

## A G E N D A

of the General Body Meeting of  
NAGPUR UNIVERSITY TEACHERS' ASSOCIATION  
to be held at 12.00 noon on  
**SUNDAY, the 24th November, 1996** at  
**S. S. N. J. Mahavidyalaya, Deoli**  
Dist. Wardha.

### ITEM NO. 203 :

#### CONFIRMATION OF MINUTES :

TO CONFIRM the minutes of the General Body meeting of Nagpur University Teachers' Association held at 12.00 noon on Sunday, the 10th March 1996, Bharatiya Mahavidyalaya, Amravati.

*Note :- copy of the minutes is circulated on page no. 115 of 1996 NUTA Bulletin.*

#### विषय क्रमांक २०३ अ :

प्रा. अरूण वडीतवार यांचे दुःखद निधनावद्दल शोकप्रस्ताव  
प्रा. अरूण वडीतवार यांचे दुःखद निधनावद्दल प्रा. एम.एन.अंधारे  
हे शोकप्रस्ताव मांडतील :-

#### विषय क्रमांक २०३ ब :

प्रा. अनंत गाडगीळ यांचे दुःखद निधनावद्दल शोकप्रस्ताव  
प्रा. अनंत गाडगीळ यांचे दुःखद निधनावद्दल प्रा. एकनाथ कठाळे  
हे शोकप्रस्ताव मांडतील :-

#### विषय क्रमांक २०३ क :

प्रा. ए.एस. कदम यांचे दुःखद निधनावद्दल शोकप्रस्ताव  
प्रा. ए.एस. कदम यांचे दुःखद निधनावद्दल प्रा. डी.डी.सोमानी हे  
शोकप्रस्ताव मांडतील :-

### ITEM NO. 204 :

#### APPROVAL TO THE AUDITED STATEMENT.

To consider and to approve the Audited Balance Sheet and Income and Expenditure Account of the Association for the year ended on 31st March, 1996

*Notes : (i) The copy of the Audited Balance sheet and Income and Expenditure Account of the Association for the said Financial year is circulated on page 128 of 1996 NUTA Bulletin.*

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

*(iii) If any honourable member has a query, regarding the Audited Balance sheet and Income and Expenditure Account, he should make it, within a week from the date of it's circulation, to Prof. S.A.Tiwari, Treasurer, NUTA, 42 Shankar Nagar, Amravati-444 606, specifying the exact point on which he seeks information/ clarification. A copy of the query be also sent to prof B.T.Deshmukh, President, NUTA No.3, Subodh Colony, Near Vidarbha Mahavidyalaya, Amravati-444 604.*

### ITEM NO. 205 :

#### STATEMENT ON FIXED SECURITIES POSITION :

To Note the Statement no.7 showing the position of the Fixed Securities of the Association as on 31st March 1996.

*Note : statement no.7 regarding the fixed securities of the association as on 31st March 1996. is circulated on page 127 of 1996 NUTA Bulletin.*

#### विषय क्रमांक : २०६

#### वर्गातील विद्यार्थी संख्येमध्ये वाढ

कार्यकारी मंडळाच्या वतीने मांडण्यात येत असलेला पुढील प्रस्ताव विचारत घेणे व मान्य करणे :-

“१९ जून १९९५ च्या शासन निर्णयाने वर्ग तुकडीतील विद्यार्थ्यांच्या

#### NAGPUR UNIVERSITY TEACHERS' ASSOCIATION MEETING NOTICE : 2 Date : 05.11.1996

From  
**Prof.E.H.Kathale,**  
Secretary, NUTA,  
N-162 Reshim Bagh, Nagpur-440 009.

To,  
**All the members**  
of the Nagpur University Teachers' Association

Dear members,

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

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

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

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

**Date and Place of the meeting**  
**Sunday, the 24th November, 1996**

**S. S. N. J. Mahavidyalaya, Deoli**  
Dist. Wardha.

संख्येमध्ये मोठ्या प्रमाणात वाढ करणारे आदेश निर्गमित करण्यात आले होते. त्यावर नुटाच्या आमसभेने रविवार, दिनांक १५ ऑक्टोबर १९९५ रोजी झालेल्या बैठकीमध्ये विषय क्रमांक १८५ अन्वये पुढील प्रमाणे ठराव मंजूर केला होता :-

“ज्याअर्थी महाराष्ट्र शासनाच्या उच्च शिक्षण विभागाच्या दिनांक १९ जून १९९५ च्या एका शासननिर्णयाने कला, वाणिज्य व विज्ञान विद्याशाखेतील वर्ग तुकडीतील विद्यार्थ्यांच्या संख्येमध्ये फार मोठ्या प्रमाणावर वाढ करणारे आदेश निर्गमित केले आहेत;

आणि ज्याअर्थी महाराष्ट्र शासन व महाराष्ट्र प्राध्यापक संघ यांच्यामध्ये सर्व विद्यापीठांच्या मा. कुलगुरुंच्या उपस्थितीमध्ये व मा. मुख्यमंत्र्यांच्या अध्यक्षतेखाली, दिनांक १५ जुलै १९७७ रोजी, झालेल्या बैठकीमध्ये उभयपक्षी स्वाक्षरीत झालेल्या मतैक्यपत्रामध्ये स्पष्टपणे पुढील प्रमाणे मतैक्याचा मुद्दा नमूद आहे :-

**"Consensus No. 2 : Consensus reached in the discussion of the representatives of the Maharashtra Federation of University and College Teachers' Organisations with the Chief Minister of Maharashtra on 4th June, 1977 and subsequent meeting held on 8th July 1977.**

**Following were present on 4th June, 1977.**

**On Behalf of Government 1) Chief Minister in the Chair, 2) Minister for Education, 3) Minister of State for Education, 4) Secretary, Education and Youth Service Department, 5) Director of Higher Education and Youth Service Department, 6) Director of Higher Education, Maharashtra State Pune, 7) Deputy Secretary, Education and Youth Services Department.**

**Vice Chancellors Shri. D.Y. Gohokar, V.C. Nagpur University Shri. D.A.Dabholkar, V.C. Poona University Shri. P.G.Patil, V.C. Shivaji University Smt. Madhuriben Shah, V.C. S.N.D.T. Women University Shri. Ram Joshi V.C. Bombay University.**

**On Behalf of M.F.U.C.T.O. 1. Shri. L.B. Keny President, & other Executive Committee Members 2. The discussions mainly centred round the four points and the detailed issues relating thereto, mentioned in the note circulated by the Education and Youth Service Department. While, pending further full consensus could not be reached on the point relating to "Work Load" consensus was reached on the remaining three points, namely "Size of a Class", "Vacation" and "Remuneration for Examination Work" and the same has been recorded below.**

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

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

आणि; ज्याअर्थी नागपूर विद्यापीठाच्या अध्यादेश क्रमांक २०

मध्ये (जो अमरावती विद्यापीठाला सुद्धा लागू आहे.) पुढील तरतूद स्पष्टपणे नमूद आहे :-

**" Faculties of Arts, Social Sciences, Science and Commerce, the size of the theory class shall be increased to such extent that lectures shall be delivered to 80 students at a time with a provision for an extra of ten percent for leaving off during the course of this session".**

आणि; ज्याअर्थी १९ जून १९९५ च्या शासननिर्णयातील तरतुदी केवळ मतैक्यपत्राच्या विरुद्ध आहे असेच नव्हे तर गेल्या अनेक वर्षांपासून विद्यापीठात अस्तित्वात असलेल्या अध्यादेशाचा सुद्धा भंग करणाऱ्या आहेत, इतकेच नव्हे तर विदर्भात अस्तित्वात असलेल्या वर्ग खोल्यांचा आकार लक्षात न घेता विद्यार्थ्यांना वर्ग खोल्यामधून कोंवण्याचा हा प्रकार संपूर्णपणे अशैक्षणिक आहे. वर्गातील विद्यार्थी संख्येबाबत राष्ट्राच्या व महाराष्ट्राच्या पातळीवर स्थिर झालेल्या विचारांचा उघडउघड अधिक्षेप या शासननिर्णयाने केला आहे.

त्याअर्थी हे सभागृह हा शासननिर्णय तत्परतेने मागे घेण्यात यावा अशी मागणी करित आहे."

आमसभेने मंजूर केलेल्या या ठरावाची प्रत शासनाला पाठविण्यात आली होती. त्यानंतर शासनाने २२ फेब्रुवारी १९९६ रोजीच्या शासन निर्णयाने परस्पर विरोधी आदेश निर्गमित केल्याचे स्पष्टपणे दिसून येते. "प्रत्येक वर्गासाठी/अभ्यासक्रमासाठी विद्यापीठाने परिणियम अध्यादेश व इतर कायदेशीर पद्धतीने विद्यार्थी संख्या यापूर्वीच ठरविलेली आहे. त्यात वरील शासन निर्णयानुसार कोणताही बदल करण्यात आलेला नाही." असे एका बाजूला म्हणावयाचे व दुसऱ्या बाजूला त्याच शासननिर्णयामध्ये " दुसऱ्या वर्गात प्रवेश घेतलेल्या विद्यार्थ्यांची एकत्रित संख्या १२१ झाल्यावरच त्या विद्याशाखेसाठी दुसऱ्या तुकडीला अनुदान अनुज्ञेय आहे. १२१ पेक्षा कमी विद्यार्थी असल्यास त्या विद्याशाखेसाठी दुसऱ्या तुकडीला अनुदान अनुज्ञेय होणार नाही." असे नमूद करावयाचे हे अत्यंत विसंगत व परस्पर विरोधी आहे, हे नमूद करणे या सभेला आवश्यक वाटते. प्रत्यक्ष वर्गाचे संचालन करण्यासाठी परिणियम किंवा अध्यादेशाने ठरवून दिलेली विद्यार्थी संख्या अमलात आणावयाची परंतु अनुदान देतांना मात्र जास्त विद्यार्थ्यांची संख्या मोजायची हा प्रकार शासनाशी झालेल्या मतैक्यपत्राच्या सरळ सरळ विरोधात तर आहेच पण कोणतेही कारण नसतांना सर्व बाजूंनी मान्य केलेली व १९७७ पासून अस्तित्वात असलेली व्यवस्था एकाएकी मोडून काढण्याची अकारण कुरापत काढणाऱ्या १९ जून १९९५ च्या निर्णयावरवरच २२ फेब्रुवारी १९९६ चा हा निर्णय ताबडतोब मागे घेण्यात यावा अशी विनंती ही सभा शासनास करित आहे."

**नोट्स :-** (१) महाराष्ट्र शासनाच्या उच्च शिक्षण व तंत्रशिक्षण विभागाच्या दिनांक २२ फेब्रुवारी १९९६ चा शासननिर्णय नुटा बुलेटीनच्या या अंकात प्रसृत केला आहे.

(२) कार्यकारी मंडळाच्या वतीने प्रा.एकनाथ कठाळे हे उक्त प्रस्ताव आमसभेसमोर मांडतील.

**विषय क्रमांक २०७ :**

**प्रात्यक्षिकांच्या बॅचमधील विद्यार्थी संख्येचे निकष**

कार्यकारी मंडळाच्या वतीने मांडण्यात येत असलेला पुढील प्रस्ताव विचारात घेणे व मान्य करणे :-

“अकृषि विद्यापीठांशी संलग्नित असणाऱ्या महाविद्यालयांमध्ये वी.एस.सी. भाग १ ते ३ या वर्गाच्या विज्ञान विषयाचा कार्यभार अनुदान निर्धारण.” या विषयावर शासनाने दिनांक २२ मे, १९९६. रोजी काढलेल्या शासन निर्णय क्रमांक : युएसजी-१९९६/३४२४/(प्र.क्र.४०९९)-विशि-४ या शासननिर्णयाचे काळजी पूर्वक अवलोकन केले असता तो मुंबई उच्च न्यायालयाच्या नागपूर खंडपीठाने याबाबत वारंवार दिलेल्या आदेशांचा जाणून बुजून अधिक्षेप करणारा आहे असे स्पष्टपणे दिसून येते . एका बाजूला या शासन निर्णयामध्ये स्पष्टपणे “कार्यकारी परिषदेने पारीत केलेल्या ठरावानुसार विज्ञान विषयाच्या प्रॅक्टिकल्स करिता १६ विद्यार्थ्यांचा गट मानून कार्यभार निश्चित करावा व त्याप्रमाणे कार्यवाही करावी.” असे नमूद करावयाचे व त्याच शासननिर्णयामध्ये पुढे ताबडतोब “सन्माननीय उच्च न्यायालयाने याचिका क्र. १५१८/८३ मध्ये दिलेल्या निर्णयानुसार, शासन असे आदेश देत आहे की, वी.एस.सी. भाग १ ते ३ या वर्षाकरिता असणाऱ्या प्रात्यक्षिकांसाठी १६ ते २० विद्यार्थ्यांची बॅच ठेवण्यात यावी” असे करण्यात आलेले विधान असत्य तर आहेच पण सरळ सरळ न्यायालयाचा अवमान करणारे सुद्धा आहे. मा. नागपूर खंडपीठाने १०

**Agenda continued on Page .... 126**

# MINUTES

of the General Body Meeting of  
NAGPUR UNIVERSITY TEACHERS' ASSOCIATION  
held at 12.00 noon on  
SUNDAY, the 10th March 1996  
Bharatiya Mahavidyalaya, Amravati.

The General Body of NUTA met in the hall of Bharatiya Mahavidyalaya, Amravati. at 12 noon on SUNDAY, the 10th March 1996. Prof.B.T.Deshmukh, President was in the chair. The membership numbers of the members present at the meeting are as follows :-

44, 45, 60, 65, 68, 72, 76, 90, 129, 137, 141, 147, 149, 153, 154, 159, 163, 172, 222, 267, 269, 307, 311, 388, 389, 413, 426, 469, 496, 525, 552, 557, 558, 559, 622, 662, 663, 738, 807, 811, 895, 1113, 1121, 1122, 1161, 1177, 1350, 1448, 1485, 1527, 1532, 1579, 1629, 1631, 1632, 1642, 1820, 1836, 1991, 2013, 2103, 2120, 2148, 2154, 2333, 2375, 2434, 2490, 2503, 2558, 2581, 2603, 2673, 2809, 2813, 2855, 2867, 3041, 3140, 3200, 3231, 3239, 3241, 3298, 3304, 3305, 3316

## ITEM NO. 195 :

### CONFIRMATION OF MINUTES :

CONFIRMED the minutes of the General Body meeting of Nagpur University Teachers' Association held at 12.00 noon on Sunday, the 15th October 1995 at Karmavir Mahavidyalaya Mul. (copy of the minutes was circulated on page no.01 of 1996 NUTA Bulletin).

## विषय क्रमांक १९५ (अ)

प्रा. डॉ. उध्दव चोरे यांच्या दुःखद निधनाबद्दल शोक प्रस्ताव :

प्रा.डॉ. एस.व्ही. भुयार यांनी प्रा.डॉ. उध्दव चोरे यांचे दुःखद निधनाबद्दल मांडलेला पुढील शोक प्रस्ताव **सम्मत करण्यात आला :-**

### नुटा बुलेटीनच्या शिल्लक अंकांचे वितरण सूचना

संघटनेच्या कार्यालयात सन १९९१ ते १९९५ या कालावधीतील नुटा बुलेटीनच्या काही मर्यादित प्रती शिल्लक आहेत. सुरुवातीला त्यावर्षातील अंक क्रमांक कंसात दिलेला आहे व त्यानंतर अंकाची तारीख दिलेली आहे.

**1991 :-** (1) 1st April 1991 (3) 1st August 1991 (4) 1st October 1991 (5) 1st December 1991.

**1992 :-** (1) 15th March/ 1st April 1992 (3) 1st / 15th August 1992 (4) 1st September 1992 (5) 15th October 1992 (6) 1st/ 15th November 1992 Contents 1992 (7) 31st December 1992.

**1993 :-** (1) 15th March 1993 (2) 15th April 1993 (3) 15th July 1993

**1994 :-** (2) 15th April 1994 (3) 15th August 1994 (4) 15th September 1994 (5) 1st December 1994.

**1995 :-** (1) 1st February 1995 (2) 15th February 1995 (3) 15th April 1995 (4) 1st September 1995 (6) 1st December 1995.

(२) नुटा कार्यालय, आर.बी.डी. लक्ष्मीनारायण बंगला, नागपूर विद्यापीठ, नागपूर आणि नुटा कार्यालय, शिक्षक भवन, अमरावती येथे जे शिक्षक/ सदस्य स्वतः उपस्थित होवून मागणी करतील त्यांना उपलब्ध अंकांचे विनामुल्य वितरण शुक्रवार दि. २९ नोव्हेंबर १९९६ रोजी दुपारी ३ ते ५ वाजेपर्यंत करण्यात येईल.

(३) अंक वितरण योजनेच्या दुसऱ्या पर्यायानुसार "कोषाध्यक्ष नुटा" या नावाने रु. २५ एवढ्या रकमेचा डीमांड ड्राफ्ट पाठविल्यास उपलब्ध अंकांपैकी मागणी केलेले अंक सन्माननीय सदस्याला डाकेने पाठविण्यात येतील.

दि. १०.११.१९९६

- संपादक, "नुटा बुलेटीन"

"विदर्भ आयुर्वेद महाविद्यालय अमरावती येथील रोगनिदान ह्या विषयाचे प्राध्यापक डॉ. उध्दव वासुदेवराव चोरे यांचे अल्पशा आजाराने दिनांक ११.११.९५ ला शासकिय वैद्यकिय रूग्णालय नागपूर येथे आकस्मिक निधन झाले. मृत्युसमयी त्यांचे वय ४३ वर्षाचे होते. डॉ.चोरे हे नुटाचे आजीव सभासद होते व स्थानिक शाखेचे अध्यक्ष होते. या आकस्मिक निधनामुळे त्यांच्या कुटूंबीयावर दुःखद प्रसंग आला आहे. त्यांच्या दुःखात नुटाची ही आमसभा सहभागी आहे. त्यांच्या कुटूंबीयांना दुःख सहन करण्याची शक्ती ईश्वर प्रदान करो अशी प्रार्थना ही सभा करित आहे."

## विषय क्रमांक १९५ (ब)

प्रा. के. भास्कर यांच्या दुःखद निधनाबद्दल शोक प्रस्ताव :

प्रा.आर.चित्तरंजन यांनी प्रा.के. भास्कर यांचे दुःखद निधनाबद्दल मांडलेला पुढील शोक प्रस्ताव **सम्मत करण्यात आला :-**

"Prof. K. Bhaskar was lecturer in English, in Dr. Ambedkar Mahavidyalaya Amravati. He was a gentle and sober man with genial nature. Studious and sincere, Mr. Bhaskar was a devoted teacher and a life member of NUTA (L.M.No. 227). In his sad demise the teaching community lost an affectionate colleague. This House condoles the death of Prof. K.Bhaskar and prays to the Almighty to rest the departed soul in the divine Abode, and also prays to God to provide the members of the bereaved family with the necessary strength to bear this loss."

## विषय क्रमांक १९५ (क)

डॉ. श्रीमाली यांच्या दुःखद निधनाबद्दल शोक प्रस्ताव :

प्रा.एस.वी.चिंचमलातपुरे यांनी डॉ. श्रीमाली यांचे दुःखद निधनाबद्दल मांडलेला पुढील शोक प्रस्ताव **सम्मत करण्यात आला :-**

"The sudden tragic death of Dr. Shrimali shocked the academic world of Vidarbha. Dr. Shrimali was a teacher and then the Principal of Brijalal Biyani Science College Amravati. He was a goodman, a highly studied scholar in his subject and an efficient and successful administrator. He was always active in the participation of the social and academic bodies outside and inside the university. His sudden death created a vacuum which can not be described. This house condoles the sad demise of Dr. Shrimali and prays to god to lay the departed soul to eternal rest."

## विषय क्रमांक १९५ (ड)

प्रा. डी.एम. पत्की यांच्या दुःखद निधनाबद्दल शोक प्रस्ताव :

प्रा.आर.चित्तरंजन यांनी प्रा.डी.एम.पत्की यांचे दुःखद निधनाबद्दल मांडलेला पुढील शोक प्रस्ताव **सम्मत करण्यात आला :-**

Prof. D.M. Patki was a lecturer in Chemistry, in Shri Shivaji Science College Amravati for over three decades. Prof. Patki was a sober gentleman, with a genial and friendly temperament. He endeared himself by his sincere teaching to his students and his winning manners to his colleagues. In his death a good teacher and an active worker of the Association is lost. This house condoles the sorrowful death of Prof. Patki, and prays to God to rest the departed soul in the heavenly abode. We also pray to God to provide enough strength to his family to forbear this immense and irreparable loss.

## ITEM NO. 196 :

### APPROVAL TO THE ANNUAL REPORT :

**CONSIDERED AND APPROVED** the Annual Report regarding the working of the Association for the calendar year ending on 31st December, 1995, with the following corrections, namely :-

(1) On page 20 of 1996 NUTA Bulletin,

(A) in para 5 in line 11 the figure "18" be

substituted by "20"

(B) in para 8 the figure "3405" be substituted by the figure "3428"

(C) in para 8 the figure "24" be substituted by the figure "47"

**Notes :** (i) As per Article VI (b) (iii) of the Constitution of NUTA, the Annual Report of the working of the Association is prepared by the Executive Committee (vide item No. 4 of 1996) and is to be placed for the approval of the General Body. (ii) The Copy of the Annual Report was circulated on page 20 of 1996 NUTA Bulletin. (iii) Prof. E.H.Kathale, Secretary presented the Annual Report, on behalf of the Executive Committee.

#### ITEM NO. 197 :

#### APPROVAL TO THE ANNUAL BUDGET :

**APPROVED** the Annual Budget of the Association for the Financial year commencing on 1st April, 1996.

**Notes :** (i) Prof. S.A.Tiwari Treasurer, NUTA, presented the Budget on behalf of the Executive Committee. (ii) The copy of the Budget was circulated on page No.14 of 1996 NUTA Bulletin.

#### अमरावती विद्यापीठ क्षेत्रासाठीच्या "विद्यापीठ व महाविद्यालयीन न्यायाधिकरण"वर पिठासीन अधिकाऱ्यांची नियुक्ती करणे

महाराष्ट्र विधानपरिषद : दुसरे अधिवेशन १९९६  
बुधवार, दिनांक १० जुलै १९९६

(२७) ८७९६ सर्वश्री. व्ही.यु.डायगव्हाणे, बी.टी.देशमुख, पी.जी.दस्तुरकर, जयवंत ठाकरे, सुरेश पाटील : सन्माननीय उच्चशिक्षण मंत्री पुढील गोष्टीचा खुलासा करतील काय :-

१. १९९४ च्या महाराष्ट्र विद्यापीठ कायद्यातील तरतुदीनुसार प्रत्येक विद्यापीठासाठी स्वतंत्र न्यायाधिकरण स्थापन करण्याबाबतचा शासन निर्णय दिनांक १९ ऑगस्ट १९९५ रोजी निर्गमित करण्यात आला हे खरे आहे काय;

२. असल्यास, अमरावती विद्यापीठासाठीच्या अशा न्यायाधिकरणावर अजूनही पिठासीन अधिकाऱ्यांची नियुक्ती झालेली नाही, हेही खरे आहे काय;

३. १२ जानेवारी १९९६ च्या शासननिर्णयाने उच्च न्यायालयाचे माजी न्यायमूर्ती मा. श्री डी.जे. मोहरीर यांची नागपूर विद्यापीठ न्यायाधीकरणाचे पिठासीन अधिकारी म्हणून नियुक्ती करण्यात आलेली असली व त्याच शासननिर्णयाने अमरावती विद्यापीठाचा अतिरिक्त कार्यभार नागपूर न्यायाधिकरणाकडे सोपविण्यात आला असला तरी आवश्यक त्या सुविधा उपलब्ध न करून दिल्यामुळे नागपूर न्यायाधिकरणाचे कामसुध्दा सुरू होवू शकले नाही, हे खरे आहे काय;

४. असल्यास अमरावती विद्यापीठ न्यायाधिकरणासाठी पिठासीन अधिकारी नेमणे व नागपूर येथील पिठासीन अधिकाऱ्यांना कार्यरत होण्यासाठी यथोचित सोयीसुविधा उपलब्ध करून देण्याबाबत शासनाने काय उपाययोजना केलेली आहे वा करण्यात येत आहे;

५. अद्याप उपाययोजना केलेली नसल्यास याबाबत होणाऱ्या विलंबाची कारणे काय आहेत?

श्री.दत्ता राणे : (१) होय.

(२) स्वतंत्र पिठासीन अधिकाऱ्यांची नियुक्ती उमेदवार उपलब्ध न झाल्याने झालेली नाही. तथापि नागपूर विद्यापीठाच्या पिठासन अधिकाऱ्यांना अतिरिक्त कार्यभार दिला आहे.

(३) हे खरे नाही.

(४) पात्र पिठासीन अधिकारी उपलब्ध झाल्यास अमरावती विद्यापीठाच्या न्यायाधिकरणावर स्वतंत्र नियुक्ती करण्यात येईल. नागपूर पिठासीन अधिकाऱ्यांना आवश्यक सुविधा उपलब्ध करून देण्याचे आदेश काढले आहेत.

(५) वरील वस्तुस्थिती विचारात घेता विलंब झालेला दिसत नाही.

#### ITEM NO.198 :

#### APPOINTMENT OF THE AUDITORS :

**CONSIDERED AND APPROVED** the following resolution for the appointment of auditors for the Financial year ending on 31st March, 1996 namely :-

"" C.R.Sagdeo & Co. Chartered Accountant ""Prabha Niwas" Nagpur be appointed as auditor for the Financial year ending on the 31st March 1996"

**Note :** (i) As per Article VII of the Constitution the "General Body shall appoint auditors annually in the Annual Meeting of the Association." (ii) The Executive Committee resolved to recommend the above resolution, (Vide item No. 2 of 1996) which is now placed before the General Body for its approval. (iii) Prof. S.A.Tiwari, Treasurer, on behalf of the Executive Committee, moved the above resolution.

विषय क्रमांक १९९ :

"नेट सेट" बाबत २२ डिसेंबर १९९५ च्या शासन

निर्णयाबाबत संघटनेची भूमिका

कार्यकारी मंडळाच्या वतीने डॉ.शरद कळणावत यांनी मांडलेला पुढील प्रस्ताव **सम्मत करण्यात आला :-**

नेटसेट संबंधीच्या २२ डिसेंबर १९९५ च्या शासननिर्णयाबाबत महाराष्ट्र प्राध्यापक महासंघाच्या कार्यकारी मंडळाने दिनांक ७ जानेवारी १९९६ च्या बैठकीत मंजूर केलेल्या ठरावात व्यक्त झालेल्या मताशी हे सभागृह पूर्ण सहमती व्यक्त करित आहे.

**नोट :** महाराष्ट्र प्राध्यापक महासंघाच्या कार्यकारी मंडळाने दिनांक ७ जानेवारी १९९६ च्या बैठकीत मंजूर केलेला ठराव १९९६ च्या बुलेटीनच्या पृष्ठ १५ वर प्रसृत करण्यात आला होता.

विषय क्रमांक २०० :

शारिरीक शिक्षण शिक्षकांच्या शैक्षणिक पात्रतेबाबत

प्रा.सुभाष एस. देशमुख यांनी मांडलेला पुढील प्रस्ताव **सम्मत करण्यात आला. :-**

"महाराष्ट्रातील सर्व कनिष्ठ महाविद्यालयीन शारिरीक शिक्षण शिक्षकांच्या शैक्षणिक पात्रतेबाबत बरेच वर्षांपासून रेंगाळत असलेला प्रश्न सोडविण्याबाबत नुटा आणि मा. प्रा. बी.टी.देशमुख यांनी अथक परिश्रम केले. त्यामुळे कनिष्ठ महाविद्यालयीन शारिरीक शिक्षण शिक्षकांना न्याय मिळाला आहे. त्याबद्दल महाराष्ट्रातील सर्व कनिष्ठ महाविद्यालयीन शारिरीक शिक्षण शिक्षकांच्या वतीने आम्ही प्रा.बी.टी.देशमुख व नुटाच्या कार्यकारिणी सदस्यांचे मनःपूर्वक अभिनंदन करित आहोत. तसेच त्यांचे आभारी आहोत.

विषय क्रमांक २०१ :

प्रा.एस.टी.सांगळे यांना राज्यपुरस्कार मिळाल्याबद्दल अभिनंदन :

अध्यक्षांनी मांडलेला प्रा.एस.टी.सांगळे यांचे अभिनंदन करणारा पुढील प्रस्ताव सभागृहाने **सम्मत केला :-**

"विद्यापीठीय व महाविद्यालयीन शिक्षकांसाठीचा राज्यपुरस्कार प्रा.एस.टी.सांगळे यांना मिळाल्याबद्दल ही सभा त्यांचे मनःपूर्वक अभिनंदन करित आहे व त्यांचा शिक्षक या नात्याने हा जो गौरव झालेला आहे" त्याबद्दल अतिव आनंद व्यक्त करित आहे.

विषय क्रमांक २०२ :

सभा व्यवस्थेबद्दल आभार :

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

स्वा / बी.टी.देशमुख  
अध्यक्ष

स्वा / एकनाथ कठाळे  
सचिव

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY :  
NAGPUR BENCH : NAGPUR**

**WRIT PETITION NO. 927 OF 1991.**

1. Harichandra Jethmal Gandhi, aged 47 years, occupation Lecturer in Zoology, J.B.College of Science, Wardha. 2. Bhagwat Ramchandra Patil, aged about 50 years, occupation Lecturer of English, P.W.S. College of Arts & Commerce, Kamptee Road, Nagpur - 17. 3. Bhole N.W. 4. Bhutada H.M. 5. Morey S.J. 6. Deshmukh S.G. 7. Zanwar C.D. 8. Mohgaonkar M.L. 9. Hussain Z. 10. Kharche P.M. Nos. 3 to 10 Lecturers of Jankidevi Bajaj Science College, Wardha - 442 001. 11. Atale A.S. 12. Ghate M.H. 13. Loya V.J. 14. Sharma K.B. 15. Rathi N.K. 16. Badhe R.G. 17. Vyas P.N. 18. Rane V.R. 19. Dongaonkar D.R. 20. Kasat S.M. 21. Rajurkar V.S. 22. Gujrathi A.B. 23. Wawage M.B. 24. Tapi M.S. Nos. 11 to 24 Lecturers of R.L.T.Science College, Akola. 25. Mopari P.R., Lecturer in Shivaji College of Arts, Commerce and Science, Akola. 26. Walkhede A.B., 27. Konde B.D. 28. Mrs.Deshmukh V.P. Nos. 26 to 28 Lecturers of Shri.Shivaji Science College, Amravati. 29. S.V.Gudhadhe, Occ.Lecturer in Vidya Bharati Mahavidyalaya, Amravati. 30. Deshpande M.D., Occ.Lecturer in Shri.Shivaji Arts and Commerce College, Amravati. 31. D.D.Ratnaparkhi, Lecturer in Bharatiya Mahavidyalaya, Amravati. 32. Atrawalkar A.S. 33. Kabra S.S. 34. Raut M.N. Nos. 32 to 34 Lecturers of Amolakchand Mahavidyalaya, Yeotmal. 35. P.R.Ramtekkar, 36. G.B.Chaudhari, Lecturer of C.J.Patel College, Tirora, District Bhandara. 37. Joshi K.T. 38. Rathi M.S. 39. Kubde Y.T. Nos. 37 to 39 Lecturers of Nabira Mahavidyalaya, Katol, District Nagpur. 40. Andhare M.N. 41. Dahale N.P. Nos. 40 & 41 Lecturers of Janata Mahavidyalaya, Chandrapur. 42. Bhidwai K.G., Lecturer of P.N.Mahavidyalaya, Pusad. 43. A.N.Waishaimpayan, Lecturer of MES Arts & Commerce College, Mehkar. 44. P.R.Limse, Lecturer of Shri Shivaji Science College, Chikhali. 45. C.K.Damle, Lecturer, Brijlal Science College, Amravati ... **PETITIONERS.**

**VERSUS**

1. State of Maharashtra, through Secretary, Education and Employment Department, Mantralaya, Bombay - 400 032. 2. Director of Higher Education, Maharashtra State, Central Building, Pune- 411 001. 3. University of Nagpur, through the Registrar, Civil Lines, Nagpur. 4. Amravati University, through the Registrar, V.M.V., College, Amravati. 5. Union of India, through Department of Education, Central Secretariate, New Delhi. ... **RESPONDENTS**

*Shri.P.N.Chandurkar, Advocate, for the petitioners. Shri.A.M.Gorley, A'Panel Counsel, for respondent No.1, Ms.Tajwar Khan, Advocate, for respondent No.3.*

**WRIT PETITION NO. 2638 OF 1991.**

Amal Kumar Rudra S/o. Late Shri.P.N. Rudra, Lecturer in Chemistry, S.F.S. College, 161, Civil Lines, Nagpur. ... **PETITIONER.**

**VERSUS**

1. State of Maharashtra, through Secretary, Education & Employment Department, Mantralaya, Bombay-400 032. 2. Director of Higher Education, Maharashtra State, Central Building, Pune- 411 001. 3. Administrative Officer, Higher Education (Grants), Old Morris College, Nagpur. 4. University of Nagpur, through the Registrar, Civil Lines, Nagpur. 5. S.F.S.College, through the Principal, Seminary Hills, Nagpur. ... **RESPONDENTS.**

*Shri.C.P.Sen, Advocate, for the petitioner. Shri.T.R.Kankale,A.G.P., for respondent No.1. Smt.A.P.Shinde, Advocate, for respondent No.4.*

**WRIT PETITION NO.2926 OF 1991.**

Anna s/o. Wamanrao Imane aged about 50 years, Lecturer in Botany, S.F.S.College, Plot No.6, Near Vikas Ashram, Somalwada, Wardha Road, Nagpur. ... **PETITIONER.**

**VERSUS**

1. State of Maharashtra, through Secretary, Education & Employment Department, Mantralaya, Bombay- 400 032. 2. Director of Higher Education, Maharashtra State, Central Building, Pune- 411 001. 3. Administrative Officer, Higher Education (Grants), Old Morris College, Nagpur. 4. University of Nagpur, through the Registrar, Civil Lines, Nagpur. 5. S.F.S. College, through the Principal, Seminary Hills, Nagpur. ...**RESPONDENTS.**

*Shri.M.G.Bhangde, Advocate, for the petitioner. Shri.S.G.Charde,A.G.P. for respondent No.1.Smt.A.P.Shinde, Advocate, for respondent No.4.*

**WRIT PETITION NO.738 OF 1992.**

Mrs.Prabha wife of Sadashiv Jog, aged about 42 years, Lecturer in Zoology, M.M.College of Science, resident of Chitale Marg, Dhantoli, Nagpur-12. ... **PETITIONER.**

**VERSUS**

1.State of Maharashtra, through Secretary, Education & Employment Department, Mantralaya, Bombay - 400 032. 2. Director of Higher Education, Maharashtra State,Central Building, Pune - 411 001. 3. Administrative Officer, Higher Education (Grants). Old Morris College, Nagpur. 4. University of Nagpur, through the Registrar, Civil Lines, Nagpur. 5. Shri.Mathuradas Mohta College of Science, Umrer Road, Nagpur- 400 009, through its Principal. ... **RESPONDENTS**

*Shri.C.S.Samudra, Advocate, for the petitioner. Shri.L.K.Khamborkar, Advocate for Respondent No.1. Smt.A.P.Shinde, Advocate for respondent No.4. Shri. M.G.Bhangde, Advocate, for Respondent No.5.*

**CORAM**

**H. W. DHABE AND L. MANOHARAN, JJ.**

**DATED : 29th July, 1994 & 3rd August, 1994.**

**ORAL JUDGMENT  
(per H.W.Dhabe J.)**

Common, and the only, question involved in these four writ petitions is whether the service rendered by the petitioners therein who are Lecturers as Demonstrators or Tutors in which posts they were previously working can be computed in considering the question of their placement in posts of Lecturer (Senior Scale), Lecturer (Selection Grade), and the post of Reader in implementing the G.R.dated 27.2.1989 relating to revision of pay-scales of the teachers of the University and the affiliated Colleges issued by the State Government. These four writ petitions can thus be disposed of by this common judgment. We shall, however, consider the facts and deliver the judgment in Writ Petition No.927 of 1991, by which the other writ petitions would be governed, since the basic facts in all these writ petitions are the same.

2. The facts in Writ Petition No.927 of 1991 are that the petitioners therein, numbering 45, were originally appointed in the Colleges affiliated to Nagpur and Amravati Universi-

ties as Demonstrators or Tutors. By the G.R.dated 25.10.1977, the posts of Demonstrators and Tutors held by persons who possessed the requisite qualifications for the post of lecturers were upgraded as Lecturers w.e.f. 1.7.1975. At the time when the above G.R.dated 25.10.1977 was issued, the Colleges in which the petitioners were working were all affiliated to Nagpur University as the Amravati University was established later on in 1983 for Amravati, Akola, Yeotmal and Buldana districts of Vidarbha which were originally within the jurisdiction of Nagpur University. It is not in dispute that the petitioners were all upgraded as Lecturers w.e.f. 1.7.1975 as per the aforesaid G.R.dated 25.10.1977 since they all possessed the requisite qualifications for the post of lecturer.

3. It may be seen that existing pay scale of the Demonstrator or Tutor at the time when G.R.dated 25.10.1977 was issued, was Rs.250-15-400 which was revised to Rs.500-20-700-25-900 as per the aforesaid G.R.dated 25.10.1977. As regards the post of Lecturers, there were three categories of Lecturers viz. (Junior Scale), Lecturer (Senior Scale) and Lecturer (Selection Grade) for whom there existed three different pay-scales at the time when the G.R.dated 25.10.77 was issued. However, by the G.R.dated 25.10.1977 a common pay-scale of Rs.700-40-1100-50-1200-EB-50 1600 was prescribed for the post of Lecturer.

4. There was revision of pay-scales of the teachers of the University and the Colleges affiliated to it in the faculties of Arts, Science, Commerce and Education, initially as per the Government Resolution dated 25.10.1977, as shown above w.e.f.1st January,1973 and thereafter, by the G.R.dated

27.2.1989 w.e.f. 1st January, 1986. We are concerned in these writ petitions with the revision of pay-scale made under the G.R.dated 27.2.1989.

5. The revision of pay-scales as per the G.R.dated 27.2.1989 is given in Appendix I to the said Government Resolution. So far the affiliated Colleges are concerned, the revision of pay-scales of the College teachers therein is given in the aforesaid Appendix I of the said G.R. dated 27.2.1989 is as follows :

Existing scale of pay.	Revised scale of pay.
College Teachers :-	
1. Lecturer 700-40-1100-50-1600	2200-75-2800-100-4000
2. Lecturer 700-40-1100-50-1600	3000-100-3500-125-5000
(Senior Scale)	
3. Lecturer 700-40-1100-50-1600	3700-125-4950-150-5700
(Selection Grade)	
4. Demonstrator/ Tutor (Existing incumbents only) 500-20-700-25-900	1740-60-2700-EB-75-3000

6. It is material to see that since as per the aforesaid G.R.dated 25.10.1977, the posts of Demonstrators and Tutors, who possessed the requisite qualification for appointment as Lecturers, were upgraded as Lecturers w.e.f. 1.7.1975, the cadre of Demonstrator/Tutor was a dying cadre as each post therein existed only during the period of service of its existing incumbent who was not qualified to be appointed as a lecturer and whose posts therefore could not be upgraded as a post of a lecturer. It is for this reason that the revised pay-scale was given to the existing incumbents of the posts of Demonstrators/

### अकृषि विद्यापीठ व संलग्न महाविद्यालये याकरिता न्यायाधिकरणाची स्थापना पीठासन अधिकाऱ्यांच्या नियुक्त्या

महाराष्ट्र शासन उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग

शासन निर्णय, क्रमांक-युएसजी-१३९१/२०८९/विशि-४

मंत्रालय विस्तार भवन, मुंबई ४०० ०३२.

दिनांक १२ जानेवारी, १९९६

वाचा :- १) शासन निर्णय, उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग शासन निर्णय, क्रमांक-युएसजी-१३९१/२०८९/विशि-४  
२) शासन निर्णय, क्रमांक-युएसजी-१३९२/१०१५८२/(२०९०) विशि-४ दिनांक ११ ऑगस्ट १९९५

**शासन निर्णय :-** महाराष्ट्र अकृषि विद्यापीठ कायदा १९९४ च्या कलम ५८ अन्वये शासनास असलेल्या अधिकारांचा वापर करून प्रत्येक अकृषि विद्यापीठाकरिता स्वतंत्र न्यायाधिकरण स्थापन करण्याबाबतचे आदेश शासन निर्णय, उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग, क्र.युएसजी-१३९१/२०८९/विशि-४ दि. १९ ऑगस्ट, १९९५ अन्वये निर्गमित करण्यात आले आहेत. या आदेशान्वये प्रत्येक न्यायाधिकरणावर स्वतंत्र पीठासीन अधिकाऱ्यांची नियुक्ती करण्याची तरतूद करण्यात आली आहे. शासन या आदेशान्वये खाली दर्शविलेल्या न्यायाधिकरणावर त्यांच्यापुढे दर्शविण्यात आलेल्या उच्च न्यायालयाच्या सेवानिवृत्त न्यायमूर्तींची नियुक्ती करित आहे.

अ.नं.विद्यापीठाचे नाव	पीठासन अधिकाऱ्याचे नांव
१. मुंबई विद्यापीठ, मुंबई	श्री. आर.जी.अरांधकर,
२) पुणे विद्यापीठ, पुणे	श्री. ए.ए.हळवे,
३) डॉ. बाबासाहेब आंबेडकर मराठवाडा विद्यापीठ, औरंगाबाद	श्री. के.एन.पाटील,
४) नागपूर विद्यापीठ, नागपूर	श्री. डी.जे.मोहरीर,

वरील पीठासन अधिकाऱ्यांच्या नियुक्त्या या प्रथमतः त्यांनी कार्यभार स्वीकारल्याच्या दिनांकापासून तीन वर्षांपर्यन्त रहातील.

इतर विद्यापीठाच्या न्यायाधिकरणावर पीठासन अधिकाऱ्यांच्या नियुक्त्या करण्याचे आदेश निर्गमित करण्याची कार्यवाही स्वतंत्ररित्या होत आहे. दरम्यानच्या काळात मुंबई विद्यापीठाकरिता नियुक्त करण्यात आलेल्या पीठासन अधिकाऱ्याकडे त्यांच्या नियमित कामाव्यतिरिक्त श्रीमती नाथीबाई दामोदर ठाकरशी महिला विद्यापीठाच्या कामकाजाचा अतिरिक्त कार्यभार सोपविण्यात येत आहे.

पुणे विद्यापीठाकरिता नियुक्त करण्यात आलेल्या पीठासन अधिकाऱ्याकडे त्यांच्या नियमित कामकाजाशिवाय शिवाजी विद्यापीठ, कोल्हापूरच्या न्यायाधिकरणाचे काम अतिरिक्त कार्यभार म्हणून सोपविण्यात येत आहे.

नागपूर विद्यापीठाकरिता नियुक्त करण्यात आलेल्या पीठासन अधिकाऱ्याकडे त्यांच्या नियमित कामा व्यतिरिक्त अमरावती व उत्तर महाराष्ट्र विद्यापीठ, जळगांव या विद्यापीठाचे काम अतिरिक्त कार्यभार म्हणून सोपविण्यात येत आहे.

डॉ.बाबासाहेब आंबेडकर मराठवाडा विद्यापीठ, औरंगाबादच्या पीठासन अधिकाऱ्याकडे त्यांच्या नियमित कामाव्यतिरिक्त स्वामी रामानंदतीर्थ मराठवाडा विद्यापीठ, नांदेडच्या कामाचा अतिरिक्त कार्यभार सोपविण्यात येत आहे.

वरील सर्व पीठासन अधिकाऱ्यांचा अतिरिक्त कार्यभार नियमित पीठासन अधिकाऱ्यांच्या नियुक्त्या होईपर्यन्त चालू राहिल.

सर्व पीठासन अधिकाऱ्यांना शासन निर्णय, उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग, क्र. युएसजी-१३९१/२०८९/विशि-४, दिनांक १९ ऑगस्ट, १९९५ मध्ये उध्दृत केलेल्या सेवाशर्ती लागू होतील.

सर्व पीठासन अधिकाऱ्यांना विनंती करण्यात येते की, त्यांनी पीठासन अधिकारी या पदाचा कार्यभार लवकरात लवकर स्वीकारावा व त्याचा अहवाल शासनास सादर करावा.

सर्व अकृषि विद्यापीठाच्या कुलसचिवांना विनंती करण्यात येते की, न्यायाधिकरणाचे कामकाज लवकरात लवकर सुरू करण्याच्या दृष्टीने पीठासन अधिकाऱ्यांना आवश्यक त्या सर्व सेवा उपलब्ध करून द्याव्यात. या पीठासन अधिकाऱ्यांकडे पूर्वीच्या न्यायाधिकरणाकडे असलेली प्रलंबीत कामेही निर्णयाकरिता ठेवण्यात यावीत.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

स्वा./- (त्रि.ब.सेन) उपसचिव, महाराष्ट्र शासन

Tutors as per the aforesaid G.R.dated 27.2.1989.

7. As required by Clause 32 of the G.R. dated 27.2.1989, the Vice Chancellors of the Nagpur and Amravati Universities in exercise of their powers under section 11 (6) (b) of their relevant Statutes, issued directives to implement the scheme of revised pay-scales recommended by the U.G.C. for the teachers in the Universities and the affiliated Colleges. The directives issued by the Vice-Chancellor of the Nagpur University are dated 3.5.1989 and those issued by the Vice Chancellor of the Amravati University are dated 25.5.1989 thereafter passed also the Statute i.e. Statute No.1 of 1989 for implementing the scheme of revision of payscales as per the G.R.dated 27.2.1989.

8. It is necessary to notice in this regard that after the directives were issued by its Vice-Chancellor on 3.5.1989 to implement the scheme of revision of pay-scales under the G.R.dated 27.2.1989, the Nagpur University has appointed a Co-ordination Committee to consider the question of implementation of the pay-scales of teachers and to make recommendations in that regard. The said Co-ordination Committee made its recommendations which were placed before the Executive Council of the Nagpur University. The Executive Council of the Nagpur University in its meeting held on 31st August/1st September, 1989 passed the resolution, accepting the recommendations of the Co-ordination Committee in connection with the directives issued by the Vice-Chancellor on 3.5.1989 for implementing the scheme of U.G.C.for revision of pay-scales, subject to modifications proposed by it in the said meeting. The recommendation of the Co-ordination Committee which is relevant for our purpose and which is accepted by the Executive Council is contained in para 5 of its recommendations according to which for the purpose of calculating the service of a lecturer as mentioned in para 12(a) of the G.R.dated 27.2.89 for the placement in the Senior Scale of Rs.3,000/- 5000/- and as mentioned in para 13(a) of the said G.R.dated 27.2.1989 for placement in the Selection Grade of Rs.3700/- - 5700/-, it recommended

**विद्यापीठीय ग्रंथपाल, उपग्रंथपाल व सहाय्यक ग्रंथपाल तसेच महाविद्यालयीन ग्रंथपाल ही पदे बिगर सुट्टीची शैक्षणिक पदे म्हणून घोषित करण्याबाबत.**  
**महाराष्ट्र शासन**  
**उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग**  
शासन निर्णय क्रमांक : युएसजी १९९५/(१९३/९५)/विशि-३  
मंत्रालय विस्तार भवन, मुंबई ४०० ०३२.  
दिनांक १४ नोव्हेंबर, १९९५

**शासन निर्णय :-** महाराष्ट्र विद्यापीठ कायदा १९९४ (१९९४ चा कायदा क्रमांक ३५) मधील प्रकरण १ च्या कलम २ (३४) प्रमाणे व दिनांक ३० ऑगस्ट १९९५ च्या स्पष्टीकरण आदेशानुसार शिक्षक संवर्गाची व्याख्या दिलेली आहे. यातील ग्रंथपाल म्हणजेच विद्यापीठीय ग्रंथपाल, उपग्रंथपाल व सहाय्यक ग्रंथपाल तसेच महाविद्यालयीन ग्रंथपाल यांना शिक्षक संवर्गात समाविष्ट करण्यात आले असल्यामुळे त्यांना शिक्षक संवर्गाकरिता असलेले आदेश लागू होतात.

२. शासन आता या निर्णयान्वये महाराष्ट्र विद्यापीठ कायदा १९९४ मधील कलम २ (२१) अन्वये असलेल्या अधिकारांचा वापर करून विद्यापीठीय ग्रंथपाल, उपग्रंथपाल व सहाय्यक ग्रंथपाल तसेच महाविद्यालयीन ग्रंथपाल या पदांना बिगर सुट्टीची शैक्षणिक पदे म्हणून घोषित करित आहे. कारण दीर्घ सुट्ट्यांच्या कालावधीत ग्रंथालये चालू ठेवणे हे शिक्षक व विद्यार्थ्यांच्या शैक्षणिक दृष्टिकोनातून हितावह आहे. यामुळे शिक्षक संवर्गांना मिळणाऱ्या दीर्घ सुट्ट्या त्यांना मिळणार नाहीत. त्यांना शिक्षकेतर कर्मचाऱ्यांना लागू असलेले सेवशर्ती संबंधित प्रमाणसंहिता १९८४ मधील रजेचे नियम लागू होतील.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

स्वा/-(त्रि.ब.सेन)  
उपसचिव, महाराष्ट्र शासन.

that the past service of the lecturers as Demonstrator/Tutor/Instructor of Physical Education etc, should be counted.

9. After this recommendation was accepted by the Executive Council of the Nagpur University in its meeting held on 31st August/1st September, 1989 the Registrar of the said University addressed a letter dated 22.9.1989 to the Government bringing to its notice that the University has accepted the G.R.dated 27.2.1989 subject to modification which was made by it and sought approval of the Government for the same. However, by its subsequent letter dated 7.10.1989, the Nagpur University informed the Government that it should treat its letter dated 22.9.1989 as cancelled and further informed it that with the modifications made by the Executive Council as per the report of the Co-ordination Committee, it approved the directives issued by the Vice Chancellor for implementing the G.R.dated 27.2.1989 which was in turn issued for implementing the recommendations of the U.G.C. about the revision of pay-scales of the teachers in

**अकृषि विद्यापीठे व त्यांच्याशी संलग्नित अशासकीय महाविद्यालयातील कर्मचाऱ्यांसाठी सेवानिवृत्ती वेतन योजना.**

स्थानिक स्वराज्य संस्था, नगरपालिका, महानगरपालिका तसेच अशासकीय अनुदानित मान्य खाजगी प्राथमिक शाळांत शिक्षक म्हणून केलेली सेवा सेवानिवृत्ती वेतनास ग्राह्य धरण्याबाबत

**महाराष्ट्र शासन**

उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग

शासन परिपत्रक क्रमांक : युएसजी १२९३/१६९१३/(२६५५) विशि-४  
मंत्रालय विस्तार भवन, मुंबई ४०० ०३२.

दिनांक १२ सप्टेंबर, १९९५

वाचा :- १) शासन निर्णय शिक्षण व सेवायोजन व युवक कल्याण विभाग क्र. एनजीसी/१२८३/८६५/विशि-४ दिनांक २१ जुलै १९८३

२) शिक्षण संचालक, उच्च शिक्षण, महाराष्ट्र राज्य पुणे यांचे पत्र क्र. पीईएन-५३९१ /१०/३०५२४/१०-अ दिनांक ७ मार्च १९९५.

**शासन निर्णय :** शासन निर्णय शिक्षण व सेवायोजन विभाग क्र. एनजीसी-१२८३ / (८६५)/विशि-४, दिनांक २१ जुलै १९८३ अन्वये अकृषि विद्यापीठे व त्यांच्याशी संलग्नित अशासकीय अनुदानित महाविद्यालयातील शिक्षक व शिक्षकेतर कर्मचाऱ्यांना दिनांक १.१०.१९८२ पासून सेवा निवृत्ती वेतन योजना मंजूर करण्यात आली आहे. या योजनेची व्याप्ती आता १.१.१९७३ व त्यापूर्वी सेवा निवृत्ती झालेल्या शिक्षक, शिक्षकेतर कर्मचाऱ्यांसाठी वाढविण्यात आली आहे. अकृषि विद्यापीठे व त्यांच्याशी संलग्नित अशासकीय शासन मान्य अनुदानित महाविद्यालये यामधून सेवानिवृत्त होणाऱ्या शिक्षक व शिक्षकेतर कर्मचाऱ्यांना सेवेत येण्यापूर्वी स्थानिक स्वराज्य संस्था /नगरपालिका/महानगरपालिका तसेच, खाजगी मान्य अनुदानित प्राथमिक शाळात केलेल्या सेवा सेवानिवृत्ती वेतनासाठी ग्राह्य धरण्याबाबतची बाब काही काळ शासनाच्या विचाराधीन होती. यावर आता निर्णय झाला असून शासन असे आदेश देत आहे की, अकृषि विद्यापीठे आणि त्यांच्याशी संलग्नित अशासकीय शासनमान्य अनुदानित महाविद्यालय यातून सेवानिवृत्त होणाऱ्या शिक्षक, शिक्षकेतर कर्मचाऱ्यांनी पूर्वी स्थानिक स्वराज्य संस्था/नगरपालिका/महानगरपालिका, तसेच अनुदानित प्राप्त मान्य खाजगी प्राथमिक शाळातून शिक्षक या पदावर केलेली सेवा ही सेवा निवृत्ती वेतनासाठी ग्राह्य धरण्यात यावी.

२) शिक्षण संचालक, उच्च शिक्षण, महाराष्ट्र राज्य पुणे यांना विनंती की, त्यांच्याकडे प्रलंबीत असणारी या विषयाची सर्व प्रकरणे त्यांनी लवकरात लवकर निकाली काढावी.

३) हे आदेश वित्त विभागाच्या सहमतीने त्यांचा अनौपचारिक संदर्भ क्र. १५५/९५/सेवा-४, दिनांक २४.६.१९९५ अन्वये निर्गमित करण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

स्वा/-(त्रि.ब.सेन)  
उपसचिव, महाराष्ट्र राज्य.

the Universities and the affiliated Colleges. The said decision was also communicated by the University to its affiliated Colleges.

10. As regards the Amravati University, after the directives were issued by the Vice- Chancellor under section 11(6)(b) of the Amravati University Act on 25.5.1989 to implement the G.R. dated 27.2.1989, certain points were raised by the Assesment Committee for starting its work of assessment as provided in para 19 of the aforesaid G.R.dated 27.2.1989. The Vice-Chancellor clarified the said points in writing on 30.8.1989. As per para 4 of the said clarification given by him on 30.9.1989, as regards the question whether a lecturer's service as Tutor or Demonstrator can be counted for counting the length of service under clause 12 (a) and 13 (a) of the Government Resolution dated 27.2.1989, the clarification given by him was that after carefully examining the provision of the said G.R. dated 27.2.1989 and its langugage, his answer was in the affirmative. However, the said para 4 further shows that the decision on this question was not firmly taken by him but was deferred by him. There is an asterik mark at the end of the said sentence and against the said asterik mark at the bottom of the said clarification what is written is Deleted lateron which would mean that he was of the view that under the provisions of clauses 12(a) and 13(a) of the aforesaid G.R. dated 27.2.1989, the service of a lecturer as Demonstrator and Tutor can be counted.

11. It may be seen that as provided in para 19 of the

G.R. dated 27.2.1989 the Assessment Committees were constituted by the respective Universities for considering the question of placement of Lecturers in Senior Scale and Selection Grade. The said Assessment Committees while considering the aforesaid question of placement in the Senior Scale and Selection Grade under clauses 12(a) and 13(a) of the aforesaid G.R. dated 27.2.1989 computed the services of the Lecturers as Demonstrators/Tutors in the light of the above view taken by the Nagpur University as well as Amravati University regarding the said question. It thus means that they had given weightage to the service of the petitioners from the dates of their appointment in the posts of Demonstrators/ Tutors to the date their posts of Demonstrators/ Tutors were upgraded as Lecturers w.e.f. 1.1.1975 as per the G.R. dated 25.10.1977 i.e. upto 30.6.1975. However, the Director of Education (Higher Education), M.S.Pune, did not accept the above recommendations of the Assesment Committees.

12. It is material to see that after the receipt of the letter from the Nagpur University dated 22.9.1989, the State Government had informed the Nagpur University by its letter dated 25.10.89 that past service as Demonstrator/Tutor should not be counted for placement in pay-scales of Rs.3000-5000/- - Rs.3700-5700/-. The Director of Education (Higher Education), Pune had thereafter on 17.12.1989 issued a comprehensive Circular for proper and speedy implementation of the G.R. dated 27.2.1989. As per para 2 of the said circular dated 17.12.1989 under the head

कनिष्ठ महाविद्यालयातील व्यवसाय अभ्यासक्रमाकडील  
(एम. सी. व्ही. सी. व बॉयफोकल) निदेशकांना  
त्रिस्तरीय वेतनश्रेणी लागू करण्याबाबत.

महाराष्ट्र विधानपरिषद : : तिसरे अधिवेशन १९९५  
बुधवार, दिनांक ६ डिसेंबर १९९५

(३१) ४५६७ सर्वश्री.बी.टी.देशमुख, व्ही.यु.डायगव्हाणे,  
पी.जी.दस्तुरकर, जयवंत ठाकरे, सुरेश पाटील : सन्माननीय उच्च व तंत्र  
शिक्षण मंत्री पुढील गोष्टीचा खुलासा करतील काय:-

१. विदर्भ ज्युनिअर कॉलेज टिचर्स असोसिएशन नागपूर या संघटनेने दिनांक २१.११.१९९४ रोजी मा. शिक्षण राज्यमंत्री यांना निवेदन पाठवून मागणी केल्याप्रमाणे दिनांक १५ मे, १९९५ च्या शासन (निर्णय क्रमांक टिएसए-१०९४/(३०१/९४)/व्यशि-२) आदेशानुसार अशासकीय अनुदानित उच्च माध्यमिक व तांत्रिक विद्यालयातील निदेशकांना द्विस्तरीय/त्रिस्तरीय वेतनश्रेणी लागू केलेली असली तरी अशासकीय (खाजगी) अनुदानित उच्च माध्यमिक विद्यालयातील व महाविद्यालयातील विलक्षी व एम.सी.व्ही.सी. निदेशकांना मात्र अशा द्विस्तरीय/त्रिस्तरीय वेतनश्रेणी पासून वंचित ठेवण्यात आले आहे, हे खरे आहे काय?

२. असल्यास, याबाबत काही विधान परिषद सदस्य यांनी मा. उच्च व तंत्र शिक्षणमंत्री यांचेकडे दिनांक १३.९.१९९५ रोजी किंवा त्या दरम्यान एक निवेदन पाठवून १५ मे १९९५ च्या शासननिर्णयाने केलेला भेदभाव लक्षात आणून दिला. हे खरे आहे काय ?

३. असल्यास, सदरहू तक्रारीच्या निवारणार्थ शासनाने काय उपाययोजना केलेली आहे वा करण्याचे योजिले आहे ?

४. अद्याप उपाययोजना केलेली नसल्यास, याबाबत होणाऱ्या विलंबाची कारणे काय आहेत ?

श्री. दत्ता राणे : (१) व (२) होय.

(३) दि. १५.५.९५ रोजी उच्च व तंत्र शिक्षण आणि सेवायोजन विभागाच्या शासन निर्णय क्र. टिएसए-१०९४-(३०१/९४) व्यशि-२-अन्वये शासकीय औद्योगिक प्रशिक्षण संस्थातील, तसेच शासकीय/अशासकीय अनुदानित तंत्र माध्यमिक व उच्च माध्यमिक स्तरावरील निदेशकांना द्विस्तरीय/त्रिस्तरीय वेतनश्रेणी मंजूर करण्यात आली आहे.

(४) सदर आदेशातील काही त्रुटी उपरोक्त पत्राद्वारे शासनाच्या निदर्शनास आणून दिल्यावर त्या दूर करण्याचा प्रश्न शासनाच्या विचाराधीन आहे.

कनिष्ठ महाविद्यालयातील व्यवसाय अभ्यासक्रमाकडील  
(एम.सी.व्ही.सी. व बॉयफोकल) निदेशकांना  
त्रिस्तरीय वेतनश्रेणी लागू करण्याबाबत.

महाराष्ट्र विधानपरिषद : : दुसरे अधिवेशन १९९६  
मंगळवार, दिनांक ६ ऑगस्ट १९९६

रोजी सभागृहाच्या पटलावर ठेवण्यात आलेल्या अतारांकीत  
प्रश्नोत्तराच्या तिसऱ्या यादीतील प्रश्न क्र. (५) ७६५१

(५) ७६५१ (१४.३.९६) सर्वश्री. सुरेश पाटील, बी.टी.देशमुख,  
व्ही.यु.डायगव्हाणे, पी.जी.दस्तुरकर, जयवंत ठाकरे, : तारांकीत प्रश्न  
क्रमांक ४५६७ ला दिनांक ६ डिसेंबर १९९५ रोजी दिलेल्या उत्तराच्या  
संदर्भात सन्माननीय उच्च व तंत्रशिक्षण मंत्री पुढील गोष्टीचा खुलासा  
करतील काय :-

१. विदर्भ ज्युनिअर कॉलेज टिचर्स असोसिएशन नागपूर या संघटनेने दिनांक २१.११.१९९४ रोजी मा. शिक्षण राज्यमंत्री यांना निवेदन पाठवून मागणी केल्याप्रमाणे दिनांक १५ मे, १९९५ च्या शासन (निर्णय क्रमांक टिएसए-१०९४/(३०१/९४)/व्यशि-२) आदेशानुसार अशासकीय अनुदानित उच्च माध्यमिक व तांत्रिक विद्यालयातील निदेशकांना द्विस्तरीय/त्रिस्तरीय वेतनश्रेणी लागू केलेली असली तरी अशासकीय (खाजगी) अनुदानित उच्च माध्यमिक विद्यालयातील व महाविद्यालयातील विलक्षी व एम.सी.व्ही.सी. निदेशकांना मात्र अशा द्विस्तरीय/त्रिस्तरीय वेतनश्रेणी पासून वंचित ठेवण्यात आल्यामुळे निर्माण झालेल्या त्रुटी दूर करण्याच्या विचाराधीन प्रश्नावरील शासनाचा विचार पूर्ण झालेला आहे काय?

२. विचार पूर्ण झालेला असल्यास याबाबत शासनाने घेतलेल्या निर्णयाचे स्वरूप काय आहे ?

३. अद्यापहि विचार पूर्ण झालेला नसल्यास याबाबत होणाऱ्या विलंबाची कारणे काय आहेत ?

श्री.दत्ता राणे (१३.६.१९९६) : (१) होय.

(२) शासन निर्णय क्रमांक टीएसए. १०९४/(३०१/९४)/व्यशि-२, दिनांक १५ मे १९९५ मधील आदेशात सुधारणा करणारे शुद्धीपत्रक शासन निर्णय, दिनांक ७ डिसेंबर १९९५ द्वारे निर्गमित करण्यात आले आहे. त्याद्वारे "अशासकीय अनुदानित कनिष्ठ महाविद्यालयातील व्यवसाय अभ्यासक्रमाकडील पूर्ण वेळ व्यवसाय निदेशक" यांचा समावेश वेतनश्रेणीच्या लाभासाठी करण्यात आलेला आहे.

(३) प्रश्न उद्भवत नाही.



Administrative Control, it is pointed out that while counting the service for the post of Senior Grade or the selection Grade lecturer, service of the Lecturer as Demonstrator or Tutor cannot be taken into account. The Director of Education (Higher Education), Pune did not thus take into account the past service of the Lecturers as Demonstrators/Tutors for their placement in the Senior Scale or the Selection Grade Lecturer as the case may be as provided in clauses 12(a) and 13(a) of the G.R. dated 27.2.1989. Feeling, therefore, aggrieved, the petitioners have impugned the letter of State Government dated 25.10.1989 addressed to the Nagpur University and the Circular dated 17.12.1989 issued by the Director of Education (Higher Education) M.S.Pune, by way of the instant Writ

Petition claiming a declaration that their service as Demonstrators/Tutors till 30.6.1975 should be computed while determining their placement in the Senior Scale or the Select Grade for Lecturers as provided in clauses 12 (a) and 13 (a) of the aforesaid G.R. dated 27.2.1989.

13. The only question that we have therefore to consider is whether the service of the petitioners as Demonstrators/Tutors upto 30.6.1975 can be taken into consideration while considering the question of their placement in the post of Lecturer (senior Scale) having revised pay-scale of Rs.3000-5000/- and the post of Lecturer (Selection Grade) having revised pay-scale of Rs. 3700-5700/- as provided in clauses 12 (a) and 13(a) of the aforesaid G.R.dated 27.2.1989 issued by State Government and implemented by the Nagpur University and the Amravati University as per the directives issued by the Vice Chancellors of the said Universities under Section 11(6) (b) of their respective Acts. So far as the Amravati University is concerned, as already pointed out, there is Statute No.1 of 1989, which is issued to implement the scheme of revision of pay-scales as per the G.R. dated 27.2.1989. What is urged on behalf of the petitioners is that it is exclusively within the jurisdiction of the Universities to determine the question whether the past services of the petitioners as Demonstrators/Tutors should be taken into account while computing their services as Lecturers because their conditions of service are regulated by the provisions on the University Act and, therefore, the State Government or the Director of Education (Higher Education) M.S.Pune, have no power to interfere with the decisions taken by the Nagpur

**IN THE HIGH COURT JUDICATURE,  
APPELLATE SIDE, BOMBAY  
WRIT PETITION NO. 526 OF 1995**

1) Lalasaheb Atmaram Patil Petitioner, Represented by  
Shri. I.T.Satlekar, Advocate.  
VERSUS

1) The State of Maharashtra and others .... Respondents

To,

1) State of Maharashtra, To be served on Additional Government Pleader, High Court, Appellate Side, Bombay.

2) The Director of Education, Higher Education Central Offices, Pune.

3) The Principal, Arts and Commerce College, Satara.

WHEREAS the above named Petitioner has presented a Petition to this High Court of Judicature at Bombay, on 31st day of January 1995 praying that

c) pending final disposal of this writ petition the First, Second and the Fourth Respondent be restrained from giving any effect to the impugned order of the Government of Maharashtra, Higher and Technical Education and Employment Department No. NGC-1294/(273)UNI-4 dated 4th July 1994 and further restrain the Respondents from either effecting any cut in the salary of the Petitioner, or effecting any recovery from the salary of the Petitioner, etc., as stated in the accompanying copy of the petition/as stated in the copy of the petition which is already served upon you.

AND WHEREAS upon hearing Shri Madan Phadanis with Shri. L.A.Satlekar, Advocate for the petitioner and Mrs. S.S.Gokhale, A.G.P., the Court

(Coram-G.D.Kamat & S.H.Kapadia, JJ) passes the following order :-

"Rule. Interim Relief in terms of prayer (C) of the petition to be heard alongwith W.P. NOS. 4641/94, 4656/94 and 4659/94".

It is hereby accordingly ordered that you, your servants and your agents be and are hereby restrained from giving any effect to the impugned order of the Government of Maharashtra, Higher & Technical Education and employment Department No. NGC-1294/(273)UNI-4 dated 4 July, 1994 and further restrained from either effecting any cut in the salary of the Petitioner (i.e.Lalasaheb Atmaram Patil) or effecting any recovery from the salary of the Petitioner paid to him as per the Government's Notification dated 27.2.1989 read with its subsequent order dated 6.1.1990 pending the hearing and final disposal of this writ Petition or until further orders.

Witness Shri. A.M.Bhattachajee, Chief Justice at Bombay aforesaid this 6th day of February, 1995.

By the Court.

**महिला शिक्षिका/कर्मचारी यांना स्तनपानासाठी ६  
महिने रजा मिळणे बाबत.**

महाराष्ट्र विधानपरिषद : दुसरे अधिवेशन १९९६  
मंगळवार, दिनांक ९ जुलै १९९६

(२३) ८७६७ सर्वश्री. पी.जी.दस्तुरकर, वी.टी.देशमुख, व्ही.यु.डायगव्हाणे, जयवंत ठाकरे, सुरेश पाटील, सर्वश्रीमती निशिंगंधा मोगल, संजीवनी रायकर, वीणा शर्मा, सर्वश्री अशोक मोडक, वसंत बापट : सन्माननीय वित्तमंत्री पुढील गोष्टीचा खुलासा करतील काय :-

१. महिला कर्मचाऱ्यांना स्तनपानासाठी सहा महिने रजा देण्यासंबंधात केंद्र शासन व अन्य राज्यांकडून माहिती मागविण्यात आली होती, हे खरे आहे काय,

२. माहिती प्राप्त झाली असल्यास, याबाबत शासनाने काय निर्णय घेतला आहे,

३. अद्याप निर्णय घेतला नसल्यास, विलंबाची कारणे काय आहेत,

४. अद्याप माहिती प्राप्त झाली नसल्यास, ती त्वरीत मिळावी यासाठी शासनाने कोणती कार्यवाही केली आहे?

श्री.एकनाथ खडसे : (१) होय.

(२) केंद्र शासन आणि केरळ, तामीळनाडू, कर्नाटक व मध्यप्रदेश या राज्य शासनांकडून माहिती प्राप्त झाली आहे. त्यानुसार संबंधित शासनाकडे त्यांच्या महिला शासकीय कर्मचाऱ्यांना तीन महिने प्रसूती रजेला जोडून स्तनपानासाठी आणखी तीन महिने विशेष रजा किंवा प्रसूतीसाठी एकूण सहा महिने प्रसूती रजा मंजूर करण्याची तरतुद नाही.

राज्य शासकीय कर्मचाऱ्यांच्या सेवाविषयक बाबीसंबंधात सर्वसाधारणपणे केंद्र शासनाकडील तरतुदी अंगिकारण्याचे या राज्य शासनाचे धोरण आहे. त्यानुसार राज्य शासकीय महिला कर्मचाऱ्यांना सध्या अनुज्ञेय असलेल्या तीन महिने प्रसूती रजेला जोडून स्तनपानासाठी आणखी तीन महिने रजा मंजूर करण्याच्या संबंधात केंद्राच्या धर्तीवरच आपलेही रजा धोरण असावे असा शासनाने निर्णय घेतला आहे.

(३) प्रश्न उद्भवत नाही.

(४) प्रश्न उद्भवत नाही.

and Amravati Universities in this regard and the recommendations made by their Assessment Committees for placement of the petitioners in the Senior Scale or the Select Grade of Lecturers under clauses 12 (a) and 13 (a) of the aforesaid G.R. dated 27.2.1989 by computing their past services in the post of Demonstrators/Tutors from their dates of appointment in the said posts to 30.6.1975.

14. In deciding the said question, it is pertinent to see that the scheme of pay-revision and promotion in regard to the teachers of the non-agricultural Universities and the Colleges affiliated to them in the faculties of Arts, Science, Commerce and Education is introduced on national level as per the recommendations of the University Grants Commission. The preamble of the G.R. dated 27.2.1989 shows that after appointment of 4th pay Commission for Central Government Employees, the University Grants Commission had appointed a committee under the Chairmanship of Prof. Mehrotra to examine the present structure of emoluments and conditions of service of University and college teachers and after considering the report of the said Committee, the University Grants Commission had submitted its recommendations to the Government of India in February, 1987. After examination of the report the Government of India evolved a scheme of pay revision for the University and college teachers and other measures for improvement of standards in higher education, By its letter dated 17th June, 1987 and subsequent letters dated 7th September, 1987 and 22nd July, 1988, the Government of India had recommended to the State Governments to implement its scheme about pay revision and other measures for improvement of standards in higher education. After careful consideration of the said scheme, the State Government had by its G.R. dated 27.2.1989 decided to implement the said scheme as per the terms and conditions of service detailed in the said G.R. dated 27.2.1989.

15. What is most material to be borne in mind while

**नियत वयोमान सेवानिवृत्त होतांना अकृषि विद्यापीठ व अनुदानित अशासकीय संलग्नित महाविद्यालयातील शिक्षक/शिक्षकेतर कर्मचाऱ्यांच्या खाती शिल्लक असलेल्या अर्धवेतनी रजेचे रोखीकरण.**

**महाराष्ट्र शासन**

**उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग**

**शासन निर्णय क्रमांक : युएसजी ३२९५/(३०२९)/विशि-४**

मंत्रालय विस्तार भवन, मुंबई ४०० ०३२.

**दिनांक २७ सप्टेंबर, १९९५**

**वाचा :-** १) शासन निर्णय वित्त विभाग क्र. अरजा-२४९३/५७/सेवा-९, दिनांक ७ मे, १९९४

शुद्धीपत्रक : शासन निर्णय, उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग, क्रमांक युएसजी-३२९५/(३०२९)/विशि-४ दिनांक २९ मे, १९९५ मधील परिच्छेद क्रमांक १ मधील क्र. २ च्या नंतरचा आकडा ३ वाचावा व तो खालीलप्रमाणे वाचण्यात यावा.

३) अर्धवेतनी रजेच्या रोख सममुल्याची परिगणना खालीलप्रमाणे करण्यात येईल :-

अर्धवेतनी रजेचे रोख सममुल्य उ अर्धवेतनी रजा अ अनुज्ञेय असल्यास त्यावरील महागाई भत्ता वजा निवृत्ती वेतन आणि इतर सेवानिवृत्ती लाभाचे निवृत्तीवेतन सममुल्य आणि अर्धवेतनी रजा वेतनावर महागाई भत्ता अनुज्ञेय असल्यास निवृत्तीवेतनावरील वाढ :- ३० फ्रियम वयोमान सेवानिवृत्ती तारखेस देय असलेल्या अर्धवेतनी रजेचे विवरण.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

स्वा/-(अ.भा. भट्टलवार)

अवर सचिव, महाराष्ट्र शासन.

considering the above contention raised on behalf of the petitioners in that as per clause 35 of the aforesaid G.R. dated 27.2.1989, the additional expenditure on account of revision of scales of pay of teachers in the University, Government and non-Government Colleges as on 1.1.1986 has to be initially shared for the period from 1.1.1986 to 31.3.1990 between the Government of India and State Government in the ratio of 80:20 and thereafter i.e. from 1.4.1990 the entire liability on account of the said additional expenditure has to be borne by the State Government. The say of the Government in implementation of its scheme of revision of pay-scales under the aforesaid G.R. 27.2.1989 cannot, therefore, be ignored, Bearing this in mind, we proceed to examine the provisions in the G.R. dated 27.2.1989 to determine the question of the control exercised by the State Government or its Officer in implementing the scheme of pay-revision framed thereunder.

16. Perusal of the G.R. dated 27.2.1989 would show that the package scheme of revision of pay-scales incorporated

**अकृषि विद्यापीठांशी संलग्नित असणाऱ्या महाविद्यालयांमध्ये बी.एस.सी. भाग १ ते ३ या वर्गांच्या विज्ञान विषयाचा कार्यभार अनुदान निर्धारण.**

**महाराष्ट्र शासन**

**उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग,**

**शासन निर्णय क्रमांक : युएसजी-१९९६/३४२४/(प्र.क्र.४०९९)-विशि-४**

मंत्रालय विस्तार भवन, मुंबई-३२

दिनांक : २२ मे, १९९६.

**वाचा :** शासन पत्र शिक्षण व युवकसेवा विभाग क्रमांक : युएसजी-११७८/२५१५१/वत्तीस सेल, दिनांक १९ जून, १९७८.

**शासन निर्णय :** शासन पत्र शिक्षण व सेवायोजन विभाग क्र. युएसजी-११७८/२५१५१/वत्तीस सेल, दिनांक १९ जून, १९७८ अन्वये असे आदेश देण्यात आले आहेत की, विज्ञान विषयाच्या प्रात्यक्षिकांसाठी स्नातक वर्गासाठी, साधारणतः २० ते २५ विद्यार्थ्यांची एक बॅच असावी. जर यापूर्वी विद्यापीठाकडून मान्य करण्यात आलेल्या, अस्तित्वात असणाऱ्या जुन्या परिणियम, अध्यादेशानुसार एखाद्या विशिष्ट विज्ञान विषयाकरिता २० विद्यार्थ्यांपेक्षा कमी विद्यार्थ्यांची बॅच मान्य केली असेल तर त्यासही मान्यता देण्यात यावी. मात्र या संबंधी नवीन परिणियम करावयाचे झाल्यास विद्यार्थी संख्या २० ते २५ ठेवावी लागेल.

२. नागपूर विद्यापीठाशी संलग्नित असणाऱ्या अशासकीय महाविद्यालयातून अधिव्याख्यात्यांचा कार्यभार निश्चित करतांना व सदर कार्यभार अनुदानासाठी ग्राह्य धरतांना विद्यापीठाच्या अॅडव्हाक कमिटीने १९७६ साली केलेल्या शिफारसीवर आधारित नागपूर विद्यापीठाने काढलेल्या परिपत्रकानुसार विषयवार तासिका व प्रात्यक्षिकाचे गट विचारात घेतले जातात.

३. मुंबई उच्च न्यायालयाच्या नागपूर खंडपीठाने कार्यभारानुसार अतिरिक्त ठरणाऱ्या काही डेमाँस्ट्रेटर्सनी दाखल केलेल्या विविध याचिकांवर निर्णय देतांना नागपूर विद्यापीठाच्या कार्यकारी परिषदेने पारीत केलेल्या ठरावानुसार विज्ञान विषयाच्या प्रॅक्टिकल्स करिता १६ विद्यार्थ्यांचा गट मानून कार्यभार निश्चित करावा व त्याप्रमाणे कार्यवाही करावी असे आदेश दिलेले आहेत. सन्माननीय उच्च न्यायालयाने याचिका क्र. १५१८/८३ मध्ये दिलेल्या निर्णयानुसार, शासन असे आदेश देत आहे की, बी.एस.सी. भाग १ ते ३ या वर्पाकरिता असणाऱ्या प्रात्यक्षिकांसाठी १६ ते २० विद्यार्थ्यांची बॅच ठेवण्यात यावी त्याप्रमाणे विद्यापीठांनी स्टॅट्यूट अध्यादेश, विनिमय इ. मध्ये सुधारणा करण्यासाठी या नवीन स्टॅट्यूट, अध्यादेश, विनिमय इ. करण्यासाठी मान्यता घ्यावी. मात्र सन १९७८ पूर्वी या प्रकरणात करण्यात आलेल्या स्टॅट्यूटमध्ये कोणतेही बदल करावयाचे नाहीत याचीही कृपया विद्यापीठांनी नोंद घ्यावी.

४. शिक्षण संचालक, उच्च शिक्षण, म.रा. पुणे, यांना विनंती की, ही बाब सर्व विद्यापीठे व संलग्नित महाविद्यालयांचे निदर्शनास आणून द्यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

**(त्रि.ब.सेन)**

उपसचिव, महाराष्ट्र शासन

in the G.R.dated 27.2.1989 envisages and provides for changes in the other conditions of service for teachers also for raising the standards in Higher Education. Therefore as per clause 32 thereof, the State Government has asked the Universities to initiate action to frame suitable statutes under the relevant provisions of the respective Universities Acts, 1974, and take immediately all appropriate steps which may be required to implement the package scheme of revision of pay-scales framed under the said G.R. dated 27.2.1989 for the maintenance of standards in Higher Education, for their teachers and college teachers. The Vice -Chancellors of all the non-agricultural Universities in the State were requested to ensure that no part of the said scheme remained unimplemented or not implemented effectively for want of guidance in the form of statutes, ordinances, regulations, rules and criteria which would be necessary to implement the said scheme.

17. What is most pertinent to be seen is that as per clause 33 of the said G.R. dated 27.2.1989, the Director of Education (Higher Education) is the Authority to implement the scheme of the revised scales of pay for University/College teachers recommended by the University Grants Commission. The Regional Administrative Officers, Higher Education, (Grants) of the concerned regions are given the authority for fixation of pay and for recommending the claims or arrears to the office of the Director of Education (Higher Education). The Director of Education (Higher Education) is also empowered to prescribe the procedure of keeping separate account of the expenditure on account of revision of pay-scales for the purpose of claiming central assistance. It is thus clear from the above para 33 that the final authority in fixation of pay-scales of the University and College teachers is the Director of Education (Higher Education).

18. This is also clear from clause 19 of the aforesaid G.R. dated 27.2.1989 which provides for constitution of the Assessment Committees for the purpose of placement of

Lecturers in Senior Scale and Selection Grade. It is provided in the said para 19 that the recommendations of the Assessment Committees in this regard should be forwarded by the Universities concerned to the Director of Education (Higher Education) M.S. Pune, clause 19 itself thus clearly shows that the final authority in regard to fixation of pay-scale does not vest with the University but with the Director of Education (Higher Education ) M.S. Pune because all the recommendations of the Committee have to be forwarded by the Universities to the Director of Education (Higher Education ) M.S. Pune, and they cannot themselves take any final decision on the basis of the said recommendations of the Assessment Committees.

19. Clause 34 of the aforesaid G.R. dated 27.2.1989 further casts an obligation upon him to send a quarterly statement to the Accountant General, Maharashtra before the close of every financial year and also to claim the grant from the Central Government. All these provisions thus clearly show that it is the duty of the Director of Education (Higher Education) M.S. Pune to see that there is compliance with the provisions of the G.R. dated 27.2. 1989 in fixation of pay-scales and granting other benefits to the University and College teachers. At any rate, it is clear that the Universities have to initiate actions for implementing the provisions of the G.R. dated 27.2.1989 as they are if they want to take the benefit of pay-revision and other benefits conferred upon the University and college teachers thereunder and it cannot vary on its own the requirement of the said G.R. or the terms and conditions prescribed thereunder.

20. It is pertinent to see that in the directives of the Vice Chancellors, the scheme as laid down in the G.R. dated 27.2.1989 is sought to be implemented as it is. However, the Nagpur University had appointed a co-ordination Committee before accepting the directives of the Vice-Chancellor and it is in the light of the recommendations of the co-ordination Committee, which are accepted by the Executive Council of

### महाविद्यालयीन व विद्यापीठीय शिक्षकांच्या पाल्यांना विनामुल्य शिक्षणाची सवलत

महाराष्ट्र विधानपरिषद : दुसरे अधिवेशन १९९६  
मंगळवार, दिनांक ६ ऑगस्ट १९९६  
रोजी सभागृहाच्या पटलावर ठेवण्यात आलेल्या अतारांकीत प्रश्नोत्तराच्या दुसऱ्या यादीतील प्रश्न क्र. (११) ७६५०

(११) ७६५० (१३.३.९६) सर्वश्री. व्ही.यु.डायगव्हाणे, बी.टी.देशमुख, पी.जी.दस्तुरकर, जयवंत ठाकरे, सुरेश पाटील : सन्माननीय उच्च व तंत्रशिक्षण मंत्री पुढील गोष्टीचा खुलासा करतील काय :-

(१) माध्यमिक शिक्षकांच्या पाल्यांना लागू करण्यात आलेली विनामुल्य शिक्षणाची व्यवस्था विद्यापीठीय व महाविद्यालयीन शिक्षकांच्या पाल्यांनासुद्धा लागू करण्यात यावी अशी मागणी करणारे एक निवेदन बॉम्बे युनिव्हर्सिटी व कॉलेज टीचर्स संघटनेच्या (बी.यू.सी.टी.ओ.) अध्यक्षानी दिनांक २५ मे १९९५ रोजी किंवा त्या दरम्यान मा. मुख्यमंत्र्यांना सादर केले आहे, हे खरे आहे काय;

(२) असल्यास, शासनाने याबाबत घेतलेल्या निर्णयाचे स्वरूप काय आहे;

(३) अद्याप निर्णय झालेला नसल्यास, याबाबत होणाऱ्या विलंबाची कारणे काय?

श्री. दत्ता राणे (१७.५.९६) : (१) उपलब्ध रेकॉर्डवरून असे निवेदन प्राप्त झाल्याचे दिसून येत नाही. तथापि "एमफक्टो" संघटनेकडून अशी मागणी शासनाकडे आली आहे.

(२) ही बाब शासनाच्या विचाराधीन आहे.

(३) अकृषि विद्यापीठे व संलग्न महाविद्यालयातील शिक्षक व शिक्षकेतर कर्मचाऱ्यांच्या पाल्यांना मोफत शिक्षण देण्याची बाब वित्त विभागाच्या सल्ल्याने तपासण्यात येत आहे.

### निवडश्रेणीतील प्राध्यापकांना प्रपाठक हे पदनाम देण्यात कृषी विद्यापीठाकडून होणारा भेदभाव संपुष्टात आणणे

महाराष्ट्र विधानपरिषद : दुसरे अधिवेशन १९९६  
गुरुवार, दिनांक १ ऑगस्ट १९९६  
रोजीची तारांकित प्रश्नोत्तरांची यादी मंगळवार दिनांक ६ ऑगस्ट १९९६ रोजी सभागृहाच्या पटलावर ठेवली

(२) ८८०० सर्वश्री. पी.जी.दस्तुरकर, बी.टी.देशमुख, व्ही.यु.डायगव्हाणे, जयवंत ठाकरे, सुरेश पाटील, तारांकित प्रश्न क्रमांक ६६८८ ला दिनांक ११ डिसेंबर १९९५ रोजी दिलेल्या उत्तराच्या संदर्भात सन्माननीय कृषिमंत्री पुढील गोष्टीचा खुलासा करतील काय :-

१. कला विज्ञान व वाणिज्य महाविद्यालयातून काम करणाऱ्या पी.एच.डी. धारक निवडश्रेणी अधिव्याख्यात्यांना उच्च व तंत्रशिक्षण विभागाच्या ४ फेब्रुवारी १९९४ च्या शासन निर्णयाने रिडर/प्रपाठक हे पदनाम दिले असले तरी कृषी विभागाने तत्सम शासन निर्णय निर्गमित न केल्यामुळे कृषी विद्यापीठातून काम करणाऱ्या अशा अधिव्याख्यात्यांना या लाभापासून वंचित ठेवण्यात आल्याचा भेदभाव संपुष्टात आणण्याबाबत शासनाच्या विचाराधीन असलेल्या प्रश्नाबाबत शासनाचा विचार पूर्ण झाला, हे खरे आहे काय,

२. असल्यास, शासनाने घेतलेल्या निर्णयाचे स्वरूप काय,

३. अद्यापि विचार पूर्ण झालेला नसल्यास, विलंबाची सर्वसाधारण कारणे काय?

श्री. शशिकांत सुतार : (१) (२) व (३) करिता विद्यापीठातील सहाय्यक प्राध्यापकांना "सहयोगी प्राध्यापकाचे" पदनाम देण्याबाबतचा प्रस्ताव विचाराधीन आहे. प्रस्तावाच्या निरनिराळ्या बाबींची तपासणी करण्यात येत आहे.

Nagpur University, that it is sought to be urged that the service of the petitioners as Demonstrators/Tutors should be taken into account while giving them the benefit of the pay-scale of Senior Scale or the Senior grade as per the G.R. dated 27.2.1989. It is however, material to see in this regard that the University itself has in its return in the instant case acknowledged the authority of the Director of Education (Higher Education) as final authority in this matter and has admitted that the Director of Education (Higher Education) has not accepted the recommendations of the University to compute service of the petitioners as Demonstrators/Tutors in considering the question of their placement in Senior scale or the selection grade of Lecturer.

21. The learned Counsel for the petitioners has urged before us that the terms and conditions of service of the University/college teachers are regulated by the respective University Acts. He has brought to our notice that under section 24 (1) (XXX) and (XXX-a) of the Nagpur University Act, the Executive Council has the power to determine the conditions of service of the University/College teachers and to determine their emoluments. In our view, even assuming that the University has such a power, where the State Government is bearing the additional financial burden caused due to the revision of pay-scales, the scheme to be implemented is the scheme framed by it and it has to be implemented as it is without any changes, unless authorised by the State Government itself, by exercising the aforesaid powers under the University Act, when the University takes benefit of the said scheme for the University and the College teachers.

22. Even otherwise, it has to be seen that as regards the University teachers, Section 77-B of the Nagpur University

Act (corresponding section of the Amravati University Act is section 88) requires the sanction of the State Government for any financial commitment to be taken by the University which means that all its proposals involving financial implications are subject to scrutiny and final sanction by the State Government. If the financial sanction or the State Government is required in respect of the University teachers, it is difficult to see why in respect of the teachers in the affiliated Colleges, its sanction should not be necessary, when the financial burden arising out of the scheme of new revision of pay-scale is wholly undertaken by the State Government, and further why the terms and conditions laid down by it in its G.R. dated 27.2.1989 should not be binding and should not be implemented by the Universities as they are. The submission on behalf of the petitioner that the Director of Education (Higher Education) has no authority to interfere with the decision of the Universities in this regard cannot thus be accepted.

23. The next question to be considered? (is whether) Clauses 12(a) and 13(a) admit of computation of service as Demonstrators/Tutors while considering the claim of Lecturer for his placement in the senior scale of Rs.3000-5000/- or in the selection grade of Rs.3700- 5700/- as the case may be. Clauses 12(a) and 13(a) of the aforesaid G.R.dated 27.2.1989 are as follows:

12 Career Advancement:- Every Lecturer/Assistant Librarian/Librarian/Director/Instructor of Physical Education/ Assistant Director of Physical Education, in the existing scale of Rs. 700-1,600 will be placed in a senior scale of Rs.3,000-5000 if he/she has:-

(a) completed 8 years of service after regular appointment with relaxation as provided in para 10 above;

13 Every Lecturer, Library and Physical Education

**निवडश्रेणीमध्ये यापूर्वीच स्थान निश्चिती झालेल्या अधिव्याख्यात्यांना रिफ्रेशर कोर्सेसची अट लागू नसल्याचा विद्यापीठ अनुदान आयोगाचा निर्णय**

महाराष्ट्र विधानपरिषद : तिसरे अधिवेशन १९९५  
बुधवार, दिनांक ६ डिसेंबर १९९५

(२१) ४४८७ सर्वश्री.बी.टी.देशमुख, व्ही.यु.डायगव्हाणे, पी.जी.दस्तुरकर, जयवंत ठाकरे, सुरेश पाटील : दिनांक ६ जुलै १९९५ रोजी सभागृहाच्या पटलावर ठेवण्यात आलेल्या ५ जुलै १९९५ च्या तारांकित प्रश्नोत्तराच्या यादीत समाविष्ट असलेल्या तारांकित प्रश्न क्रमांक १३२४ ला दिलेल्या उत्तराच्या संदर्भात सन्माननीय उच्च व तंत्रशिक्षण मंत्री पुढील गोष्टीचा खुलासा करतील काय :-

१. रिफ्रेशर कोर्सेस पूर्ण करण्याची अट नविन अधिव्याख्यात्यांना किंवा ज्यांची निवडश्रेणी मध्ये स्थाननिश्चिती अजून झालेली नाही अशा अधिव्याख्यात्यांना लागू असून निवडश्रेणीमध्ये किंवा प्रपाठक या श्रेणीमध्ये यापूर्वीच ज्यांची स्थाननिश्चिती झाली आहे अशा अधिव्याख्यात्यांना रिफ्रेशर कोर्सेस करण्याची आवश्यकता नसल्याचा विद्यापीठ अनुदान आयोगाने घेतलेला निर्णय धोरणात्मक आहे किंवा कसे याबाबतच्या विचारणेला आलेले विद्यापीठ अनुदान आयोगाचे उत्तर लक्षात घेवून याबाबत अंतिम निर्णय शासनाने घेतलेला आहे हे खरे आहे काय?

२. खरे असल्यास याबाबत शासनाने घेतलेल्या निर्णयाचे स्वरूप काय आहे ?

३. अद्याप निर्णय झालेला नसल्यास याबाबत होणाऱ्या विलंबाची कारणे काय आहेत ?

श्री. दत्ता राणे : (१) नाही.

(२) प्रश्न उद्भवत नाही.

(३) विद्यापीठ अनुदान आयोगाकडून याबाबत मागविण्यात आलेला खुलासा अद्यापि प्राप्त झालेला नसल्याने विलंब होत आहे.

**निवडश्रेणीमध्ये यापूर्वीच स्थान निश्चिती झालेल्या अधिव्याख्यात्यांना रिफ्रेशर कोर्सेसची अट लागू नसल्याचा विद्यापीठ अनुदान आयोगाचा निर्णय**

महाराष्ट्र विधानपरिषद : दुसरे अधिवेशन १९९६  
बुधवार, दिनांक १० जुलै १९९६

(१५) ८७११ सर्वश्री. बी.टी.देशमुख, व्ही.यु.डायगव्हाणे, पी.जी.दस्तुरकर, जयवंत ठाकरे, सुरेश पाटील : तारांकित प्रश्न क्रमांक ४४८७ ला दिनांक ६ डिसेंबर १९९५ रोजी दिलेल्या उत्तराच्या संदर्भात सन्माननीय उच्च शिक्षण मंत्री पुढील गोष्टीचा खुलासा करतील काय :-

१. रिफ्रेशर कोर्सेस पूर्ण करण्याची अट नविन अधिव्याख्यात्यांना किंवा ज्यांची निवडश्रेणी मध्ये स्थाननिश्चिती अजून झालेली नाही अशा अधिव्याख्यात्यांना लागू असून निवडश्रेणीमध्ये किंवा प्रपाठक या श्रेणीमध्ये यापूर्वीच ज्यांची स्थाननिश्चिती झाली आहे अशा अधिव्याख्यात्यांना रिफ्रेशर कोर्सेस करण्याची आवश्यकता नसल्याचा विद्यापीठ अनुदान आयोगाने घेतलेला निर्णय धोरणात्मक आहे किंवा कसे याबाबत विद्यापीठ अनुदान आयोगाकडून मागविण्यात आलेला खुलासा प्राप्त झाला आहे काय;

२. असल्यास, याबाबत शासनाने घेतलेल्या निर्णयाचे स्वरूप काय आहे ?

३. अद्याप विद्यापीठ अनुदान आयोगाचा खुलासा प्राप्त झाला नसल्यास, विलंब होण्याची कारणे काय आहेत व खुलासा त्वरीत प्राप्त होण्यासाठी शासनाने कोणते प्रयत्न केले आहेत?

श्री.दत्ता राणे : (१) नाही.

(२) प्रश्न उद्भवत नाही.

(३) विद्यापीठ अनुदान आयोगाकडे नियमितपणे मार्च १९९५ पासून पाठपुरावा करूनही अद्यापि आयोगाने आवश्यक माहिती पाठविलेली नाही. विद्यापीठ अनुदान आयोगाला पुन्हा स्मरणपत्र पाठविण्यात आले आहे.

staff in the senior scale will be eligible for promotion, to the post of Lecturer (Selection Grade) Reader/Deputy Librarian/ Deputy Director of Physical Education in the scale of pay of Rs.3,700- 5,700 if he/she has:-

(a) completed 8 years of service in the senior scale provided that the requirement of 8 years will be relaxed if the total service of the lecturer is not less than 16 years;

23-A) Bare reading of Clause 12(a) would show that what it envisages is 8 years service after regular appointment as a Lecturer. The only relaxation which is provided for is as in Clause 10 of the said G.R. dated 27.2.1989, which would itself show that no other relaxation is permissible in granting the benefit of Clause 12 of placement of a Lecturer in senior scale. As regards the completion of 8 years service after regular appointment, it is needless to state that the said service is as a Lecturer. Similarly in para 13(a) for getting the post of Lecturer (Selection Grade) in the pay-scale of Rs.3700-5700/-, the requirement is of completion of 8 years service in the senior scale which can be relaxed if the total service in the post of Lecturer is not less than 16 years. Here also the length of service envisaged is in the post of Lecturer (Senior Scale) or the Lecturer only, as the case may be. These clauses do not thus admit of computation of service as Demonstrators/Tutors in getting the benefit thereunder.

24. The learned counsel for the petitioners has, however, sought to contend before us that in interpreting clauses 12 and 13 of the aforesaid G.R. dated 27.2.1989, the service as teacher should be computed. He has relied upon the definition of the expression teacher given in Section 2(13) of the Nagpur University Act, 1974 which inter alia includes Demonstrator and Tutor also. However, what needs to be seen is that in clauses 12 and 13 the word used is not teacher but Lecturer along with other categories of officers/employees in the University and its affiliated Colleges. It is clear from the definition of the expression teacher referred to above that the said word used is in a generic sense whereas the word Lecturer is only a specie i.e. one of the categories of teacher. Admittedly there are various categories of teachers such as Professor, Reader, Lecturer, Demonstrator/Tutor etc. having different pay-scales, duties and responsibilities. The word Lecturer used in clauses 12 and 13 of the aforesaid G.R. dated 27.2.1989 cannot thus be equated with the word teacher. The above submission made on behalf of the petitioner is thus devoid of any merit and has to be rejected.

25. It is then necessary to see that there is no rationale behind the recommendations of the Co-ordination Committee, which requires that the whole of the service of the Demonstrators/ Tutors should be taken into consideration while giving them the benefit of the pay-scales of Lecturers as per the Government Resolution dated 27.2.1989. It is pertinent to see that the post of Demonstrators/Tutors was a post lower than the post of Lecturer, qualificationwise, duty and responsibilitywise as well as pay-scalewise. It appears that the Government had taken a decision to abolish the cadre of Demonstrator/ Tutor at the time the G.R.dated 25.10.1977 was issued and had decided to absorb the incumbents of the post of Demonstrators/Tutors, who possessed the requisite qualification for appointment as Lecturers, by upgrading their posts as Lecturers w.e.f. 1st July. 1975. It had also resolved that no new appointment should be made in the posts of Demonstrator/Tutor. However, it allowed the existing incumbents of the said posts, who were not qualified for being upgraded as Lecturers, to continue in the said posts of Demonstrators/Tutors thus maintaining the said cadre only for such incumbents till they continued in service in the said posts.

26. It is pertinent to see that up-till-now the said G.R. dated 25.10.1977 is not challenged by the Demonstrators/ Tutors, on the ground that it should be made applicable to all the Demonstrators/Tutors irrespective of their qualifications from the dates of their appointment in the said posts. Even these Demonstrators/Tutors like the petitioners who possessed the requisite qualifications of the posts of Lecturers and who were upgraded as Lecturers have not challenged the said G.R. dated 25.10.1977 on the ground that they should be treated as Lecturers from the dates of their appointment in their posts of Demonstrator/Tutors and not from 1.7.1975 on the ground that the said date has no rationale. In fact no such claim could be made at any rate prior to the date on which they attained the qualifications requisite for the post of Lecturer. So, the petitioners, are actually continued as Lecturers w.e.f. 1.7.1975 only.

27. It is, therefore, difficult to see how the services of the petitioners as Demonstrators/Tutors can be taken into consideration while giving them the benefit of Clauses 12 and 13 of the G.R. dated 27.2.1989 which are available to a person working as Lecturer. It is then necessary to see that if the service of the petitioners as Demonstrators/Tutors is computed while considering their claim for benefit under Clauses 12 and 13 of the G.R. dated 27.2.1989 meant for Lecturers, it will be arbitrary and discriminatory to those who were appointed as Lecturers worked as Lecturers, because by their service as Demonstrators/Tutors, the petitioners would be able to go in higher scale of pay earlier as compared to the Lecturers, who although appointed prior to 1.7.1975, may not be having that much service as Lecturer for higher grade and pay-scale. The recommendations of the Co-ordination Committee and its acceptance by the Executive Council of the Nagpur University has thus no rationale.

28. In the result, all the writ petitions fail and are dismissed. No costs.

By the Court

sd/- B.S.Likhitkar

Assistant Registrar

High Court of Bombay At Nagpur.

### सामाजिक कार्य महाविद्यालयातील ग्रंथपालांना

#### यु.जी.सी. वेतनश्रेणी लागू करणे

महाराष्ट्र विधानपरिषद : : दुसरे अधिवेशन १९९६  
सोमवार, दिनांक ८ जुलै १९९६

(२२) ८७४४ सर्वश्री. बी.टी.देशमुख, व्ही.यु.डायगव्हाणे, पी.जी.दस्तुरकर, जयवंत ठाकरे, सुरेश पाटील, तारांकित प्रश्न क्रमांक ७६२२ ला दिनांक २२ मार्च १९९६ रोजी दिलेल्या उत्तराच्या संदर्भात सन्माननीय समाजकल्याण मंत्री पुढील गोष्टीचा खुलासा करतील काय?

१. समाज कार्य महाविद्यालयातील ग्रंथपालांना विद्यापीठ अनुदान आयोगाची चौथ्या वेतन आयोगानुसार सुधारित वेतनश्रेणी लागू करण्याच्या विचाराधीन प्रश्नावरील शासनाचा विचार पूर्ण झाला आहे काय?

२. विचार पूर्ण झालेला असल्यास, याबाबत शासनाने घेतलेल्या निर्णयाचे स्वरूप काय आहे,

३. अद्यापहि विचार पूर्ण झालेला नसल्यास, याबाबत होणाऱ्या विलंबाची कारणे काय आहेत?

श्री.बबन घोलेप : (१) होय.

(२) एकूण सात ग्रंथपालांपैकी पात्र दोन ग्रंथपालांना चौथ्या वेतन आयोगानुसार वेतनश्रेणी मंजूर करण्यात आली आहे.

(३) प्रश्न उद्भवत नाही.

**Agenda continued from Page .... 114**

जानेवारी १९८५ रोजी १९८३ च्या याचिका क्रमांक १५१८ मध्ये दिलेल्या निर्णयाचे काळजीपूर्वक अवलोकन केल्यास “१६ ते २० विद्यार्थ्यांची बॅच ठेवण्यात यावी” असे त्या निर्णयामध्ये कोठेही म्हटलेले नाही. १६ विद्यार्थ्यांचाच गट प्रात्यक्षिकासाठी असेल असे या निर्णयात स्पष्टपणे नमूद असून “The Adiministrative officer was duty bound to give effect to the same” असेही याच निर्णयात स्पष्टपणे नमूद आहे. “सन्माननीय उच्च न्यायालयाने याचिका क्र. १५१८/८३ मध्ये दिलेल्या निर्णयानुसार, शासन असे आदेश देत आहे की, बी.एस.सी. भाग १ ते ३ या वर्षाकरिता असणाऱ्या प्रात्यक्षिकांसाठी १६ ते २० विद्यार्थ्यांची बॅच ठेवण्यात यावी” हा उल्लेख असत्य व न्यायालयाचा अवमान करणारा असल्यामुळे तो ताबडतोब मागे घेण्यात यावा व नागपूर व अमरावती विद्यापीठासाठी ही संख्या १६ असेल या न्यायालयाच्या निर्णयानुसार दुरुस्त आदेश तत्परतेने निर्गमित करावे अशी विनंती ही सभा शासनाला करित आहे.

**नोटस :- (१) मा. उच्च न्यायालयाच्या नागपूर खंडपीठाने याचिका क्र. १५१८/८३ या प्रकरणात १० जानेवारी १९८५ रोजी दिलेला निर्णय यापूर्वीच १९९३ च्या नुटा बुलेटीनच्या पृष्ठ क्र. ३७ वर प्रसृत केला आहे.**

**(२) महाराष्ट्र शासनाच्या उच्च शिक्षण व तंत्रशिक्षण विभागाचा दिनांक २२ मे १९९६ चा शासननिर्णय नुटा बुलेटीनच्या या अंकात प्रसृत केला आहे.**

**(३) कार्यकारी मंडळाच्या वतीने प्रा.एस.ए.तिवारी हे उक्त प्रस्ताव आमसभेसमोर मांडतील.**

**विषय क्रमांक २०८ :**

**समाजकार्य महाविद्यालयातील प्राध्यापकांना सोईसुविधांबाबत भेदभावपूर्ण वागणूक**

कार्यकारी मंडळाच्या वतीने मांडण्यात येत असलेला पुढील प्रस्ताव विचारात घेणे व मान्य करणे :-

“राज्यातील सी.एस.डब्ल्यु., बी.एस.डब्ल्यु. व एम.एस.डब्ल्यु. हे समान अभ्यासक्रम संचालित करणारी काही महाविद्यालये शिक्षण खात्यांतर्गत, तर काही महाविद्यालये समाज कल्याण खात्यांतर्गत असल्यामुळे काही समस्या अनेक वर्षांपासून निर्माण झाल्या आहेत. एकाच विद्यापीठ अधिनियमाने नियमन होणाऱ्या वेगवेगळ्या विद्यापीठांशी ही महाविद्यालये संलग्न आहेत, हे विशेष होय. नागपूरचे मातृसेवा संघ इंस्टीट्यूट ऑफ सोशल वर्क हे महाविद्यालय शिक्षण खात्याच्या अधिक्षेत्रात तर इतर सर्व समाजकार्य महाविद्यालये समाज कल्याण खात्याच्या अधिक्षेत्रात आहेत. परिणामतः शिक्षण विभागाच्या शासन आदेशाने देण्यात आलेल्या निवृत्तीवेतन व उपदान योजना, स्वग्राम रजा प्रवास सवलत, वैद्यकीय खर्च परतावा योजना इत्यादी सेवाशर्ती मातृसेवा संघ इंस्टीट्यूट ऑफ सोशल वर्क येथील शिक्षण व शिक्षकेतर कर्मचाऱ्यांना लागू झाल्या असून समाज कल्याण खात्याच्या अधिक्षेत्रातील समाजकार्य महाविद्यालयाचे शिक्षक व शिक्षकेतर कर्मचारी मात्र या सेवाशर्तीपासून वंचित राहिले असून याबाबत अक्षम्य भेदभाव होत आहे.

म्हणून नुटाच्या कार्यकारी मंडळाची ही सभा समाज कल्याण खात्याच्या अधिक्षेत्रातील समाजकार्य महाविद्यालये अविंलंब शिक्षण खात्याच्या अधिक्षेत्रात सोपवून शिक्षक व शिक्षकेतर कर्मचाऱ्यांच्या सेवाशर्ती संदर्भातील हा भेदभाव कायमस्वरूपी संपुष्टात आणावा अशी महाराष्ट्र शासनाकडे मागणी करित आहे.”

**नोट :- (१) कार्यकारी मंडळाच्या वतीने प्रा.अनिल ढगे हे उक्त प्रस्ताव आमसभेसमोर मांडतील.**

**विषय क्रमांक २०९ :**

**श्री काळमेघ व कु. मांडले यांची सेवामुक्ती**

कार्यकारी मंडळाच्या वतीने मांडण्यात येत असलेला पुढील प्रस्ताव विचारात घेणे व मान्य करणे :-

अमरावती विद्यापीठाच्या संगणक विभागात काम करणाऱ्या श्री सुशीलकुमार काळमेघ व कु. स्वाती च. मांडले या दोन्ही अधिव्याख्यात्यांची निवड विद्यापीठ कायद्याने रचित केलेल्या “नियमित निवड समिती” च्या माध्यमातून झालेली असतांना सुध्दा त्यांची पुन्हा स्थानिक निवड समिती मार्फत निवड करण्यात आली. वस्तुतः नियमित निवड झाली त्यावेळीच परिणयमांनी विहित केलेली पात्रता ते पुर्ण करित होते. तरीही त्यांना अल्पकालीन नेमणुका देण्यात आल्या. विद्यापीठामध्ये यापूर्वी असा प्रकार कधीही घडला नव्हता.

महाराष्ट्र शासनाच्या २२ डिसेंबर १९९५ च्या शासन निर्णयाच्या परिच्छेद ७ (अ) मध्ये “नेट/सेट परीक्षा उत्तीर्ण करण्याची दिनांक ३१ मार्च १९९६ ची मुदत या आदेशाद्वारे काढून टाकण्यात येत आहे”. असे स्पष्टपणे नमूद केले असतांना सुध्दा आणि याच शासननिर्णयाच्या परिच्छेद ७ (क) मध्ये “नेट/सेट परीक्षा उत्तीर्ण नाही या कारणास्तव अशा अधिव्याख्यात्यांना सेवेतून कमी करण्यात येवू नये” असे स्पष्टपणे नमूद असतांना सुध्दा मुळात ‘परिनियमांनी विहित केलेली विधिवत पात्रता ‘ असणाऱ्या या दोन अधिव्याख्यात्यांना देण्यात आलेल्या अल्पकालीन नेमणुकांचे आदेश न बदलविल्यामुळे त्यांना सेवामुक्त व्हावे लागले. वारंवार लक्षात आणून देवून सुध्दा विद्यापीठ प्रशासनाने अल्पकालीन नेमणुकांच्या जागी नियमित नेमणुकीचे आदेश निर्गमित केले नाहीत. संलग्न महाविद्यालयातून काम करणाऱ्या शकडो शिक्षकांना २२ डिसेंबर १९९५ च्या शासन निर्णयाप्रमाणे ‘नेट/सेट’ च्या परिणयमबाहय अटीमुळे होणाऱ्या/ होवू शकणाऱ्या सेवामुक्ती पासून वाचविणारे आदेश विद्यापीठाने निर्गमित केलेले असतांनाच खुद्द आपल्याच सेवेतील या दोन अधिव्याख्यात्यांना मात्र या सुविधेपासून वंचित ठेवून विद्यापीठ प्रशासनाने अक्षम्य भेद भाव केलेला आहे. विद्यापीठ व महाविद्यालयीन न्यायाधिकरणाने या दोनही अधिव्याख्यात्यांच्या वाजूने निर्णय दिलेला असतांना अजूनही त्यांना त्यांच्या पदावर पुर्ननियुक्त न करण्याच्या अमरावती विद्यापीठाच्या निर्णयाचा तीव्र निषेध करण्यात येत आहे.

**नोट :- (१) कार्यकारी मंडळाच्या वतीने प्रा.एस.बी.चिंचमलातपूर हे उक्त प्रस्ताव आमसभेसमोर मांडतील.**

**अशासकीय कला, वाणिज्य व विज्ञान महाविद्यालयातील तुकड्या मंजूर करताना त्या मधील विद्यार्थी**

**संख्येबाबत पाळावयाचे नियम**

**श्री काळमेघ व कु. मांडले यांची सेवामुक्ती**

**शासन निर्णय क्रमांक-एनजीसी-१०९६/(४६३/९६)-३**

**मंत्रालय विस्तार भवन, मुंबई ४०० ०३२.**

**दिनांक - २२ फेब्रुवारी, १९९६**

- वाचा :-**
१. शासन पत्र शिक्षण व सेवायोजन विभाग क्र. युएमएफ-१०८२/१२६०३५/(६९३५)/विशि-२ दि. २८ नोव्हेंबर १९८४.
  २. शासन परिपत्रक, क्रमांक - उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग क्र. एनजीसी-३५९३/(५७४३)/विशि-२ दि. २४ सप्टेंबर १९९३.
  ३. शिक्षण संचालक, उच्च शिक्षण, महाराष्ट्र राज्य, पुणे यांचे पत्र क्र. एनजीसी-१०९४/तुकड्या/९-अ, दिनांक ७.२.१९९५.
  ४. शासन निर्णय क्र. एनजीसी - १०९३/(५९१८)/मशि-३ दि. १९ जून १९९५.

**प्रस्तावना :-** शासन निर्णय क्रमांक एनजीसी-१०९३/(५९१८)/मशि-३ दि. १९ जून १९९५ अन्वये शासनाने अशासकीय कला, वाणिज्य व विज्ञान महाविद्यालयातील तुकड्या मंजूर करताना त्यातील विद्यार्थी संख्येबाबत पाळावयाचे निकष मंजूर केले असून त्यासंबंधी आवश्यक स्पष्टीकरणही त्याच निर्णयाच्या परिच्छेद क्रमांक ३ मध्ये दिले आहेत. तथापि या आदेशासंबंधी काही गैरसमज निर्माण झाल्याचे शासनाच्या निदर्शनास आले आहे. वरील शासन निर्णयाद्वारे शासनाने विद्यापीठातील अस्तित्वात असलेले Statutes/Ordinances मध्ये बदल केले आहे की काय अशी सुद्धा विचारणा होत आहे. याबाबतीत कोणत्याही शंकांना वाव राहू नये म्हणून शासन खालीलप्रमाणे आदेश देत आहे.

**शासन निर्णय :-** प्रत्येक वर्गासाठी/अभ्यासक्रमासाठी विद्यापीठाने परिणयम अध्यादेश व इतर कायदेशीर पद्धतीने विद्यार्थी संख्या यापूर्वीच ठरविलेली आहे. त्यात वरील शासन निर्णयानुसार कोणताही बदल करण्यात आलेला नाही. मात्र एक वर्ग चालू असताना त्या विद्याशाखेसाठी त्या अथवा दुसऱ्या वर्गात प्रवेश घेतलेल्या विद्यार्थ्यांची एकत्रित संख्या १२१ झाल्यावरच त्या विद्याशाखेसाठी दुसऱ्या तुकडीला अनुदान अनुज्ञेय आहे. १२१ पेक्षा कमी विद्यार्थी असल्यास त्या विद्याशाखेसाठी दुसऱ्या तुकडीला अनुदान अनुज्ञेय होणार नाही. अनुदानाची पात्रता शासन निर्णय क्र. एनजीसी-१०९३/(५९१८)/मशि-३, दिनांक १९ जून १९९५ मधील दर्शविलेल्या परिच्छेद २ मधील आकडेवारीनुसारच राहिल.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने.

**(म.अ.सरपोतदार)**

उपसचिव, महाराष्ट्र शासन.

**MEETING OF EX TUTORS AND DEMONSTRATORS:NOTICE**

The meeting of the Ex Tutors and Demonstrators was held on 18th Feb. 1990 at J.B.Science College, Wardha (P.2 of 1990 NUTA Bulletin) to deliberate and discuss the issue of the Ex-Demonstrators and Tutors, Who were denied the placement in selection Grade from 1.1.1986, by the Administrative Officer. Resultant to the decision, taken in the said meeting, the Secretary NUTA filed a Writ Petition No. 127 of 1991 in the High Court of Judicature at Bombay Nagpur Bench, Nagpur on 4.4.1991 (P.60 of 1992 NUTA Bulletin). The Judgement in this regard was delivered by the Hon'ble High Court on 29th July and 3rd Aug. 1994. The judgement is circulated in this NUTA Bulletin.

2. The meeting of the Ex-Demonstrators and Tutors who were party to the above mentioned Petition will be held at Bharatiya Mahavidyalaya Amravati on Saturday, the 30th November 1996 at 4.00 P.M. They are requested to attend the same.

1.11.1996

E.H.Kathale  
Secretary NUTA

**TREASURER'S EXPLANATORY NOTE GIVING DETAILS OF EXPENDITURE ON ESTABLISHMENT EXPENSES FOR THE YEAR ENDED ON 31ST MARCH 1996**

In the Income and Expenditure Account of the Audit Report for the year ended on 31st march 1996 an amount of Rs. 74,100.00 is shown as expenditure towards **establishment expenses**. The General Body meeting of NUTA dated 15.4.79 while discussing the audit report for the year ending on 31st March 1978 had resolved (vide item no.(3) (c) on page no. 109 of 1979 **NUTA Bulletin**.) that "the treasurer will circulate a brief explanatory note regarding income and expenditure giving details of expenditure as far as possible along with financial statements hereinafter". Hence the details of the break up of establishment expenses are given here.

**ESTABLISHMENT EXPENSES FOR THE YEAR ENDED ON 31ST MARCH 1996**

This Year Rs. P.	Particulars	Previous Year Rs. P.
26,143.00	Travelling Expenses	21,186.00
33,803.25	Printing and Stationery	3,335.85
3,259.00	Telphone & Trunk Call	2,492.50
600.00	Clerks/Peon's Salary	----
1,072.75	Meeting Expenses	1,466.50
220.00	Bank Commission	228.00
402.00	Postage	767.00
1,600.00	Affiliation Fees	5,600.00
7,000.00	Legal Expenses	13,208.50
---	Legal Fees	----
74,100.00	Total	48,284.35

6th June 1996

Sd. S. A. Tiwari  
Treasurer.NUTA

**RULES FOR PROPOSING AMENDMENTS**

(Reproduced from page 97 of 1977 NUTA Bulletin)

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

**STATEMENT REGARDING THE FIXED SECURITIES OF THE ASSOCIATION AS ON 31ST MARCH, 1996. STATEMENT NO.7**

**A) LIFE MEMBERS**

- No.Of Members as on the day of Constitution amendment (9th May, 1976 i.e. to put membership fee in fixed deposits.) ... 214
- Total No. of Members as on the Date (9th Oct. 1988) of increasing the L.M.fees from Rs. 151 to 501) ... 2846
- No. of Members from 9th May 1976 to 9th Oct. 1988 (2-1) = (2846-214) = ... 2632
- Total No. of Members as on the date (30th April 1991) of increasing the LM fees (from Rs. 501 to 2001) ... 3279
- No. of Members from 9th Oct. 1988 to 30th April 1991 (4-2)=(3279-2846)= ... 433
- Total No. of members as on 31st March, 1996. ... 3439
- No. of Members from 1st May, 1991 to 31st March, 96 ... 160

**B) TEACHERS WHO MADE PART PAYMENT OF L.M.FEES**

- No of Teachers who have paid 501/500 ... 54
- A.No.of Teachers who have paid 1001/1000 ... 18
- B.No.of Teachers who have paid 1501/1500 ... 04

**C) AMOUNT OF LM FEES RECEIVED. ... Rupees**

- Amount Received from Members mentioned at Sr.No.1 above Rs. ... 00-00
- Amount Received from members at Sr.No.3 above (2632 x 151) ... 3,97,432-00
- Amount Received from members mentioned at Sr.No.5 above (433 x 501) ... 2,16,933-00
- Amount Received from members mentioned at Sr. No. 7 above. ... 320160-00
- Amount Received from members mentioned at Sr. No.8 and 9 above ... 51076-00
- Total amount of L.M.Fund received from all the members mentioned at Sr.No. 10+11+12 +13+14 above. and hence expected to have been invested in fixed Securities ... 985601-00

**D) TOTAL AMOUNT IN FIXED SECURTIES.**

- Total amount invested in fixed securities (Details as per Appendix A ) ... 9,79,000-00
- Total Balance in life membership Ac. (A/c.No.12529 and A/c.19893) ... 6,897-87
- Total amount in fixed Securities and cash in the Bank (16+17) ... 9,85,897-87
- Amount of cheques under Realisation since they are deposited recently ... 6,003-00
- Total of 18 and 19 above ... 9,91,900-87
- Surplus of 20 over 15 ... 6,299-87

**APPENDIX 'A'**

Statement regarding the Fixed Securities of the Association as on 31st March, 1996 (Item at Serial No.16 in the statement).

**UNITS OF UNIT TRUST OF INDIA-MISG SCHEMES**

Sr. No.	Unit No.Certificate No.	No.of Units	Face Value of Each Unit	Amount of Investment	Date of Investment	Period of Investment	Rate of Dividend
1	2	3	4	5	6	7	8
1.	M 9011900848	9200	10	92000	24.4.90	7 Years	13%
2.	M 9021901125	7100	10	71000	20.12.90	7 Years	13%
3.	M 9111900970	12800	10	128000	19.6.91	7 Year	13%
4.	M 91-2-1-901281	1700	10	17000	30.11.91	7 Yrs	14%
5.	M 9221905912	1800	10	180000	18.6.92	5 Yrs	14.5%
6.	100-94154-0900153	10500	10	105000	24.1.94	2 Yrs	13.8%
7.	100-941561090160	32500	10	325000	6.7.94	4 Years	13%
8.	1009516000-44327	10400	10	104000	30.5.95	2 Yrs	13.8%
9.	1009516000-44327	11900	10	119000	29.3.96	2 Yrs	13.8%
TOTAL -				9,79,000			

Date : 30.5.1996

S. A.TIWARI  
Treasurer,

Note : Statement No. 6 was printed on page 51 of 1995 NUTA Bulletin.

Before the Hon'ble Presiding Officer, University and college Tribunal, Nagpur.

**APPEAL NO. A-2/1996**

APPELLANT:-Ku. Swati Chandrakant Mandale R/o.C /o Shri S.W.Sherekar Near  
Abhinav State Bank of India Colony, camp, Amravati.

**VERSUS**

RESPONDENTS 1. State of Maharashtra, through its Secretary, Education Department,  
Mantralaya, Mumbai-32. 2.Amravati University, Amravati, through its Registrar.

3. Vice-Chancellor, Amravati Universtiy, Amravati.

**AND APPEAL NO. A-4/1996**

APPELLANT Sushilkumar Rameshpant Kalmegh R/o Dr.Chandak's House,  
Camp, Amravati- 444602

**VERSUS**

RESPONDENTS:- 1. State of Maharashtra through its Secretary, Education Department,  
Mantralaya, Mumbai- 32 2. Amravati Universtiy, Amravati through its Registrar.3.Vice-

Chancellor,Amravati University,Amravati

**CORAM**

**Justice D.J. Moharir (Retd.) Presiding officer**

Dated :08.10. 1996

**JUDGMENT**

1. This judgment will govern the decision of both the above mentioned appeals, the facts and questions of law involved in both being identical.

2. Both the appellants hold the degree M.Sc.in Computer Science having passed the said examination from the Amravati University in the summer, 1994. The appellant Ku. Swati C. Mandle secured 66% marks whereas the appellant shri Sushilkumar R. R. Kalmegh secured 69% marks in the said examinations.In the month of July, 1994 an advertisement was issued by the Respondent no. 2, Amravati University calling for applications for appointment of lecturers in different subjects one of these subject was Computer Science. There were two posts advertised, one post for lecturer in open category and the other reserved for O.B.C. The qualifications required for appointment as lecturers, the appellants alleged in their appeals, were fulfilled by them except the passing of NET/SET examinations. The reason for not having these qualifications was that the University Grants Commission had not in fact conducted the said examination for want of a scheme which was required to be framed by the University Grants Commission, At the dates of the issuance of the advertisement i. e. 11.7.94 at any rate such examination had not been held

3. The appellants were called and appeared for interview conducted by a Selection Committee appointed by the University, in accordance with the provision of Section 76 of the Maharashtra Universities Act 1994 Both of them were selected and recommended for appointment as a lecturers. According to the appellants, the two posts of lecturers as advertised were clear and permanent regular posts. The observance of the provision prescribed by provision 76 of the Maharashtra Universities Act. 1994, was therefore a clear indication that the appellants were selected for post of lecturers by way of regular appointment as lecturers for clear and permanent regular post. An appointment order dated 8. 12. 1994 was issued to each of them. The general appointment order for lecturers in various subjects also stated that each of them would be on probation for two years subject to continuation of the post and satisfactory working and that their services could be terminated during

the period of probation, by giving notice of one month. However, the appointment order which was a general one for lecturers for various subjects also carried a condition that the benefit on probation for two years would not be available to these appellants and that **their appointments would however, be only for one session i.e. 1994-95 this for the reasons that they did not fill in the qualifications of having passed the NET/SET eligibility test**, which was prescribed for the post of lecturers in the advertisement dated 11.7.1994. The appellants contention is that in as much as no such eligibility or comprehensive test had been held till the issuance of an advertisement till the 11.7.94, in view of the clause 8 and 9 of statute 1 of 89 of the University, the same old procedure as applied before, for selection as was in vogue until the issuance of the advertisement would have to be followed till it was suitably replaced by the provision of a scheme for the comprehensive eligibility test to be prescribed. by the University Grants commission. It was pointed out that under clause 9, it was therefore provided that Universities are requested to evolve a reasonable quantified system of evaluation for the purpose of selection to the post of lecturers and that such evaluation system should be followed by the selection Committee to ensure minimum standard In the circumstances, the requirement passing of NET/ SET examinations was not prescribed of the minimum qualifications for the post of lecturers and would not operate as a condition or prerequisite in the matter of appointment.

4. The appellant state that, though the appointment order for only one academic session was thus for the period of only one academic session and was inherently illegal in view of the above stated position, each of them being in need of employment, dared not, question the validity of such an appointment order. It is contended that no questioning the validity of the appointment for the year 1994, would not amount to an estoppel; an estoppel does not operate against law.

5. A second advertisement was issued on 14.09.1995 for appointment of lecturers in Computer Science and each of the appellants put in his applications. this time the Selection Committee constituted for interviewing candidates was in



the manner prescribed by section 77 of the Act of 1994 ,namely for temporary appointments. The appellants were both interviewed, selected and given an appointment order for a period of one academic session only. The appointment was therefore, made terminable at the expiry of 1995-96 session i.e. w.e.f. 30. 4.1996. Each of them was accordingly served with such an order, the appellants made a representation to the Respondent No. 3 Vice-Chancellor of the University, but it was not accepted. Upon termination thus they therefore filed the present appeals

6. The appellants' prayer in the appeal is for a declaration that they were probationers and entitled to continue in service as lecturers in Computer Science. In view of the Govt. Resolution, dated 22nd December 1995 whereunder, services of a person who had not passed the NET/ SET

examinations by 31.3.1996 as earlier required were directed not to be terminated for that reason and that they were continued in service until they passed the said NET/SET examinations but subjecting them to the disadvantage of not enjoying any increments in service until the said qualification was acquired. In as much as a fresh employment notice had also been issued by the Respondent No. 2, Amravati University on 26.4.96 in respect of post of lecturers, the appellants sought an order to restrain the Respondent No. 2 from filling up these post. The main relief sought however, is to hold and declare that the appellants were selected under section 76 of the Maharashtra Universities Act, 1994 and were deemed to have been employed on probation of two years; that they were, as such, entitled to continue in service as lecturers in Computer Science Subject to satisfactory completion of the period of probation and thus directing the respondents to continue them in services as regular selected candidate in clear and vacant post.

7. The written statements as filed by the Respondent No.3, Vice-Chancellor was adopted by the Respondent No.2 Amravati University also. According to the Respondents, the passing of NET/SET examination as the requisite qualification was clearly enforcible and in as much as neither of them had passed the NET/ SET examination but merely held on M.Sc. degree in Computer Science, neither of them was infact eligible even to apply. It is submitted that though the appellants did so apply being not really qualified, there were several others holding the degree of M.Sc. Who had not passed the NET/SET examination and realizing that they did not possess that particular qualification had applied at all. However the appellants were given an appointment order on the clear understanding that it was for one academic session only. It was true that the selection Committee as constituted for selection for 1994-95 of candidates could not have recommended the name of the appellant for regular appointment in the post of lecturers. The appellants were therefore not appointed substantively and could not claim to be in position of probationers as such. Further, the appointment being only for one academic session 1994-95, each of them was served with an office order dated 15.7.1995, intimating that their services would stand terminated as from 30.04.1995. The correctness, legality or otherwise of this order of termination was not questioned by the appellants. It was noteworthy that the appellants did not pray for the quashing for the order of termination w.e.f. 30.04.1995.

8. In the next session 1995-96 the appointments were clearly temporary, having been advertised also as such, the selection of candidates was done by the Local selection committee which was constituted for the purpose. The appellants were given appointment for the academic session 1995-96 and were properly given notice of termination at the expiry of 30.04.1996.

9. Referring to the statute No. 1 of 1989, it was contended that the said statute needed to read in consonance with the notification dt. 19.09.1991, issued by the University Grants Commission. When so read together, there would be no room left for doubting that the passing of the NET/ SET examination was a condition precedent and requisite eligibility factor for appointment as lecturer.

10. It was true, as alleged by the appellant that Management Council of the University considered the issue of regularisation of the

दोन विद्यापीठातील सेवाखंड वेतन निश्चिती स्थान निश्चिती व वेतन वाढीसाठी विचारात घेणेबाबत.

महाराष्ट्र शासन

उच्च व तंत्रशिक्षण आणि सेवायोजन विभाग

शासन परिपत्रक क्रमांक : युएसजी १२९५/(३१७०)/विशि-४

मंत्रालय विस्तार भवन, मुंबई ४०० ०३२.

दिनांक १२ सप्टेंबर, १९९५

वाचा :- १) शासन निर्णय शिक्षण व सेवायोजन व युवक कल्याण विभाग क्र. युएसजी/११७९/१५३७०९/३२(सेल)

२) शासन निर्णय शिक्षण व सेवायोजन विभाग क्र. युएसजी ११८१/१०५१४५/(५००)/विशि-४

३) शिक्षण संचालक, उच्च शिक्षण, महाराष्ट्र राज्य पुणे यांचे पत्र क्र. आरएसपी- १०९४/३१७०/सेवाखंड/६-अ(भ) दिनांक १९.६.१९९५

परिपत्रक : शासन निर्णय शिक्षण व सेवायोजन व युवक कल्याण विभाग क्रमांक युएसजी ११७९/१६३७०९/३२(सेल), दि ६ एप्रिल, १९७९ अन्वये तिसऱ्या वेतन आयोगांच्या शिफारसी विद्यापीठे व महाविद्यालयीन शिक्षकांना लागू करण्याच्या संदर्भात स्पष्टीकरणात्मक आदेश देण्यात आले आहेत. यातील मुद्दा क्र. १ ला (ड) येथे देण्यात आलेले आदेश शासन निर्णय शिक्षण व सेवायोजन विभाग क्र. युएसजी ११८१/१०५१४५/(५००)/विशि-४ दि. १७ सप्टेंबर १९८२ अन्वये बदली (सबस्टीट्यूट) करण्यात आले आहेत. या आदेशानुसार एका महाविद्यालयातील विद्यापीठातील शिक्षक व महाविद्यालय/विद्यापीठ सोडून दुसऱ्या महाविद्यालयात/विद्यापीठात रुजू होत असेल तर त्याला देय असणारी वार्षिक वेतन वाढ दोन्हीही ठिकाणी (पूर्वीची व नवीन ठिकाणी) झालेल्या एकूण, एक वर्षाची सेवा विचारात घेतल्यानंतरच देण्यात यावी असे आदेश आहेत. तथापि, जुनी सेवा सोडून नवीन सेवा धारण करताना जर यात खंड असेल तर तो खंड विद्यापीठाने क्षमापीत केल्याशिवाय पुढील वेतन वाढ देण्याकरिता विचारात घेता येत नाही. जर हा सेवाखंड दोन विद्यापीठातील किंवा विद्यापीठांतर्गत महाविद्यालयातील असेल तर हा सेवाखंड वेतन निश्चिती, व वेतन वाढीसाठी विचारात घेण्याचा अधिकार अद्यापही क्षेत्रीय अधिकाऱ्यांना दिला गेला नाही. यावर आता निर्णय झाला असून शासन योग्य आदेश देत आहे. दोन विद्यापीठातील किंवा दोन विद्यापीठांतर्गत महाविद्यालयातील सेवाखंड हा वेतन निश्चिती, स्थान निश्चिती व वेतन वाढीसाठी क्षमापीत करून तो विचारात घेण्यासंबंधीचे अधिकार शिक्षण संचालक, उच्च शिक्षण, महाराष्ट्र राज्य पुणे यांना प्रदान करण्यात आले आहेत. या अधिकाराचा वापर करून शिक्षण संचालक, उच्च शिक्षण, महाराष्ट्र राज्य पुणे यांच्याकडे प्रलंबीत असणारी अशी प्रकरणे त्यांनी निकालात काढावीत.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

स्वा/- (त्रि.ब.सेन)

उपसचिव, महाराष्ट्र राज्य.

appellant's temporary services in its meeting dated 20.6.1996 and again on 28.6.1996. A resolution came to be passed seeking continuation of their services. The Respondent No. 3, Vice-Chancellor had recorded his dissent to the relevant part of the two resolutions which necessitated the Management Council to reconsider the said resolution passed by it. At the date of submission of the reply (7.8.1996), the Management Council had not so reconsidered it and even if the reconsideration resulted in affirmation of the resolution, the matter would have to be referred to the Chancellor of the University for his final decision. In the circumstances, the appeals both deserved to be dismissed.

11. The first point for considering the relief of the declaration sought by the appellants—that having been appointed on 8.12.1994, in pursuance of the advertisement dated 11.7.1994, the interviews held under the auspices of selection Committee constituted under section 76 of the Act 1994, and the selection of the appellants made by it—each of them has to be considered as having been on probation for a period of two years as claimed by them. The further point to be considered upon the contentions of the Respondents is whether in fact and in law their appointments were themselves defective in as much as they did not hold the qualification of having passed the NET/SET eligibility test.

12. There can be no doubt that the advertisement dated 11.7.1994, provided that a candidate applying for the post of lecturer in computer science must hold a post Graduate degree with 55% marks and should also have passed the NET/SET eligibility test. Irrespective of the fact that this requirement so appears in the advertisement, the argument advanced by learned counsel Shri. Choudhari for the appellants is that even as per the subsequent advertisement dated 26.4.1996, to which reference in detail will be made at a subsequent stage, the passing of the NET/SET examination was not insisted upon and what was required was only a Good Academic Record with 55% of equivalent grade of Master degree in Computer Science. This contention may not be accepted correct because the note No. 2 in the said advertisement also mentioned the need to have cleared the eligibility test (SET/NET) conducted by the University Grants Commission or the State Govt. in the said subject. However, what is more important as pointed out by Shri Choudhari is the Statute No. 1 of 1989. Clause 8 of the said Statute provides that the minimum qualification for the appointment to the post of lecturers in the scale of pay of Rs. 2,200/- to 4,000/- shall be Master's Degree in the relevant subject with at least 55% marks or its equivalent grade and Good Academic Record. The submission of learned counsel Shri. A. P. Deshpande is that the passing of the eligibility test was a prerequisite to becoming a candidate properly qualified for being considered for selection to the post of lecturer in Computer Science. Assuming therefore, that the passing of the NET/SET eligibility test was essential, it is still not disputed that the scheme for holding such comprehensive eligibility test had not been drawn up and the said test had not been held by the state Govt. at the time when the advertisement was issued on 11.7.1994.

13. As learned counsel Shri. Choudhari therefore, even more pointedly makes reference to the provision in clause 9 of the statute 1 of 1989, it provides that the procedure laid down for recruitment to the post of lecturers as laid down in the Govt. Resolution dated 25.10.1977 had to continue to be in operation till it was suitably replaced by the comprehensive test to be prescribed

by the University Grants Commission. In my opinion, the further contents of clause 9 are even more important and impact making. It would be worthwhile to reproduce them here.....

"Universities are requested to evolve, if they have not evolved, a reasonable quantified system of evaluation for the purpose of selection to the post of lecturer ..... till the details of the comprehensive test is received from the University Grants Commission. Such evaluation system should be followed by the aforesaid selection Committees to ensure minimum standards..."

In as much as the comprehensive eligibility test has not been held at any time before the advertisement dated 11.7.1994, it is the alternative procedure provided in clause 9 of Statute 1989, which must be presumed to have been therefore followed. And that in my opinion would be such an evaluation as would be equivalent to the clearing of comprehensive eligibility test. This conclusion becomes demonstrable in view of the position that the selection committee which was constituted for selection of the candidates who had applied as per the advertisement dated 11.7.1994, was not in accordance with the procedure for making temporary appointment under section 77, but for the full-fledge permanent vacant post under section 76 of the Act 1994. The matter was not therefore left to the consideration and selection by a local Managing Committee but by a committee constituted as per the University Act, Section 76 and therefore the appellants are on strong ground when they contended that their appointments under the advertisement dated 8.12.1994, in respect of reference therein to the passing of the NET/SET eligibility test were still of a permanent nature in clear and vacant post and therefore they were probationers as such. As such and further, they were entitled to continue to be on probation for a period of two years. The appointment order dated 8.12.1994, also accordingly provided generally that they were on probation for a period of two years.

14. It is however only upon and as far as this, that the appellants both can go so far as their first appointment as lecturers, dated 8.12.1994, is concerned. In spite of the position that they were entitled to be considered as being on such probation for two years their services were terminated at the expiry of 30.4.1995. The termination therefore became a matter of challenge by an appeal within the prescribed period of limitation provided by Act. i.e. within the 30 days. Admittedly no such appeal was preferred against the order of termination by either the appellant Ku. S. C. Mandle or by Shri S.R.Kalmegh. In the memo of appeal (Para 5) ,it is submitted that the respondents had given the appointment only for one academic session i.e. 1994-95 as per clause 6 of the appointment order -Annexure 'C'. The appellants have submitted in this paragraph that they did not question the validity of their appointment only for session 1994-95 because both of them were in need of employment. Sentimentally however correct this submission may be, it can not stand the scrutiny of law in as much as once the appointment order restricted their services to the period of one academic session and they were terminated at the expiry of it, it had to be challenged by them by an appeal under Section 59 against the termination effected on 30.4.1995. That not having been done, I must accept the contention of learned counsel Shri A. P. Deshpande the Respondents that by not challenging the termination as effected at the expiry of the 1994-95 academic session, the respondents had waived that right and the bar of limitation would now operate when the said contention

was sought to be now raised in the present appeal. The foundation of challenge here is the order of termination dated 30.4.1996 in pursuance of second temporary appointment given to the appellants. That submission has therefore to be up-held and it must also follow that the appellants are not therefore entitled to the first one of the reliefs claimed by them namely a declaration that they had been appointed on probation of two years and were as such entitled to continue in service as lecturers for that period.

15. Pursuant to the second advertisement, dated 16 th September, 1995 (Annexure 'D') the appellants then applied for the post of lecturers in Computer Science. Further admittedly they were interviewed by a local Selection Committee constituted under section 77 of the Act of 1994, and were selected also. The appointment order dated 3.11.1995, then issued to them, clearly provided (Annexure 'E') that the appointment was purely temporary and would be up to the end of academic session 1995-96 . Accordingly, they were served notice of termination w. e. f. 11.7.1994, the appellants having thus accepted their liability to apply afresh for appointment as lecturers and having faced the local Selection Committee and having been selected by it, were appointed only temporarily for the academic session 1995- 96. It is urged by the learned counsel Shri .A. P. Deshpande that it is therefore no more open to them to claim continuation. **The termination, it is argued must therefore be found and held as perfectly legal and valid indeed this would have to be so but for an intervening event. The Govt. Resolution dated 22-12-1995, (Annexure "F") sub-clause of the clause 7 comes in to operation here, in favour of the appellants.** The said clause 7 (c) reads as under:

" Due to non-availability of duly qualified candidates and candidates appointed having above said educational qualifications or appointments are to be made; all such appointments should be treated of the same nature. Though such appointments are considered of the same nature (तदर्थ) however, their services should not be terminated on the ground that they have not passed NET/SET examination. However, till passing NET/SET examination, by such lecturer further increments should not be paid to them. On passing of NET/SET examination they should be paid the stopped increments for the date of passing of such examination. However, the arrears of such increments is not payable to them..."**The resolution thus came in to operation on 22.12.1995, before the completion of the period of one year of temporary appointment of the appellant, on 30.4.1996 and before an eventual termination from that date. As rightly contended therefore ,they must stand to be protected by this Govt. Resolution and must be continued as such though without the necessary benefits which would accrue to a candidate who has passed the NET/SET examination, until each of them also acquired the said qualification of having passed the NET/SET comprehensive eligibility test.**

16. In that view of the matter, both these appeal therefore succeed. Their appointment for the academic session 1995-96 as temporary one though, must necessarily have to continued now .The termination effected from 30.4.1996 cannot therefore be sustained. The order to that effect in the case of each of these two appeals will have therefore to be quashed and set aside. It therefore also follows that the order of the interim relief dated 19.06.1996, in terms of portion marked "A" in the prayer clause of misc. Application No.2/96

and 3/96 would have to be confirmed to hold that so far as the appellants are concerned the employment notice dated 26.4.1996 issued by the University for appointment of lecturers in Computer Science shall be in-operative and ineffective Hence the order

The Appeal No. A-2/96 and A-4/96 are both hereby allowed. The order of termination of the appellant ku. Swati C. Mandle in Appeal No.A/-2/96 and Shri Sushilkumar R. Kalmegh in Appeal No. A-4/96, w. e. f. 30.4.1996 is hereby quashed and set aside. The Respondents shall forthwith issue orders of reinstatement and continuation in favour of appellants accordingly. The employment notice dated 26.4.1996, issued by the Respondents in respect of the post of lecturer in Computer Science held by the appllants Ku. Swati C. Mandle and Shri Sushilkumar R. Kalmegh shall stand set aside and the Respondents shall stand restrained from filling of the posts in Computer Science held by the appellants.

Sd/- *Presiding officer,*  
*University and College Tribunal, Nagpur.*

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## “नेटसेट-ग्रस्त” प्राध्यापकांची सभा

१. “नेटसेट-ग्रस्त” प्राध्यापकांना तदर्थ स्वरूपाच्या नेमणुका देणे, सेवेत असलेल्या अधिव्याख्यात्यांना नेट सेट परिक्षा उत्तीर्ण होण्याची सक्ती करणे, न झाल्यास वार्षिक वेतनवाढ देण्यात न येणे, त्यांची सेवा वरिष्ठ व निवडश्रेणीसाठी विचारात न घेणे, सेवा जेष्ठता न देणे या शासन निर्णयातील अटी संपूर्णपणे समझोत्याच्या व विद्यापीठ अनुदान आयोगाच्या व केंद्र शासनांच्या सुचनांच्या विरुद्ध आहेत. त्यामुळे या अटी ताबडतोब मागे घेण्यात याव्या अशी मागणी यापूर्वीच संघटनेने वेळोवेळी केलेली आहे.

२. या शासननिर्णयाच्या विरोधात जावून सेवा मुक्ती देणे, न्यायाधिकरणाने सेवामुक्तीचा आदेश रद्द ठरविला तरी पुनर्नियुक्तीचे आदेश न देणे यासारखी नवी स्थिती या संदर्भात निर्माण होवू पहात आहे.

३. नेटसेट ग्रस्त प्राध्यापकांची एक तातडीची सभा बुधवार, दिनांक १३ नोव्हेंबर १९९६ रोजी दुपारी ४.०० वाजता बोलाविलेली आहे. नेटसेट ग्रस्त प्राध्यापकांसमोर २२ डिसेंबर १९९५ च्या शासननिर्णयामुळे व शासन निर्णयानंतर निर्माण झालेल्या विविध समस्या व त्यावरील उपाययोजनांचा विचार या सभेत केला जाईल. आपण या सभेला अवश्य उपस्थित रहावे अशी विनंती आहे.

४. नुटाच्या जिल्हा कार्यकारीणीच्या सर्व सदस्यांनी या सभेला उपस्थित रहावे अशी त्यांना विनंती आहे.

विनीत  
प्रा. एकनाथ कठाळे  
सचिव नुटा

सभेचा दिवस व दिनांक : बुधवार, १३ नोव्हेंबर १९९६  
सभेचे ठिकाण : भारतीय महाविद्यालय, अमरावती.  
वेळ : दुपारी ४.०० वाजता.

SCHEDULE IX (Vide Rule 17 /1)  
Trust Reg. No. F-1594

C.R. Sagdeo & Co Chartered Accountants  
"Prabha Niwas" Jail Road, Nagpur 440 022.  
Phone : 524634

**NAME OF THE PUBLIC TRUST : NAGPUR UNIVERSITY TEACHERS' ASSOCIATION**  
Place : Nagpur \* Taluka Nagpur \* District Nagpur  
**INCOME AND EXPENDITURE ACCOUNTS FOR THE YEAR ENDING ON 31st MARCH 1996**

EXPENDITURE	RS. P.	INCOME	RS. P.
<b>To Expenditure in respect of Properties</b>		<b>By House Rent Accrued/Realised</b> ...	
Rate, taxes, cesses Income Tax ... ..		<b>By Agriculture Income</b> ... ..	
Repairs and maintenance ... ..		<b>By land Rent Accrued/Realised</b> ... ..	
Salaries ... ..		<b>By Interest Accrued Realised</b>	
Insurance ... ..		On Securities ... ..	
Depreciation ... ..		On Loans	
<b>Other expenses</b>		On Bank account (FDR & Savings)	7,960.00
To Establishment expenses(As per.Sch 'G')	74,100.00	<b>By Divident</b> on Units of U.T.I ... ..	1,14,307.68
To Remuneration to trustees ... ..		<b>By Donation</b> in cash or Kind ... ..	
To Remuneration (in the case of a math) ...		<b>By Grants</b> ... ..	
to the head of the math including ... ..		<b>By Income</b> from other sources ... ..	
his house hold expenditure, if any ... ..		Interest on Income Tax refund ... ..	
To Legal expenses ... ..		<b>By Transfers</b> from Reserve ... ..	
To audit fee ... ..	1,500.00	(U.T.I.M.I.P. 88 Maturity ... ..)	
<b>To amount Written of</b>		<b>By deficit</b> carried over to balance sheet ...	77,669.27
(a) Bad debts ... ..		<b>Total Rs</b>	1,99,936.95
(b) Loan Scholarship ... ..		<b>As per Our report of even date</b>	
(c) irrecoverable rents... ..		For C.R.SAGDEO & CO	
(d) Other items... ..		Chartered Accountants	
To Miscellaneous Expenses ... ..	37,529.00	illegible/Partner	
To Depreciation on Bldg		Trustee/Sd/-S.A.Tiwari	
To Depreciation on furn.		Trust Address : Nagpur	
To Depreciation on Computer ... ..	43,736.75	Date 6th June 1996	
To Depreciation on Air Conditioner ... ..			
<b>To Expenditure on objects of the trust</b>			
(a) Religious ... ..			
(b) Educational NUTA Bulletin Expenses ...	43,071.20		
(c) Medical Relief ... ..			
(d) Relief of Poverty ... ..			
(e) Other Charitable object ... ..			
Surplus Carried over to B/S ... ..			
<b>Total Rs.</b>	1,99,936.95		

SCHEDULE VIII (Vide Rule 17 /1)

C.R. Sagdeo & Co Chartered Accountants Trust Reg. No. F-1594  
"Prabha Niwas" Jail Road, Nagpur 440 022.  
Phone : 524634

**NAME OF THE PUBLIC TRUST : NAGPUR UNIVERSITY TEACHERS' ASSOCIATION**  
Place : Nagpur -- Taluka : Nagpur -- District : Nagpur  
**BALANCE SHEET AS AT 31ST MARCH 1996**

FUNDS & LIABILITIES	Rs. P.	Rs. P.	PROPERTY & ASSETS	RS. P.	RS. P.
<b>1 TRUST FUND OR CORPUS</b>			<b>I IMMOVABLE</b>		
<b>Life membership fee</b>			<b>PROPERTIES</b> (As per Sch.C)		2,24,535.00
Balance as per Last B/S ...	8,02,977.32	9,46,059.32	<b>Fields</b>		
Adjustment during the year ...	1,43,082.00		Balance as per last B/S ...		
<b>II OTHER EARMARKED FUND</b>			Additions or deductions ...		
Depreciation Fund ... ..			<b>Buildings</b>		
legal Aid fund ... ..			Balance as per last B/S ...		
Sinking Fund ... ..			Additions or deduction Dep.		
Reserve Fund ... ..			<b>Furniture and Fixtures</b>		
any other (Silver Jubilee) Fund		4,66,401.50	Balance as per last B/S ...		
(As per Schedule 'A') ... ..			Addition or deductions ...		
<b>III LOANS Secured or</b>			Depreciation 10% ... ..		
<b>unsecured</b>			<b>II INVESTMENTS</b>		9,81,400.00
From Trustees ... ..			As Per Shedule 'D' ... ..		
From Others ... ..			<b>III LOANS &amp; ADVANCES</b>		
<b>IV LIABILITE</b>		19,770.75	<b>A) Loans:</b> Secured/Unsecured		
As per schedule 'B' ... ..			Loan Scholarship ... ..		
For expenses ... ..			Other Loans ... ..		
For advances ... ..			<b>B) Advances</b>		
For rent/ other deposits ...			To trustess ... ..		
For Sundry credit balances ...			Deposit in Post Office ...		
For Nuta Special Bulletin ...			To employees ... ..		
<b>V INCOME AND</b>			To contractors ... ..		
<b>EXPENDITURE ACCOUNT</b>			To lawyers ... ..		
Balance as per Last B/S ...	43,322.38		To Other ... ..		27,681.37
Less appropriation if any			(As per Sch 'E')		
add/less :surplus/ deficit	77,669.27	34,346.89	<b>IV INCOME</b>		
as per I/E Account ... ..			<b>OUTSTANDING</b>		
<b>TOTAL Rs.</b>		13,97,884.68	House Rent ... ..		
The above Balance sheet to the best of my belief contains a true account of the Funds and libalities and assets of the trust  As per our report of even date For C.R.SAGDEO & Co. Chartered Account illegible/Partner  Trustee: S/d. S.A.Tiwari Trust Address : Nagpur			Nuta Spe. Bullutin Exp ...		
			Exp. during the year ...		
			Land Rent ... ..		
			Interest ... ..		
			Other Income ... ..		
			<b>V CASH AND BANK</b>		
			<b>BALANCES</b>		
			(a) Cash in hand with Shri.		1,64,268.31
			(b) As per Schedule 'F' ...		
			<b>TOTAL Rs.</b>		13,97,884.68

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