

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF MARCH 2026

BEFORE

THE HON'BLE MR. JUSTICE H. T. NARENDRA PRASAD

WRIT PETITION NO. 24872 OF 2024 (S-RES)

C/W

WRIT PETITION NO. 27878 OF 2023 (S-RES)

WRIT PETITION NO. 9698 OF 2023 (S-RES)

WRIT PETITION NO. 23717 OF 2024 (S-RES)

WRIT PETITION NO. 200543 OF 2024 (S-RES)

IN WP NO:24872/2024

BETWEEN:

MRS VASUDHA S
AGED 36 YEARS
W/O VIJAYA RAJ M
R/AT DOOR NO. 8-114
2ND FLOOR, SHANTHARAM COMPLEX
KANADKA, SHAKTHINAGAR
MANGALORE-575016.

... PETITIONER

(BY SRI. P P HEGDE, SENIOR COUNSEL FOR
SRI. VENKATESH SOMAREDDY, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REP. BY PRL. SECRETARY
DEPARTMENT OF HIGHER EDUCATION
M S BUILDING, DR B R AMBEDKAR ROAD
BANGALORE-560001.
2. THE COMMISSIONER OF COLLEGIATE EDUCATION
PALACE ROAD, BANGALORE-560001.

3. JOINT DIRECTOR
DEPARTMENT OF COLLEGIATE EDUCATION
GOVERNMENT COLLEGE CAMPUS
HAMPANKATTA, MANGALURU
DAKSHINA KANNADA-575001.
4. MANGALORE UNIVERSITY
REPRESENTED BY VICE CHANCELLOR
MANGALAGANGOTRI-574199.
5. THE APOSTOLIC CARMEL EDUCATIONAL SOCIETY ®
KARNATAKA, ST. ANN'S CONVENT
MANGALORE-575001
MANAGING COMMITTEE OF ST. AGNES COLLEGE
MANGALORE-575001
REP. BY ITS SECRETARY
6. SELECTION COMMITTEE CONSITITUTED IN
PURSUANT TO THE NOTIFICATION DATED 30/01/2023
VIDE ANNEXURE 'B' AND
REP. BY DR. SR LEONILLA MENEZES A.C.
CHAIRMAN-CUM-VICE PRESIDENT OF
GOVERNING BODY THE APOSTOLIC CARMEL
EDUCATIONAL SOCIETY ®
ST. ANN'S CONVENT
MANGALORE-575001.

... RESPONDENTS

(BY SRI.REUBEN JACOB, AAG FOR
SRI G RAMESH NAIK, AGA FOR R1 TO R3:
MISS. MEGHANA BALLAL, ADVOCATE FOR
SRI VIVEK HOLLA, ADVOCATE FOR R5 & R6:
R4 IS SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE
APPROPRIATE WRIT OF CERTIORARI OR ANY OTHER WRIT/
ORDERS QUASHING THE ORDER DATED 28.03.2023 BEARING

ORDER NO. ED 160 UPC 2022 VIDE ANNEXURE 'G' PASSED BY
THE STATE GOVERNMENT/RESPONDENT NO.1 AND ETC.

IN WP NO:27878/2023

BETWEEN:

SANTHOSH P
S/O LATE PALANI
AGED ABOUT 39 YEARS
PRESENTLY WORKING AS GUEST LECTURER
IN COMMERCE AT ACHARYA TULASI
NATIONAL COLLEGE OF COMMERCE
SHIMOGA AND
RESIDING AT NO.225
CHOWDAMMA TEMPLE MAIN ROAD
SINGANAMANE, B R PROJECT
BHADRAVATHI TALUK
SHIVAMOGA DISTRICT
SHIMOGA-577115

... PETITIONER

(BY SRI. A NAGARAJAPPA, ADVOCATE)

AND

1. THE UNIVERSITY GRANT COMMISSION (UGC)
BAHADURSHAH ZAFAR MARG
NEW DELHI-110002
REP. BY ITS SECRETARY
2. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY
DEPARTMENT OF HIGHER EDUCATION
M S BUILDING, DR B R AMBEDKAR VEEDHI
BANGALORE-560001.
3. THE COMMISSIONER OF COLLEGIATE
EDUCATION IN KARNATAKA
DR AMBEDKAR VEEDI
SAMPANGIRAM NAGAR
BANGALORE-560001.

4. THE NATIONAL EDUCATION SOCIETY (R)
NEAR MAHAVEER CIRCLE
BALRAJ URS ROAD
SHIMOGA-577201
REP. BY ITS SECRETARY

... RESPONDENTS

(BY SRI. REUBEN JACOB, AAG FOR
SRI. G RAMESH NAIK, AGA FOR R2 & R3:
SMT. SARAVANA P, ADVOCATE FOR R1:
SRI. M NARAYANA BHAT, ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE AN ORDER OR DIRECTION OR WRIT IN THE NATURE OF WRIT OF CERTIORARI QUASHING THE AMENDED ORDER/ CORRIGENDUM DATED 07.12.2023 ISSUED BY THE 2ND RESPONDENT IN NO. ED 160 UPC 2022 (E) MARKED AT ANNEXURE-R AND ETC.

IN WP NO:9698/2023
BETWEEN:

1. PRASANNA KUMAR T K
S/O LATE KALEGOWDA
AGED ABOUT 33 YEARS
R/AT THAGGAHALLI VILLAGE & POST
MANDYA TALUK & DISTRICT
MANDYA-571403.
2. SANTHOSH P
S/O LATE PALANI
AGED ABOUT 39 YEARS
PRESENTLY WORKING AS GUEST
LECTURER IN COMMERCE AT ACHARYA
TULASI NATIONAL COLLEGE OF COMMERCE
SHIMOGA AND
R/AT NO.225, CHOWDAMMA TEMPLE

MAIN ROAD, SINGANAMANE,
B R PROJECT, BHADRAVATHI TALUK,
SHIVAMOGA DISTRICT
SHIMOGA-577115.

3. SMT. ANUSUYA KAMATH
W/O NAVEEN CHANDRA SHENOY
AGED ABOUT 36 YEARS
PRESENTLY WORKING AS ASSISTANT PROFESSOR
IN SOCIAL WORK AT SCHOOL OF SOCIAL WORK
ROSHNI NILAYA, MANGALORE
KANKANADY-575002
DAKSHINA KANNADA DISTRICT
R/AT DAMODAR KRIPA
OPPOSITE OF BUS STAND
BELMAN, KARKALA, UDUPI-576111
4. SMT. ANURADHA SHETTY
W/O SUBHASH SHETTY
PRESENTLY WORKING AS
ASSISTANT PROFESSOR IN SOCIAL WORK
AT SCHOOL OF SOCIAL WORK
ROSHNI NILAYA, MANGALORE-575002
DAKSHINA KANNADA DISTRICT
R/AT DURGA KRIPA
RAGHAVENDRA MATT ROAD
KULAI HOSABETTU, SURATKAL
DAKSHINA KANNADA DISTRICT

... PETITIONERS

(BY SRI. NAGARAJAPPA A, ADVOCATE)

AND

1. THE UNIVERSITY GRANT COMMISSION (UGC)
BAHADURSHAH ZAFAR MARG
NEW DELHI-110002
REP. BY ITS SECRETARY
2. THE STATE OF KARNATAKA
REP. BY ITS. SECRETARY
DEPARTMENT OF HIGHER EDUCATION
M S BUILDING, DR B R AMBEDKAR VEEDHI

BANGALORE-560001.

3. THE COMMISSIONER FOR COLLEGIATE EDUCATION
IN KARNATAKA, AMBEDKAR VEEDI
SAMPANGIRAM NAGAR
BANGALORE-560001.
 4. THE DHARMAPRAKASHA D BANUMAIHAH'S
EDUCATIONAL INSTITUTION
D BANUMAIHAH'S COLLEGE OF COMMERCE AND ARTS
NEW SAYYAJI RAO ROAD
MYSORE-570004
REP. BY ITS SECRETARY
 5. THE NATIONAL EDUCATION SOCIETY (R)
NEAR MAHAVEER CIRCLE
BALRAJ URS ROAD
SHIMOGA-577201
REP. BY ITS SECRETARY
 6. THE INSTITUTE OF SOCIAL SERVICE
ROSHNI NILAYA, MANGALORE-575002
REP. BY ITS SECRETARY.
- ... RESPONDENTS

(BY SRI. REUBEN JACOB, AAG FOR
SRI. G RAMESH NAIK, AGA FOR R2 & R3:
SRI. SHOWRI H R, ADVOCATE FOR R1:
SRI. KALEEMULLAH SHARIFF, ADVOCATE FOR R4:
SRI. M NARAYANA BHAT, ADVOCATE FOR R5:
R6 IS SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE
AN ORDER OR DIRECTION OR WRIT IN THE NATURE OF WRIT
OF CERTIORARI QUASHING THE GOVERNMENT ORDER DATED
28.03.2023 IN NO. ED 160 UPC 2022 MARKED AT ANNEXURE-L
ISSUED BY THE 2ND RESPONDENT.

IN WP NO:23717/2024
BETWEEN:

DR. MANJUSHRI C SHETTY
 AGED 39 YEARS
 W/O CHANDRAHASA SHETTY
 R/AT "ASHRAYA"
 HOSAMANE KANTHAPPA ROAD
 PUMPWELL, KANKANADAY
 MANGALORE-575002.

... PETITIONER

(BY SRI. P P HEGDE, SENIOR COUNSEL FOR
 SRI. VENKATESH SOMAREDDY, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
 REP. BY PRL. SECRETARY
 DEPARTMENT OF HIGHER EDUCATION
 M S BUILDING, DR B R AMBEDKAR ROAD
 BANGALORE-560001.
2. THE COMMISSIONER OF
 COLLEGIATE EDUCATION
 PALACE ROAD, BANGALORE-560001.
3. JOINT DIRECTOR
 DEPARTMENT OF COLLEGIATE EDUCATION
 GOVERNMENT COLLEGE CAMPUS
 HAMPANKATTA, MANGALURU
 DAKSHINA KANNADA-575001.
4. MANGALORE UNIVERSITY
 REPRESENTED BY VICE CHANCELLOR
 MANGALAGANGOTRI-574199.
5. THE APOSTOLIC CARMEL EDUCATIONAL SOCIETY ®
 KARNATAKA, ST. ANN'S CONVENT
 MANGALORE-575001
 MANAGING COMMITTEE OF ST. AGNES COLLEGE
 MANGALORE-575001

REP. BY ITS SECRETARY

6. SELECTION COMMITTEE CONSITITUTED IN
PURSUANT TO THE NOTIFICATION DATED 30/01/2023
VIDE ANNEXURE 'B' AND
REP. BY DR. SR LEONILLA MENEZES A.C.
CHAIRMAN-CUM-VICE PRESIDENT OF
GOVERNING BODY THE APOSTOLIC CARMEL
EDUCATIONAL SOCIETY ®
ST. ANN'S CONVENT
MANGALORE-575001.

... RESPONDENTS

(BY SRI. REUBEN JACOB, AAG FOR
SRI. G RAMESH NAIK, AGA FOR R1 TO R3:
SMT. MEGHANA BALLAL, ADVOCATE FOR
SRI. VIVEK HOLLA, ADVOCATE FOR R5 & R6:
R4 IS SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
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ORDERS QUASHING THE ORDER DATED 28.03.2023 BEARING
ORDER NO. ED 160 UPC 2022 VIDE ANNEXURE 'G' AND
ORDER DATED 07.12.2023 BEARING ORDER NO: ED 160 UPC
2022 (E) VIDE ANNEXURE 'H' PASSED BY THE STATE
GOVERNMENT/RESPONDENT NO.1 AND ETC.

IN WP NO:200543/2024
BETWEEN:

SRI. ASHWIN L CHAVAN
S/O LATE LAXMAN RAO CHAVAN
AGED ABOUT 32 YEARS
WORKING AS AN ASSISTANT PROFESSOR-CUM-HOD
ECONOMICS & NCC OFFICER
KARNATAKA ARTS, SCIENCE & COMMERCE COLLEGE
BIDAR AND AN INSTITUTION FUNCTIONING

UNDER THE KARNATAKA RASTREEYA EDUCATION
SOCIETY, BIDAR
NEAR BASAVESHWARA CIRCLE
UDGIR, HYDERABAD ROAD, BIDAR-585401.

... PETITIONER

(BY SRI. A NAGARAJAPPA, ADVOCATE)

AND

1. THE UNIVERSITY GRANT COMMISSION (UGC)
BAHADURSHAH ZAFAR MARG
NEW DELHI-110002
REP. BY ITS SECRETARY
2. THE STATE OF KARNATAKA
REP. BY ITS UNDER SECRETARY
DEPARTMENT OF HIGHER EDUCATION
(COLLEGE EDUCATION)
MULTISTOREYED BUILDING
DR B R AMBEDKAR VEEDHI
BANGALORE-560001.
3. THE COMMISSIONER FOR COLLEGIATE
EDUCATION IN KARNATAKA
DR AMBEDKAR VEEDI
SAMPANGIRAM NAGAR
BANGALORE-560001.
4. THE KARNATAKA RASTREEYA
EDUCATION SOCIETY
BIDAR, HYDERABAD ROAD
BIDAR-585401
REP. BY ITS PRESEIDENT
5. SRI. RAJAKUMAR
AGED ABOUT 45 YEARS
S/O SRI. AMBARAYA
BANNUR, AURAD (B)
KALABURGI-585316.
6. DR. HANIKA PATIL
AGED ABOUT 40 YEARS

D/O SRI. S BASAVARAJ
R/AT NO. 03 RATNA NILAYA
MOTTEE LAYOUT, OLD ADARSH COLONY
BIDAR-585401.

... RESPONDENTS

(BY SRI. REUBEN JACOB, AAG FOR
SRI. G RAMESH NAIK, AGA FOR R2 & R3:
SRI. SUDHIR SINGH R VIJAPUR, ADVOCATE FOR R1:
SRI. RAVI B PATIL, ADVOCATE FOR R4:
SRI. VIJAYA SIMHA REDDY, ADVOCATE FOR R5 & R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 PRAYING TO ISSUE AN ORDER OR DIRECTION OR WRIT IN THE NATURE OF WRIT OF CERTIORARI QUASHING THE GOVERNMENT ORDER DATED 28.03.2023 IN NO. ED 160 UPC 2022 ISSUED BY 2ND RESPONDENT MARKED AT ANNEXURE-E AND AS WELL AS THE CORRIGENDUM ORDER/AMENDED ORDER PRODUCED AT ANNEXURE-H DATED 07.12.2023 IN NO. ED 160 UPC 2022 (E) ISSUED BY 2ND RESPONDENT AND ETC.

THESE WRIT PETITIONS, HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 25.02.2026, COMING ON FOR PRONOUNCEMENT, THIS DAY, THE COURT MADE THE FOLLOWING ORDER:

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

CAV ORDER

These writ petitions are filed under Articles 226 and 227 of the Constitution of India challenging the Government Orders dated 28.03.2023 and

07.12.2023, produced as Annexures G and H, respectively, in W.P. No. 24872/2024 and other reliefs.

2. The brief facts of the case are that the respondent-private aided educational institutions issued notifications on different dates inviting applications to fill up the posts of Assistant Professors in various faculties. Pursuant to the said notifications, the petitioners applied for the posts of Assistant Professors. As per the University Grants Commission Regulations, 2018 (for short, 'UGC Regulations'), the method of selection involves short-listing candidates who are qualified for appointment as Assistant Professors in accordance with the criteria prescribed under the UGC Regulations in Table 3B. The college is required to decide the number of candidates to be called for interview. The Government issued the impugned Government Orders prescribing different

criteria for short-listing candidates and fixed a ratio of 1:5 for calling candidates for interview. The petitioners contend that the impugned Government Orders are contrary to the UGC Regulations. Being aggrieved, the petitioners are before this Court.

3. In W.P.No.24872/2024, apart from mainly challenging Annexures G and H, an additional prayer seeking a writ of mandamus directing regularization of services has also been sought.

4. Sri P.P. Hegde, learned Senior Counsel appearing for the petitioners in W.P. Nos. 24872/2024 and 23717/2024, raised the following contentions:

(i) The UGC Regulations are mandatory in nature and binding on all Universities, both the State and Central Governments. The Regulations are framed under the UGC Act enacted by Parliament under Entry 66 of List I of the Seventh Schedule to the

Constitution of India. Though the State Government is empowered to legislate under Entry 25 of List III under the Concurrent List relating to education, in the event of any inconsistency between State legislation and the UGC Act or the Regulations framed thereunder, the UGC Act and the Regulations prevail. Therefore, the impugned Government Orders issued by the respondent-State are contrary to the UGC Regulations and are unsustainable. In support of this contention, reliance is placed on the judgment of the Apex Court in **MANDEEP SINGH AND OTHERS VS. STATE OF PUNJAB AND OTHERS** reported in **2025 SCC Online SC 1420**.

(ii) The impugned Government Orders were issued in the midst of the selection process. Once the selection process has commenced, the method of selection cannot be altered.

(iii) The Government issued an order dated 28.03.2023 vide Annexure G and thereafter issued a modified order dated 07.12.2023 vide Annexure-H. Both orders are contrary to the UGC Regulations and are alleged to have been issued to favour certain candidates.

(iv) The State Government has no authority to tinker with the UGC Regulations. Hence, it is prayed that the writ petitions be allowed.

5. Sri A. Nagarajappa, learned counsel appearing for the petitioners in W.P.Nos.9698/2023, 27878/2023 and 200543/ 2024, raised the following contentions:

(i) The impugned Government Orders are without authority of law and contrary to the UGC Regulations.

(ii) As per the UGC Regulations, the college has the discretion to decide the number of candidates to

be called for interview. Contrary thereto, the State Government has fixed a ratio of 1:5 for calling candidates for interview, which is contrary to the UGC Regulations.

(iii) The vacancies in question have arisen from the year 2015 onwards, and the private managements have been recruiting Assistant Professors from time to time. For the first time, the Government has issued such Government Orders. This amounts to discrimination and violates Article 14 of the Constitution of India. It is further contended that once the selection process has commenced, there cannot be any change in the rules governing the selection. In support of this contention, reliance is placed on the judgment of the Apex Court in ***SIVANANDAN C.T. AND OTHERS VS. HIGH COURT OF KERALA AND OTHERS*** reported in **(2024) 3 SCC 799**.

6. Per contra, Sri Reuben Jacob, learned Additional Advocate General appearing for the State, raised the following contentions:

(i) The impugned Government Orders dated 28.03.2023 and 07.12.2023 were issued before candidates were called for interview. In certain colleges, interviews have not yet been conducted.

(ii) Under the UGC Regulations, Table 3B prescribes the criteria for short-listing candidates for interview for the posts of Assistant Professors. The impugned Government Orders prescribe criteria only for conducting the interview. In order to maintain uniformity across aided institutions, the Government issued instructions regarding the method of conducting interviews. The Government has not interfered with or altered the short-listing criteria prescribed under Table 3B. The candidates were short-listed strictly in accordance with Table 3B, and

at no point has the criteria under the UGC Regulations been dispensed with. Therefore, the contention that the UGC Regulations have been tinkered with is unsustainable.

(iii) The private managements are running aided institutions and receive grants from the Government. Therefore, the Government is competent to issue instructions to ensure uniformity in the conduct of interviews. The UGC Regulations are silent regarding the method of conducting interviews. The respondent-colleges themselves have not challenged the impugned Government Orders.

(iv) Under Clause 6(I) – Selection Procedure of the UGC Regulations, the overall selection procedure must be transparent, objective, and based on a credible methodology for evaluating the merits and credentials of the applicants, including weightage assigned to performance under various parameters as

per Table 3B. Since the Regulations do not prescribe specific criteria for conducting interviews, the Government issued the impugned Government Orders fixing common criteria for all colleges. In support of this contention, reliance is placed on the judgments of the Apex Court in ***STATE OF T.N. AND ANOTHER VS. S.V. BRATHEEP (MINOR) AND OTHERS***, reported in **(2004) 4 SCC 513**; ***TEJ PRAKASH PATHAK AND OTHERS VS. RAJASTHAN HIGH COURT AND OTHERS***, reported in **(2025) 2 SCC 1**; and ***DHANANJAY MALIK VS. STATE OF UTTARANCHAL***, reported in **(2008) 4 SCC 171**.

7. The learned counsel appearing for the respondent-Managements adopted the arguments advanced by the learned Additional Advocate General.

8. Heard the learned counsel for the parties and perused the writ petition papers.

9. The respondent-private managements issued notifications inviting applications for the post of Assistant Professor in various faculties. The notifications were issued on different dates. For the sake of convenience, a chart is prepared hereinbelow:-

Sl. No	Writ Petition Details	Subject	No of Petitioners	Name of the Aided College	Permission Date	News Paper Notification date	Interview Conducted Date
01	VASUDHA S 38596/2024	Physical Cultural Instructor	1	St. Agnes College, Mangaluru	30.01.2023	23.02.2023	01.04.2024
02	DR MANJUSHRI C SHETTY 23717/2024	ECONOMICS	1	St. Agnes College, Mangaluru	30.01.2023	23.02.2023	04.01.2024
03	ASHWINI L CHAVAN 200543/2024	ECONOMICS	1	Karnataka Arts, Science & Commerce College	21.03.2023	25.03.2023	26.02.2024 to 02.03.2024
04	SANTHOSH P 27878/2023	COMMERCE	1	National Education Society	08.03.2023	16.03.2023	Interview not Conducted
05	PRASANNA KUMAR T K 9698/2023	Physical Cultural Instructor	1	D Banumaiah Educational Institution Society, Mysore	08.03.2023	16.03.2023	Interview not Conducted for PCI Post
06	SANTHOSH P 9698/2023	COMMERCE	1	National Education	08.03.2023	16.03.2023	Interview not Conducted
07	SMT ANUSUYA KAMATH 9698/2023	Social Work	1	Roshini Nilaya School of Social Work	08.02.2023	16.03.2023	16.01.2024
08	SMT. ANURADHA SHETTY 9698/2023	Social Work	1	Roshini Nilaya School of Social Work	08.02.2023	16.03.2023	16.01.2024

10. As per the UGC Regulations, 2018, Regulation No.4.1 prescribed the qualification to the post of Assistant Professor. The same is extracted below:

"I. Assistant Professor:

Eligibility (A or B):

A.

i) A Master's degree with 55% marks (or an equivalent grade in a point-scale wherever the grading system is followed) in a concerned/relevant/allied subject from an Indian University, or an equivalent degree from an accredited foreign university.

ii) Besides fulfilling the above qualifications, the candidate must have cleared the National Eligibility Test (NET) conducted by the UGC or the CSIR, or a similar test accredited by the UGC, like SLET/SET or who are or have been awarded a Ph.D. Degree in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil/PhD Degree) Regulations, 2009 or 2016 and their

amendments from time to time as the case may be exempted from NET/SLET/SET.

Provided, the candidates registered for the Ph.D. programme prior to July 11, 2009, by the provisions of the then existing Ordinances/Bye-laws/Regulations of the Institution awarding the degree and such Ph.D. candidates shall be exempted from the requirement of NET/SLET/SET for recruitment and appointment of Assistant Professor or equivalent positions in Universities/Colleges/ Institutions subject to the fulfillment of the following conditions:

a) The Ph.D. degree of the candidate has been awarded in a regular mode;

b) The Ph.D. thesis has been evaluated by at least two external examiners;

(C) An open Ph.D. viva voce of the candidate has been conducted;

d) The Candidate has published two research papers from his/her Ph.D. work, least one is in a refereed journal;

e) The candidate has presented at least two papers based on his/her PhD conferences/seminars sponsored/ funded/

supported by the UGC/ICSSR/CSIR or any similar agency.

The fulfilment of these conditions is to be certified by the Registrar or the Dean (Academic Affairs) of the University concerned.

Note: NET/SLET/SET shall also not be required for such Masters Programmes in disciplines for which NET/SLET/SET is not conducted by the UGC, CSIR or similar test accredited by the UGC, like SLET/SET.

OR

B. The Ph.D degree has been obtained from a foreign university/institution with a ranking among top 500 in the World University Ranking (at any time) by any one of the following: (i) Quacquarelli Symonds (QS) (ii) the Times Higher Education (THE) or (iii) the Academic Ranking of World Universities (ARWU) of the Shanghai Jiao Tong University (Shanghai).

Note: The Academic score as specified in Appendix II (Table 3A) for Universities, and Appendix 3B) for Colleges, shall be considered for short-listing of the candidates for interview only, and the selections shall be based only on the performance in the interview."

11. In the note to the Regulation No.4.1 – Assistant Professor, it is very clear that, for short-listing of the candidates for an interview, the Table 3B mentioned in Appendix II has to be considered. The Table 3B is extracted below:

*"Table: 3B
Criteria for Short-listing of candidates for Interview for the Post of
Assistant Professors in Colleges.*

S.N	Academic Record	Score			
1	Graduation	8% & above	60% to less than 80%=19	55% to less than 60%=16	45% to less than 55%=10
2	Post-Graduation	80% & above=25	60% to less than 80%=23	55% (50% in case of SC/ ST/ OBC (non-creamy layer)/ PWD) to less than 60%=20	
3	M.Phil.	60% & above=07	55 % to less than 60% =05		
4	Ph.D.	25			
5	NET with JRF	10			
	NET	08			
	SLET/SET	05			
6	Research Publications (2 marks for each research publications published in Peer-Reviewed or UGC-listed Journals)	06			
7	Teaching/ Post Doctoral Experience (2 marks for one year each) #	10			
8	Awards				
	International/ National Level (Awards given by International Organizations/ Government of India/ Government of India recognized National	03			

	<i>Level Bodies)</i>	
	<i>State-Level (Awards given by State Government)</i>	02

However, if the period of teaching/post-doctoral experience is less than one year then the marks shall be reduced proportionately.

Note:

(A)

- | | | | |
|-------|---------------------------|----------------|---|
| (i) | <i>M Phil.+Ph.D.</i> | <i>Maximum</i> | - |
| | <i>25 Marks</i> | | |
| (ii) | <i>JRF/NET/SET</i> | <i>Maximum</i> | - |
| | <i>10 Marks</i> | | |
| (iii) | <i>In awards category</i> | <i>Maximum</i> | - |
| | <i>03 Marks</i> | | |

(B) Number of candidates to be called for interview shall be decided by the college.

(C)	<i>Academic Score</i>	-	<i>84</i>
	<i>Research Publications</i>	-	<i>06</i>
	<i>Teaching Experience</i>	-	<i>10</i>

	<i>Total</i>	-	<i>100</i>

(D) SLET/SET score shall be valid for appointment in respective State Universities/ Colleges/Institutions only."

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12. In all these cases, the respondent-colleges have short-listed the candidates for interview to the post of Assistant Professor on the basis of the criteria prescribed under Table 3B mentioned hereinabove. The impugned Government Order dated 28.03.2023 vide Annexure-G issued by the State Government fixes the criteria only for conducting the interview and not for short-listing the candidates. The operative portion of the said Government Order is extracted below:

“ಪ್ರಸ್ತಾವನೆಯಲ್ಲಿ ವಿವರಿಸಿರುವ ಅಂಶಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ, ಖಾಸಗಿ ಅನುದಾನಿತ ಪ್ರಥಮ ದರ್ಜೆ ಕಾಲೇಜುಗಳಲ್ಲಿ ದಿನಾಂಕ: 31.12.2015 ರೊಳಗೆ ವಿವಿಧ ಕಾರಣಗಳಿಂದ ಖಾಲಿಯಾದ ಬೋಧಕ ಹುದ್ದೆಗಳನ್ನು ಭರ್ತಿ ಮಾಡಿಕೊಳ್ಳಲು ಸರ್ಕಾರದ ಅನುಮತಿ ನೀಡಿದ್ದು ಅದರಂತೆ ಆಡಳಿತ ಮಂಡಳಿಗಳು ಅಧಿಸೂಚನೆ ಹೊರಡಿಸಿ ಅಭ್ಯರ್ಥಿಗಳನ್ನು ಆಯ್ಕೆ ಸಮಿತಿ ಮೂಲಕ ಸಂದರ್ಶನ ನಡೆಸಿ ಭರ್ತಿ ಮಾಡಿಕೊಳ್ಳಲು (ಸಂದರ್ಶನ ನಡೆಸಲು ಪ್ರಸ್ತುತ ಬಾಕಿ ಇರುವ ಎಲ್ಲಾ ಪ್ರಕರಣಗಳು ಒಳಗೊಂಡಂತೆ) ಈ ಕೆಳಕಂಡ ಷರತ್ತು/ ಮಾನದಂಡಗಳನ್ನು ನಿಗದಿಪಡಿಸಿ ಆದೇಶಿಸಿದೆ.

1) ಖಾಲಿ ಹುದ್ದೆ ಭರ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಯುಜಿಸಿ ಅಧಿಸೂಚನೆ UGC REGULATIONS ON 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, 2018 DATED: 18.07.2018 ರ ಟೇಬಲ್-3ಬಿ ರಲ್ಲಿ ನಿಗದಿ ಪಡಿಸಲಾಗಿರುವಂತೆ, ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುವ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಅಂಕಗಳನ್ನು ನಿಗದಿಪಡಿಸಿ 1:5 ಅನುಪಾತದಲ್ಲಿ ಅಭ್ಯರ್ಥಿಗಳನ್ನು ಸಂದರ್ಶನಕ್ಕೆ ಆಹ್ವಾನಿಸುವುದು.

2) ಸಂದರ್ಶನಕ್ಕೆ ಆಯ್ಕೆಯಾದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಸಂದರ್ಶನದ ಕರೆಯನ್ನು ರಿಜಿಸ್ಟರ್ ಪೋಸ್ಟ್/ಸ್ಪೀಡ್ ಪೋಸ್ಟ್ ಮುಖಾಂತರ ರವಾನಿಸುವುದು.

3) ಸಂದರ್ಶನಕ್ಕೆ ಈ ಕೆಳಗಿನಂತೆ 110 ಅಂಕಗಳನ್ನು ನಿಗದಿಪಡಿಸುವುದು.

The modified portion of the said Government Order dated 07.12.2023 vide Annexure-H which is to be read in continuance of the order, is as below:

ತಿದ್ದುಪಡಿ ಆದೇಶ

ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ: ಇಡಿ 160 ಯುಪಿಸಿ 2022 (ಇ)
ದಿನಾಂಕ: 28-03-2023 ರಲ್ಲಿನ ಆದೇಶ ಭಾಗದಲ್ಲಿನ Table ಅನ್ನು ಈ ಕೆಳಕಂಡಂತೆ ಭಾಗಶಃ ತಿದ್ದಿ ಓದಿಕೊಳ್ಳತಕ್ಕದ್ದು.

Table

Sl. No.	Academic Record	Score			
1	Graduation	80% & above=21	60% to less than 80%=19	55% to less than 60%=16	45% to less than 55%=10
2	Post-Graduation	80% & above=25	60% to less than 80%=23	55% (50% in case of SC/ST/OBC (non-creamy layer)/PWD) to less than 60%=20	
3	Ph.D	15			
4	NET with JRF	10			
	NET	08			
	SLET/SET	05			
5	Research Publications(2 marks for each research publications published in UGC – CARE listed journals)	06			
6	Teaching/Post Doctoral Experience (2 Marks for one year each)	10			
7	Awards				
	International/National Level (Awards given by International Organizations/ Government of India/ government of India recognized National Level Bodies)	03			
8	Domain Knowledge (ವಿಷಯ ಪರಿಣತಿ)	10			
9	Communication skills (ಸಂವಹನ ಕೌಶಲ್ಯ)	10			

Note:

A.

(i) *Ph.D. Maximum -15 Marks*

(ii) *JRF/NET/SET Maximum -10 Marks*

(iii) awards category Maximum -03 Marks

B.

Academic Score-74 (Graduation+Post-Graduation+Ph.D+JRF/NET/SET+ Awards category)

Research Publication-06

Teaching Experience-10

Total=90

C.

SLET/SET score shall be valid for appointment in respective State Universities/Colleges/institutions only.

D.

Domain Knowledge-10 & Communication Skills-10

Total=20

Grand total=110

ಮುಂದುವರೆದು, ಅನುದಾನಿತ ಸಂಸ್ಥೆಗಳಲ್ಲಿನ ಬೋಧಕ ಹುದ್ದೆಗಳನ್ನು ಭರ್ತಿ ಮಾಡಿಕೊಳ್ಳುವಲ್ಲಿ ಈ ಕೆಳಕಂಡ ಷರತ್ತು/ಮಾನದಂಡಗಳನ್ವಯ ಕ್ರಮವಹಿಸುವಂತೆ ತಿಳಿಸಿದೆ.

1. ಅಭ್ಯರ್ಥಿಗಳು ಸಂದರ್ಶನದಲ್ಲಿ ಒಟ್ಟು 110 ಅಂಕಗಳಿಗೆ ಪಡೆಯುವ ಅಂಕಗಳ ಆಧಾರದ ಮೇಲೆಯೇ ಅಭ್ಯರ್ಥಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡುವುದು. ಹಾಗೂ ಖಾಲಿ ಹುದ್ದೆ ಭರ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಆಡಳಿತ ಮಂಡಳಿಗಳಿಗೆ ಹುದ್ದೆ ಭರ್ತಿಗೆ ಅನುಮತಿ ನೀಡುವಾಗ ರಾಷ್ಟ್ರ

ಮಟ್ಟದ ಅಥವಾ ರಾಜ್ಯ ಮಟ್ಟದಲ್ಲಿ ಹೆಚ್ಚು ಪ್ರಸಾರದಲ್ಲಿರುವ ಒಂದು ಕನ್ನಡ ಮತ್ತು ಒಂದು ಇಂಗ್ಲೀಷ್ ದಿನ ಪತ್ರಿಕೆಯಲ್ಲಿ ಹುದ್ದೆ ಭರ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ವಿವರವಾದ ಜಾಹೀರಾತು ನೀಡುವುದು.

2. ಆಡಳಿತ ಮಂಡಳಿಗಳು ಅಧಿಸೂಚನೆ ಹೊರಡಿಸಿ ಅಭ್ಯರ್ಥಿಗಳನ್ನು ಆಯ್ಕೆ ಸಮಿತಿ ಮೂಲಕ ಸಂದರ್ಶನ ನಡೆಸುವ ಸಂದರ್ಭದಲ್ಲಿ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಪೂರ್ಣಾಂಕವನ್ನು ಮಾತ್ರ ನೀಡುವುದು.

3. ಆಡಳಿತ ಮಂಡಳಿಗಳು ಈಗಾಗಲೇ ಅನುಮತಿ ಪಡೆದು ದಿನಾಂಕ: 28.03.2023 ಕ್ಕಿಂತ ಪೂರ್ವದಲ್ಲಿ ಹಾಗೂ ದಿನಾಂಕ: 28.03.2023ರ ನಂತರ ಪತ್ರಿಕಾ ಅಧಿಸೂಚನೆ ಹೊರಡಿಸಿರುವ ಪ್ರಕರಣಗಳಲ್ಲೂ ಸಹ ಸಂದರ್ಶನ ನಡೆಸದೇ ಬಾಕಿ ಉಳಿದಿರುವ ನೇಮಕಾತಿ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು ಕಡ್ಡಾಯವಾಗಿ ತಿದ್ದುಪಡಿ ಆದೇಶದಲ್ಲಿನ ನಿರ್ದೇಶನದಂತೆ ಪಾಲಿಸಿ ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು ಕೈಗೊಳ್ಳತಕ್ಕದ್ದು. ಉಳಿದಂತೆ ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ: ಇಡಿ 160 ಯುಪಿಸಿ 2022, ದಿನಾಂಕ:28.03.2023 ರಲ್ಲಿ ಯಾವುದೇ ಬದಲಾವಣೆ ಇರುವುದಿಲ್ಲ.”

13. In the impugned Government Order dated 28.03.2023, at Item No. 3, it is clearly specified that 110 marks have been fixed for conducting the interview. Therefore, the contention of the petitioners that, by the impugned order, the State Government has prescribed a separate table for short-listing

candidates for interview is incorrect and unsustainable.

14. With regard to the method and criteria for conducting the interview, the UGC Regulations are silent. Clause 6(I) of the Regulations specifies the method for the overall selection process. The same is extracted below:

"6.0 SELECTION PROCEDURE:

I. The overall selection procedure shall incorporate transparent, objective and credible methodology of analysis of the merits and credentials of the applicants based on the weightage given to the performance of the candidate in different relevant parameters and his/her performance on a grading system proforma, based on Appendix II, Tables 1, 2, 3A, 3B, 4 and 5"

15. From the above, it is clear that the overall selection process shall be conducted in a transparent, objective and credible manner, involving an analysis

of the merits and credentials of the applicants based upon the weightage assigned to the performance of the candidates under different relevant parameters and their performance on a grading system proforma, based on Appendix II, Tables 1, 2, 3A, 3B, 4 and 5.

16. On this basis, the Government has issued the impugned Government Orders prescribing certain marks and laying down the criteria for allotment of marks in the interview. The Government has also fixed a ratio of 1:5 for calling candidates for interview. Though, as per the UGC Regulations, the number of candidates to be called for interview is to be decided by the colleges, the institutions in question are aided institutions receiving Government aid. In order to maintain uniformity among all aided colleges in the matter of selection, the Government has issued the impugned orders. Therefore, the impugned orders are in conformity with the UGC Regulations.

17. Hence, the contention of the petitioners that the respondent–State Government has tinkered with the UGC Regulations in the matter of selection of Assistant Professors in the respondent–colleges is unsustainable.

18. It is evident from Government Orders at Annexures G and H that they pertain only to the criteria for conducting the interview. Both Government Orders were issued before the colleges conducted the interviews, as is evident from the chart set out above. Therefore, the contention of the petitioners that the Government Orders were issued in the midst of the selection process cannot be accepted.

19. These writ petitions are devoid of merit and are accordingly dismissed.

20. Insofar as petitioner No. 2 in W.P. No. 9698/2023 is concerned, the learned counsel for the

petitioners has filed a memo seeking permission to withdraw the writ petition as against the said petitioner. The memo is taken on record. Accordingly, W.P.No.9698/2023, insofar as petitioner No. 2 – Santhosh P., is concerned, is dismissed as withdrawn.

21. The learned counsel for the petitioner in W.P.No.27878/2023 has also filed a memo seeking permission to withdraw the writ petition. The memo is taken on record. Accordingly, W.P. No. 27878/2023 is dismissed as withdrawn.

22. In W.P.No.24872/2025, the petitioners have also sought a writ of mandamus directing regularization of their services. Insofar as the said relief is concerned, liberty is reserved to the petitioners to submit appropriate representations, along with necessary documents, before the competent authority, who shall consider the same in accordance with law.

In view of dismissal of the main matters, all pending applications stand disposed of.

Sd/-
(H. T. NARENDRA PRASAD)
JUDGE

Cm/-