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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 16589/2023

SAURAV NARAYAN

..... Petitioner

Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Md. Imran Ahmad and Mr.
Rohan Mandal, Advocates.

versus

UNIVERSITY GRANTS COMMISSION & ORS. Respondents

Through: Mr. Anshuman Sharma, Mr. Azaz
Ahmed, Advocates for R-1.
Ms. Richa Dhawan, Sr. Panel Counsel
with Mr. Anuj Chaturvedi and Ms.
Shreya Manjari, Advocates for R-2.
Mr. Mohinder J.S. Rupal and Mr.
Hardik Rupal, Advocates for
University of Delhi.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

21.12.2023

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1. The Petitioner has approached this Court for a direction to the Respondents to strictly enforce Clause 13 of the UGC Regulations, 2018, which provides that teachers should be appointed on contract basis only when it is absolutely necessary. Clause 13 of the University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education) Regulations, 2018, reads as under:-



“13.0 Appointments on Contract Basis

The teachers should be appointed on contract basis only when it is absolutely necessary and when the student-teacher ratio does not satisfy the laid-down norms. In any case, the number of such appointments should not exceed 10% of the total number of faculty positions in a College/University. The qualifications and selection procedure for appointing them should be the same as those applicable to a regularly appointed teacher. The fixed emoluments paid to such contract teachers should not be less than the monthly gross salary of a regularly appointed Assistant Professor. Such appointments should not be made initially for more than one academic session, and the performance of any such entrant teacher should be reviewed for academic performance before reappointing him/her on contract basis for another session. Such appointments on contract basis may also be resorted to when absolutely necessary to fill vacancies arising due to maternity leave, childcare leave, etc.”

2. It is stated that there is a sanctioned strength of 287 teaching staff in the Faculty of Law, i.e., 33 posts for Professors, 100 posts for Associate Professors, 154 posts for Assistant Professors. It is stated that against the sanctioned strength of 287 teaching staff, there are only 104 Assistant Professors, 5 Associate Professors, 19 Professors and 1 Senior Professor on permanent/regular basis in the University of Delhi. Meaning thereby there are 129 posts of permanent/regular teaching staff in the Faculty of Law and there are a number of posts which are vacant and instead of filling up those posts through regular appointments, various organizations are appointing teachers on contract basis which is actually an unfair practice.
3. Issue notice.



4. Learned Counsels for Respondents No.1 and 2, accept notice.
5. On payment of process fee, let notice be issued to Respondent No.3 through all permissible modes.
6. List on 13.03.2024.

DECEMBER 21, 2023

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SUBRAMONIUM PRASAD, J