"सा विद्या या विमुक्तये"

CAMPUS MIRROR

N.D.T.F.'s QUARTERLY INFORMATION BULLETIN

Vol. X No.2 October-December 2002 Editor : Avanijesh Awasthi Associate Editor : Manoj Sinha

STUDY LEAVE RULES

(As communicated by Deputy Registrar (E.T.), University of Delhi vide Ref. No. Estab.(T)/VI/Leave Rules/2002 dated 19th Sept., 2002)

(i) Study Leave may be granted to permanent whole-time teachers other than a Professor of the University with not less than **three years continuous service**, to pursue a special line of study or research directly related to his/her work in the University or to make a special study of the various aspects of University Organisation and methods of education giving a full plan of work.

Provided that the Executive Council may, in special circumstances, waive the condition of three years service being continuous.

Explanation :

In computing the length of service, the duration which a person was on probation or engaged, as a Research Associate may be reckoned provided that :-

(a) the person is a permanent teacher on the date of the application; and

(b) there is no break in service.

(ii) Study Leave shall be granted on the recommendations of the **Advisory Committee**, but leave shall not be granted for more **than two years**, save in cases where the Executive Council is satisfied on the merit of each case, that such extension is necessary on academic grounds and is in the interest of the University.

The period of paid study leave, shall; **in no case exceed three years.**

(iii) Study Leave shall **not be granted to a teacher who is due to retire within three years** of the date on which he/she is expected to return to duty after the expiry of Study Leave.

(iv) Study Leave may be granted more than once pro-

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EDITORIAL

Time for election is also the time for collective introspection, time for assessing performances and making electoral decisions for the future. Teachers will elect their representatives to the Executive Council and Academic Council on 20th December, 2002. Both elected members of the present Executive Council are seeking re-election. It is time their performance is subject to an audit.

It is our firm belief that all ruling establishments, all governments, have the same nature. It is the duty of all elected representatives and bodies to be ever prepared to fight the repressive machinations of the ruling powers.

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national democratic teachers front
seeks your support for

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STUDY LEAVE RULES

vided that not less than five years have elapsed after the teacher returned to duty on completion of an earlier spell of Study Leave. For a subsequent spell of Study Leave, the teacher shall indicate the work done during the period of earlier leave as also give details of work to be done during the proposed spell of Study Leave. However, the total period of Study Leave in the entire service of the teacher shall in no case exceed five years.

(v) No teacher who has been granted Study Leave shall be permitted to alter substantially the course of study or programme of Research without the permission of the Executive Council. When the course of study falls short of Study Leave sanctioned, the teacher shall resume duty on the conclusion of the course of study unless the previous approval of the Executive Council to treat the period of shortfall as extraordinary leave has been obtained.

(vi) A teacher granted Study Leave, shall on his/her return and re-joining the service of the University be eligible for the benefit of annual increment(s) which he/she would have earned in the course of time if he/she had not proceeded on Study Leave. No teacher shall, however, be eligible to receive arrears of increments.

Proposed Guidelines*

The teachers granted Study Leave would be entitled to continue to draw their total emoluments for the duration of the Study Leave as are applicable to the teachers granted Fellowship under the Faculty Improvement Programmes. The necessary increments will also be sanctioned as and when due.

*These will come in operation after the approval of the UGC. Till such time the rule given at (vi) above will be applicable.

(vii) The amount of scholarship/fellowship or other financial assista..ce that a teacher granted Study Leave has been awarded, will not preclude his/her being granted Study Leave with pay and allowances but the scholarship etc. so received shall be taken into account in determining the pay and allowance on which the Study Leave may be granted.

The existing guidelines shall apply while determining the admissibility of Pay and allowances where financial assistance is received by a teacher is :-

(a) $20,000 or above per annum	- leave shall be granted without pay
(b) $10,000 and above but less than $20,000 per annum	- leave on half-pay and

EDITORIAL

Inaction resulting from any political or ideological proxim-ity with the 'establishment' destroys the representative potential of individuals and organisations they are supposed to represent. The NDTF had therefore always opposed, wherever opposition was required, the ruling government and the university establishment.

The DTF, aided and abetted by INTEC, is controlling the Executive Committee of the DUTA. DTF (Dr. Vijendra Sharma) and AAD (Dr. Vijaya Laxmi Singh) are elected teacher representatives on the Executive Council. Earlier AAD's Dr. S.S. Rathi was the DUTA President during 1999-2001 and the two elected teacher representatives were from AAD and DTF (1998-2000). During the last four years teachers have lost a lot but the DTF-AAD had not built any effective resistance against UGC and MHRD. They had either indulged in 'tokenism' or had only confined themselves to issuing press-statements.

*The role and psyche of the AAD is understandable. The AAD does not have any fighting spirit and thrives only upon press-statements and collusions with authorities at the university level. Since the present university establishment is more committed to the left, AAD could not develop any working relationship with it. They are hob-nobbing with the Governing Bodies for petty gains and supporting their anti-teacher actions. So the AAD confines itself only to making rhetorical statements against the Vice-Chancellor, the UGC and the Government. Besides, the AAD representative on the Executive Council is not well versed with the issues involved and is heavily dependent upon instructions from outside (**through cell-phone**) in the Council meetings.*

But the DTF is playing a more diabolic game. The left of the centre Vice-Chancellor, they believe, is the goose that lays golden eggs for them. The DTF makes all sorts of statements against the Union Government, against communalism/fascism, against World Bank/Gatt/WTO, against UGC/MHRD but does not want to precipitate any militant action which will make the Vice-Chancellor's position in the university weak or vulnerable. The DTF believes that the Vice-Chancellor can remain on the right side of both, the UGC/MHRD on the one hand and DTF led DUTA on the other. By selling out DUTA to the Vice-Chancellor, the DTF has gained, and hopes to gain more in future, in terms of appointments (Principals/OSDs/teachers), nominations (experts/members of GBs/VC's nominees in selection committees) & administrative positions (Provosts/Wardens/RTs of halls and hostels), etc. Recently, and quite shamelessly, the DTF begged the Vice-Chancellor to appoint their elected DUTA Executive Committee member Savithri Singh as Director of Science Centre, Delhi University. The Vice-Chancellor obliged by putting her on the panel. The DTF is in no position to effectively represent teachers.

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STUDY LEAVE RULES

(c) less than $10,000 per annum - leave with full pay.

If a teacher, who is granted Study Leave, is permitted to receive and retain any remuneration in respect of part-time employment during the period of Study Leave, he/she shall ordinarily not be granted any Study Leave salary, but in cases, where the amount of remuneration received in respect of part - time employment is not considered adequate, the Executive Council may determine the Study Leave Salary payable in each case.

Note :-

It shall be the duty of the teacher granted Study Leave to communicate immediately to the University the amount of financial assistance in any form received by him/her during the course of Study Leave from any person or - Institution whatsoever.

Proposed Guidelines*

(a) US $40,000 and above per annum - leave shall be granted without pay

(b) US $20,000 and above but less than $ 40,000 per annum - leave on half pay and

Less than US $20,000 per annum - leave with full pay

*These will come in operation after the approval of the UGC.

(viii) Subject to the maximum period of absence from duty on leave not exceeding three years at a time, Study Leave may be combined with Earned Leave, Half Pay Leave, Extra-Ordinary Leave or Vacation, provided that the Earned Leave at the credit of the teacher shall be availed of at the commencement of the Study Leave. When Study Leave is taken in continuation of vacation, the period of Study Leave shall be deemed to begin to run on the expiry of the vacation. A teacher who is selected to a higher post during Study Leave, will be placed in that position and get the higher scale only after joining the post.

(ix) The period of Study Leave shall count as service for purpose of retirement benefits, provided that the teacher rejoins the University on the expiry of his/her Study Leave, and serves for the period for which the Bond has been executed.

(x) Study Leave granted to a teacher shall be deemed to be cancelled in case it is not availed of within six months of its sanction.

Provided that where Study Leave granted has been so cancelled, the teacher may apply again for such leave.

(xi) A teacher availing of Study Leave, shall undertake that he/she shall serve the University continuously for double the period of Study Leave subject to a maximum of three years from the date of his/her resuming duty after expiry of the Study Leave.

(xii) A teacher:-

(a) Who fails to rejoin the service of the University on the expiry of his/her Study Leave.

or

(b) Who rejoins the service of the University but leaves the service without completing the prescribed period of service after rejoining the service, or

(c) Who within the said period is dismissed or removed from the service by the University shall be liable to refund to the University the amount of leave salary and allowances and other ex-

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penses incurred on the teacher or paid to him or on his behalf in connection with the course of Study:

Provided that if a teacher had served in the University for a period of not less than half the period of service under the Bond on return from Study Leave, he shall refund to the University half of the amount calculated as above. In case the teacher has been granted Study Leave without pay and allowances, he/she shall be liable to pay to the University an amount equivalent to four months pay and allowances last drawn as well as other expenses incurred by the University in connection with the course of study.

Explanation :- If a teacher asks for extension of Study Leave and is not granted the extension but does not rejoin duty on the expiry of the leave originally sanctioned, he/she will be deemed to have failed to rejoin the service on the expiry of his/her leave for the purpose or recovery of dues under these rules.

(d) Notwithstanding the above, the Executive Council may order that nothing in these rules shall apply to a teacher who within three years of return to duty from Study Leave is permitted to retire from service on medical grounds. Provided further that the Executive Council may, in any other exceptional case waive or reduce, for reasons to be recorded, the amount refundable by a teacher under these Rules.

(xiv) (a) After the leave has been sanctioned, the teacher shall, before availing of the leave, execute a bond in favour of the University in the prescribed form undertaking to serve the University for not less than double the period of Study Leave sanctioned to him on full, half or no pay subject to a maximum period of three years. (E.C. 1.6.1979).

(b) In addition to executing a bond as aforesaid the teacher shall have to provide two sureties when Study Leave is granted to him on full pay and one surety when study leave is granted to him on half pay or no pay and give security of immovable property to the satisfaction of the University or a Fidelity Bond of an Insurance Company, or a Guarantee by a Scheduled Bank. The sureties furnished should be acceptable to the University. Where the two sureties or the one surety, as the case may be, provided by the teacher are those who are permanent teachers of the Institution to which the teacher belongs, the University may, in its discretion, waive the additional requirement of getting security of immovable property or a fidelity bond of an Insurance Company or a Gurantee by a Scheduled Bank. The surety clause shall form part of the Study Leave Bond and the persons giving surety shall be liable to pay to the University the amount recoverable from the teacher concerned on his failure to fulfil the obligations of the Bond.

(xv) A teacher who has been granted Study Leave for pursuing studies towards his doctorate shall submit to the Registrar six monthly reports of progress in his studies through his supervisor or the Head of the Institution. In case of others, the teacher concerned may send the reports of the work done by him every six months directly to the Registrar. These reports shall reach the Registrar within one month of the expiry of the Study Leave. If the reports do not reach the Registrar within the time specified, the payment of salary may be deferred till the receipt of such reports. (E.C. Res. No. 305 dated 1.3.1981)

SABBATICAL LEAVE RULES

1. A Professor who has 7 years continuous teaching experience to his/her credit, out of which at least three years should be continuous service as Professor in this University, shall be eligible for the grant of Sabbatical Leave for a total period of two years for the purpose of study, research or writing within the country or abroad.

2. Sabbatical Leave can be availed by a Professor only twice during the period of service in this University subject to a maximum of one year at a time.

3. For any absence on account of Sabbatical Leave, a Professor will have to render service in this University for a period equal to the duration of the Sabbatical Leave availed of by him/her.

4. During the period of Sabbatical Leave, a Professor shall be paid full pay and allowances at the rates otherwise applicable to him/her during this period.

5. During the period of Sabbatical Leave, the Professor shall be allowed to draw normal increments on due dates and the period of leave shall count as regular service for the purpose of pension and other retirement benefits.

6. A Professor on Sabbatical Leave shall not take up during the period he/she remains on leave any regular appointment in another organisation in India or abroad. He/she may, however, be allowed to accept a Fellowship or Scholarship, on an ad hoc

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SABBATICAL LEAVE RULES

teaching or research assignment with honorarium, or any other assignment other than regular employment, provided that in such cases, the Executive Council may, if it so desires, sanction Sabbatical Leave as per guidelines in force for determining the admissibility of pay and allowances as laid down in the Study Leave Rules for teachers other than Professors.

Note : 1. A Professor who is on Sabbatical Leave will not take classes. However if he/she so desire, he/she may guide research students and carry on his/her own research work during the period of Sabbatical Leave.

2. A Professor who is on Sabbatical Leave should not attend staff meetings or other meetings of the Departmental Committee including the Departmental Selection Committee, etc.

3. On return from leave, a Professor shall report to the University the nature of studies, research or other work undertaken during the period of leave.

4. A professor shall not be entitled for the grant of Study Leave.

Note :- For Colleges the Executive Council is the Governing Body and the Principal is the executing authority.

'STAGNATION', THE GRAVE PROBLEM

More than 2500 teachers reached the ceiling of the Reader's Grade at the basic salary of Rs.18,300 p.m. About 25% of remaining teachers will reach this ceiling every year. They will stagnate at this ceiling for a number of years. In the absence of any Assured Third Promotion, comparative younger teachers who have became Readers after 1.1.1996 will stagnate at the ceiling for several years.

Who is responsible? Obviously the AAD and the DTF. During negotiations at the time of 1996 pay-package, the MHRD had suggested a Senior Readers Grade with a provision of placement of Readers with 5 years experience at Rs.15,100. But Dr. Shiba C Panda (AAD) walked out of the meeting and both AAD and DTF created a ruckus in the DUTA resulting in the rejection of grade. Had the grade being then accepted, as desired by the NDTF, teachers would not have to stagnate. Besides, it would have financially helped Senior Readers at the time of future pay revisions.

The NDTF is committed to coordinate its efforts with all concerned, at the DUTA & EC/AC levels, to force the Union Government and the UGC to remove 'stagnation' of teachers. Unfortunately, the present DTF leadership of the DUTA is not even concerned with this grave problem. It finds no mention in any of their agenda.

D.O. No. 2051/MHRD/VIP/2002

Dy. No. ...../MHRD/VIP/2002

सत्यमेव जयते

डा. मुरली मनोहर जोशी
DR. MURLI MANOHAR JOSHI

मानव संसाधन विकास मंत्री
भारत
नई दिल्ली-११०००१
MINISTER OF
HUMAN RESOURCE DEVELOPMENT
INDIA
NEW DELHI-110 001

10 OCT 2002

प्रिय श्री गोयल,

दिल्ली विश्वविद्यालय के नेशनल डेमोक्रेटिक टीचर्स फ्रंट द्वारा प्रस्तावित प्रधानाचार्यों एवं अध्यापकों की चयन प्रक्रिया में संशोधन के संबंध में आपका सुझाव पत्र दिनांक 3.9.2002 मेरे कार्यालय में 6.9.2002 को प्राप्त हुआ।

आपका मूल पत्र संबंधित अधिकारी को यथोचित कार्यवाही हेतु भेज दिया गया है।

शुभकामनाओं सहित,

आपका

(मुरली मनोहर जोशी)

श्री विजय गोयल
राज्य मंत्री
प्रधान मंत्री कार्यालय
साउथ ब्लाक, नई दिल्ली

SUSPENSION OF OPERATION BY THE VISITOR OF THE ORDINANCE ON COMPOSITION OF SELECTION COMMITTEES

The University of Delhi had recently amended the relevant University Ordinances on the composition of Selection Committees for appointments of Principals and teachers in Delhi University Colleges. The amendments were aimed at providing the Vice-Chancellor with numerical majority of members in the committees thus laying the control of all appointments in his hands. The DTF-leftists were naturally interested in such an amendment . Even the INTEC was in favour since they thought the Congress will also be able to influence the VC in getting their cadres appointed.

The NDTF had submitted memoranda and pursued the matter with the Visitor, Chancellor, Prime Minister, and MHRD/UGC. As a consequence, the Visitor suspended the operation of the amended Ordinances on 12th September, 2002.

← **We reproduce here the fascimile of the letters exchanged between MHRD and PMO in this regard.**

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PERFORMANCE AUDIT :

JUDGE US BY OUR PERFORMANCE

WE WALK OUR TALK

The NDTF is committed to pursue at all levels, namely, the MHRD, the UGC, DUTA and EC/AC the unfinished agenda of 1998 pay package : An Assured Third Promotion, Professorship in Colleges, Changes in the Procedure of Promotion to Professorship under CAS with a view to facilitate promotion rather than denial, Implementation of the entire pay-package with effect from 1.1.996, Removal of Anomalies caused by advance and in service Ph.D increments so that no senior draws less salary than a junior with the same qualifications, Grant of full parity to librarians with teachers.

The NDTF also assures that it will coordinate its efforts with all concerned so that the UGC/MHRD is prevented from implementing any job cuts either through increased work load or through grants freeze. Also all attempts to introduce antiacademic and self-destructive 'contractual' service will be resisted. The NDTF will also resist the UGC/Delhi Government attempts to delink Delhi Colleges from the University.

The NDTF requests teachers to compare the performance of the NDTF vis a vis other Groups, do an audit and then decide to vote. We produce below a brief summary of the comparative performances :

1998 PAY REVISION (NDTF Led DUTA) :

Pay scales upwardly revised from the equivalent scales recommended by the Vth pay commission ; Readers annual increment increased from the recommended Rs.375 to Rs. 420 and for Professors and Principals the base of the scale raised from Rs.14,300 to 16,400 ; Readers with 5 years experience placed at 7 increment stage of Rs 14,940 w.e.f. 1996 onwards: Merit Promotion Scheme from Reader to Professorship reintroduced in the University Departments with eligibility reduced from 10 years to 8 years ; Dual Emolument Scheme scrapped; Professorship introduced in the colleges; For Promotion to Readership/Reader Grade the eligibility reduced from 13 years to 9 years for Ph.Ds. from 16 years to 11 years for PGs. and from 15 years to 10 years for M.Phils; 4 increments for Ph.Ds. and 2 increments for M.Phils (instead of 3 and 1 recommended by the UGC) at the starting stage; 2 increments for in service Ph.Ds.; 2 increments for Ph.Ds. at the Reader's promotion time, etc.

ON THE OTHER HAND

1987-88 PAY REVISION (DTF AND AAD LED DUTA) : Implementation of revised pay-scale made conditional to Universities accepting all conditions dictated to by the UGC/MHRD, only the conversion grades recommended by the IVth pay commission implemented for all the categories of teachers, Senior Reader Grade (4500-5700) merged with the Reader Grade (Rs.3700-5300) to a composite grade of 3700-5700 with reduced increments, MPS for Readership to Professorship scrapped in the Departments, Dual Emoluments System introduced, the eligibility criterion for promotion from Lecturer to Reader/Reader Grade increased from 10 years to 13 years for Ph.Ds. and from 15 years to 16 years for PGs.

Teachers were not satisfied with the performance of the NDTF led DUTA. We accept their verdict with humility. Teachers then elected Dr. S.S. Rathi (AAD, 1999-2001) and then Dr. Shaswati Mazumdar (DTF, 2001-2003) as DUTA Presidents. Even in the Executive Council AAD and DTF representatives have been elected. But has the DUTA movement gained? No. Both these groups have been interested only in manipulative appointments. After Dr. Deepak Nayyar became the Vice-Chancellor, The DTF is sitting in his laps for partisan gains. The DTF-AAD talk of protecting the jobs of ad-hoc/temporary teachers. **But do they walk their talk.** In many colleges controlled by them they have mercilessly removed large number of ad-hoc teachers, mostly with experiences ranging between 5 to 8 years to get their less qualified cadre teachers appointed. **The removal of ad-hoc teachers in Maharaja Agrasen College and Desh Bandhu College (Eve.) will prove our point.** In the mean time teachers suffer.

AAD-DTF Tenure of DUTA-EC (1998-2002) :

No third promotion, Professorship withdrawn from colleges, the procedure for promotion to Professorship in the University Departments made more cumbersome with a view to ensure denials, Professors down graded vis a vis Principal, Librarians down graded vis a vis teachers, the Vice-Chancellor introduced changes in norms on work load with the collusion of the DTF Leadership.

JUDGE US BY OUR COMPARATIVE PERFORMANCE

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Our DTF friends talk about the police assaults and machinations of the UGC and MHRD. Would they comment on the machinations of the West Bangal Government?

The Hindustan Times 10th August, 2002

Pay Rs 1.5 lakh, get a medical seat

Ronita Datta
Kolkata, August 9

THE WEST Bengal government has raised the number of reserved seats in medical colleges to 50 per cent.

The beneficiaries, however, are not the backward classes or the disadvantaged groups. These seats have been set aside for students who fail to make the cut in the Joint Entrance Examination (JEE) but can afford to buy a seat for a sum.

There will be two categories of reservation: 35 per cent of the seats will be set aside for students who are ready to pay Rs 1.5 lakh a year. But here is a rider: they must have passed the JEE even if they couldn't score enough to qualify for a medical seat.

The remaining 15 per cent will be reserved for students sponsored by NRIs. These applicants do not even need to sit for the JEE. They get the seat by simply coughing up Rs 30 lakh for the entire MBBS course.

The new reservation policy, though, will be limited to the Midnapore Medical College (100 seats) and the SSKM (150 seats), where the government plans to open undergraduate courses.

The other medical colleges in the state will continue to follow the old reservation policy where five per cent seats are reserved for SC and ST students while 15 per cent for those who qualify through an all-India joint entrance examination.

The new reservation pattern closely follows the one adopted by private engineering colleges but with a difference — the engineering colleges reserve only about 5 per cent of their seats for the rich kids.

Director of Medical Education, Dr G.R. Maity defends the move. "Medical education is expensive," he says. The state government spends around Rs 30 to 35 lakh on the education of each medical student but charges a nominal monthly tuition fee of just Rs 12, say health department sources.

A&U TIBBIA COLLEGE

The teachers of A & U Tibbia College have been the victim of negative policy of Delhi Govt./Delhi University which is evident from the following :

- Arrears of Vth pay commission have not been paid to the teachers till now.
- The pensionary benefits have not been settled in respect of those who have retired after take-over of the college by Delhi Government on 30.4.98.
- Several Readers have been redesignated as Lecturer in Readers Grade.
- The teachers are not being recognized as Readers/Professors.
- Ad-hoc appointees are not being made permanent.

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THE '5 MINUTES' DRAMA PLAYED BY THE DTF AND THE VC

It is now well known that the fixed period 7 days strike followed by relay and indefinite hunger strike by the DTF led DUTA culminating in the '5 Minutes Magic' was a drama enacted by the DTF and the Vice-Chancellor for mutually helping each other and hoodwinking teachers. Their collusion became evident when the exultant Vice-Chancellor greeted DUTA-DTF teachers on 16th September, 2002 (when they had withdrawn the strike without achieving anything and without any discussion and voting) with the now infamous words **"I am proud of you"**. More evidence came when the so called 'indefinite hunger strike' by the DUTA President and three others was abandoned at midnight on 1st October, 2002 the moment Academic Council accepted the so called Anil Wilson formula of increasing every period from 50 minutes to 55 minutes. This increased the workload of teachers from the existing 15 hrs. to 16.5 hrs. per week; even the UGC required 16 hrs. per week of direct teaching. **No meeting of the DUTA Executive Committee or the General Body was convened to discuss the implications of Ordinance amendment on workload.**

The DTF-DUTA leadership first issued an empty rhetorical statement rejecting the 5 minute magic formula but subsequently started singing praises of the same. They are now claiming that this formula will save the services of ad-hoc teachers. The DTF does not realise that by **agreeing to amend the Ordinance on workload which existed in its present form for over 50 years, the university has strengthened the UGC vis-a-vis the university Statutes/Ordinances.** The move has weakened DUTA and has only strengthened the Vice-Chancellor's position vis-a-vis the UGC/ MHRD.

If the DTF wanted to accept the Ordinance amendment where was the need for the drama of agitation. The Vice-Chancellor is now trying to fully introduce 40 hrs. per week work load, as dictated by the UGC, through recommendations of Work-Load Committee and Accountability Committee. **There is already a move to ensure that teachers are available in the colleges at designated hours, besides 18 classes per week. Further there is a move to reduce summer and other vacations to provide for 180 working days.**

It must be remembered that the UGC has sent circulars and letters to the university several times during the last 15 years on 40 hrs. workload for teachers and for imposing 'cuts' on teaching jobs and expenditure. The successive leaderships of the DUTA have dealt with these threats effectively and negated them. But the present DTF leadership of the DUTA wanted to exploit the natural fear of the ad-hoc/temporary teachers for electoral gains in the EC/AC elections. Honest action is required to protect the services of ad-hoc/temporary teachers. **Dramas would not do.**

RESTORATION OF PROFESSORSHIP?

The provision for Professorship in the Colleges became part of the University Ordinances as a result of the Pay-Revision Package. The scheme was withdrawn in October 2000. During the period of the operation of the University Ordinances on Professorship. (more than a year) only one teacher could be promoted as Professor in Ramjas College.

What steps were taken by the then President Dr. S.S. Rathi to get teachers in colleges promoted as Professors? Practically he did very little. If 30-40 teachers had been promoted, it would not have been possible to withdraw Professorship from college.

Further the scheme was withdrawn in October 2000 and Dr. S.S. Rathi continued to be President of DUTA till August 2001. He did practically nothing to lodge an effective protest. The prasent leadership has no priority for this issue.

POINTS TO PONDER

1. Whereas we are trying to protect the services of ad-hoc teachers and ensuring all benefits for them, the Staff Association of Shri Ram College of Commerce has debarred all ad-hoc teachers to vote in the Staff Association Elections. Are ad-hoc teachers not teachers?

2. In some colleges, Librarians who were placed at Rs.14940 after 5 years experience in Reader's Grade are now been asked that they were not eligible to be placed at Rs.14940. Recovery has started. What is the DUTA doing for them ?

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SUPREME COURT JUDGEMENT ON NCERT CURRICULUM

WHETHER THE SAME WAS AGAINST THE CONSTITUTIONAL MANDATE AND ANTI-SECULAR

The Hon'ble Supreme Court of India in its landmark Judgement dated 12.9.2002 on a Writ Petition (Civil) No.98 of 2002 filed by Ms. Aruna Roy and others, dismissed the petition which contended that the curriculum published by the NCERT was act of the grave constitutional importance effecting the future of children. In substance the following contentions were made :

1. The respondents have not sought the approval of the Central Advisory Board of to the National Curriculum Framework for School Education - 2000 and without obtaining the approval of the CABE, the NCFSE cannot be implemented.

2. The NCFSE and the Syllabus framed thereunder are unconstitutional as the same are violative of the rubric of secularism which is part of the basic structure of our Constitution. The NCFSE and the Syllabus are also violative of the fundamental right to education, fundamental right to development, fundamental right to information (which have all been read into the right to life under Article 21) and also Articles 27 and 28 of the Constitution of India.

The Judgement of the Hon'ble Court on the above contentions is as under :

NON-CONSULTATION WITH CABE

In the result, we hold that non-consultation with CABE cannot be held to be a ground for setting aside the National Curriculum Framework for School Education (NCFSE) as-

(a) CABE is not a statutory body;

(b) There is nothing in the resolution passed by the Government constituting the CABE in 1986 and 1990 that CABE is required to be consulted before framing NCFSE. Functions of the CABE are mainly to advise the Government and coordinate between the Centre and State in implementing the National Education Policy.

(c) For one or other reason, it is not reconstituted after 1994, may be that ex-officio members at present constitute CABE. However, we are not required to decide why the CABE is not reconstituted. It is for the Government or for the Parliament to decide the said question and to reconstitute the same as it is or by making it a compact Board as suggested by the Prime Minister which is evident from the letter dated 12th February, 1997 written by the Deputy Secretary, Government of India, for reconstitution of CABE.

(d) NCERT is constituted under the Rules. It also consists of ex-officio members as well as representatives of Parliament and experts in the education.

VIOLATION OF ARTICLE 28

The NCFSE nowhere talks of imparting religious instructions as prohibited under Article 28. What is sought is to have value based education and for 'religion' it is stated that students be given the awareness that the essence of every religion is common. Only practices differ. There is a specific caution that all steps should be taken in advance to ensure that no personal prejudices or narrow minded perceptions are allowed to distort the real purpose. Dogmas and superstitions should not be propagated in the name of education about religions. What is sought to be imparted is incorporated in Article 51(A) (e), which provides "to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women" And to see that universal values, such as truth, righteous conduct, peace, love and nonviolence be the foundation of education.

In the result, this petition is dismissed with no order as to costs. Interim relief granted by this

national democratic teachers front
seeks your support for

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(Deptt. of Political Science, RLA (E) College)
for Executive Council

&

✆ 27316106, 9811280467

3 **HEM CHAND JAIN**
Dept. of Commerce, Deen Dayal Upadhayaya College

✆ 27252821, 9811381925

14 **DR. (Mrs.) RUKMANI**
Dept. of Hindi, P.G.D.A.V. College Evening

✆ 25591720, 9811443013

20 **DR. GURMOHINDER SINGH**
Dept. of Punjabi, S.G.T.B. Khalsa College (E)

✆ 27932828, 9810265936

24 **DR. VIRENDER BHARDWAJ**
Dept. of Hindi, Shivaji College

✆ 27666797, 9891181054

26 **DR. SHRIPRAKASH SINGH**
Dept. of Pol. Science, Sri Aurobindo College

✆ 2766550, 9810258052

32 **DR. DILEEP KUMAR SINGH**
Dept. of Zoology, Delhi University
for Academic Council

n.d.t.f.

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Court stands vacated. IAs seeking intervention in this matter stand disposed of accordingly.

SOME OBSERVATIONS

The Judgement makes some important observations on various other issues :

Value Based Education : This national curriculum is prepared on the basis of report submitted to the Parliament on 22nd January, 1999 by the S.B. Chavan Committee which was appointed by the Parliament in 1996. The report of the Committee is based on earlier reports submitted by various Committees, namely, the Radhakrishnan Commission (1948-49), Kothari Commission (1964-66), National Policy on Education (1986), Ramamurti Committee (1990). Central Advisory Board of Education (CABE) Committee on Policy (1992), Planning Commision Core Group on Value Orientation of Education (1992), which have highlighted the urgent need for making the educational system value-based.

The S.B. Chavan Committee report was tabled in Parliament and after its approval, since there was no opposition, NCERT was asked to implement the report. Some relevant extracts of the report (S.B. Chavan) are as under :

- Truth (Satya), Righteous Conduct (Dharma), Peace (Shanti), Love (Prema) and Non-violence (Ahinsa) are the core universal values which can be identified as the foundation stone on which the value-based education programme ***can be built up.*** These five are indeed universal values and respectively represent the five domains of human personality, intellectual, physical, emotional, psychological and spiritual. They also are correspondingly co-related with the five major objectives of education namely, knowledge, skill, balance, vision and identity.

- ***Primary school stage is the period in child's life when seed of value-education can be implanted in*** his/her impressionable mind in a very subtle way. If this seed is nurtured by the capable hands of dedicated teachers in school, if they insert values at appropriate intervals during a child's school life, it can be easily said that half the battle in building up national character has been won.

- It is very essential that at the school level, right from Primary stage, deliberate, planned and sustained efforts are made to inculcate basic human values among the students. Values are best initiated by a mother to her small child under her tender care in the secure atmosphere of home. However, nowadays, children are enrolled in school as early as at the age of four. At this impressionable stage, values like respect for parents/elders and teachers, truth, punctuality, cleanliness and courtesy can be easily inculcated in small children. They can also be sensitised regarding gender equality.

- Besides the personal values, there are certain social values which ought to be imbibed by the young mind. These are the values which concern the whole community-concern for the aged and the handicapped, for the deprived sections of the society etc. Sincere belief in the dignity of labour is generally found to be lacking in our young generation. Values of self-dependence and insistence on doing manual labour are thus required to be impressed upon small children.

- In view of the diverse character of our country, it is essential that certain National Values are also imbibed by our young students. ***They should be acquainted with the history of India's freedom struggle, cultural heritage, constitutional obligations and the features comprising our national identity.*** The Committee feels that some of these national values can be imparted indirectly at the primary stage while at the middle and secondary level. these can be included in the curriculum.

- Another aspect that must be given some thought ***is religion, which is the most misused and misunderstood concept.*** The process of making the students acquainted ***with the basics of all religions, the values inherent therein and also a comparative study of the philosophy of all religions should begin at the middle stage in schools*** and continue up to the university level. Students have to be made aware that the basic concept behind every religion is common, only the practices differ. Even if there are differences of opinion in certain ***areas, people have to learn to coexist and carry no hatred against any religion.***

The Hon'ble Court observed that indisputably, the aforesaid S.B. Chavan Committee's report was placed before the Parliament for discussion. None can also dispute that past five decades have witnessed constant erosion of the essential social, moral and spiritual values and increase in cynicism at all levels. We are heading for a materialistic society disregarding the entire value based social system. None can also dispute that in secular society, moral values are of utmost importance. **Society where there are no moral values, there would neither be social order nor secularism. Bereft of moral values secular society or democracy may not survive.** As observed by the Committee, values are virtues in an individual and if these values deteriorate, it will hasten or accelerate the break down of the family, society and nation as a whole. In a society where there is constant evaporation of social and moral values for getting property, power or post, is it not advisable to have solid social foundation from base level so that a grown up person would fight against all kinds of fanaticism, ill will, violence, dishonesty, corruption and exploitation? Answer would obviously be-'yes'.

If these recommendations made by the Parliamen-

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