

UNIVERSITY OF KERALA

(Abstract)

UGC Regulations 2010- Templates for Placement/Promotion of Teachers - Norms and Procedures for promotion as Principal- Modified- Orders issued.

Academic F II Section

No.Ac.F II/General/UGC-R-2010/2018

Dated, Thiruvananthapuram, 30-11-2018

- Read:**
1. UGC Regulation 2010-Kerala Gazette Notification -Notification No.27 Volume III dated 08.07.2014
 2. Judgment of the Hon'ble High Court of Kerala dated 23.02.2016 in WP(C) No.15739/2013(N)
 3. U.O .No.Ac.F II/General/UGC-R 2010/2014 ,dated 15.04 .2016
 4. U.O No.Ac.FII/General/UGC-R2010/2016/III Amendment dated 07.01.2017
 5. U.O No.Ac.FII/General/UGC-R2010/2016/IV Amendment dated 07.01.2017
 6. U.O .No.Ac.F II/UGC-R 2010/Norms/2017 dated 18.02.2017
 7. Judgment of the Hon'ble Supreme Court dated 17.07.2018 in SLP(C) No. 18938-18942/2017
 8. Item No: 05.53.01 and Item No:05.73 of the minutes of the meeting of the Syndicate held on 28.09.2018
 9. Item No: 96 of the minutes of the meeting of the Academic Council held on 05.10.2018.

ORDER

The University Grants Commission (Minimum Qualifications for appointment of Teachers and other Academic Staffs in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education) Regulations 2010, was gazetted on the recommendation of the Academic Council of the University of Kerala dated 23.11.2013 vide paper read as (1) above.

The Hon'ble High Court of Kerala vide Judgment read as (2) above, had ordered that all appointments made with effect from 18-09-2010 had to be in tune with UGC Regulations, 2010 irrespective of whether the University Acts or the Statutes are amended in line with UGC Regulations or not, in view of its adoption by the State of Kerala w.e.f 18-09-2010 as per G.O(P) No: 392/2010/H.Edn, dated 10-12-2010.

Consequently, the Government as well as the University proceeded to file a Special Leave Petition before the Hon'ble Supreme Court of India, for extending the date of applicability of the UGC Regulations, 2010, which was disposed by the Apex Court vide paper read as (7) above.

However, the University vide papers read as (3), (4), (5) and (6) above has approved the templates for Career Advancement Scheme for teachers based on Academic Performance Indicators (API) and Performance Based Appraisal System (PBAS) in the University Departments and Aided Colleges, and norms and procedures for the appointment of Principals in Aided Colleges, as stipulated in the UGC Regulations 2010.

As per the directions of the Apex Court, in the SLP mentioned above in para(3), the UGC Regulations, 2010 were to be implemented on a date not later than 23.02.2016, i.e., the date of Judgement of the Hon'ble High Court of Kerala, or on an earlier date, provided the Universities concerned had done so.

The session of the Syndicate, vide paper read as (8) above, resolved to place the whole matter before the Academic Council. The Academic Council vide paper read as (9) above, considered the matter and resolved as follows.

1. The Academic Council noted the Judgement of the Hon'ble Supreme Court of India on SLP filed with regard to the effective date of implementation of the UGC Regulations 2010 and resolved that the said regulations shall be treated as implemented in the University with effect from 23.02.2016, amending the earlier notification in this regard.

2. Further resolved that, other than for appointment through Direct Recruitment, the conditions stipulated in Kerala University Act 1974, Chapter VIII Clause 57(2) (3) relating to appointment of Principals by promotions in Private Aided Colleges, through the criteria of Seniority-cum-fitness shall be valid subject to the fulfilment of academic qualifications prescribed by the UGC.