



W.A.No.997 of 2018 etc. batch

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W.A.No.997 of 2018,
W.P.No.57/2022 and WMP.No.50 of 2022 and
W.P.No.11540/2013 and M.P.No.2/2013 and
W.P.Nos.27184/2013 & M.P.No.1/2013 and
W.P.No.27185/2013 & M.P.No.1/2013 and
W.P.No.28292 of 2013 and M.P.No.2/2013 and
W.P.No.33764/2013 and M.P.No.2/2013 and
W.P.No.4574/2015 and M.P.Nos.2 & 3/2015 and
W.P.No.4575/2015 and M.P.Nos.2 & 3/2015 and
W.P.No.4576/2015 and M.P.Nos.2 & 3/2015 and
W.P.No.4577/2015 and M.P.Nos.2 & 3/2015 and
W.P.No.4578/2015 and M.P.Nos.2 & 3/2015 and
W.P.No.4579/2015 and M.P.Nos.2 & 3/2015 and
W.P.No.4581/2015 and M.P.Nos.2 & 3/2015 and
W.P.No.4582/2015 and M.P.Nos.2 & 3/2015 and
W.P.No.4583/2015 and M.P.Nos.2 & 3/2015 and
W.P.No.14477/2019 and W.P.No.26942/2022 and
WMP.Nos.26150 and 26151/2022 and
Cont.P.No.20/2022 and Cont.P.No.134 of 2022
and CMP.No.8466/2018

R.SURESH KUMAR, J.
AND
K.KUMARESH BABU, J.

[Order of the Court was made by R.SURESH KUMAR, J.]

Heard the learned counsel appearing for both sides. Insofar as the stand of the University Grants Commission is concerned, the UGC has been directed to frame specific regulations with regard to the method of



W.A.No.997 of 2018 etc. batch

recruitment, educational qualification etc. for various posts in Universities which includes the post of Deputy Registrars as well as the Assistant Registrars.

2. Now the quarrel that has to be resolved in this batch of cases is, what shall be the educational qualification for those feeder categories for the purpose of promotion to the post of Assistant Registrars of the respondent University viz., University of Madras.

3. In this context, it is to be noted that, insofar as the post of Assistant Registrars is concerned, hitherto the procedure adopted by the University is to give promotions from the feeder category i.e. Section Officers for whom there has been no specific minimum educational qualification since has been prescribed, based on the seniority alone such kind of promotion is hitherto given.

4. Only in that context, with regard to the panel that was adopted in the year 2013 and 2018 these petitioners who are aggrieved, because their names have not been included in the panel, these batch of writ petitions were filed.



W.A.No.997 of 2018 etc. batch

5. In this context, it is further to be noted that, based on the

WEB COPY

Government of India directives as well as the University Grants Commission's regulations, the Government of Tamil Nadu issued G.O.Ms.No.56 Higher Education (H1) Department dated 25.02.2000, under which, the scales of pay for the post of Deputy Registrar and Assistant Registrar has been prescribed or the prescription has been adopted by the State Government which would apply to all the Universities including the respondent University.

6. In the said G.O.Ms.No.56 also the method of recruitment and it's qualification for the recruitment to the various posts including Assistant Registrar has been prescribed. However, the educational qualification that has been prescribed for appointment to the post of Assistant Registrar whether would be applicable for the promoted categories also is the question to be resolved.

7. In this context, it is further to be noted that, after the UGC regulation has been issued sometime in 1985 and 1998, the Government of India through their detailed letter dated 31st December 2008 has directed the University Grants Commission to frame Regulations with



W.A.No.997 of 2018 etc. batch

regard to the prescription of minimum qualifications for the appointment

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Universities throughout the country and in this context, the educational qualification and other method of recruitment by way of promotion to such post to the extent of either 25% or 50% of the vacancies in the respective categories have been specifically directed to be framed by way of Regulations.

8. Pursuant to the said letter of the Government of India dated 31.12.2008, the University sometime in 2011 had issued a Notification, where the University has stated the following:

“The University Grants Commission has constituted a Committee to frame Regulations on Minimum Qualifications, mode of recruitment/promotion, etc. for the posts of Registrar, Deputy Registrar, Assistant Registrar, Finance Officer, Deputy Finance Officer, Assistant Finance Officer, Controller of Examinations, Deputy Controller of Examinations and Assistant Controller of Examinations in the universities and the deemed to be universities fully funded by the Central Government, in pursuance of the Ministry of Human Resource Development letter No.1-32/2006-U.II/U.I(II) dated 31st December 2008.



WEB COPY



W.A.No.997 of 2018 etc. batch

Suggestions specifically pertaining to the above subject matter alone are invited from the stakeholders concerned for consideration by the Committee. Suggestions may be addressed to the Secretary, UGC, and sent at the following e-mail addresses: akdogra@ugc.ac.in and kpsunny39@gmail.com latest by 5th July 2011.”

9. Therefore suggestions had been sought for from the stakeholders by the UGC, in order to frame such regulations as mandated by the Government of India through letter dated 31.12.2008.

10. In this context, whether any such regulations have been framed by the UGC or not has to be ascertained. In order to ascertain the same and report before this Court, Mr.P.R.Gopinathan, learned Standing Counsel appearing for the UGC seeks accommodation of atleast a week's time till 4th September 2023, within which, he would be able to get written instructions from the UGC as to whether any such regulations pursuant to the said Notification inviting suggestions from the stakeholders has been framed and issued or published and if so the copy of such regulation also would be filed by him before this Court.



W.A.No.997 of 2018 etc. batch

WEB COPY 11. For the aforestated compliance and for continuation of arguments, post the matter on 4th September, 2023 as first case.

[R.S.K. J.]

[K.B. J.]

28.08.2023

Note:
Issue order copy today.

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W.A.No.997 of 2018 etc. batch

R.SURESH KUMAR, J.
AND
K.KUMARESH BABU, J.

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W.A.No.997 of 2018 etc. batch

28.08.2023