

RAJ BHAVAN, TAMIL NADU - PRESS RELEASE

HON'BLE GOVERNOR OF TAMIL NADU AS CHANCELLOR OF CERTAIN UNIVERSITIES, REPOSING CONFIDENCE THAT THE GOVERNMENT OF TAMIL NADU WOULD ACT IN CONSONANCE WITH THE JUDGMENTS OF THE HON'BLE SUPREME COURT OF INDIA AND THE RECENT JUDGMENT OF THE HON'BLE MADRAS HIGH COURT WITHDRAWS THE NOTIFICATIONS ISSUED BY HIM CONSTITUTING SEARCH PANELS FOR RECOMMENDING PANELS OF THREE PERSONS TO THE CHANCELLOR FOR APPOINTMENT OF VICE-CHANCELLORS. THE GOVERNOR IS HOPEFUL THAT THE GOVERNMENT WILL NOW CONSTITUTE SEARCH COMMITTEES INCLUDING A NOMINEE OF UGC CHAIRMAN IN LINE WITH THE JUDGMENTS OF CONSTITUTIONAL COURTS.

The Hon'ble Governor of Tamil Nadu in his capacity as Chancellor of State Universities has issued Notification No.01, dated 06.09.2023, Notification No.02, dated 06.09.2023 and Notification No.03, dated 06.09.2023 constituting search committees for identifying fit candidates for appointment as Vice-Chancellors for the Bharathiar University, The Tamil Nadu Teachers Education University and University of Madras respectively.

The Government of Tamil Nadu has also issued three Notifications published in Tamil Nadu Government Gazette Extraordinary No.337, dated. 13.09.2023; Tamil Nadu Government Gazette Extraordinary No.452, dated 20.09.2022 and Tamil Nadu Government Gazette Extraordinary No.492, dated 19.10.2022 constituting search committees

for recommending panels of three persons to the Chancellor, for appointment to the post of Vice-Chancellors of University of Madras, Bharathiar University and Tamil Nadu Teachers Education University respectively, which are not in line with the regulations of University Grants Commission. However the Hon'ble Madras High Court has in its judgment in W.P. No. 28147/2022 and 4174/2023 on 19.12.2023 in V. Palaniappa Vs. Secretary to Chancellor, Puducherry Technological University and others, has categorically held that the selection of the Vice-Chancellor through a search committee other than those contemplated under Regulation 7.3 (ii) University Grants Commission (Minimum qualification for Appointment of teachers and other academic staff in Universities and Colleges and other measures for the maintenance of standards in Higher Education Regulation 2018) cannot be sustained.

In the above cited case, Hon'ble High Court observed that it would not be able to sustain appointment of Vice-Chancellor of the Puducherry Technological University "through the search committee constituted under Section 14(5) of the Puducherry Technological University Act by G.O. Ms. No.3, Chief Secretariat (Higher and Technical Education), dated 20.01.2021."

In and by the said judgment the Hon'ble Madras High Court has also further directed the Government of Puducherry and Puducherry Technological University to take immediate measures for carrying out amendments to the relevant statutory provisions governing Puducherry Technological University to bring it in conformity with UGC Regulations 2018, without brooking any more delay.

In view of this clear enunciation of the law, the Hon'ble Governor of Tamil Nadu, in his capacity as Chancellor of the concerned Universities

is confident that in deference to constitutional propriety and legality, the Government of Tamil Nadu would withdraw its Notifications published in Tamil Nadu Government Gazette Extraordinary No.337, dated 13.09.2023; Tamil Nadu Government Gazette Extraordinary No.452, dated 20.09.2022 and Tamil Nadu Government Gazette Extraordinary No.492, dated 19.10.2022 and will forthwith issue Notifications constituting search committees for recommending panels of three persons to the Chancellor, for appointment to the post of Vice-Chancellors, in line with the UGC Regulations and in line with the Judgments of the Hon'ble Supreme Court and Hon'ble High Courts.

The Hon'ble Governor of Tamil Nadu, in his capacity as the Chancellor of certain universities in Tamil Nadu, is also confident that Government of Tamil Nadu, in deference to the direction of the UGC as upheld by the Hon'ble Supreme Court and Hon'ble High Courts will bring the provisions of the various Universities in Tamil Nadu in line with the UGC Regulations as applicable.

For the above reasons, since the Hon'ble Governor of Tamil Nadu is hopeful that the Government of Tamil Nadu will do the needful as indicated above, is withdrawing the Notification No.01, dated 06.09.2023, Notification No.02, dated 06.09.2023 and Notification No.03, dated 06.09.2023 and awaits appropriate action from the Government of Tamil Nadu at the earliest in this regard to ensure that the cause of higher education and future of several hundred thousand students in the State are not adversely affected.

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Raj Bhavan, Chennai-22

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