

01/01/2000 01:00
NO. 01/01/2000 01:0000192 P.001/002
To: 04425340923 P.1R.P. Sisodia
Director (UGC)

सत्यमेव जयते

D.O. letter No. 8-7/2010- U.1(A)

भारत सरकार
मानव संसाधन विकास मंत्रालय
उच्चतर शिक्षा विभाग
शास्त्री भवन
नई दिल्ली - 110 115
GOVERNMENT OF INDIA
MINISTRY OF HUMAN RESOURCE DEVELOPMENT
DEPARTMENT OF HIGHER EDUCATION
SHASTRI BHAVAN
NEW DELHI-110 115
New Delhi, 3rd November, 2010-11-03

Dear Sir,

I invite attention to your letter dated 3.11.2010 addressed to Ms. Vibha Puri Das, Secretary, Dept of Higher Education. In this connection I am to inform you that Secretary, UGC in her letter dated 23rd September, 2010 had communicated the resolution taken under Agenda Item No. 2.08 in 471st meeting of the UGC held on 12.08.2010. The resolution was sent to this Ministry for according concurrence of the Ministry. The Ministry has declined to concur with the resolution since the resolution made was found to be against the UGC Regulations and has reiterated compliance with the Central Government's directives issued under Section 20(1) of the UGC Act, 1956. A copy of the communication issued to UGC is enclosed along with this letter.

You are requested to kindly bring it to the notice of Hon'ble Madras High Court.

With regards,

Yours faithfully

(R.P. Sisodia) ro

To,
Mr. M. Ravindran
Additional Solicitor-General of India
Madras High Court
Fax - 044-25340923



01/01/2000 01:00

To: 04423743275

P.2

SUNIL KUMAR
ADDITIONAL SECRETARY (HE)



भारत सरकार
मानव संसाधन विकास मंत्रालय
उच्चतर शिक्षा विभाग
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GOVERNMENT OF INDIA
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DEPARTMENT OF HIGHER EDUCATION
SHASTRI BHAVAN
NEW DELHI-110 115
Dated the 3rd November, 2010

D.O. NO. - 8-7/2010-U.I(A)

Dear

N. A. Kazmi

I desire to draw your attention to your letter addressed to the Secretary, HE dated 23rd September, 2010 in which a request has been made to the Government to accord concurrence to the resolution made by the Commission on agenda item no. 2.08 in its 471st meeting held on 12.8.2010.

In this connection, I am desired to convey to you that said resolutions are against the letter and spirit of the regulations issued by UGC from time to time regarding compulsory NET/SLET qualifications for appointment to lecturers/Asst Professors. The above mentioned resolution perhaps does not take into account the fact that appointments, if any, pursuant to the date of coming into force of these regulations are bound to be prospective only. Appointments can never be made with retrospective dates. Therefore, exempting the candidates from NET/SLET requirement, who are going to be appointed or have been appointed after 11th July, 2009 would be violative of the UGC (Minimum qualifications required for the appointment and Career Advancement of teachers for Universities and institutions affiliated to it) (3rd amendment) Regulations, 2009.

Regarding the plea that since proviso to UGC (Minimum qualifications required for the appointment and Career Advancement of teachers for Universities and institutions affiliated to it) Regulations, 2000 remained in force till the notification of UGC (Minimum qualifications for appointment teachers and other Academic Staff in Universities and Colleges and measures for Maintenance of Standards in Higher Education) Regulations, 2010, and hence UGC can consider and dispose of the applications received seeking exemption from NET requirement, again is not tenable. This resolution does not take into account the UGC (Minimum qualifications required for the appointment and Career Advancement of teachers for Universities and institutions affiliated to it) (3rd amendment) Regulations, 2009 at all, wherein a blanket ban was imposed on non-NET/SLET qualified candidates. Similarly, since by Commissions' own admission, the regulations are prospective in nature and not retrospective, invoking the proviso to UGC (Minimum qualifications required for the appointment and Career Advancement of teachers for Universities and institutions affiliated to it) Regulations, 2000 is clearly in-congruous. The present regulations in force do not have any provisions for exemption of candidates who are not NET/SLET qualified. In the above circumstances, I am desired to draw your attention to and reiterate the directive issued under Section 20(1) of the UGC, 1956 in making NET/SLET compulsory for teaching positions as a policy relating to national purposes of maintenance of standards of higher education.

With regards,

N. A. Kazmi
Secretary in-charge -
UGC
New Delhi



Yours sincerely,

(Sunil Kumar)