutions.

#### **Ensuring Equity through Regulated Public and Private Funding**

To meet the increasing demand for quality and quantity in higher education, the World Bank advocated a policy of public disinvestments and private investment. **The Bank argued that higher education is a non-merit good, the benefits which mainly accrue to its recipients as opposed to basic education, which is perceived as a merit good benefitting**

No.CIM/ 22 : : Dated 2nd November 2006  
CORRECTION

in the copy of the Minutes  
of the General Body Meeting of NUTA

Copy of the Minutes of the General Body Meeting of NAGPUR UNIVERSITY TEACHERS' ASSOCIATION held at 12.00 noon on Sunday, the 8th October, 2006 at Jeevan Vikas Mahavidyalaya, Thugaon Deo, Tal.: Narkhed Dist. : Nagpur. is circulated in this NUTA Bulletin.

If you propose to suggest any correction to the Minutes, it may be pointed out to the Secretary (Prof.E.H.Kathale, Secretary, NUTA, N-162, Reshim Bagh, Nagpur-440 009.) by letter within 10 days from the date of posting of this Bulletin.

It will not be possible for the corrections received after the due date to be included in the List of corrections for consideration.

Please send one copy of your letter to Prof. B.T.Deshmukh, President NUTA, 3, Subodh Colony, Near Vidarbha Mahavidyalaya, Amravati. 444 604.

**Dr. E.H. Kathale**  
**Secretary, NUTA**

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**the entire population.** Accordingly, third world countries were advised to prioritize primary and secondary education over higher education and invest their scarce resources in this sector and leave higher education to the dictates of the market forces (World Bank, 1994). A new agenda for global marketing in services was brought in simultaneously by the World Trade Organization in the form of General Agreement for Trade in Services (GATS). **Education was listed as one of the commodities for international trade.** Negotiations which started in right earnest in last years of the last century are still continuing. The voices of dissent (UNESCO, 1995) and exhortations for greater public support for higher education (UNESCO, 1998) from international bodies could carry little conviction with the third world governments, most of which were in the grip of acute fiscal crises. They looked upon the prescriptions of the World Bank as the panacea for their financial worries. **Thus Government of India toyed with the idea of cutting down subsidies in higher education from the existing 90 % to 25 % in five years (Government of India, 1997).** The Ambani-Birla Report (2000) reiterated the policy of commercialization and corporatization of higher technical education. The same sentiment has been echoed by the Xth Five Year Plan document which has recommended that the universities must make greater efforts to supplement resources from Government. (Government of India, 2002). The Supreme Court of India upheld the same principles in its epoch-making judgment in TMA Pai Foundation Case (2002), which has been reiterated by the recent verdict of the seven member bench of the apex Court (2005).

In accordance with the definition of higher education as a "non-merit good," it has been treated as a low priority area in public spending since 1990. **The share of higher education in the total expenditure on education of the Union Government declined from 32 to 24 % between 1989-1990 and 1994-1995 and the corresponding figures relating to state budgets declined from 12.7 to 10.8 %.** The relative priority given to higher education in allocation of resources in the Five Year Plans has also fallen significantly. **While 14 % of the total expenditure on education in the seventh Five Year Plan was allotted to higher education, it decreased to 11 % in the subsequent two annual plans and further to 8% in the eighth Five Year Plan.** (Tilak, 1996). The report of the CABE Committee on Financing of Higher and Technical Education has highlighted the fact that investment in higher education has declined in real terms, both in terms of total expenditure and in terms of investment per student. The Union Government's expenditure on higher education declined from Rs. 646 crores in (93-94 prices) to Rs. 559 crores in 96-97. In 93-94, expenditure on higher education per student declined from Rs. 7676 in 90-91 to Rs. 5500 in 2002-03. As a proportion of total government expenditure, the share of higher education has declined from 1.6 % in 1990-91 to 1.2 % in 2003-04. Only about 0.4 % of the GNP is currently being spent on higher education, according to the report (NIEPA, 2005). **The paucity of funds have had their telling effect on the quantity and quality of education imparted. While expansion has been erratic and haphazard, there has been little investment in infrastructure, books, ICT and research.** Contractualization of teaching has almost become the norm.

A sensible national policy on financing higher education has to take into account the pivotal place of higher education in the present context of national development and the inadequacy of the opportunities available for meeting the new requirement. **The old game of pitting elementary and secondary education against higher education does not address our real concerns.** Education is a continuum in which primary, secondary and higher education play mutually complementary roles. It is clear that India has to go a long way in improving the qualitative and quantitative dimensions of higher education. This cannot be done by merely opening up the higher education sector to market players. In a country Where 26 % of the population lives below the poverty line, markets will not be able to attract sufficient numbers of young men to higher education. Moreover, market orientation will lead to skewed development, by patronizing only courses and programmes, which have immediate market value and neglecting theoretical studies and fundamental research, which are important for long term sustained development. **This calls for greater financial involvement on the part of the central and state governments to ensure equitable and sustainable**



### development in higher education.

Education, especially higher education, has never been the sole responsibility of the state in India. Private initiative has always been welcomed by the people and the governments. **But there is a world of difference between private involvement in the earlier decades and the new wave of private investment. While the earlier intervention was philanthropic in nature, the new mode is market oriented.** This has led to the mushrooming of higher education institutions, especially in the professional sector in which the courses have immediate market value. For example, both in terms of institutions and intake in engineering at the undergraduate level, the percentage of institutions and enrolment of the private sector in the total has gone up from 76 % in 1999-2000 to 85 % in 2003-04. Now we have 977 engineering and technology institutions in the country in the government sector and 764 in the private sector. Corresponding figures in the Medicine is 1349 and 1028, Management Courses at the Masters level 505 and 324 and Teacher Education 1541 and 1038 (NIEPA, 2005). **The system of higher education in India is more privatized than in most developed countries. While about 80 % of the students in the United States attend public institutions of higher learning and only 20 % depend on private institutions, the reverse figures are applicable to Asian countries.**

**The unprecedented growth of the self-financing sector as against the government and aided sector is socially divisive and academically cancerous.** A system of access based on financial merit as against academic merit can accelerate the prevailing social tensions by inviting the wrath of those sections of the population who cannot raise the resources required for higher education, which is the stairway to success in the knowledge driven economy. **A system of admission based on financial considerations could also exclude a vast majority of meritorious candidates and include mediocre aspirants on the strength of their purse,** with its attendant adverse impact on the quality of higher

education imparted. Both societal and academic considerations necessitate a reorientation of the present strategies for development in higher education.

**Educational reforms should aim at simultaneously promoting equity and excellence in higher education.** We need to invent a system of financing that could promote expansion, diversification, equity and excellence in higher education. There should in fact be recognition of the principle that excellence is indivisible from equity. Though finances are not a sufficient condition for achieving the desirable goals, they form a crucial necessary condition for moving towards the goals. **We should ensure that adequate resources are raised for the qualitative and quantitative expansion of higher education to the desired levels at the earliest.** This calls for huge investment, which calls for greater public and private participation in higher education. But the Government, aided and unaided streams should be kept separate and distinct. A healthy competition among the three streams could go a long way in ensuring both equity and excellence. **The present tendency to mix up public and private streams will lead to private appropriation of public assets. Hence starting of unaided courses in aided colleges and of aided courses in unaided colleges should be strictly forbidden. There should be greater degree of state spending on education and a greater degree of regulatory intervention to rein in the predatory instincts of private entrepreneurs.** While private initiative in higher education should be welcome, the power to regulate higher education should rest with public institutions. The concept of Private Universities has no place in a system that relies on public regulatory intervention to ensure equity and excellence. While academic collaboration between reputed foreign universities and Indian universities has, to be encouraged, such collaboration has to be worked out within the parameters of the national regulatory mechanisms. **We should refuse to join the GATS regime, which is intended to facilitate commercialization of education at the international level.** Multi-nationalization of higher education should aim at creative collaboration for academic innovation rather than commercial exploitation through academic colonization. Educational investment on the part of the Central and State Governments should be raised to levels prevailing in most of the developed nations. This implies that at least 6 % of the GDP should be spent on education of which 1.5 to 2 % should be set apart for higher education. The Central Government should set apart at least 10 % of its budgetary expenditure and the State Government 30 % of their budget share on education, of which 25 to 33 % should be earmarked for higher education. The present rate of 2 % cess on education can be doubled and the additional revenue thus collected transferred to the respective states. **A new graduation tax could be levied from prospective employers, exclusively for financing higher education.** Institutions should be encouraged to generate funds without compromising equity and excellence. Funds could come in the form of contributions from the public, the parents, the alumni, or through collaboration with industry. Consultancy, assignments and sponsored projects may be undertaken by higher education institutions on the basis of well-defined parameters.

**While welcoming private investment in higher education, education at all levels should be kept out of bounds for fortune hunters.** Necessary legislation has to be made by the Parliament to regulate admission and fees in private higher educational institutions to keep in check the untrammled foredoom granted to self-financing institutions by the recent judgment of the seven member bench of the Supreme Court. Only those who are willing to make some sacrifices by contributing a major chunk of the capital expenditure should be allowed to run educational institutions. A differential fees structure should be introduced in all higher educational institutions, Government, aided and self-financing, on the basis of the parental capacity to pay. A Committee as envisaged in the Islamic Academy judgment should be entrusted with the task of fixing the average of the recurring institutional expenditure in professional and non-professional courses for each state in Government / aided and unaided institutions. Only the recurring cost of education, including the funds set apart for freeships and scholarships, should be levied from students even in self-financing colleges. Government and aided institutions could levy fees to cover 20 % of the recurring expenditure as recommended by Punneya Committee (UGC,

राज्य शासकीय व इतर पात्र कर्मचाऱ्यांना दिनांक १ सप्टेंबर, २००६ पासून महागाई भत्ता वाढ मंजूर करण्याबाबत

### महाराष्ट्र शासन : वित्त विभाग

शासन निर्णय, वित्त विभाग क्रमांक : मभवा ११०६/प्र.क्र. १९/  
सेवा-९ : मंत्रालय, मुंबई - ४०० ०३२  
दिनांक ४ ऑक्टोबर, २००६

पहा :- १) शासन निर्णय, वित्त विभाग क्रमांक मभवा ११०६/प्र.क्र.५/  
सेवा-९. दिनांक ९ मे, २००६

### शासन निर्णय

राज्य शासकीय कर्मचारी व महागाई भत्ता अनुज्ञेय असणाऱ्या इतर सर्व पात्र पूर्णकालिक कर्मचाऱ्यांना महागाई भत्ता वाढ मंजूर करण्याचा प्रश्न शासनाच्या विचाराधीन होता.

२. शासन असे आदेश देत आहे की, दिनांक १ सप्टेंबर, २००६ पासून सुधारित वेतनश्रेणीतील मूळ वेतन अधिक त्यावर अनुज्ञेय महागाई वेतनाच्या २९ टक्के दराने महागाई भत्ता वाढ मंजूर करण्यात यावी.

३. महागाई भत्त्याची रक्कम प्रदान करण्यासंदर्भात विद्यमान तरतुदी व कार्यपद्धती आहे तशाच यापुढेही लागू राहतील.

४. शासकीय कर्मचाऱ्यांना अनुज्ञेय असलेल्या महागाई भत्त्यामुळे येणारा खर्च, हा त्यांचे वेतन व भत्ते यासंबंधीचा खर्च ज्या लेखा शीर्षाखाली खर्ची घालण्यात येतो, त्याच लेखा शीर्षाखाली खर्ची घालण्यात यावा. अनुदानप्राप्त संस्था, नगरपरिषदा व जिल्हा परिषदा यांच्या कर्मचाऱ्यांच्या बाबतीत, संबंधित प्रमुख लेखा शीर्षाखालील ज्या उप लेखा शीर्षाखाली त्यांच्या सहायक अनुदानाबाबतचा खर्च खर्ची घालण्यात येतो, त्या उप लेखा शीर्षाखाली हा खर्च खर्ची घालण्यात यावा.

५. सदर शासन निर्णय महाराष्ट्र शासनाच्या वेबसाईटवर उपलब्ध करण्यात आला असून त्याचा संगणक सांके तांक २००६०९३०१४०७२७००१ असा आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

(आ.श्रा.जिवने)

शासनाच्या अवर सचिव



1993). The amount thus fixed, separately for government / aided and unaided institutions from time to time should be shared in a differential ratio among students categorized into different groups on the basis of their paying capacity. Admissions should be made strictly on the basis of merit, subject to the conditions imposed by the reservation policy prevailing in the state. A system of need based scholarships and loans at nominal rates of interest should also be introduced to assist needy students. **For this purpose it would be desirable to set up an Educational Development Bank with equity participation from government and private sector.**

Both generation of funds and its expenditure should be guided by the goals of reconciling equity and excellence in education. **While the concept of financial autonomy has implication on the generation of funds and its expenditure in individual institutions, accountability deals with issues of optimum utilization of available funds in a transparent and socially responsible manner.** The general principle is that money is not the end, but only the means to an end. Keeping this basic principle in mind, a system of incentives for generation of money and social auditing of expenditure has to be worked out in each individual institution. Democratic and representative bodies like the Parent Teacher Association (PTA) could be entrusted with the task of institutional fund raising. The internal resources generated by an institution should not be adjusted with other grants. The institution concerned should be able to design and execute the developmental plans involving only funds generated from internal sources. Apart from social auditing through democratically elected local level bodies such as the PTA, there should also be provision for public auditing by appropriate government agencies at the local/state / central level. The defaulters should be liable to be punished. As recommended by the CASE Committee on Financing Higher Education (NIEPA, 2005) there should be efficiency in the utilization of available resources. This implies that the recurring expenditure should be rationally distributed between academic and other activities, say about 60-65 % on academic activities including teaching, 10-12 % on administration and 20-25 % on auxiliary services and maintenance.

The present parameters for funding by UGC and other central agencies need to be revised. The drawback of the existing UGC and centrally sponsored funding schemes is that they tend to overlook institutional autonomy in designing and implementing projects. Funds are generally available only for implementing centrally designed schemes. This should go. In a vast country like India, there is great need for contextualization of centrally sponsored programmes as also for bottom up planning and implementation of schemes. The present tendency to give greater funds to already well off institutions to help them scale greater heights in excellence

**DR. (MRS.) PANKAJ MITTAL, JOINT SECRETARY  
UNIVERSITY GRANTS COMMISSION  
BAHADUR SHAH ZAFAR MARG NEW DELHI 110 002  
No. F.3-1/94 (PS)-7 : 22nd September, 2006**

The Registrar  
(All Central/State/Deemed University)  
State Education Secretaries of All States / UTs

Sir/Madam

In continuation of this office D.O. No. F.1-1 /2002(PS) Exemp dated 14.06.06, I am to inform you that the Commission in its meeting held on 25th August, 2006 approved exemption from NET to M.Phil and Ph.D. Degree holders for appointment to the post of Assistant Librarian & Assistant Director of Physical Education.

The Commission further decided that the candidates holding Ph.D. Degree who are already in the university system and have obtained Master's Degree prior to 1991 be given relaxation of 5% from 55% to 50% of marks for appointment to the post of Assistant Registrar, Assistant Librarian and Assistant Director of Physical Education.

This may also be brought to the notice of the Institutions/ Colleges affiliated to your University.

Yours faithfully,  
**(Dr. Mrs. Pankaj Mittal)**  
Joint Secretary

would imply that less and less resources will be available to new institutions and old institutions which, for various reasons, have been left behind in development. Central assistance should not be treated as a kind of merit award for the best performers in the field. A more equitable criterion based on feasibility assessment of local schemes needs to be drawn up, the major principle of which should be to give a helping hand to the weaker and needier institutions with a potential for better performance. **Funding priorities should be fixed with the objective of at least ensuring that every higher education institution has a minimum level of human and physical infrastructure facilities and to ensure that no one is denied higher education simply because he / she is poor.**

#### **Ensuring Quality through Diversification of Content and Pedagogy**

UNESCO Report "Learning: The Treasure Within" (1998) visualizes- education as an instrument for the comprehensive development of the individual for the performance of both personal and social goals. It has identified the four pillars of learning namely, *learning to know, learning to do, learning to live together and learning to be*

**Learning to know**, by combining a sufficiently broad general knowledge with the opportunity to work in-depth on a small number of subjects. This also means learning to learn, so as to benefit from the opportunities education provides throughout life.

**Learning to do**, in order to acquire not only occupational skill but also, more broadly the competence to deal with many situations and work in teams. It also means learning to do in the context of young people's various social and work experiences which may be informal, as result of the local or national context, or formal involving courses, alternating study and work.

**Learning to live together** by developing an understanding of other people and an appreciation of interdependence - carrying out joint projects and learning to manage conflicts in a spirit of respect for the values of pluralism, mutual understanding and peace.

**Learning to be** so as better to develop one's personality and be able to act with ever greater autonomy, judgment and personal responsibility. In that connection, education must not disregard any aspect of a person's potential: memory, reasoning, aesthetic sense, physical capabilities and communication skills.

Keeping the four pillars of life-long education in the emerging learning society, the report envisages the following role for university education. Universities should be central to the higher level of the system, even if as in the case of many countries, there are other non-university establishments of higher education. Universities would have vested in them four key functions:

1. to prepare students for research and teaching
2. to provide highly specialized training courses adapted to the needs of economic and social life
3. to be open to all, so as to cater to the many aspects of lifelong education in the widest sense
4. International co-operation

The implications of these principles on curricular reform are fairly obvious. **Excellent education is that which ensures the maximum development of the physical, intellectual, emotional and spiritual potentials of the individual. It should also enable him to become a good citizen, to live in harmony with others.** In addition to the above goals, which are common to all levels of education, higher education has to help him grow into an 'organic intellectual' and at the same time enable him to earn a decent living, either through self-employment or through wage employment. The emphasis should not be on imparting knowledge, but on building up competencies for acquisition of knowledge and skills and the ability to use such knowledge and skills in a variety of life situations. Education should also aim at the development of emotional competence, which would enable the individual to live in harmony with the rest of the society. This would require the inclusion of a large dose of cultural material in all courses of study.

**While these competencies need to be acquired by all those who undergo higher education, individual students should get the widest possible choice in the selection of**

**the subjects for study.** We need experts in different disciplines who could serve the myriad requirements of a complex world. The job market also demands personnel trained to do a variety of jobs. However, this does not mean that higher education has to produce ready-to-serve knowledge workers who could be readily absorbed into jobs without any on the job training. While such a programme of specialized jobs-training would suit the interests of the immediate employers, it will not serve the long term interests of the learners. We live in a world in which the nature and scope of jobs are in a constant state of flux. A life time job is almost impossible in future. While a limited number of specialists are required in each field, the emphasis should be on producing a large number of what Christopher Ball calls 'flexible generalists.' The flexible generalists may be defined as persons equipped with necessary knowledge, skills and values to adjust readily to the volatile requirements of a changing society. The flexible generalist should be able to change jobs at ease and even shift from wage-employment to self-employment and vice versa. Such flexibility is necessary for survival in a world in which a lifetime job is increasingly becoming a romantic dream of a bygone age. Apart from producing employable young men, higher education should enable them to become 'organic intellectuals.' We need more organic intellectuals than intellect workers. Organic intellectuals are those who can critique the world they live and dream of a better tomorrow. This implies that we have to design a curriculum that will inculcate critical and creative competence among our young men and women.

**This implies that the focus of all curricular reform should be the learner.** The role of the, teacher should not be that of a provider of knowledge and skills, but that of a facilitator, an intermediary who will help to provide a congenial atmosphere for the transaction of knowledge and skills. The student should get greater opportunities for grappling with the process of acquisition of existing knowledge and generation of new knowledge. Seminars / problem solving sessions / projects / field studies should become integral to any reform in pedagogy. The method of evaluation should include diverse programmes like continuous internal evaluation and final external evaluation. The semester mode should be preferable to the annual mode as the former would encourage more focused learning by dividing the content into manageable chunks. It is not enough to diversify the content of curriculum. We also need to diversify the delivery methods. The developments in Information Communication Technology have presently made it possible to maximize enrolment through a variety of methods. The possibilities of virtual learning have to be exploited to the fullest extent, even as we continue to improve the quantity and quality of education through the face-to-face mode. Similarly the traditional face-to-face mode can be further improved by integrating ICT into the curriculum. This would require a continual programme of intensive and extensive exposure to the new pedagogy of learning to teachers as well as students and also additional investment for providing the new infrastructure.

While attempts should be made to ensure maximum possible diversification in content, delivery modes and evaluation methods, there should be a certain amount of uniformity in the structure of the courses to ensure comparability of programmes offered in more than 17000 institutions of higher education across the country. **The present tendency to diversify the structure of higher education through the introduction of autonomous colleges, deemed universities and through honours courses would not serve much useful purpose.** Apart from encouraging eliticism in higher education, such innovations

would tend to create a false sense of well being by giving the impression that structural changes would automatically ensure diversification and excellence in education. More often than not, structural innovations are resorted to defeat the very purposes for which they are sought to be justified, namely the promotion of autonomy and accountability in higher education institutions. **What we now need is not self-defeating structural changes that would provide greater autonomy for a few institutions, but institutionalization of autonomy and accountability in all institutions of higher education by strengthening existing democratic structures and norms of social accountability.**

**Democratization of the Governance Structures in Higher Education**

The goal of democratization of welfare through democratization of higher knowledge cannot be realized without democratizing the governance structures of educational establishments. Kothari Commission (1966) had recommended the constitution of democratic governance structures for higher education institutions and accordingly the Acts and Statutes of most of the universities provided for democratic structures of governance. The "Report on the Governance of Universities and Colleges" (UGC 1971) recommended the enlargement of the democratic functioning of the universities by including student representatives in the governing bodies of higher education institutions. But the "New Education Policy" (1986), which viewed quantitative and qualitative aspirations as dichotomous and recommended the setting up of islands of excellence in the vast ocean of mediocre higher education institutions paved the way for the promotion of eliticism and exclusiveness. Since then, there has been a concerted attempt to dismantle the democratic structures in higher education. Gnanm Committee's report "Towards Educational Management" (1990) recommended de-politicization of the campus and the idea gained the status of a panacea for all the ills affecting higher education. The apologists of commercialization and globalization of higher education deliberately promoted the idea as they found in it a convenient alibi to stamp out all democratic dissent against their divisive agenda. Ambani-Birla Report (2000) submitted to the Trade and Industrial Council of the Prime Minister openly advocated de-democratization of the governance system of higher education institutions. The Concept paper of UGC for "A Model Act for Universities of the Twentieth Century in India" (2003) envisaged the commercialization and corporatisation of Indian Universities and set out the agenda for replacing democratically elected bodies with nominated bodies with the objective of elimination democratic dissent from the governance structures of universities and colleges. The CASE Committee Report on the Autonomy of Higher Education Institutions (GOI, 2005) too has unfortunately failed to fully comprehend the linkages between institutional autonomy and larger public accountability. Though it has tried to link up autonomy with accountability by insisting on enlarging and strengthening democratic structures in institutional governance and suggesting mechanism for transparency at the level of decision making and implementation, it has ignored the responsibility of the institutions to ensure larger public accountability. What we need today is a forum where the secular, democratic and equitable ethos of the constitution could be implemented through governance structures that promote the synergic relationship between individual higher education institutions and the larger society in which and for which it operates.

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