



GONDWANA UNIVERSITY GADCHIROLI

Direction No. 6 of 2018

UNIVERSITY GRANTS COMMISSION REGULATIONS ON MINIMUM QUALIFICATIONS FOR APPOINTMENT OF TEACHERS AND OTHER ACADEMIC STAFF IN THE UNIVERSITY AND COLLEGES AND MEASURES FOR THE MAINTENANCE OF STANDARDS IN HIGHER EDUCATION, 2010, DIRECTION, 2018.

(Issued under provision of section 12(8) of the Maharashtra Public Universities Act, 2016)

Whereas, the Maharashtra universities Act 1994, i.e. Maharashtra Act No. XXXV of 1994 had come into force with effect from 22nd July, 1994 and the same had been amended from time to time;

AND

Whereas, Gondwana University, Gadchiroli has been established with effect from 2/10/2011;

AND

Whereas, the Government of Maharashtra, Higher and Technical Education Department has issued Government Resolution No. संकीर्ण -२०११/(२५/११)/विशी-१, dated 15th February 2011 stating that Government of Maharashtra has adopted for implementation of University Grants Commission Regulations on Minimum Qualifications for Appointment of Teachers and other Academic Staff in the Universities and Colleges and measures for the maintenance of Standards in Higher Education, 2010;

AND

Whereas, Section 28 (r) and Section 28(u) read with Section 51(8) of the Maharashtra Universities Act, 1994 had empowered the Management Council of the University to lay down by Statute the Qualifications and terms and conditions of services of teachers and other academic staff in the University and colleges as well the procedure for appointment of teachers in the university departments and affiliated colleges/ institutions and fix their emoluments and norms of workload;

AND

Whereas, University Grants Commission Regulations on Minimum Qualifications for Appointment of Teachers and other academic Staff in the university and colleges and measures for the maintenance of standards in higher education 2010, 1st amendment bearing No. F-1-2/2009 (EC/PS) Pt.II dated February 2011, 2nd amendment bearing No. F.1-2/2009(EC/PS) V(i) Vol. II dated 13th June 2013 and 3rd amendment bearing No. F.6-1(ii)/2006 (CPP-I/DU) dated 8th Feb. 2016 has been noted by the Vice-Chancellor on 10/03/2016, on behalf of the Management Council and the Academic Council along with clarification

regarding clause 13.1 of U.G.C. Regulations on Minimum Qualifications for Appointment of Teachers and other academic Staff in the university and colleges and measures for the maintenance of standards in higher education 2010 issued by Deputy Secretary U.G.C., New Delhi vide letter D.O.No.1-2/2009(EC/PS)/Pt. VIII dated 30th June 2011 and corrigendum issued regarding para 4.5.3(iii) of the said Regulations vide letter No.F.1-5/ 2010(PS) dated 6/9/2011 issued by Financial Adviser, U.G.C. New Delhi, under provision of sub-section (7) of Section 14 of the Maharashtra Universities Act, 1994;

AND

Whereas, Maharashtra Government Resolution of Higher and Technical Education Department bearing Nos.NGC-1201/11815/(38/01)/VC-4 dated 18/10/2001, NGC 2009/(243/09)-UNI-1, dated 12/08/ 2009, NGC-2010/(415/10)UNI-1 dated 30/07/2010, Sankirn 2011/(25/11)U.E-1, dated 15/2/2011 and SUK 2011/(554/11) U.E.-1dated 30/1/2012 to give effect to the provisions of U.G.C. Regulations 2010 bearing No.F.3-1/2009 have been noted by the Vice-Chancellor, on 10/03/2016, on behalf of the Management Council and the Academic Council under provision of sub-section(7) of section 14 of the Maharashtra Universities Act, 1994;

AND

Whereas, the terms and conditions of service of teachers and equivalent cadres including the principals of colleges are to be laid down by statute to be prepared in accordance with provisions prescribed under the Maharashtra Government Resolution Nos. sankirn 2011/ (25/11)/U.E.-1, dated 30/1/2012;

AND

Whereas, No statute, in the above said behalf, had been prepared;

AND

Whereas, preparing of the new statute, passing it by the senate, and assenting to it by the chancellor of the university was time consuming process;

AND

Whereas, it was expedient to implement the provisions of U.G.C. Regulations, 2010 bearing No.F.3-1/ 2009 incorporating provisions of 1st, 2nd and 3rd amendment made in it in the light of provisions prescribed under Maharashtra Government Resolution Nos. NGC 2009/ (243/09)-UNI-1, dated 12/08/2009, sankirna-2011/(25/11)/UE-1, dated 15/2/2011 and SUK 2011/(554/ 11)-UE-1, dated 30/1/2012 for appointment of teachers/Principals and other academic staff in the university and colleges.

AND

Whereas, Direction No. 189 of 2016 was issued by the Vice-Chancellor on 10/03/2016 under provision of section 14(8) of the Maharashtra Universities Act, 1994 in respect of 'University Grants Commission Regulations on Minimum Qualifications for Appointment of Teachers and other academic staff in the university and colleges and measures for the maintenance of standards in higher education, 2010, Direction, 2016;'

AND

Whereas, Direction No. 189 of 2016 could not be converted into the Statute because of nonexistence of the authority namely-senate which was empowered for passing of statute in the university;

AND

Whereas, the Maharashtra Public Universities Act, 2016 has come into force with effect from 1st March, 2016 repelling the Maharashtra Universities Act, 1994;

AND

Whereas, sub-section (20) of section 71 of the Maharashtra Public Universities Act, 2016 provides that qualifications, recruitment, code of conduct, terms of office, duties and conditions of service including periodic training and advance training, field exposure, deputation, assessment of teachers, officers and other employees of the university and affiliated colleges except those colleges or institutions which are maintained by the State or Central Government or local authority, retirement benefits and the manner of termination of their services as approved by the State Government, provided that these shall not be in contravention of State Government policies in this regard which is a subject matter of the Statute;

AND

Whereas, sub-section(8) of section 12 of the Maharashtra Public Universities Act, 2016 empowers the Vice-Chancellor for issuing Direction for Regulating the matter, for the time being, which is a subject matter of the Statutes, Ordinances or Regulations;

AND

Whereas, proviso of sub-section(8) of section 12 of the Maharashtra Public Universities Act, 2016 provides as follow:-

“ Provided that, such direction shall have to be converted into statute, ordinance or regulation, as the case may be, within six month of issuing of such direction, failing with such direction shall automatically lapse”;

AND

Whereas, Direction No. 189 of 2016 issued by the Vice-Chancellor under provision of section 14(8) of the Maharashtra Universities Act, 1994 on 10/03/2016 has been automatically lapsed as per the provision of section 12(8) of the Maharashtra Public Universities Act, 2016 which could not be converted into the statute;

AND

Whereas, University Grants Commission in exercise of the powers conferred under clauses(e) and (g) of sub-section(1) of section 26 of University Grants Commission Act, 1956 has framed Amendment Regulations, namely-the University Grants Commission(Minimum Qualification for appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education)(4th Amendment), Regulations, 2016 which has been notified vide Notification No. F. 1-2/2016(PS/Amendment) Dated 11th July, 2016 in the Gazette of India published on Monday, July 11, 2016;

AND

Whereas, 4th Amendment, to University Grants Commission Regulations on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in the Universities of the Colleges and Measures for the Maintenance of Standards in Higher Education Regulations, 2010, is required to be included in the main Regulation of 2010 ;

AND

Whereas, there is an emergency for initiating the process for appointment of University Teachers:

Now, therefore, I, Dr. N.V. Kalyankar, Vice-Chancellor, Gondwana University, Gadchiroli in exercise of the powers vested in me under provision of sub-section(8) of section 12 of the Maharashtra Public Universities Act, 2016, do hereby issue the following Directions for reframing Direction No. 189 of 2016:-

1. This Direction shall be called 'University Grants Commission Regulations on Minimum Qualifications for Appointment of Teachers and other academic staff in the university and colleges and measures for the maintenance of standards in higher education, 2010, Direction, 2018.'
2. This Direction shall come into force with effect from the date of its issuance.
3. In this Direction, unless the context otherwise requires: -
 - i) 'Academic Council' means the Academic Council duly constituted as per provisions made under sub-section (3) of section 32 of the Act;
 - ii) 'Act' means the Maharashtra Public Universities Act, 2016 (Maharashtra Act No. VI of 2017)
 - iii) 'College' Means a college affiliated to the university or a college maintained and managed by the university, situated in university area or jurisdiction;
 - iv) 'Government Resolution' Means-

- a) The Government of Maharashtra Higher and Technical Education Department Resolution No. NGC-1201/11815/(38/01)/VC-4 dated 18/10/2001,
 - b) The Government of Maharashtra Higher and Technical Education Department Resolution No. NGC 2009/(243/09)-UNI-1, dated 12/08/2009,
 - c) The Government of Maharashtra Higher and Technical Education Department Resolution No. NGC-2010/(415/10)UNI-1, dated 30/07/2010,
 - d) The Government of Maharashtra Higher and Technical Education Department Resolution No. sankirna-2011/(25/11)UE-1. dated 15/2/2011; and
 - e) The Government of Maharashtra, Higher and Technical Education Department Resolution No. SUK-2011/(554/11)U.E.-1, dated 30/1/2012.
- v) 'Management Council' Means the Management Council duly constituted as per provision made under sub-section(4) of section 30 of the Act;
 - vi) 'Regulations' means the University Grants Commission Regulations, 2010 bearing No. F.3-1/2009 dated 30/06/2010 incorporating 1st, 2nd, 3rd and 4th Amendments in it.
 - vii) 'State Government' or 'Government' means the Government of Maharashtra;
 - viii) 'Teacher' means the teacher defined under provision of sub-section (61) of section 2 of the Act;
 - ix) 'University' means the Gondwana University, Gadchiroli mentioned in the schedule of the Act;
 - x) 'University area' means the area specified against the name of the university in the schedule of the Act'
 - xi) 'University Teacher' means a teacher appointed by the university
 - xii) 'University Grants Commission' means the University Grants Commission established under the University Grants Commission Act, 1956;
 - xiii) 'U.G.C. Letter' means –
 - a) U.G.C. New Delhi letter D.O. No. 1-2/2009(EC/PS)/ pt. VIII dated 30/6/2011, and
 - b) U.G.C. New Delhi letter No. F. 1-5/2010(PS) dated 6/9/2011.
4. (i) The minimum qualifications for appointment of teachers and other academic staff in the university and colleges and measures for the maintenance of standards in Higher Education shall be as described under Government of Maharashtra, Higher and Technical Education Department Resolution No. Sankirna-2011/(25/11) UE-1, dated 15/2/2011 to be read with University Grants Commission Regulation, 2010 bearing No. F. 3-1/2009 dated 30/06/2010 incorporating 1st, 2nd, 3rd and 4th Amendments in it. U.G.C. New Delhi letter D.O. No 1-2/2009(EC/PS)/ Pt. VIII dated 30/6/2011, and U.G.C. New Delhi letter No.F. 1-5/2010(PS) dated 6/9/2011;
- (ii) Subject to the conditions prescribed under Government of Maharashtra, Higher and Technical Education Department Resolution No. SUK-2011/(554/11) UE-1, dated 30/1/2012; the selection Committees for appointment of teachers/Principals including carrier advancement scheme committees shall consist of Government representative.

(iii) If any provision in the U.G.C. Regulation 2010 appears inconsistent with the provision of the Maharashtra Public Universities Act 2016, then the provision of the Act shall be considered as superior; and

iv) U.G.C. Regulations 2010 along with 1st, 2nd, 3rd and 4th amendments in it, U.G.C. letters and Government of Maharashtra Resolutions are appended to this Direction and shown by the appendix stated against each document as follows:-

- a) U.G.C. Regulation, 2010 (No. F.3-1/2009) APPENDIX-A
- b) UGC (1st Amendment) Regulations, 2011 bearing No. F-1-2/2009(EC/PS) Pt. II dated February 2011- APPENDIX-B
- c) UGC (2nd Amendment) Regulations, 2013 bearing No. F.1-2/2009(EC/PS) V(i) Vol -II dated 13th June 2013 - APPENDIX-C
- d) UGC (3rd Amendment) Regulations, 2016 bearing No. F.6-1(ii)/2006(CCP-I/DU) dated 08/02/2016 - APPENDIX-D
- e) The Government of Maharashtra Higher and Technical Education Department Resolution No. NGC-1201/11815/(38/01)/VC-4 dated 18/10/2001- APPENDIX-E
- f) The Government of Maharashtra Higher and Technical Education Department Resolution No. NGC 2009/(243/09)-UNI -1, dated 12/08/2009, APPENDIX-F,
- g) The Government of Maharashtra Higher and Technical Education Department Resolution No. NGC-2010/(415/10)UNI-1 dated 30/07/2010, APPENDIX-G,
- h) Government of Maharashtra Resolution No. Sankirna-2011/(25/11) UE-1, dated 15/2/ 2011- APPENDIX-H
- i) Government of Maharashtra resolution No. SUK-2011/(554/11)-UE-1, dated 30/1/2012 APPENDIX-I
- j) UGC letter D.O. No.1-2/2009(EC/PS)/ Pt. VIII dated 30/06/2011- APPENDIX-J,
- k) U.G.C. letter No. F. 1-5/2010(PS) dated 6/9/2011- APPENDIX-K, and
- l) U.G.C. Notification No.F.1-2/2016(PS/Amendment) dated 11th July, 2016 (4th Amendment)- Appendix-L.

Place : Gadchiroli.

Date : 09/07/2018

(Dr. N.V. Kalyankar)
Vice-Chancellor