

From

The Secretary Education,
Chandigarh Administration.

To

✓ All the Principals of Privately Managed
Govt. Aided Colleges in U.T., Chandigarh.,

Memo. No.DHE/UT/C-7/24(28)2000-II/ 1088
Dated Chandigarh the 15th February 2023

Subject:- Clarification regarding notification dated 29.03.2022 issued by the Ministry of Home Affairs, Govt. of India and further re-published in the Official Gazette of Chandigarh Administration on 30.03.2022, in respect of Privately Managed Govt. Aided Colleges.

Reference to the subject cited above.

This department is in receipt of various representations/ letters pertaining to applicability of notification dated 29.03.2022 to the employees of privately managed aided colleges in Union Territory of Chandigarh. The said representations have been considered and examined in this department.

During the course of examination of these representations, one of the teachers namely Shri Gurmej Singh, working in Privately Managed Aided Colleges of U.T., Chandigarh approached the Hon'ble High Court of Punjab and Haryana by way of CWP No. 30172 of 2022 and prayed for enhancement of age of superannuation upto 65 years on the basis of the notification dated 29.03.2022. The Hon'ble High Court of Punjab and Haryana vide its judgment dated 23.12.2022 dismissed CWP No. 30172 of 2022 by holding that provisions of Notification dated 29.03.2022 relates only to the Govt. Colleges and the Technical University under the administrative control of the Administrator of Union Territory of Chandigarh and it has nothing to do with private but aided institutions. Accordingly, the said writ petition was dismissed in terms of the judgment rendered in case of CWP No. 11988 of 2014, decided on 16.08.2016 titled as 'Dr. Bhura Singh Ghuman Vs. Panjab University and others'.

The privately managed govt. aided colleges in U.T. Chandigarh are managed and controlled by Private Managements and are merely getting grant-in-aid from the Chandigarh Administration. These colleges are non-Govt. colleges affiliated to the Panjab University. As per the provisions stipulated under the Regulations of Panjab University, the conditions of service and conduct of teachers and Non-teaching staff in Non-Govt.




colleges affiliated to Panjab University are governed by the respective provisions of the said Regulations of Panjab University whereas the notification dated 29.03.2022 issued by the Ministry of Home Affairs, Govt. of India further republished in Chandigarh Administration official gazette on 30.03.2022 is applicable only to the employees of Chandigarh Administration. Hon'ble High Court also held that the provisions of Notification dated 29.03.2022 relates only to the Govt. Colleges and the Technical University under the administrative control of the Administrator of U.T. of Chandigarh and it has nothing to do with private but aided institutions.

Further, it is pertinent to mention that the age of superannuation in respect of teaching faculty of privately managed govt. aided colleges in UT., Chandigarh is being governed according to the Regulations of Panjab University and remained intact even when the teaching faculty of Govt. Colleges of Union Territory of Chandigarh used to retire at the age of 58 years prior to the coming into force of notification dated 29.03.2022.

Hence, Chandigarh Administration cannot increase the age of superannuation from 60 to 65 years unless the requisite amendment is made by the Panjab University in its rules and regulations.

In view of the above, all the privately managed Govt-aided colleges in Union Territory, Chandigarh are advised to strictly adhere to the relevant provisions of Panjab University regulations as extended to the Non-Govt. affiliated colleges in Union Territory of Chandigarh


This issues with the approval of the competent authority.


Director Higher Education,
for Secretary Education,
Chandigarh Administration.

Endst. No.

Dated:

A copy is forwarded to the Vice Chancellor, Panjab University, Chandigarh for information.


Director Higher Education,
for Secretary Education,
Chandigarh Administration.