

REVISED RATES OF DEARNESS ALLOWANCE IN THE REVISED PAY

PAY	WITH EFFECT FROM 1.7.96 DA 4%		WITH EFFECT FROM 1.1.97 DA 8%		WITH EFFECT FROM 1.7.97 DA 13%		WITH EFFECT FROM 1.1.98 DA 18%		WITH EFFECT FROM 1.7.98 DA 22%		WITH EFFECT FROM 1.1.99 DA 32%		WITH EFFECT FROM 1.7.99 DA 37%		
1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8
5500	220		440		715		880		1210		1760		2035		
5675	227	454	738	908	1249	1816	2100	12400	496	996	1612	1984	2728	3968	4588
5850	234	468	761	936	1287	1872	2165	12420	497	994	1615	1987	2732	3974	4595
6025	241	482	783	964	1326	1928	2229	12600	504	1008	1638	2016	2772	4032	4662
6200	248	496	806	992	1364	1984	2294	12675	507	1014	1648	2028	2789	4056	4690
6375	255	510	829	1020	1403	2040	2359	12840	514	1027	1669	2054	2825	4109	4751
6550	262	524	852	1048	1441	2096	2424	12925	517	1034	1680	2068	2844	4136	4782
6725	269	538	874	1076	1480	2152	2488	12950	518	1036	1684	2072	2849	4144	4792
6900	276	552	897	1104	1518	2208	2553	13225	529	1058	1719	2116	2910	4232	4893
7075	283	566	920	1132	1557	2264	2618	13250	530	1060	1723	2120	2915	4240	4903
7250	290	580	943	1160	1595	2320	2683	13260	530	1061	1724	2122	2917	4243	4906
7425	297	594	965	1188	1634	2376	2747	13500	540	1080	1755	2160	2970	4320	4995
7600	304	608	988	1216	1672	2432	2812	13575	543	1086	1765	2172	2987	4344	5023
7775	311	622	1011	1244	1711	2488	2877	13680	547	1094	1778	2189	3010	4378	5062
7950	318	636	1034	1272	1749	2544	2942	13900	556	1112	1807	2224	3058	4448	5143
8000	320	640	1040	1280	1760	2560	2960	14100	564	1128	1833	2256	3102	4512	5217
8125	325	650	1056	1300	1788	2600	3006	14225	569	1138	1849	2276	3130	4552	5263
8275	331	662	1076	1324	1821	2648	3062	14520	581	1162	1888	2323	3194	4646	5372
8300	332	664	1079	1323	1826	2656	3071	14550	582	1164	1892	2328	3201	4656	5384
8475	339	678	1102	1356	1865	2712	3136	14875	595	1190	1934	2380	3273	4760	5504
8550	342	684	1112	1368	1881	2736	3164	14940	598	1195	1942	2390	3287	4781	5528
8650	346	692	1125	1381	1903	2768	3201	15200	608	1216	1976	2432	3344	4864	5624
8825	353	706	1147	1412	1942	2824	3265	15360	614	1229	1997	2458	3379	4915	5683
9000	360	720	1170	1440	1980	2880	3330	15780	631	1262	2051	2525	3472	5050	5839
9100	364	728	1183	1456	2002	2912	3367	16200	648	1296	2106	2592	3564	5184	5964
9375	375	750	1219	1500	2063	3000	3469	16400	656	1312	2132	2624	3608	5248	6068
9650	386	772	1255	1544	2123	3088	3571	16620	665	1330	2161	2659	3656	5318	6149
9925	397	794	1290	1588	2184	3176	3672	16850	674	1348	2191	2696	3707	5392	6235
10000	400	800	1300	1600	2200	3200	3700	17040	682	1363	2215	2726	3749	5453	6305
10200	408	816	1326	1632	2244	3264	3774	17300	692	1384	2249	2768	3806	5536	6401
10325	413	826	1342	1652	2272	3304	3820	17460	698	1397	2270	2794	3841	5587	6460
10475	419	838	1362	1676	2305	3352	3876	17750	710	1420	2308	2840	3905	5680	6567
10650	426	852	1385	1704	2343	3408	3941	17880	715	1430	2324	2861	3934	5722	6616
10750	430	860	1398	1720	2365	3440	3983	18200	728	1456	2366	2912	4004	5824	6734
10975	439	878	1427	1756	2415	3512	4061	18300	732	1464	2379	2928	4025	5856	6771
11025	441	882	1433	1764	2426	3528	4079	18650	746	1492	2425	2984	4103	5968	6901
11300	452	904	1469	1808	2486	3616	4181	19100	764	1528	2483	3056	4202	6112	7067
11575	463	926	1505	1852	2547	3704	4283	19550	782	1564	2542	3128	4301	6256	7234
11625	465	930	1511	1860	2558	3720	4301	20000	800	1600	2600	3200	4400	6400	7400
11850	474	948	1541	1896	2607	3792	4385	20450	818	1636	2659	3272	4499	6544	7567
11950	478	956	1554	1912	2629	3824	4422	20900	836	1672	2714	3344	4598	6688	7733
12000	480	960	1560	1920	2640	3840	4440	21400	856	1712	2782	3424	4708	6848	7918
12125	485	970	1576	1940	2668	3880	4486	21900	876	1752	2847	3504	4815	7008	8103
12275	491	982	1596	1964	2701	3928	4542	22400	896	1792	2912	3584	4928	7168	8288

Note :- The above Table of "Revised rates of dearness allowance in the revised pay" is an Accompaniment to (1) Govt. Resolution Higher & technical Education Department No. NGC-1298 / (4619) / UNI-4, dated the 11th December, 1999. and to (2) Govt. Resolution Higher & technical Education Department No. RPS 2198 / 77 / TE-6, dated 18th December, 1999.

Revision of pay scales of teachers, Librarians and Instructors of Physical Education in Government/ Non Government Engineering Colleges and other degree level technical institutions including Architectural and Pharmacy Colleges

GOVERNMENT OF MAHARASHTRA

**HIGHER AND TECHNICAL EDUCATION DEPARTMENT : RESOLUTION NO. RPS 2198/77/TE-6
Mantralaya Annexe, Mumbai-400032. : Dated the 18th December 1999.**

Read:- i) Government Resolution Education and Employment Department No.GEC 3089/55083(3745)/TE-1 (A) dated 23rd March 1990.

ii) Letter No. F-37-104/95-TSII, dated 9.10.98 from the Government of India, Ministry of Human Resource Development, Department of Education, New Delhi.

iii) Letter No. 37-104/98-TS II dated 14 th January 1999. from the Government of India, Ministry of Human Resource Development, Department of Education, New Delhi.

iv) Letter No. 5/EC/AICTE/99/2150, dated 18.2.99 from the Director of Technical Education, Maharashtra state, Mumbai.

RESOLUTION

The State Government has approved the implementation of revised pay scales of the Teachers, Librarians and Physical Education Instructors in the Government and Non-Government Engineering colleges, Engineering and Technology Faculties, Department of Universities and other institutions of technical education including Architecture and Pharmacy at degree or equivalent level with effect from 1.1.1986 vide Govt. Resolution, Education and Employment Department No.GEC 3089/55083(3745)/TE-1(A), Dated 23.3.90, as per recommendations of the A.I.C.T.E. and the Fourth Central Pay commis-

sion. Following the revision of pay scales of central Government employees on the recommendations of the 5th Central pay commission, the Central Government has revised the pay scales of teachers in central Universities and Colleges thereunder. After taking into consideration the recommendation of the All India Council for Technical Education the Government of India evolved the scheme of pay revision for the teachers in Engineering Colleges and other degree level technical institutions, including measures for improvement of the standards in technical education. By their letter dated 9.10.98 the Government of India recommended to the state Government to implement this scheme. The question of implementing the Government of India's scheme of revision of pay scales of the teachers of Engineering Colleges and other degree level technical institutions in the state including the Visvesvaraya Regional College of Engineering, Nagpur, alongwith other guidelines prescribed by the Government of India was under consideration of the State Government. After careful consideration of the Government of India's package scheme for revision of pay scales and the maintenance of standards of technical Education, the Government has now decided to implement the package scheme with the terms and conditions of service as mentioned below:-

2. COVERAGE :- a) This scheme is applicable to Teachers, Librarians and Physical Education instructors in Government and non-government Engineering College, Engineering

ANNEXURE-III

**Accompaniment to Govt. Resolution Higher & technical Education Department
No. RPS 2198/77/TE-6, dated 18th December, 1999.**

TABLE I

Existing Scale : Rs.2200-75-2800-100-4000 : : Revised Scale : Rs.8000-275-13500

Span of year	Stage in existing scale	DA as on 01.01.96	IR I	IR II 10% of basic min of Rs. 100	Total of col 2+3+4+5	40% of basic pay in col. 2	Gross total col 6+7	Stage in the revised scale	Differ I w.e.f. 01.01.96	IR III 10% of basic min of Rs.100	Differ2 w.e.f. 01.04.96
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
01	2200	3256	100	220	5776	880	6656	8000	2224	220	2004
02	2275	3367	100	228	5970	910	6880	8000	2030	228	1802
03	2350	3478	100	235	6163	940	7103	8000	1837	235	1602
04	2425	3589	100	243	6357	970	7327	8275*	1918	243	1675
05	2500	3700	100	250	6550	1000	7550	8275*	1725	250	1475
06	2575	3811	100	258	6744	1030	7774	8275*	1531	258	1273
07	2650	3922	100	265	6937	1060	7997	8550*	1613	265	1348
08	2725	4033	100	273	7131	1090	8221	8550*	1419	273	1146
09	2800	4144	100	280	7324	1120	8444	8550	1226	280	946
10	2900	4292	100	290	7582	1160	8742	8825	1243	290	953
11	3000	4400	100	300	7840	1200	9040	9100	1260	300	960
12	3100	4588	100	310	8098	1240	9338	9375	1277	310	967
13	3200	4736	100	320	8356	1280	9636	9650	1294	320	974
14	3300	4884	100	330	8614	1320	9934	10200	1586	330	1256
15	3400	5032	100	340	8872	1360	10232	10475	1603	340	1263
16	3500	5180	100	350	9130	1400	10530	10750	1620	350	1270
17	3600	5180	100	360	9240	1440	10680	10750	1510	360	1150
18	3700	5180	100	370	9350	1480	10830	11025	1675	370	1305
19	3800	5180	100	380	9460	1520	10980	11025	1565	380	1185
20	3900	5180	100	390	9570	1560	11130	11300	1730	390	1340
21	4000	5180	100	400	9680	1600	11280	11300	1620	400	1220

* Bunching Stage.

and Technology Faculties/Departments of Universities and other institutions of technical education including Architecture and Pharmacy at degree or equivalent level unless they specifically exercise an option in writing to remain out of this Scheme. **The revised scales of pay are also applicable to the teachers/librarians/instructors of physical education in the unaided Engineering Colleges and other comparable institutions of technical education including Architecture and Pharmacy at degree or equivalent level in the State.** However, the unaided colleges/institutions will not be entitled for any financial assistance from the State Government and same is the case with the unapproved posts in the aided colleges and the institutions not covered under 100% salary grants. The revised scales are not applicable to teachers who retired on or before 31.12.95 and who worked on re-employment on that date including those whose period of re-employment was extended after that date. All teachers/Librarians/Physical Education Instructors appointed after the date from which the scheme has been given effect to, will be governed by the provisions of the scheme.

3. DATE OF EFFECT:- The revised scales of pay will be effective from 1st January 1996.

4. PAY SCALES :- a) The revised scales of pay of teachers of technical education institutions effective from 1.1.1996 are given in Annexure-I

b) The revised scales of pay are inclusive of the basic pay, the dearness allowance and the amount of the 1st and 2nd instalment of Interim relief admissible to teachers/Librarians/Physical Education personnel as on 1.1.1996.

c) The revised pay scales for the categories of Librarians and Physical Education personnel are applicable only to such posts in technical institutions as are in the existing scales as per the scheme of revision of pay scales as contained in the Govt. Resolution, Education and Employment Department, No. GEC3089/55083(3745)/TE-1(A), Dated 23.3.90, prior to 1.1.1996.

5. PAY FIXATION FORMULA :- The pay will be fixed as per the formula for fixation of pay in revised scale as given in Annexure-II

6. OPTION FOR REVISED SCALES OF PAY :- The teachers/Librarians/Physical Education Personnel desirous of

opting for the revised pay scale will have to do so in the prescribed form (Annexure-IV) within a period of one month from the date of issue of this Government Resolution. The teachers opting for the revised scales will have to enter into an agreement as mentioned in (Annexure-V), with the institutions/college Management about their acceptance of terms and conditions mentioned in this Government Resolution. The option once exercised shall be final. Those who do not exercise the option within the period of one month from the date of issue of this Government Resolution shall be deemed to have opted for the revised pay scale.

Note:- The teachers/librarians/Directors of physical Education/Instructors of physical Education who were in service on 1.1.1996 and who were not in service after 1.1.1996 on account of termination, death, discharge on the expiry of the sanctioned posts, resignation, dismissal or discharge on disciplinary ground and could not exercise the option within the time-limit will be deemed to have opted for the revised scales of pay with effect from 1.1.1996 and should be held entitled to the benefit of these rules.

7. RECRUITMENT AND QUALIFICATIONS AND EXPERIENCE :- a) Recruitment of teachers at the level of Lecturers shall be from those **who qualify through a qualifying examination, details of which shall be developed by the All India Council for Technical Education** and intimated to the State Government and institutions. **Until this operational mechanism is developed, the existing procedure of recruitment will continue in relaxation of this requirement.**

b) Appointment to the posts of Lecturers, Assistant Professors, Professors, Librarians and Directors of physical Education/physical Education Instructors shall be by open selection on the basis of merit as per prescribed qualifications and experience. Placement in the Senior Scale and Selection Grade in the case of Lecturers, Librarians and Director of Physical Education/Physical Education Instructors shall be through promotion as per conditions prescribed. The All India Council for Technical Education will lay down the constitution of selection/ promotion committees, **and the existing procedure will remain in vogue till the All India Council for Technical Education does so.**

8. INCENTIVE FOR Ph.D./M.Phil/ME/M.Tech:- a)

TABLE II

Existing Scale : 3000-100-3500-125-5000 : : Revised Scale : 10000-325-15200

Span of year	Stage in existing scale	DA as on 01.01.96	IR I	IR II 10% of basic min of Rs. 100	Total of col 2+3+4+5	40% of basic pay in col. 2	Gross total col 6+7	Stage in the revised scale	Differ I w.e.f. 01.01.96	IR III 10% of basic min of Rs.100	Differ2 w.e.f. 01.04.96
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
01	3000	4440	100	300	7840	1200	9040	10000	2160	300	1860
02	3100	4588	100	310	8098	1240	9338	10000	1902	310	1592
03	3200	4736	100	320	8356	1280	9636	10000	1644	320	1324
04	3300	4884	100	330	8614	1320	9934	10325*	1711	330	1381
05	3400	5032	100	340	8872	1360	10232	10325	1453	340	1113
06	3500	5180	100	350	9130	1400	10530	10650	1520	350	1170
07	3625	5180	100	363	9268	1450	10718	10975	1707	363	1344
08	3750	5180	100	375	9405	1500	10905	10975	1570	375	1195
09	3875	5180	100	388	9543	1550	11093	11300	1757	388	1369
10	4000	5180	100	400	9680	1600	11280	11300	1620	400	1220
11	4125	5180	100	413	9818	1650	11468	11625	1807	413	1394
12	4250	5180	100	425	9955	1700	11655	11950	1995	425	1570
13	4375	5180	100	438	10093	1750	11843	11950	1857	438	1419
14	4500	5180	100	450	10230	1800	12030	12275	2045	450	1595
15	4625	5180	100	463	10368	1850	12218	12275	1907	463	1444
16	4750	5273	100	475	10598	1900	12498	12600	2002	475	1527
17	4875	5411	100	488	10874	1950	12824	12925	2051	488	1563
18	5000	5550	100	500	11150	2000	13150	13250	2100	500	1600

* Bunching stage

At the time of recruitment as Lecturers, four and two advance increments will be admissible to those of the Science/Humanities faculty who hold Ph. D. and M. Phil degrees respectively; and to those of the technical faculty who hold Ph.D. and M.E./M.Tech. degrees respectively.

b) One increment will be admissible to those Science/Humanities teachers with M.Phil and to those technical faculty with ME/M.Tech who acquire Ph.D. within two years of recruitment.

c) A Lecturer with Ph.D. will be eligible for two advance increments when he moves into Selection grade as Assistant Professor.

d) A teacher will be eligible for two advance increments as and when he acquires a Ph.D. degrees in his service career.

9. CAREER ADVANCEMENT :- a) Minimum length of service for eligibility to move into the grade of Lecturer (Senior Scale) would be four years for those with Ph.D., five years for those with M.Phil/M.E./M.Tech. and six years for others as a Lecturer and for eligibility to move into the grade of Lecturer (Selection Grade) Assistant Professor, the minimum length of service as Lecturer (Senior Scale) shall be uniformly five years.

b) For movement into grades of Assistant Professor and above, the minimum eligibility criterion would be Ph.D. Those teachers without Ph.D. can go upto the level of Lecturer (Selection Grade)

c) An Assistant Professor with a minimum of eight years of service will be eligible for consideration for appointment as Professor.

d) For every upward movement, a selection process would be evolved, for which appropriate guidelines would be laid down by the All India Council for Technical Education in consultation with the Government of India.

**10. ALLOWANCES, EFFECTIVE DATE AND FIT-
MENT FORMULA :-** a) Pay with effect from 1.1.96 in the revised scale of pay will be fixed after giving the benefit of one increment for every three increments earned in the pre-revised scales as stipulated in Rules 7 Central civil Services (Revised Pay) Rules, 1997 and governed by other relevant provisions of Central Civil Service (Revised Pay) Rules, 1997 as applicable. The pay in the revised scale on 1.1.96 will be fixed after taking into consideration the basic pay on 1.1.96

Dearness Allowance and first and second interim relief.

b) Pay in the revised scales of pay shall be fixed at the same stage with reference to the stage admissible vide para (a) above. In cases where the same stage is not available, the pay may be fixed at the stage next above the pay admissible vide para (a) above.

c) The fixation of Pay of Lecturers (Selection Grade)/Assistant Professors in the pre-revised pay scale of Rs. 3700-125-4950-150-5700/- who were selected strictly in accordance with the instructions contained in the Government Resolution, Education and Employment Department, No.GEC 3089/55083(3745)/TE-1(A), dated 23.3.90 and who were in position as Lecturers (Selection Grade)/Assistant Professor as on 1.1.96 will be made in a manner that they get their pay fixed at the minimum of Rs. 14940/- in the revised scale of Rs. 12,000-420-18300/- as and when they complete 5 years service in the grade.

d) Since the revised scales of pay will be implemented with effect from 1.1.96, the arrears of pay to which the teacher may be entitled in respect of the period from 1.1.96 to 30.9.98 shall be credited to the Provident Fund Account of the concerned employee and shall not be permitted to be withdrawn for three years upto 31st December 2001 except in case of the employee who retires or ceases to be in service during this period. The concerned teachers would be allowed to withdraw this amount so credited to the Provident Fund Account after a period of 3 years, except in cases of retirement, death and resignation.

e) The arrears of allowances like HRA, CLA, TA from 1st August, 1997 to 30th September, 1998 (both days inclusive) shall be credited to the provident fund account of the teacher and shall not be permitted to be withdrawn for the period ending 31st March, 2002. Also no interest on account of the aforesaid amount credited to the GPF account of the concerned teacher will be given for the period up to 31st March, 2002. except in case of teachers who have retired or ceased to be in service during this period. The concerned teacher would be allowed to withdraw with amount credited to General Provident Fund accounts, after a period of 3 years, except in cases of retirement, death and resignation.

11. AGE OF SUPERANNUATION : The age of superannuation of all teachers in Technical Institutions shall be 60 years except in Government Engineering Colleges and other equivalent Government Technical Institutions of degree level, where the age of superannuation of teacher will continue to be 58

TABLE III

Existing Scale : 3700-125-4950-150-5700 :

: Revised Scale : 12000-420-18300

Span of year	Stage in existing scale	DA as on 01.01.96	IR I	IR II 10% of basic min of Rs. 100	Total of col 2+3+4+5	40% of basic pay in col. 2	Gross total col 6+7	Stage in the revised scale	Differ I w.e.f. 01.01.96	IR III 10% of basic min of Rs.100	Differ2 w.e.f. 01.04.96
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
01	3700	5180	100	370	9350	1480	10830	12000	2650	370	2280
02	3825	5180	100	383	9488	1530	11018	12000	2512	383	2129
03	3950	5180	100	395	9625	1580	11205	12000	2375	395	1980
04	4075	5180	100	408	9763	1630	11393	12420*	2657	408	2249
05	4200	5180	100	420	9900	1680	11580	12420*	2520	420	2100
06	4325	5180	100	433	10038	1730	11768	12420*	2382	433	1949
07	4450	5180	100	445	10175	1780	11955	12840*	2665	445	2220
08	4575	5180	100	458	10313	1830	12143	12840*	2527	458	2069
09	4700	5217	100	470	10487	1880	12367	12840*	2353	470	1883
10	4825	5356	100	483	10764	1930	12694	13260*	2496	483	2013
11	4950	5495	100	495	11040	1980	13020	13260	2220	495	1725
12	5100	5661	100	510	11371	2040	13411	13680	2309	510	1799
13	5250	5828	100	525	11703	2100	13803	14100	2397	525	1872
14	5400	5994	100	540	12034	2160	14194	14520	2486	540	1946
15	5550	6161	100	555	12366	2220	14586	14940	2574	555	2019
16	5700	6327	100	570	12697	2280	14977	15360	2663	570	2093

* Bunching stage

years as hitherto before.

12. OTHER TERMS AND CONDITIONS OF SERVICE OF TEACHERS :- Other terms and conditions of service of teacher shall be notified by the A.I.C.T.E. incorporating the approved pay scales and other related conditions on the line of existing scheme (s) with the approval of the Government of India.

13. The institutions are required to amend their Statutes, Memorandum of Association, Rules/Schemes, Regulations, Bye-laws etc. of the Institutes, as the case may be in line with the scheme within three months.

14. FIXATION OF PAY AND PREFERRING CLAIM FOR PAYMENT OF ARREARS :- a) The College authority should initiate action for fixing the pay of each individual teacher/Librarians/Physical Education Instructor after completing the necessary formalities of obtaining an option and agreement from each teacher desirous of coming over to the revised scale. The pay of the teacher as well as the arrears that would be due to him should then be worked out in the forms to be prescribed by the Director of Technical Education, Maharashtra State, Mumbai. This pay fixation including the amount of arrears payable to teacher should be got approved from the Director of Technical Education, Maharashtra State, Mumbai or an Officer so authorised by him.

b) The College shall submit a statement of expenditure every month on account of revision of scale of pay of college teachers to the Director of Technical Education, Maharashtra State, Mumbai in the prescribed form. The Director of Technical Education should also ensure maintenance of a separate account of expenditure on account of revised pay scales for the purpose of claiming Central Assistance.

15. PROCEDURE TO BE ADOPTED BY THE DIRECTOR OF TECHNICAL EDUCATION :- a) The Director of Technical Education, Maharashtra State, Mumbai, should send a quarterly statement to the Accountant General Maharashtra-1, Mumbai and Accountant General, Maharashtra-2, Nagpur, and claim the grant from the Government of India before the close of every financial year. The Accountant General, Maharashtra-I Mumbai should be requested to credit the Government of India's share under receipt Head "1601-Grant-in-

aid from Central Government Education.

b) The additional expenditure on account of revision of scale of pay of the teachers in Government and Non-Government Engineering colleges and other comparable institutes of Technical Education at degree or equivalent level as on 1.1.96 shall be shared for a period from 1.1.96 to 31.3.2000 between the Government of India and the State Government in the ratio 80:20. Thereafter the entire liability on account of additional expenditure will be borne by the State Government. The posts which were not lying vacant for more than 6 months as on 1st January 1996 will be treated as post existing as on 1st January 1996, for this purpose. The additional expenditure on pay proper, on account of application of revised pay scales to all posts of teachers created after 1st January 1996, shall be borne entirely by the State Government. The Colleges/Institutes should be informed that any additional expenditure on new posts of teachers created hereafter shall be disallowed, if proper sanction of the Director of Technical Education Maharashtra State, Mumbai has not been obtained by them.

16. BUDGET HEAD :- The expenditure on this account should be debited to the following sub Head and detailed Heads of account under the budget Head "2203-Technical Education" as under:-

(1) 112-Engineering/ Technical Colleges and Institutes 112(1)(a) Government Engineering and Architectural Colleges (including Hostels)-(2203 0327)

(2) 104-Assistance to Non-Government Technical Colleges and Institutes-104-(1)

(a) Maintenance grants-(iii) Engineering Colleges-(2203 0167)

These orders issue with the concurrence of the Finance Department vide their Un-official reference No. 858/SER-10, dated, 18.8.99

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

(M.D. AMBADE)

Under Secretary to the Government of Maharashtra.
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TABLE IV

Existing Scale : 3700-125-4950-150-5700 : Revised Scale : 12000-420-18300
With a minimum start of Rs. 14940

Span of year	Stage in existing scale	DA as on 01.01.96	IR I	IR II 10% of basic min of Rs. 100	Total of col 2+3+4+5	40% of basic pay in col. 2	Gross total col 6+7	Stage in the revised scale	Differ I w.e.f. 01.01.96	IR III 10% of basic min of Rs.100	Differ2 w.e.f. 01.04.96
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
01	3700	5180	100	370	9350	1480	10830	12840	3490	370	3120
02	3825	5180	100	383	9488	1530	11018	12840	3352	383	2969
03	3950	5180	100	395	9625	1580	11205	12840	3215	395	2820
04	4075	5180	100	408	9763	1630	11393	12840	3077	408	2669
05	4200	5180	100	420	9900	1680	11580	12840	2940	420	2520
06	4325	5180	100	433	10038	1730	11768	12840	2802	433	2369
07	4450	5180	100	445	10175	1780	11955	12840*	2665	445	2220
08	4575	5180	100	458	10313	1830	12143	13260*	2947	458	2489
09	4700	5217	100	470	10487	1880	12367	13260*	2773	470	2303
10	4825	5356	100	483	10764	1930	12694	13260*	2496	483	2013
11	4950	5495	100	495	11040	1980	13020	13680*	2640	495	2145
12	5100	5661	100	510	11371	2040	13411	13680	2309	510	1799
13	5250	5828	100	525	11703	2100	13803	14100	2397	525	1872
14	5400	5994	100	540	12034	2160	14194	14520	2486	540	1946
15	5550	6161	100	555	12366	2220	14586	14940	2574	555	2019
16	5700	6327	100	570	12697	2280	14977	15360	2663	570	2093

* Bunching stage

ANNEXURE-I

Accompaniment to Govt. Resolution Higher & technical
Education Department No. RPS-2198/77/TE-6,
dated 18th December, 1999.

Sr. Designation No.	Existing Scale of Pay	Revised Scale of pay
1. Lecturer	2200-75-2800-100-4000	8000-275-13500
2. Lecturer (Senior Scale)	3000-100-3500-125-5000	10000-325-15200
3. Lecturer (Selection Grade)	3700-125-4950-150-5700	12000-420-18300
4. Assistant Professor	3700-125-4950-150-5700	12000-420-18300
5. Professor	4500-150-5700-200-7300	16400-450-20900-500-22400
6. Principal	4500-150-5700-200-7300 + Rs.200 as a special pay + Rent free Quarters	16400-450-20900-500-22400 + Rs 400 as a Special pay + Rent free Quarters Special pay will be admissible from 1.8.97
7. Librarian	2200-75-2800-100-4000	8000-275-13500
8. Librarian (Senior Scale)	3000-100-3500-125-5000	10000-325-15200
9. Librarian (Selection Grade)	3700-125-4950-150-5700	12000-420-18300
10. Director Physical Education	2200-75-2800-100-4000	8000-275-13500

ANNEXURE-II

Accompaniment to Govt. Resolution Higher & Technical
Education Department No. RPS 2198/77/TE-6,
dated 18th December, 1999.

1. Rules for Fixation of pay in the revised scale :- (1) The initial pay of a teacher who elects, or is deemed to have elected the revised scale of pay from 1st day of January 1996, shall be fixed in the following manner, namely :-

(A) in the case of all teachers -

(i) an amount representing 40 per cent of the basic pay in the existing scale, shall be added to the "existing emoluments" of a teacher ;

(ii) after the existing emoluments have been so increased, the pay shall thereafter be fixed in the revised scale at the stage next above the amount thus computed : Provided that -

(a) if the minimum of the revised scale is more than the amount so arrived at, the pay shall be fixed at the minimum of the revised scale;

(b) If the amount so arrived at is more than the maximum of the revised scale, the pay shall be fixed at the maximum of that scale.

NOTE:1: Basic pay means the pay which has been sanctioned for the post held by a teacher substantively or in an officiating capacity or to which he is entitled to by the reason of his position in a cadre.

NOTE 2: existing emoluments shall include -

(a) The basic pay in the existing scale;

(b) Dearness allowance admissible as on 1st January 1996 on the basic pay; and

(c) the amounts of the first and second instalments of the interim reliefs admissible on the basic pay in the existing scale;

The table showing the various stages in the existing pay scales, DA, IR I, IR II of the basic pay admissible thereon is given in **Annexure III.**

TABLE V

Existing Scale : 4500-150-5700-200-7300 : : Revised Scale : 16400-450-20900-500-22400

Span of year	Stage in existing scale	DA as on 01.01.96	IR I	IR II 10% of basic min of Rs. 100	Total of col 2+3+4+5	40% of basic pay in col. 2	Gross total col 6+7	Stage in the revised scale	Differ I w.e.f. 01.01.96	IR III 10% of basic min of Rs.100	Differ2 w.e.f. 01.04.96
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
01	4500	5180	100	450	10230	1800	12030	16400	6170	450	5720
02	4650	5180	100	465	10395	1860	12255	16400	6005	465	5540
03	4800	5328	100	480	10708	1920	12628	16400	5692	480	5212
04	4950	5495	100	495	11040	1980	13020	16850	5810	495	5315
05	5100	5661	100	510	11371	2040	13411	16850	5479	510	4969
06	5250	5828	100	525	11703	2100	13803	16850	5147	525	4622
07	5400	5994	100	540	12034	2160	14194	17300	5266	540	4726
08	5550	6161	100	555	12366	2220	14586	17300	4934	555	4379
09	5700	6327	100	570	12697	2280	14977	17300	4603	570	4033
10	5900	6549	100	590	13139	2360	15499	17750	4611	590	4021
11	6100	6660	100	610	13470	2440	15910	17750	4280	610	3670
12	6300	6660	100	630	13690	2520	16210	17750	4060	630	3430
13	6500	6660	100	650	13910	2600	16510	18200	4290	650	3640
14	6700	6660	100	670	14130	2680	16810	18200	4070	670	3400
15	6900	6660	100	690	14350	2760	17110	18200	3850	690	3160
16	7100	6816	100	710	14726	2840	17566	18650	3924	710	3214
17	7300	7008	100	730	15138	2920	18058	18650	3512	730	2782

(B) in the case of a teachers who are in receipt of special pay in addition to pay in the existing scale and where the existing scale with special pay has been replaced by a scale of pay after merging the special pay, the pay shall be fixed in the revised scale in accordance with the provisions of clause (A) above except that in such cases "existing emoluments" shall include -

(a) the basic pay in the existing scale;

(b) existing amount of special pay,

(c) dearness allowance admissible as on 1st January 1996 on the basic pay,

and

(d) the amounts of the first and second instalment of interim relief admissible on basic pay in the existing scale and special pay;

(C) in the case of teachers who are in receipt of special pay in addition to pay in the existing scale and in whose case special pay continues with the revised scale of pay either at the rate or at a different rate, the pay in the revised scale shall be fixed in accordance with the provisions of clause (A) above with reference to existing emoluments calculated in accordance with the Explanation thereto, after excluding the existing special pay. In such cases, special pay at the new rate shall be drawn in addition to the pay so fixed in the revised scale.

Note 1 - Where a teacher is holding a permanent post and is officiating a higher post on a regular basis and the scales applicable to these two posts are merged into one scale, the pay shall be fixed under this sub-rule with reference to officiating post only and the pay so fixed shall be treated as substantive pay. The provisions of this Note shall apply mutatis mutandis, to teachers holding in an officiating capacity posts on different existing scales which have been replaced by a single revised scale.

Note 2 - Where the existing emoluments as calculated in accordance with clause (A), Clause (B), or Clause (C) as the case may be, exceed the revised emoluments in the case of any teacher, the difference shall be allowed as personal pay to be absorbed in future increases in pay, except in the cases covered by proviso (b) of sub-rule (1) (A) above.

Note 3- Where in the fixation of pay under sub-rule (1) the pay of a teacher drawing pay at more than three consecutive stages in an existing scale gets bunched, that is to say, gets fixed in the revised scale at the same stage, the pay in the revised scale of such of these employees who are drawing pay beyond the first four consecutive stages in the existing scale shall be stepped up to the stage where such bunching occurs as under, by the grant of increment(s) in the revised scale in the following manner, namely :-

(a) teachers drawing pay from the 4 th upto the 6 th stage in the existing scale - By **one** increment;

(b) teachers drawing pay from the 7 th upto the 9 th stage in the existing scale, if there is bunching beyond the 6 th stage - By **two** increments.

(c) teachers drawing pay from the 10th upto the 12 th stage in the existing scale, if there is bunching beyond the 9 th stage - By **three** increments.

If by stepping up of the pay as above, the pay of a teacher gets fixed at a stage in the revised scale which is higher than the stage in the revised scale at which the pay of a teacher who was drawing pay at the next higher stage or stages in the same existing scale is fixed, the pay of the later shall also be stepped up only to the extent by which it falls short of that of the former.

Note 4 - The fixation thus made shall ensure that every teacher will get at least one increment in the revised scale of pay for every three increments (inclusive of stagnation increment(s), if any) in the existing scale of pay.

Note 5 - Where in the fixation of pay under sub-rule (1) pay of a teacher, who, in the existing scale was drawing immediately before the 1st day of January 1996 more pay than another employee junior to him in the same cadre, gets fixed in the revised scale at a stage lower than that of such junior, his pay shall be stepped up to the same stage in the revised scale as that of the junior.

Note 6 - Where a teacher is in receipt of personal pay on the 1st day of January 1996, which together with his existing emoluments as calculated in accordance with clause (A), clause (B) or clause (C) as the case may be, exceeds the revised emoluments, then, the difference representing such excess shall be allowed to such an employee as personal pay to be absorbed in future increases in pay.

Note 7 - In cases, where a senior teacher promoted to a higher post before the 1st day of January 1996 draws less pay in the revised scale than his junior who is promoted to the higher post on or after the 1st day January 1996, the pay of the senior teacher should be stepped up to an amount equal to the pay as fixed for his junior in that higher post. The stepping up should be done with effect from the date of promotion of the junior teacher, subject to the fulfillment of the following conditions, namely :-

(a) both the junior and the senior teacher should belong to the same cadre and the posts in which they have been promoted should be identical in the same cadre;

(b) the pre-revised and revised scales of pay of the lower and higher posts in which they are entitled to draw pay should be identical, and

(c) the anomaly should be directly as a result of the application

TABLE VI
Existing Scale : 4500-150-5700-200-7300 : : Revised Scale : 16400-450-22400
with Minimum start of Rs. 17300/-

Span of year	Stage in existing scale	DA as on 01.01.96	IR I	IR II 10% of basic min of Rs. 100	Total of col 2+3+4+5	40% of basic pay in col. 2	Gross total col 6+7	Stage in the revised scale	Differ I w.e.f. 01.01.96	IR III 10% of basic min of Rs.100	Differ2 w.e.f. 01.04.96
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
01	4500	5180	100	450	10230	1800	12030	17300	7070	450	6620
02	4650	5180	100	465	10395	1860	12255	17300	6905	465	6440
03	4800	5328	100	480	10708	1920	12628	17300	6592	480	6112
04	4950	5495	100	495	11040	1980	13020	17750*	6710	495	6215
05	5100	5661	100	510	11371	2040	13411	17750*	6379	510	5869
06	5250	5828	100	525	11703	2100	13803	17750*	6047	525	5522
07	5400	5994	100	540	12034	2160	14194	18200*	6166	540	5626
08	5550	6161	100	555	12366	2220	14586	18200*	5834	555	5279
09	5700	6327	100	570	12697	2280	14977	18200	5503	570	4933
10	5900	6549	100	590	13139	2360	15499	18650*	5511	590	4921
11	6100	6660	100	610	13470	2440	15910	18650*	5180	610	4570
12	6300	6660	100	630	13690	2520	16210	18650*	4960	630	4330
13	6500	6660	100	650	13910	2600	16510	19100*	5190	650	4540
14	6700	6660	100	670	14130	2680	16810	19100*	4970	670	4300
15	6900	6660	100	690	14350	2760	17110	19100*	4750	690	4060
16	7100	6816	100	710	14726	2840	17566	19550*	4824	710	4114
17	7300	7008	100	730	15138	2920	18058	19550*	4412	730	3682

* Bunching stage

of the provisions of these rules or any other rules or order regulating pay fixation on such promotion in the revised scale.

The orders relating to refixation of the pay of the senior teacher in accordance with the above provisions should be issued and the senior teacher will be entitled to the next increment on completion of his required qualifying service with effect from the date of refixation of pay.

Note 8 - In the case of a teacher promoted to a higher post on or after 1st January 1996, the pay of the lower post in the revised scale shall be fixed first under these rules and then the pay fixed in the revised scale of the higher post under normal rules.

Note 9 - In the case of a teacher who is drawing reduced pay as on 1st January 1996 in the existing scale on account of imposition of penalty under the provisions of the respective Statutes in the concerned Universities the pay in such cases should be fixed as under :-

- (a) on the basis of pay actually drawn on 1st January 1996, and
- on the basis of pay which would have been drawn but for the penalty.

The revised pay as fixed at (a) above may be allowed from 1st January 1996 to the date of expiry of penalty and the revised pay fixed at (b) above, from the date following the date of expiry of the penalty after allowing increments, if any, that might have notionally fallen due in the revised scale during the period from 1st January 1996 to the date of expiry of the penalty. The next increment in the revised scale will be regulated in accordance with rule 2 of these rules.

Note 10 - Where a teacher is on leave on the 1st day of January 1996, he shall become entitled to pay in the revised scale of pay from the date he joins duty. In case of a teacher under suspension, he shall continue to draw subsistence allowance based on existing scale of pay and his pay in the revised scale of pay will be subject to final order on a pending disciplinary proceedings.

Subject to provisions of rule 5, if the pay as fixed in the officiating post under sub-rule (1) is lower than the pay fixed in the substantive post the former shall be fixed at the stage next above the substantive

pay.

2. Date of next increment in the revised scale :

The next increment of a teacher whose pay has been fixed in the revised scale in accordance with sub-rule (1) of rule 1, shall be granted on the date he would have drawn his increment had he continued in the existing scale :

Provided that in cases where the pay of a teacher is stepped up in terms of Note 3 or Note 5 or Note 7 to sub-rule (1) of rule 1, the next increment shall be granted on the completion of the qualifying service of twelve months from the date of stepping up of the pay in the revised scale :

Provided further that in cases other than those covered by the preceding proviso, the next increment of a teacher whose pay is fixed on the 1st day of January 1996 at the same stage as the one fixed for another teacher junior to him in the same cadre and drawing pay at a lower stage than his in the existing scale, shall be granted on the same date admissible to his junior, if the date of increment of the junior happens to be earlier.

Provided also that in the case of teacher who had been drawing maximum of the existing scale for more than a year as on the 1st day of January 1996 the next increment in the revised scale shall be allowed on the 1st day of January 1996.

Provided that in cases where a teacher reached the maximum of the pre-revised scale after 1st January 1995, the next increment in the revised scale shall be granted on the completion of service for the full incremental period counting from the date on which he reached the maximum of the existing scale.

Provided also that where the increment of a Government servant falls on 1st day of January 1996, he shall have option to draw the increment in the existing scale or the revised scale.

Note 1 - Where a teacher who is held up at the efficiency bar in the existing scale elects or is deemed to have elected the revised scale, his initial pay in the revised scale should be fixed under these rules and he should be granted the next increment on the date on which it is due in the revised scale provided that if the authority competent to allow a teacher to cross the bar certifies that a teacher

ANNEXURE IV : FORM OF OPTION

**Accompaniment to Govt. Resolution Higher & technical Education Department
No. RPS-2198/77/TE-6, dated 18th December, 1999.**

FORM OF OPTION

1.....substantive holder of the post of..... in the scale of Rs..... in the scale of Rs. in the College hereby.

***(I)** elect the revised scale of the post With effect from 1st January,1996.

*existing

***(II)** elect to retain the scale of pay of the post until :

*Pre-January,1996

*the date of my next increment.

*the date of my subsequent increment.

*raising my pay to Rs.....

*I vacate or cease to draw pay in that scale.

2. The option hereby exercised is final and will not be modified at any subsequent date.

Date :

Signature.

Signed before me.

Date :

Signature.

(Principal of the College)

(Received the above declaration)

Date

Signature

(Head of the Institute)

Note : The option should be exercised separately in respect of substantive and officiating appointments.

*To be scored out, if not applicable.

would have been allowed to draw the increment in the existing scale on an earlier date, the next increment should be granted on such earlier date.

Note 2 - Where by grant of one additional increment in terms of the third proviso in the revised scale applicable to the substantive post, the substantive post of a teacher exceeds his officiating pay at any time, a teacher may be allowed, in addition to officiating pay and the substantive pay as personal pay to be absorbed in future increments for the periods during which the substantive pay exceeds the personal pay to be absorbed in future increments for the periods during which the substantive pay exceeds the officiating pay.

Note 3 - In cases where two existing scales, one being a promotional scale for other, are merged, and the junior teacher, now drawing his pay in the lower scale happens to draw more pay in the revised scale due to grant of additional increment under third proviso above than the pay of the senior teacher in the existing higher scale, the pay of the senior teacher in the revised scale shall be stepped up to that of his junior from the same date and he shall draw next increment after completing the qualifying period from the date of such stepping up of pay.

3. Fixation of pay in the revised scale subsequent to the 1st day of January 1996.

Where a teacher continues to draw pay in the existing scale and elects to come over to the revised scale from a date later than the

1st day of January 1996, his pay in the revised scale from such date shall be fixed as under :-

(a) In respect of a teacher who draws his increment annually and who opts to switch over to the revised scale of pay from the date of his increment following after 1st January 1996 but not later than 31st December, 1997 in respect of the post held by him on 1st January 1996, his pay shall be fixed in accordance with the provisions of rule 1. However, such a teacher shall not be eligible for 40 per cent of basic pay per month for the period from the 1st January 1996 till the date on which he switches over to the revised scale.

(b) in the case of a teacher who elects to come over to the revised scale later than 31st December 1997, his pay from that date shall be fixed under the normal pay fixation rules and for this purpose his pay in the existing scale shall have the same meaning as of existing emoluments as calculated in accordance with clause (A), clause (B), or clause (C) as the case may be, of sub-rule (a) of rule 1 except that the basic pay to be taken into account for calculation of those emoluments will be the basic pay on the later date aforesaid and where a teacher is in receipt of special pay, his pay shall be fixed after deducting from those emoluments an amount equal to the special pay. Such employee shall not, however, be eligible for 40 per cent of basic pay in the existing scale per month for fixation of pay in the revised scale.

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ANNEXURE V : FORM OF AGREEMENT

**Accompaniment to Govt. Resolution Higher & technical Education Department
No. RPS-2198/77/TE-6, dated 18th December, 1999.**

ANNEXURE V : FORM OF AGREEMENT

THIS AGREEMENT made thisday of One thousand Nine hundred and Ninety Nine between Shri/Smt./Kum.....Demonstrator/Tutor/ Reader/Senior/Junior Lecturer/Professor of Principal of College/University Established by.....hereinafter referred to as "the Employee" (which expression shall unless the context does not so admit include his /her heirs, executors and administrators of the One Part andCollege/University hereinafter referred to as "the said College/University" of the Other Part.

WHEREAS the Employee has been working as a Demonstrator/Tutor/Reader/Senior/Junior Lecturer /Professor of /Principal of the said College/University from theday of 199

AND WHEREAS the Government of Maharashtra has by Government Resolution, Higher and Technical Education Department, bearing No.NGC-1298/(4619)/UNI-4, dated the 11th December, 99 (hereinafter referred to as "the said Resolution" a copy whereof is annexed hereto) sanctioned a scheme for revision of the pay-scales of the University and College teachers and other measures for improving standards in Higher Education.

AND WHEREAS accordingly the said College/University has agreed to revised the pay scale of the Employee on the Employee agreeing to accept and duly comply with the terms and conditions laid down by the Government of Maharashtra by the said Resolution which the Employee has agreed to do.

NOW THIS AGREEMENT WITNESSTH AND IT IS HEREBY AGREED AND DECIDED by and between Parties hereto as follows :

- (1) agree, accept and duly comply with the terms and conditions specified in the said Government Resolution;
- (2) agree to have these conditions inserted in the contract of his appointment which he has already executed or which he may have to execute hereafter;
- (3) agree that in the event of his failure to abide by these conditions he shall cease to derive benefits of revised pay scales.

IN WITNESS WHEREOF Shri/Smt.Kum.the Employee above named has hereto set his /her hand and Common Seal of University has been hereunto affixed.

Members of the Managing Committee /Governing Body of have set their respective hand the day and year first hereinabove written.

Signed and Delivered by ---

Shri./Smt./Kum..... the Employee above named in the presence of

- 1.
- 2.
- 3.

OR

Signed and delivered by ___

- 1.
- 2.
- 3.
- 4.

5. Etc. the present Members of the Managing Committee/Governing Body of in the presence of ---

- 1.
- 2.

FIXATION OF PAY IN THE REVISED SCALE OF PAY

ILLUSTRATION-1

A Lecturer is drawing a basic pay of Rs.2275/- as on 1.10.95 in the existing scale of pay Rs.2200-75-2800-100-4000. Revised scale of pay applicable to the post of Lecturer is Rs.8000-275-13500. His date of increment is on 1st October every year. His pay in the revised scale shall be fixed as follows :-

	Rs.
Basic Pay	2275/-
D.A.at 1510 points i.e.148% of basic pay	3367/-
Interim Relief-I	100/-
Interim Relief-II	228/-
Emoluments	5970/-
Add 40% of Basic Pay	910/-
Total	6880/-

Pay to be fixed in the new scale of pay at Rs.8000/-

The next date of annual increment in the revised scale shall be effect from 1.10.96.

ILLUSTRATION-2

A Lecturer is drawing a basic pay of Rs.2800/- as on 1.1.96 in existing scale of pay of Rs.2200-75-2800-100-4000. Revised scale of pay applicable to the post of Lecturer is Rs.8000-275-13500/-. His date of increment is on 1st April every year. His pay in the revised scale shall be fixed as follows :

	Rs.
Basic Pay	2800/-
D.A.at 1510 points i.e.148% of basic pay	4144/-
Interim Relief-I	100/-
Interim Relief-II	280/-
Emoluments	7324/-
Add 40% of Basic Pay	1120/-
Total	8444/-

Pay to be fixed in the new scale of pay at Rs.8550/-

The next date of annual increment in the revised scale shall be effect from 1.4.96.

ILLUSTRATION-3

A Lecturer (Senior-Scale) is drawing a basic pay of Rs.3300/- as on 1.10.95 in existing scale of pay of Rs.3000-100-3500-125-5000. Revised scale of pay applicable to the post of Lecturer (Senior Scale) is Rs.10000-325-15200. His date if increment is on 1st October every year. His pay in the revised scale shall be fixed as follows :

	Rs.
Basic Pay	3300/-
D.A.at 1510 points i.e.148% of basic pay	4884/-
Interim Relief-I	100/-
Interim Relief-II	330/-
Emoluments	8614/-
Add 40% of Basic Pay	1320/-
Total	9934/-

Next stage in the revised scale of pay at Rs.10000/-.

Add one increment for three increments in the existing scale of pay 325/-

Therefore pay to be fixed in the new scale of pay at Rs.10325/-

The next date of annual increment in the revised scale shall be with effect from 1.1.97.

ILLUSTRATION-4

A Lecturer (Senior-Scale) is drawing a basic pay of Rs.3750/- as on 1.7.95 in existing scale of pay of Rs.3000-100-3500-

125-5000. Revised scale of pay applicable to the post of Lecturer (Senior Scale) is Rs.10000-325-15200. His date of increment is on 1st July every year. His pay in the revised scale shall be fixed as follows :

	Rs.
Basic Pay	3750/-
D.A.at 1510 points i.e.148% of basic pay subject to minimum of Rs. 5180/-	5180/-
Interim Relief-I	100/-
Interim Relief-II	375/-
Emoluments	9405/-
Add 40% of Basic Pay	1500/-
Total	10905/-

Pay to be fixed in the new scale of pay at Rs.10975/-

The next date of annual increment in the revised scale shall be with effect from 1-7-99.

ILLUSTRATION-5

A Lecturer (Senior-Scale) is drawing a basic pay of Rs.3825/- as on 1.4.95 in existing scale of pay of Rs.3700-125-4950-150-5700. Revised scale of pay applicable to the post of Lecturer (selection Scale) is Rs.12000-420-18300. His date if increment is on 1st April every year. His pay in the revised scale shall be fixed as follows :

	Rs.
Basic Pay	3825/-
D.A.at 1510 points i.e.111% of basic pay subject to minimum of Rs.5180/-	5180/-
Interim Relief-I	100/-
Interim Relief-II	383/-
Emoluments	9488/-
Add 40% of Basic Pay	1530/-
Total	11018/-

Pay to be fixed in the new scale of pay at Rs.12000/-

The next date of annual increment in the revised scale shall be with effect from 1.4.96

ILLUSTRATION-6

A Lecturer (Selection-Grade) is drawing a basic pay of Rs.4450/- as on 1.1.96 in existing scale of pay of Rs.3700-125-4950-150-5700. He has completed 5 years of service as Selection Grade Lecturer on 1.1.96 Revised scale of pay applicable to the post of Lecturer (Selection-Grade) is Rs.12000-420-18300. With service of 5 years and more in the post of Lecturer (Selection Grade) is eligible for a minimum pay of Rs.14,950/- His pay in the revised scale shall be fixed as follows :

	Rs.
Basic Pay	4450/-
D.A.at 1510 points i.e.111% of basic pay subject to minimum of Rs.5180/-	5180/-
Interim Relief-I	100/-
Interim Relief-II	445/-
Emoluments	10175/-
Add 40% of Basic Pay	1780/-
Total	11955/-

Next stage in the revised scale of pay at Rs.12000/-.

Pay to be fixed in the revised scale of pay taking into account the service of more than 5 years at Rs.14,950/-.

The next date of annual increment in the revised scale shall be with effect from 1.1.97.

Note : The above minimum pay of Rs. 14,950/- may be allowed after declaration by the concerned Prncipal/Regional Joint Director that the individual Lecturer (Selection Grade) has completed 5 years of Service on/after 1.1.96.

ILLUSTRATION-7

A Prncpal (Grade I) is drawing a basic pay of Rs.5550/- as on 1.10.95 in existing scale of pay of Rs.4500-150-5700-200-7300. Revised scale of pay applicable to the post of Principal (Grade I) is Rs.16400-450-20900-500-22400 with minimum pay of Rs.17300/-. His pay in the revised scale shall be fixed as follows :

	Rs.
Basic Pay	5550/-
D.A.at 1510 points i.e.111% of basic pay subject to minimum of Rs.5180/-	6161/-
Interim Relief-I	100/-
Interim Relief-II	555/-
Emoluments	12366/-
Add 40% of Basic Pay	2220/-
Total	14586/-

Stage in the new scale of pay Rs.17300/-

Add: two increments in the new scale of pay for having earned 6 increments in the existing scale .. Rs.900/-

Pay to be fixed in the new scale of pay at .. Rs.18200/-

The date of next annual increment in the revised scale shall be with effect from 1.1.97.

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To,
The Secretary to Governor of Maharashtra, Raj Bhavan, Mumbai.

The Private Secretary to the Chief Minister,

The Director of Technical Education, Maharashtra State, Mumbai.

(with 200 spare copies for being supplied to Colleges)

The Director of Higher Education, Maharashtra State, Pune

The Director of Vocational Education & Training Maharashtra State, Mumbai

The Regional Joint Directors of Technical Education,

The Registrars of all non-Agricultural Universities in the state

The Accountant General (Accounts) Maharashtra-I, Mumbai.

The Accountant General (Audit) Maharashtra-I, Mumbai.

The Accountant General (Accounts) Maharashtra-II, Nagpur.

The Accountant General (Audit) Maharashtra-II, Nagpur.

The Pay and Accounts Officer, Mumbai.

The Resident Audit Officer, Mumbai.

All Treasury Officers,
The Planning Department,
The Finance Department,
The Medical Education & Drug Department,

The Agriculture and ADF Department,
All Other Departments in Mantralaya.

The Secretary to the Government of India, Ministry of Human Resource Development (Department of Education) New Delhi (By letter)

The Secretary, All India Council for Technical Education, New Delhi (By letter)

Private Secretaries of all Ministers,
Personal Assistant of All Ministers of States,

Personal Assistant to the Chief Secretary,

All Desks in the Higher and Technical Education Department.

Director General Of Information and Public Relation, Mumbai (for vide publicity).

AF **** P 95

शासकीय व अनुदानित तंत्रनिकेतनातील अध्यापकांना सुधारित वेतनश्रेणी लागू करण्याबाबत.

महाराष्ट्र शासन : उच्च व तंत्र शिक्षण विभाग : शासननिर्णय क्रमांक : वेपूर १९९९/३०/तांशि-६
मंत्रालय विस्तार भवन, मुंबई - ४०० ०३२. : दिनांक : १८ डिसेंबर १९९९.

पहा : १) शासन निर्णय, उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग क्र.टिईएम ३३८९/(३९५०)/टिई-१, दिनांक २६.५.१९९२.

२) शासन अधिसूचना, वित्त विभाग, क्र. वेपूर १२९८/प्र.क्र.१३/९८/सेवा-१०, दिनांक १० डिसेंबर, १९९८.

प्रस्तावना

राज्यातील शासकीय व अनुदानित तंत्रनिकेतन अध्यापकांना उपरोक्त संदर्भ क्र. १ येथे नमुद केलेल्या शासन निर्णयान्वये अखिल भारतीय तंत्रशिक्षण परिषदेच्या शिफारशीवर आधारित वेतनश्रेण्या इतर अटी व शर्तीसह, दिनांक १.१.१९८६ पासून पूर्वलक्षी प्रभावाने लागू करण्यात आल्या होत्या. पाचव्या वेतन आयोगाच्या शिफारशीवर आधारित सुधारित वेतनश्रेण्या तंत्रनिकेतनातील अध्यापकांना वगळता इतर शासकीय कर्मचाऱ्यांना उपरोक्त संदर्भ क्र. २ येथे नमुद केलेल्या शासन अधिसूचने अन्वये लागू करण्यात आल्या. मात्र अखिल भारतीय तंत्रशिक्षण परिषदेने तंत्रनिकेतनातील अध्यापकांना सुधारित वेतनश्रेण्या अद्याप जाहीर न केल्यामुळे तंत्रनिकेतनातील अध्यापकांना सुधारित वेतनश्रेण्या लागू करण्यात आलेल्या नाहीत. त्यामुळे अद्यापही तंत्रनिकेतनातील अध्यापक उपरोक्त संदर्भ क्र. १ येथे नमुद केलेल्या शासन निर्णयप्रमाणे असुधारित वेतनश्रेणी घेत आहेत. तसेच शासकीय कर्मचाऱ्यांना मिळणारे इतर सुधारित भत्ते व आर्थिक लाभ त्यांना लागू करण्यात आलेले नाहीत. अखिल भारतीय तंत्रशिक्षण परिषदेने तंत्रनिकेतनातील अध्यापकांसाठी सुधारित वेतनश्रेणी अद्याप जाहीर केलेल्या नाहीत. म्हणून दरम्यानच्या कालावधीमध्ये तंत्रनिकेतनातील अध्यापकांना पाचव्या वेतन आयोगाच्या शिफारशीनुसार वेतनश्रेणी लागू करण्याचा प्रश्न शासनाच्या विचाराधीन होता. शासन आता खालीलप्रमाणे आदेश देत आहे.

शासन निर्णय

तंत्रनिकेतनातील अध्यापकांना उपरोक्त संदर्भ क्र. १ येथे नमुद केलेल्या शासन निर्णयान्वये लागू असलेली निम्न वेतनश्रेणी आधारभूत मानून त्यांच्या समकक्ष खाली दर्शविलेली सुधारित वेतनश्रेणी दिनांक १.१.१९९६ पासून लागू करण्यात येत आहे. सदर सुधारित वेतनश्रेणी महाराष्ट्र राज्यातील शासकीय तसेच अशासकीय अनुदानित, विना अनुदानित, तंत्रशास्त्र, वास्तुशास्त्र आणि औषधीनिर्माण शास्त्र तंत्रनिकेतनातील जे अध्यापक उपरोक्त संदर्भ क्र. १ मधील २६ मे १९९२ च्या शासन निर्णयान्वये वेतनश्रेणी घेत आहेत त्यांना लागू होईल. विना अनुदानित पदविका संस्थांना, त्यांच्या आस्थापनेवरील अध्यापकांना वरील नविन वेतनश्रेणीमुळे देय होणाऱ्या रकमेबाबत शासनाकडून कोणत्याही प्रकारचे अनुदान/आर्थिक सहाय्य अनुज्ञेय होणार नाही.

अ.क्र.	पदनाम	शासन निर्णय दि. २६.५.९२ नुसार अस्तित्वात असलेली विद्यमान वेतनश्रेणी	सुधारित समकक्ष वेतनश्रेणी
१.	अधिव्याख्याता	रु. २२००-७५-२८०० इवी १००-३७००/-	रु. ७४६०-२२५-११५००
२.	अधिव्याख्याता (वरिष्ठ श्रेणी)	रु. ३०००-१००-३५०० -१२५-४५००/-	रु. १००००-३२५-१५२००
३.	अधिव्याख्याता (निवड श्रेणी)	रु. ३७००-१२५-४७०० -१५०-५३००/-	रु. १२०००-३७५-१६५००
४.	विभाग प्रमुख	रु. ३७००-१२५-४७०० -१५०-५३००/-	रु. १२०००-३७५-१६५००
५.	प्राचार्य	रु. ४५००-१५०-५७०० -२००-६३००/-	रु. १४३००-४००-१८३००

२. अखिल भारतीय तंत्रशिक्षण परिषदेने तंत्रनिकेतनातील अध्यापकांना सुधारित वेतनश्रेणी लागू करण्याबाबतचे आदेश निर्गमित केल्यानंतर राज्यातील तंत्रनिकेतनातील अध्यापकांना त्याप्रमाणे सुधारित वेतनश्रेणी, त्या आदेशातील अटी व शर्तीच्या अधीन राहून विहित करण्यात येतील. दरम्यानच्या काळात ह्या शिक्षकांच्या सेवेबाबतच्या इतर अटी व शर्ती शासन निर्णय, उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग क्र. टिईएम ३३८९/३९५०/टिई-१, दिनांक २६.५.१९९२ अन्वये विहित करण्यात आलेल्या अटी व शर्ती प्रमाणेच लागू राहतील.

३. सुधारित वेतनश्रेणी लागू केल्यामुळे दिनांक १.१.१९९६ ते दिनांक ३०.९.१९९८ या कालावधीत देय होणारी वेतननिश्चितीच्या संदर्भातील थकवाकीची रक्कम संबंधीत कर्मचाऱ्यांच्या भविष्य निर्वाह निधीत जमा करण्यात यावी व ती शासकीय कर्मचाऱ्यांवाबत निर्गमित केलेल्या वित्त विभागाच्या दिनांक १०.१२.१९९८ च्या आदेशाप्रमाणे दिनांक ३१.१२.२००१ पर्यंत काढून घेण्यास मंजूरी देण्यात येवू नये.

४. इतर पूरक भत्याच्या थकवाकीच्या संदर्भात वित्त विभागाच्या दिनांक ७.९.१९९९ च्या आदेशानुसार कार्यवाही करण्यात यावी.

५. शिक्षकांच्या सेवानिवृत्तीच्या वयाचे संदर्भात सध्या अस्तित्वात असलेले आदेश यापुढेही कायम राहतील.

६. सुधारित वेतनश्रेण्या लागू केल्यामुळे करावी लागणारी वेतन निश्चिती व त्यामुळे देय ठरणाऱ्या थकवाकीच्या रकमेचे प्रदान करणे याबाबत शासकीय कर्मचाऱ्यांसाठी वित्त विभागाने वेळोवेळी जे आदेश निर्गमित केले आहेत ते सर्व आदेश शासकीय व अशासकीय अनुदानित तंत्रनिकेतनातील शिक्षकांसाठी लागू राहतील.

७. शासन अधिसूचना, वित्त विभाग, क्रमांक वेपूर १२९८/प्र.क्र. १३/९८ सेवा-१०, दिनांक १० डिसेंबर, १९९८ मधील नियम क्र. ५ व ६ नुसार विकल्प देण्याबाबतची कार्यवाही हे शासन निर्णय निर्गमित झाल्याच्या दिनांकापासून एक महिन्याच्या आत करण्यात यावी.

८. यासाठी होणारा खर्च २२०३ तंत्रशिक्षण या मुख्य लेखाशिर्षाखालील खाली नमुद केलेल्या उपलेखाशिर्षाखाली मंजूर असलेल्या अनुदानातून भागविण्यात यावा.

- (अ) "१०४, अशासकीय तंत्र महाविद्यालये व संस्थांना सहाय्य-१०४ (एक) (ए) परिरक्षण अनुदाने- (दोन) तंत्रनिकेतने (२२०३०१५८)"
(ब) "१०५, तंत्रनिकेतने-१०५ (एक) (ए) शासकीय तंत्रनिकेतने (२२०३०२०२)"
(क) "१०५, तंत्रनिकेतने-१०५ (एक) (बी) शासकीय तंत्रनिकेतनाचा विस्तार व विकास (२२०३०२११)"

९. हा शासन निर्णय वित्त विभागाच्या अनौपचारिक संदर्भ क्र. १२५२/सेवा-१०, दिनांक १७.१२.१९९९ अन्वये त्या विभागाने दिलेल्या सहमतीने निर्गमित करण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने

(मु.ध.अंबादे)
अवर सचिव

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पाचवा वेतन आयोग

नगरपरिषदा/महानगरपालिका (मुंबई महानगरपालिका वगळून) यांच्या तर्फे चालविल्या जाणाऱ्या माध्यमिक, उच्च माध्यमिक शाळांतील तसेच अध्यापक विद्यालयातील शिक्षक व शिक्षकेतर कर्मचाऱ्यांना सुधारित वेतनश्रेण्या मंजूर करणे.

महाराष्ट्र शासन
शालेय शिक्षण विभाग,

शासननिर्णय क्र. पावेआ-१०९९/(४८/९९/माशि-२

मंत्रालय, मुंबई ४०० ०३२, दिनांक २४ डिसेंबर १९९९.

वाचा : (१) शासननिर्णय, शालेय शिक्षण विभाग क्र. पावेआ-१०९९/(४८/९९/माशि-२, दिनांक १३ मे १९९९,

(२) शासन पूरकपत्र, शालेय शिक्षण विभाग क्र. पावेआ-१०९९/(४८/९९/माशि-२, दिनांक ९ ऑगस्ट १९९९,

(३) शासनशुद्धीपत्रक, शालेय शिक्षण विभाग क्र. पावेआ-१०९९/(४८/९९/माशि-२, दिनांक ६ सप्टेंबर १९९९,

शासन निर्णय : राज्यातील खाजगी माध्यमिक, उच्च माध्यमिक शाळांतील तसेच अध्यापक विद्यालयातील शिक्षक-शिक्षकेतर कर्मचाऱ्यांना उपरोक्त दिनांक १३ मे १९९९ व दिनांक ६ सप्टेंबर १९९९ च्या शासन निर्णयान्वये मंजूर केलेल्या सुधारित वेतनश्रेण्या नगरपरिषदा/महानगरपालिका (मुंबई महानगरपालिका वगळून) यांच्यातर्फे चालविल्या जाणाऱ्या माध्यमिक, उच्च माध्यमिक शाळांतील तसेच अध्यापक विद्यालयातील शिक्षक व शिक्षकेतर कर्मचाऱ्यांना जशाच्या तशा मंजूर करण्यात येत आहेत.

सदर शासन निर्णय वित्त विभागाच्या सहमतीने त्यांच्या अनौपचारिक संदर्भ क्र. २४५४०/सेवा १० दिनांक २४.१२.१९९९ अन्वये निर्गमित करण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

(चुंदा पवार)

अवर सचिव, महाराष्ट्र शासन

AF **** P 129

CAN STATE GOVT. DETERMINE TEACHERS' RETIREMENT AGE ?

Law & You : By B M Singh

The University Grants Commission Act (93 of 1956) falls under entry 66 of list I, Schedule 7. Objects and Reasons for the Act are as follows:

"1. The Constitution of India vests Parliament with exclusive authority in regard to **Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institution**. It is obvious that neither co-ordination nor determination of standards is possible unless the Central Government has some voice in determination of standards of teaching and examination in Universities, both old and new.

2. It is, therefore, proposed to establish a University Grants Commission as a corporate body which will inquire into the financial needs of Universities and allocate and disburse grants to Universities for any general and specific purpose. The Commission will act as an expert body to advise the Central Government on problems connected with the CO-ORDINATION of facilities and maintenance of standards in Universities.

The Commission, in consultation with the University connected, will also have the power to cause an inspection or inquiry to be made of any University established by law in India and to advise the University on any matter which has been the subject of an inquiry or inspection. The Commission shall also advise whenever such advice is sought, on the establishment of new Universities."

2. Ever since the inception of the UGC, it has been determining the pay-revision/pay-scales of teachers working in universities and colleges affiliated to universities including government colleges.

3. Power and Functions of the Commission have been specified under Chapter III of the UGC Act, Revision of pay-scales, etc, is one of the functions of the Commission. The UGC has submitted an affidavit in Delhi High court to the effect that pay-revision, etc, is an integral part of determination of standards in institution for higher education. The writ petition is still under adjudication in that Court.

4. A Pay Review Committee was constituted by the UGC on 24 August 1994 under the Chairmanship of former Vice-Chancellor of Banaras Hindu University, **R P Rastogi, to consider revision of pay scales and service conditions of university and college teachers**. The panel was constituted in consultation with the Human Resource Development Ministry, Govt. of India. In addition to teachers, the panel was to cover librarians, directors of physical education and registrars/deputy registrars etc of universities. Originally the panel consisted of 7 members which was later expanded on 30 August 1994 by adding 3 more members. The tenure of the Rastogi Committee continued till the end of 1997.

5. Thereafter the Rastogi Committee submitted its Report to the UGC. Recommendations of the Rastogi Committee are contained in Chapter VI of the Report. Para 6.1 of Chapter VI reads as follows:

"6.1 Introduction

"Pay scales, service conditions and environments are the conditions which enable a teacher to contribute to the system of education which, in turn, contributes to national development. These conditions help in attracting and retaining talented persons in the teaching profession. "Keeping this objective in view in order to improve the quality of education, the Committee examined the present structure of emoluments and conditions of service of university and college teachers, librarians (including deputy librarians and assistant librarians), Directors (including deputy directors and assistant directors of physical education) and Registrars (including deputy registrars and assistant registrars) of universities. In making these recommendations the Committee took into consideration the

recommendations of the 5th Central Pay Commission on such matters as covered by own terms of reference."

6. Regarding the age of superannuation, the Rastogi Committee in para 6.11 of Chapter VI made the following recommendation:

"6.11 Age of Superannuation

"The age of superannuation has been the subject of many representations received by the Committee. At present there is considerable diversity among institutions in this respect. While most universities observe 60 years as the age of retirement, Government colleges in most parts of the country have 58 years as the age of superannuation. Government aided colleges, on the other hand follow the universities in some places and the Government colleges in other, Kerala continues with 55 years as the age of superannuation for its college teachers. The Committee, therefore, recommends that the age of superannuation to be uniformly 60 years in all colleges and universities. This gives an additional 2 years in most of the states and, in Kerala, 5 years to teachers as compared to employees in the Government sector. **The 5th Pay Commission has recommended 60 years as superannuation age for Government employees. If this is accepted by the Government, the age of superannuation for teachers should be 62 years.**"

7. Recommendations made by the Rastogi Committee were accepted except the pay-scales which were upgraded by the UGC. All other recommendations were accepted by the UGC, including the age of superannuation.

8. Accepting the recommendations of the Rastogi Committee, the UGC issued a comprehensive notification dated 24 December 1998. A copy of the notification was sent to Education Secretaries of all the States, the Vice-Chancellors of the Universities.

9. Para 4 of the letter dated 24 December 1998 vide which the UGC notification referred to above was sent reads as follows:

"4. Consequences of failure of the Universities to comply with the recommendations of the Commission, as per provision of Section 14 of the UGC Act, 1956:

" In any University grants affiliation in any respect to any course of study to any college referred to in sub-section (5) of section 12A in contravention of that provision of that sub-section or fails to comply with any recommendations made by the Commission under Section 12 or Section 13, or contravenes the provision of any rule made under clause (f) of sub-section (2) of section 25 or any regulations made under clause (e) or clause (g) of sub-section (1) of section 26, the Commission after going into consideration of the cause, if any shown, by the University for such failure or contravention, may withhold from the university the grants proposed to be made out of the funds of the Commission"

10. The opening para of the Notification dated 24 December 1998 issued by UGC reads as follows:

" The scheme of revision of pay scales, minimum qualifications for appointment, **other service conditions of University and College teachers, Librarians, Directors, of Physical Education** and Registrars of Universities as a measure for the maintenance of standards in higher education."

11. Para 1.0.0 COVERAGE reads as follows:

"1.0.0 The scheme applies to University and College Teachers, Librarians, Directors of Physical Education and Registrars of Universities (excluding Agricultural Universities), and Colleges (excluding Agricultural, Medical, Veterinary Colleges) admitted to the privileges of the Universities unless they specifically exercise an option in writing to remain out of this scheme. However the scheme will apply to the Teachers in the Faculty of Agriculture, Medicine and Veterinary Sciences in Cen-

tral Universities.”

12 Para 16.1.0 Superannuation reads as follows:

“16.1.0 Teachers will retire at the age of 62 years. However, it is Open to a University or a college to re-employ a superannuated teacher according to the existing guidelines framed by the UGC up to the age of 65 years”

“16.2.0 ***

13. Para 15 of the UGC recommendations to the Central Government concerning the age of superannuation is as follows:

“15 Age of Superannuation

Rastogi Committee

The age of superannuation may be uniformly 60 years in all colleges and universities. The 5th Pay Commission recommended 60 years as superannuation age for Government employees. If this is accepted by the Government, the age of superannuation for teachers should be 62 years. [Para 6.11]

View of the Commission

a. The age of superannuation should be 60 years with a provision for re-employment for 5 years. Extension of such service should be given only where the service of the person is required selectively on academic grounds, such as lack of availability of suitable persons in the areas of expertise of the teacher and specific institutional needs. It is not expected to be routine extension (While the Government of India has not accepted 60 years for Central Government employees), if subsequently, the age of retirement is raised to 60 years, the superannuation age should be 62 years for teachers, in that case, re-employment should be for 3 years only.

b. The teacher may be re-employed till the end of the term/semester so that the teaching is not disturbed”

14. From the foregoing paras, it manifest that the age of retirement of teachers has to be 62 years.

15. Para 5 of the letter dated 24 Dec. 1998 issued by the UGC to Vice-Chancellor/Secretaries of Education reads as follows:

“5. The University Grants Commission expects that the entire scheme of revision of pay scales, together with all the conditions attached to it, would be implemented by the State Government as a composite scheme without modifications except the date of implementation and the scales of pay as indicated by the Govt. of India notification No. F.1-22/97-U.I. dated 27-7-1998, 22-9-1998 and 6-11-1998. It shall be necessary for the Universities and the managements of the colleges to make the necessary changes in their statutes, rules, regulations, etc to incorporate the provision of this scheme.”

16. The **State of Punjab** has implemented the UGC pay scale with effect from 1 January 1996 and the necessary notification have been issued, However, **it has not accepted the enhanced age of superannuation, i.e. 62 years. Therein lies the grievance.**

17. There are 3 levels of education: Primary education, Secondary education and Higher education Higher education is under Entry 66 of List 1. Education is in the concurrent list also (Entry 25 of List 3)

18. In view of the law laid down by the Supreme Court of India in Osmania University Teachers' Association, Appellant state of Andhra Pradesh and another, Respondents, AIR 1987 SC 2034, **the action of the State of Punjab is beyond its competence.**

19. For implementation of the revised pay scales, the Central Government gives 80% grant-in-aid and the remaining 20% paid by the State Government. In The State of Maharashtra and Ors v Association of Maharashtra Education Service Class II Officers and Others AIR 1974 SC 2184 While with the UGC pay-scale the Supreme Court of India held that "the State Government having received on stated terms and conditions the 80% contribution from the Government of In-

dia for implementing the Scheme, it was not right on its part to depart from the rudiments of that scheme and to devise a new mechanism entailing the imposition of fresh conditions as pre-requisite to eligibility for higher pay scale.” [Para 7]

20. In University of Delhi v Raj Singh, AIR 1995 SC 336, the Supreme Court of India held while interpreting Entry 66 of List 1 that “power to legislate on subject was normally to be held to extend to all ancillary and subsidiary matters which could fairly and reasonably be said to be comprehended in that subject”, (see para 13 of the judgment)in the same judgments, it was held that the "Regulations made by the UGC were valid and mandatory and the Delhi University was obliged under law to comply therewith.” [Para 24]

21. In August 1998, University and college teachers all over the country proceeded on strike for the implementation of the UGC pay scales. The Government of India (Ministry of Human Resource Development) issued an appeal to University and college teachers (published in The Times of India of 30 August 1998 and other newspapers) stating, inter alia, "the retirement age of teachers has been raised to 62 years.” In view of this statement, the State Government has no right to curtail the age of retirement to 60 years. When there is a conflict between the Central law and the State law, it is the Central law which shall prevail. Moreover, when a field is occupied on the same subject under Entry 25 of List 3.

22. Retirement is a condition of service. Even in the case of Government college teachers, the State has no right under law to constitute a pay revision panel which authority has been given by the Parliament to UGC under Entry 66 of List 1. Teachers working in Government colleges run by the State fall within the “reasonable classification” and are distinct from other government servants in whose case the State Government has to constitute Pay Commission and prescribe service conditions including the age of retirement. In the case of Government College teachers, it has no right to prescribe the age of retirement. **In the light of the above submissions, it is averred that the State Government has no right to determine the age of retirement in the case of teachers working in universities/state-aided college/government colleges when the UGC/Government of India (Ministry of Human Resource Development) has prescribed the age of superannuation at 62 years.**

FS **** P 01

-- Courtesy " UNIVERSITY TODAY" of 1st MAY 1999, an article titled as "LAW TODAY- Law & You" - By B M Singh

For pre 1986 pensioners

Extract of para 11 of Government Resolution, Finance Department, No. PEN 1099/304/SER-4 dated 15th November 1999

"11. Each pre-1986 pensioner/family pensioner who was in receipt of pension as on 1st January 1996 is required to apply for revision of pension in the prescribed form **(in duplicate)** as at **Annexure III** to Head of Department/Office from which the Government servant had retired or was working last before his death within a period of 180 days from the date of issue of these orders. Those who failed to submit their application within the stipulated period will be deemed to have opted to continue to draw their existing pension/family pension. However, any delay in submission of application for revision of pension will be condoned only with the approval of the concerned Administrative Department of the Mantralaya. It will be in the interest of the pensioner to furnish full details available with him, which may facilitate fixation of his pay on notional basis, in the application submitted by him."

For Form of Application see page 36 of this Bulletin - Editor

No.F.37-104/95-TS.II
GOVERNMENT OF INDIA
Ministry of Human Resource Development
(Department of Education)
Shastri Bhavan, C Wing, New Delhi
Dated: October 9,1998

To,

The Secretaries dealing with Technical Education of all States/ Union Territories

Sub : *Revision of pay scales of teachers in Engineering colleges and other degree level technical institutions including Architecture, Town Planning, Pharmacy and Applied Arts and Crafts institutions following the revision of pay scales of Central Government employees on the recommendations of Fifth Pay Commission.*

Sir,

I am directed to say that in fulfilment of the Constitutional responsibility for coordination, determination and maintenance of standards in Higher and Technical Education, the Central Government and the All India Council for Technical Education (AICTE) have taken, from time to time, several measures, Following the revision of pay scales of Central Government employees on the recommendations of the 5th Central Pay Commission, the Central Government has revised the pay scales of teachers in Central/Universities and colleges thereunder and has offered to provide financial assistance to those State Governments who wish to adopt and implement the same in their respective States.

2. It has now been decided by the Central Government, after taking into consideration the recommendations made by the AICTE and the revised pay scales of teachers in Central Universities and colleges thereunder, to revise the pay scales of teachers in the Centrally-funded degree level technical institutions. A copy of the scheme giving details of the revised scales of pay and other related provisions is enclosed (Annexure).

3. The Central Government has decided to provide financial assistance to the State Governments who wish to adopt and implement the scheme of revision of pay scales subject to the following terms and conditions :

(a) The Central Government will provide financial assistance to the State Government which have opted for these revised pay scales to the extent of 80% of the additional expenditure involved in the implementation of the revision.

(b) The State Government will meet the remaining 20% of the expenditure from their own sources.

(c) The financial assistance, indicated above, would be provided for the period from 1-1-1996 to 31-3-2000.

(d) The entire liability on account of revision of pay scales etc. of teachers of degree level technical institution would be taken over by the State Governments w.e.f.1-4-2000.

(e) The Central assistance would be restricted to revision of pay scales in respect of only those posts which were in existence and filled up as on 1-1-1996.

4. The State Governments, after taking local conditions into consideration, may also decide in their discretion, to introduce scales of pay different from those mentioned in the scheme and may give effect to the revised scales of pay from January 1, 1996 and from 27-7-1998, as the case may be or a later date, in such cases, the details of the modifications proposed either to the scales of pay or the date from which the scheme is to be implemented, should be furnished to the Government of India for its approval and, subject to the approval being accorded to the modifications, Central assistance on the same terms and conditions as indicated above will be available to the State Governments for implementation of the Scheme with such modifications, provided that the modified scales of pay are not higher than those approved under the Scheme.

5. The payment of Central assistance for implementation of the Scheme is also subject to the condition that the entire Scheme of revision of pay scales, together with all the conditions to be laid down in this regard by the AICTE is implemented by the State Governments as a composite scheme

without any modification except to the date of implementation and scales of pay as indicated above.

6. It shall be necessary for the technical institutions to make necessary changes in their Statutes, Memorandum of Association, Rules/Scheme, Regulations, Bye-laws etc. as the case may be, to incorporate the provisions of the scheme.

7. The detailed proposal for implementation of the Scheme on the lines indicated above may kindly be formulated immediately and sent to the Department of Education in the Ministry of Human Resource Development for examination so that Central assistance to the extent indicated above can be sanctioned for the implementation of revised scale of pay.

8. Anomalies if any, in the implementation of the Scheme may be brought to the notice of Department of Education in the Ministry of Human Resource Development for clarification.

9. This scheme applies to teachers in all degree level technical institution and colleges, University Faculties/Departments/ Institutions which are covered under the AICTE Act.

10. Regional Engineering Colleges are joint ventures of the Government of India and State Governments, This Scheme of revised pay scales may be implemented by them with the approval of their respective Board of Governors.

11. The receipt of this letter may kindly be acknowledged.

Yours faithfully,
Sd/- (K.N.BISWAS)

Deputy Secretary to the Government of India
Tel No. 3387163

Encl. : As above

Copy forwarded for information and necessary action to :

1. *Member-Secretary, All India Council for Technical Education, Indira Gandhi Sport Complex, I.P.Estate, New Delhi-110002.*

2. *All Divisions in the Technical Education Bureau.*

ANNEXURE

Scheme of Revision of Pay scales of teachers in Centrally Funded degree level technical Institutions following the revision of pay scales of Central Government employees on the recommendations of the fifth Central Pay Commission.

1. (i) Pay Scales

Statement showing the existing and revised scales of pay of teachers from 1-1-1996 to 26-7-1998 is at Annexure I. For the period 27-7-98 onwards the scales contained in Annexure II would be applicable.

The revised scale of pay of Associate Professor is for the existing incumbents only on personal basis. These posts will be abolished as and when the present incumbents vacate the posts. No fresh recruitment shall be made to the cadre.

The Scheme of revision of pay scales of Librarians and Physical Education personnel was included in Ministry of Human resource Development Letter No.F6-1/88. T.5 dated 28-02-1989. The revised pay scales for these categories as given in Annexure III will be applicable to such technical institutions where the scheme as contained in the Ministry's letter referred to above are in operation before- 1-1-1996.

(ii) Incentives for Ph.D/M.Phil/M.E./M.Tech.

a) At the time of recruitment as lecturer, four and two advance increments will be admissible to those of the Science/ Humanities faculty who hold Ph.D and M.Phil degrees respectively, and to those of the technical faculty who hold Ph.D and M.E./M.Tech. degrees respectively.

b) One increment will be admissible to those Science/ Humanities teachers with M.Phil and to those technical faculty with M.E./M.Tech. who acquire Ph.D. within two years of recruitment.

c) A Lecturer with Ph.D will be eligible for two advance increments when he moves into Selection Grade as Assistant Professor.

d) A teacher will be eligible for two advance increments as and when he acquires a Ph.D. degree in his service career.

iii) Career Advancement

a) Minimum length of service for eligibility to move into the grade of Lecturer (Senior scale) would be four years for those with Ph.D. five years for those with M.Phil/M.E./M.Tech and six years for others as a Lecturer, and for eligibility to move into the Grade of Lecturer (Selection Grade)/Assistant Professor, the minimum length of service as Lecturer (Senior Scale) shall be uniformly five years.

b) For movement into grades of Assistant Professor and above, the minimum eligibility criterion would be Ph.D. Those teachers without Ph.D can go upto the level of Lecturer (Selection Grade).

c) An Assistant Professor with a minimum of eight years of service will be eligible for consideration for appointment as Professor.

d) For every upward movement, a selection process would be evolved, for which appropriate guidelines would be laid down by the All India Council for Technical Education (AICTE) in consultation with the Government of India.

(iv) Rewarding the Merit

a) The matter of laying down a supertime scale of Rs.22,000-500-24,500 to Professors of Eminence in technical education will be considered in due course.

b) AICTE would prepare a specific scheme in consultation with Government to reward and recognise meritorious teachers in technical education who may not have M.Phil/M.E./M.Tech. or Ph.D but who have made outstanding contributions in teaching and research.

(v) Allowances, Effective Date and Fitment Formula

a) The revised scales of pay as contained in Annexure-I will be given effect from 1-1-1996 to 26-7-1998.

b) The revised scales of pay as contained in Annexure-II will be given effect from 27-7-1998.

c) Pay with effect from 1-1-1996 in the revised scale of pay will be fixed after giving the benefit of one increment for every three increments earned in the pre-revised scales as stipulated in Rule-7 of Central Civil Services (Revised Pay) Rules, 1997, and governed by other relevant provisions of Central Civil Services (Revised Pay) Rules, 1997 as applicable.

d) Pay in the revised scales of pay as at Annexure-II shall be fixed at the same stage with reference to the stage admissible vide para (c) above, In cases where the same stage is not available, the pay may be fixed at the stage next above the pay admissible vide para (c) above.

e) The payment of arrears will be made in one instalment.

f) Teachers in Centrally funded degree level technical institutions will be entitled to Dearness Allowance, House Rent Allowance, Transport Allowance, City Compensatory Allowance and other allowances at the same rates and dates as applicable to the Central Govt.Employees.

(vi) Age of Superannuation

The age of superannuation of teachers in degree level technical institutions would be 62 years and thereafter no extension in service will be given. However, the Institute may re-employ a superannuated teacher upto 65 years in accordance with the existing provision(s) in the Statutes/Memorandum of Association and Rules/Schemes, Regulations and Bye-laws of the Institute, as the case may be.

vii) Other Terms and Conditions of Services of Teachers

Other terms and conditions of service of teachers shall be notified by the AICTE incorporating the approved pay scales and other related conditions on the line of existing scheme(s) with the approval of Government of India.

2. Pending the notification of terms and conditions of service by the AICTE, the revised scales of pay including arrears of salary may be given to the teachers in centrally funded degree level technical institutions.

3. This scheme will be applicable to teachers in all the Centrally Funded degree level technical Institutions, Colleges and Deemed-to-be Universities except IITs,IIMs,IISc,Indian School of Mines (ISM), Dhanbad and National Institute of Industrial Engineering (NITIE), Mumbai.

4. These orders are subject to the conditions as contained in para 4 of Ministry of Finance OM No. 7(34)/E.III-A/97 dated 2-12-1997 on pay revision of employees of Quasi-Government Organisations/Autonomous Organisations, Statutory Bodies etc.set up and funded by the Central Government.

5. The implementation of the revised scales will be subject to the acceptance of all the conditions mentioned in the scheme as well as of the other terms and conditions to be issued by the AICTE in this behalf.

6. The institutions are required to amend their Statutes, Memorandum of Association, Rules/Schemes, Regulations, By laws of the Institutes, as the case may be, in line with the scheme within three months.

7. Anomalies,if any, in the implementation of the scheme may be brought to the notice of Department of Education, Ministry of Human Resource Development for clarification.

AMRAVATI UNIVERSITY GAZETTE

Official publication of Amravati University

PART - ONE- PAGE 97

Thursday, The 30th December, 1999.

DIRECTION

No. 7/99

Dated 27.12.1999

Subject : Implementation of pay scales of teachers and other measures for maintenance of standards in Higher Education for University / College teachers and University Officers.

Whereas, the Government of Maharashtra in Higher and Technical Education Department has issued Government Resolution No. NGC-1298/(4619)/UNI.4 dated 11th December, 1999; AND

Whereas, the Deputy Secretary to Government of Maharashtra in the above said Government Resolution suggested the Universities as under :-

"The Universities should initiate action to frame statutes under the relevant provisions of the Maharashtra University Acts. (Act XXXV of 1994) 1994, and take immediately all appropriate steps which may be required to implement this package scheme and scheme of revision of pay scales for the maintenance of standards in Higher Education, for their teachers and college teachers"; AND

Whereas, the Deputy Secretary to Government of Maharashtra in the above said Government Resolution requested, the Vice-Chancellors of all the non agricultural Universities in the State, to ensure that no part of this scheme remains unimplemented or not implemented effectively for want of guidance in the form of statutes, ordinances, regulations, rules and criteria as may be required; AND

Whereas, the University had to initiate action to frame suitable statute under the provisions of section 51 of the Maharashtra Universities Act, 1994 to implement the package scheme of revision of pay scales of teachers and other measures for maintenance of standards in Higher Education for University/College Teachers and University officers; AND

Whereas, the matter is of urgent nature and framing of Statute is likely to take some time;

In view of the above, to give immediate effect to the provisions contained in the Government Resolution No. NGC-1298/(4619)/UNI.4 dated 11th December, 1999, I, Dr. S.T.Deshmukh, Vice Chancellor of Amravati University under powers vested in me vide Section 14 (8) of the Maharashtra Universities Act, 1994, hereby issue the following directions.

1. This direction shall be known as "Implementation of pay scales of teachers and other measures for maintenance of standards in Higher Education for University/College Teachers and University officers Direction, 1999."

2. This direction shall come into force from the date of its issuance.

3. In this direction, unless the context otherwise requires;

(a) "Government Resolution" means Government Resolution No. NGC-1298/(4619)/UNI.4, Dated 11th December, 1999, hereinafter referred to as Government Resolution and enclosed herewith as Annexure-A.

(b) Provisions contained in the Government Resolution shall be applicable from the date of issuance of this direction.

Place : Amravati

Dr. S.T.Deshmukh
Vice-Chancellor

ANNEXURE III

(As referred to in para 11 of Government Resolution, Finance Department,
No. PEN 1099/304/SER-4 dated 15th November 1999)

FORM OF APPLICATION

(To be submitted in duplicate)

To,

.....
.....
.....

(Head of Department/office)

Subject - Revision of Pension/family pension in the case of pre-1986 pensioners/Family pensioners as on 1st January 1996 in terms of Government Resolution, Finance Department, No. PEN 1099/304/SER-4, dated 15th November 1999.

Sir,

Kindly revise my pension/family pension entitlement in terms of Government Resolution, Finance Department, No. PEN 1099/304/SER-4, dated 15th November 1999. The requisite particulars are given below :-

1. Name of the Applicant in Block
letters and Full Postal Address.
2. Type of Pension admissible
3. Name of the deceased Government
Servant/Pensioner in case of Family pension.
4. Date of retirement
5. Date of death of the Government employee.
6. Date from which pension/family pension is being drawn.
7. Pension payment order (P.P.O.) No.
8. Department/Office in which the
pensioner/deceased Government servant
(pensioner) served last and the post held by him.
9. The scale of pay of the post last held
and the last pay drawn.
10. Name of the pension Authorising
Authority i.e. the authority which issued PPO.
(i.e. Accountant General, Maharashtra,
Mumbai/Nagpur, as the case may be).
11. If any documentary evidence is being
attached to facilitate determination of length
of qualifying service as also revised scale of
pay for the post last held by the pensioner/deceased
Government Servant or pensioner, if yes, details thereof.

Date : Signature of pensioner/Family pensioner)
Particulars at 2,3,6 and 7 have been verified and found correct.

Rubber Stamp of
Head of Department/Office

Signature

Applicable only in cases where the applicant is a family pensioner.

AF 99 **** P 217

Note : For pre 1986 pensioners : Please see Extract of para 11 of Government Resolution, Finance Department, No. PEN 1099/304/SER-4 **dated 15th November 1999 on page 33 of this Bulletin (GR on page 162 of 1999 Bulletin)**

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