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Reg. No. KL/TV(N)/634/2015-17

# കേരള ഗസറ്റ് KERALA GAZETTE

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
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## PART III

### University of Calicut

(General and Academic-II 'F' Section)

NOTIFICATIONS

(1)

No. 15599/GA-II-F-SO/2013/CU.

20th February 2017.

As per Notification No. F.1-2/2016(PS/Amendment) dated 4-5-2016, University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education) (3rd Amendment), Regulations, 2016, has been published in the Gazette of India dated 10-5-2016. As per Notification No. F.1-2/2016 (PS/Amendment) dated 11-7-2016, University Grants Commission (Minimum Qualifications 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, has been published in the Gazette of India dated 11-7-2016.

Disposing of WA No. 1676 of 2013 by judgment dated 23-2-2016, the Full Bench of the Honourable High Court of Kerala held that "in the event of a repugnancy between the UGC Regulations and the Regulations framed thereunder and the University enactments and Statutes, the latter will be void. Therefore, the fact that the University Statutes were not amended is inconsequential".

The Syndicate at its meeting held on 27-1-2017 considered the question of issuing a notification to the effect that UGC (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education) (3rd Amendment), Regulations, 2016, and UGC (Minimum Qualifications 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, came into force in the University with effect from 4-5-2016 and 11-7-2016 respectively, and resolved vide urgent item No. 2017.086 to approve the proposal. The Vice Chancellor has ordered to implement the resolution of the Syndicate. Hence, it is hereby notified that UGC (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the

Maintenance of Standards in Higher Education) (3rd Amendment), Regulations, 2016, and UGC (Minimum Qualifications 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, came into force in the University with effect from 4-5-2016 and 11-7-2016 respectively.

(2)

No. 42368/GA-II-F-SO/2015/Admn.

20th February 2017.

The following Amendment to the Regulations approved by the Senate at its meeting held on 28-3-2016, was published vide Notification No. 19661/GA-I-F2/2014/CU dated 2-6-2016 in the Gazette dated 5-7-2016.

Draft Amendment to the Amended Regulations of 2014 contained in Notification No.3696/GA-I-F1/2013/CU dated 26-2-2014 published in the Gazette dated 8-4-2014.

The existing Regulations relating to the qualification, placement and promotion of University and College Teachers, contained in the Amendment to the Regulations and the Appendices thereto, approved by the Academic Council on 30-7-2013 and the Senate on 10-9-2013, and published vide Notification No. 3696/GA-I-F1/2013/CU dated 26-2-2014 in the Gazette dated 8-4-2014, be amended by incorporating the following Regulation as Regulation 17:

*Regulation 17:* "Notwithstanding anything contained in the Amendment to the Regulations and the Appendices thereto relating to the qualification, placement and promotion of University and College Teachers, approved by the Academic Council on 30-7-2013 and the Senate on 10-9-2013, published vide Notification No. 3696/G A-I-F1/2013/CU dated 26-2-2014 in the Gazette dated 8-4-2014, minimum API scores using PBAS scoring proforma developed by the University as per the norms provided in Table II (A)/II (B) of Appendix III shall not be made mandatory up to 31-12-2015 for promotion under Career Advancement Scheme".

Disposing of WA No. 1676 of 2013 by judgment dated 23-2-2016, the Full Bench of the Honourable High Court of Kerala held that "in the event of a repugnancy between the UGC Regulations and the Regulations framed thereunder and the University enactments and Statutes, the latter will be void. Therefore, the fact that the University Statutes were not amended is inconsequential".

The Academic Council at its meeting held on 13-12-2016 considered the following:

(i) the direction of the MHRD, Government of India, that it is obligatory on the part of State Governments to implement the UGC Regulations, 2010, in toto so as to enable the Central Government to release the Central Share of pay revision;

(ii) the direction of the State Government to furnish the amendments made to the statutes/regulations before 15-12-2016 for submitting to the MHRD, Government of India, for claiming the remaining installments of arrears receivable from the UGC;

(iii) the possibility of losing huge Central Assistance to the State Government if University Notification No. 19661/GA-I-F2/2014/CU dated 2-6-2016, which is a violation of UGC Regulations, 2010, is not repealed before furnishing the amended statutes/regulations to the Government for submitting to the MHRD, Government of India;

(iv) the question of taking appropriate decision in the matter.

The resolution of the Academic Council held on 13-12-2016 in the matter is as follows:

"The house, in the wake of the directions from the MHRD & State Government and the judgment of HHC, seriously discussed the above matter and the consequences that the University may face if it fails to follow the UGC Regulations 2010 as such and resolved to stick to the earlier decision of the Academic Council and Senate dated 15-1-2013 and 18-3-2013 respectively".

The Senate at its meeting held on 17-12-2016 considered vide item number IV-10 the question of: (i) approving the resolution vide item No. I.21 of the meeting of the Academic Council held on 13-12-2016; and (ii) repealing Regulation 17, incorporated in the University Regulations vide Notification No. 19661/GA-I-F2/2014/CU dated; 2-6-2016, published in the Gazette dated 5-7-2016, with effect from the date of notification. The Senate passed the item. The Vice Chancellor has ordered to implement the resolution of the Senate. Hence, it is hereby notified that Regulation 17, incorporated in the University Regulations vide Notification No. 19661/GA-I-F2/2014/CU dated 2-6-2016, published in the Gazette dated 5-7-2016, is repealed with effect from 2-6-2016.

Calicut University P. O.

(Sd.)  
Registrar.