



**राष्ट्रीय अनुसूचित जनजाति आयोग**  
**National Commission for Scheduled Tribes**

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)  
(A constitutional body under Article 338A of the Constitution of India)

File No.- NCST/SER-1599/KA/1/2024-SSW (RU-III)

Date: 23/9/2025

To,

1. The Registrar  
University of Mysore  
Manasangotri,  
Mysore (Karnataka) -570006
2. The Principal Secretary Higher Education Department,  
Govt. of Karnataka, 645, 6th Floor, 2nd Gate, M.S.  
Building, Bangalore, Karnataka-560001

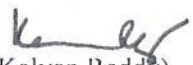
**Sub: Regularisation of appointment against existing backlog vacancy for STs - representation dated 9.8.2024 from Dr. S. Chandra Nayaka, Professor, University of Mysore.**

महोदय/महोदया,

I am directed to enclose herewith a copy of the minutes of sitting held on 8.9.2025 under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes New Delhi on the above mentioned subject.

It is requested that the action taken/to be taken in the matter may be intimated to NCST within stipulated time from receipt of the letter for placing it before the Commission.

Yours faithfully

  
(P.Kalyan Reddy)  
Director

Phone No. - 011-24641640

Copy to

1. Dr. S. Chandra Nayaka,  
Professor ICAR-AICRP,  
University of Mysore, Mysore (Karnataka)-570006
2. PS to Hon'ble Member (JH), NCST
3. NIC, NCST for uploading on the website of the Commission



**National Commission for Scheduled Tribes**

Minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi, in the case of Dr. S. Chandra Nayaka regarding regularisation of appointment against existing backlog vacancy for STs.

(NCST/SER-1599/KA/1/2024-SSW (RU-III))

Date of the Sitting: 8.9.2025 at 5:20 PM

Participants in the Sitting: As per Annexure

Dr. S. Chandra Nayaka, Professor (ICAR), Department of Studies in Biotechnology, University of Mysore, vide his representation dated 09.08.2024 has stated that he has been working under the ICAR-AICRP Pearl Millet programme at the University of Mysore for the last 11.5 years as Assistant Professor, Professor and Officer In-charge, as per the MOU between ICAR, Government of India and the University of Mysore. He mentioned that although he receives salary and allowances equal to permanent staff, the university considers him a temporary employee and does not contribute to his pension. He expressed concern that this treatment might be due to his ST status and feels discriminated against. He has requested the Commission to direct the Ministry of Social Welfare, Government of Karnataka, to regularize his appointment by merging it with the university's existing ST Professor position and protect his service and other benefits.

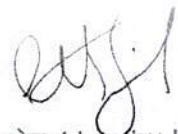
2. The Commission issued Notice to the Principal Secretary, Higher Education Department, Govt of Karnataka and Vice Chancellor, University of Mysore, Mysore on 13.11.2024 for seeking facts and comments within 30 days from receipt of the Notice.

3. University of Mysore, Mysore vide letter no. ET-8/MISC/2011-12 dated 26.12.2024 has stated that Dr. Nayaka's appointments under ICAR-AICRP Pearl Millet projects in 2013 and 2016 were purely temporary as per appointment orders and written undertakings. ICAR guidelines provided benefits equivalent to regular staff during project tenure but did not authorize permanent absorption. The University Syndicate in 2016 resolved to extend such benefits without changing the temporary status. Although a backlog post for ST category exists, it has not been allocated to any subject and filling it requires government approvals, roster compliance and open recruitment. The University denied allegations of discrimination, citing that employment terms were project-specific and governed by ICAR and UGC regulations. It concluded that the complaint is misconceived, legally unsustainable and requested the Commission to close the matter.

4. The Higher Education Department, Govt of Karnataka vide letter no. ED116UMV2024 dated 11.02.2025 has forwarded the report dated 2.1.2025 of University of Mysore, which is a copy of the report of University of Mysore submitted to NCST, as mentioned in Para 3. These reports were sent to the petitioner for information vide NCST letter dated 05.03.2025.

5. The petitioner vide letter dated 4.7.2025 has refuted the facts and requested for justice. Therefore, NCST decided to discuss the issue with the authority and the petitioner on 08.09.2025. Accordingly, a Sitting Notice was sent on 28.08.2025. The Secretary, Higher Education, Govt. of Karnataka vide letter dated 1.9.2025 has sought exemption and requested to appear in sitting through virtual mode.

6. In the sitting, the officers from Higher Education, Govt. of Karnataka joined through virtual mode and the Registrar, Mysore University and petitioner were present physically in the sitting. The petitioner has reiterated his earlier submission and requested for justice. The Registrar, Mysore University has cited the comments submitted by the University of Mysore to NCST vide letter dated 26.12.2024. It was also informed that ICAR communication advocate for parity in benefits they do not mandate the conversion of temporary position to permanent ones. The backlog vacancy under the ST category can not be filled without following the due process which includes wide publicity of the recruitment notification and roster compliance.



जाटोतु हुसैन / Jatothu Hussain  
सदस्य / Member

भारत सरकार / Government of India  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
नई दिल्ली / New Delhi



7. After discussion with the above officers of Higher Education, Govt. of Karnataka, Registrar, Mysore University and petitioner, the following recommendations were made and action taken there on may be submitted to NCST within 30 days from receipt of the minutes.

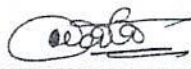
- The University of Mysore has an unfilled ST reserved Professor backlog post. The sanctioned ICAR-AICRP position may be merged with this backlog vacancy to fulfill both the constitutional mandate and regularize the candidate's service.
- The petitioner has raised that judicial mandates like those of Umadevi v. State of Karnataka (2006) in which the Supreme Court restricted regularisation of illegal/ad-hoc appointments but clarified that sanctioned, continuing posts are distinct and cannot be treated as temporary and M.L. Kesari (2010) case where it is pronounced that employees with more than 10 years of continuous service in sanctioned, non-illegal posts must be considered for one-time regularisation. Besides Multiple DoPT OM's (1997, 2005, 2010, 2012) too consistently direct that backlog vacancies remain distinct from current vacancies and must be prioritized until filled by SC/ST candidates. Hence, the petitioners plea may be considered.
- The petitioner has informed that in Dr. B.M. Sridhar Nayak Case (Bangalore University, 2025), the Karnataka Legislature Committee on SC/ST Welfare directed the Higher Education Department to regularise him under a notified ST backlog professor post in Zoology. Thus he claimed a clear state-level precedent for absorbing eligible ST candidates into backlog positions in universities. The same possibility may be explored in the petitioner's case.
- The Department of Higher Education, Government of Karnataka may Issue executive instructions to the University of Mysore for the one-time absorption of Dr. Chandra Nayaka S against the identified ST backlog post, by merging the ICAR-AICRP sanctioned position.
- The University of Mysore, upon receipt of the Government instructions may implement the merger and issue official orders for the absorption of Dr. Nayaka into the backlog ST post and Issue a unified service certificate reflecting his regular service status and ensure his inclusion in statutory academic and administrative bodies in accordance with UGC norms and internal university statutes.
- The TA and Special Leave may be reimbursed / granted in favor of the petitioner, as per rules by the University of Mysore.
- Besides the NCST has expressed concern over the unfilled backlog vacancies in Universities in the State of Karnataka and has made the following recommendations
- The Higher Education, Govt. of Karnataka and Mysore University is advised to find out the backlog vacancy of STs in the faculties and non teaching posts in the Mysore University.
- The process may also be initiated to fill up the back log vacancies reserved for STs in the Mysore University for the various posts.
- The Higher Education Department, Govt. of Karnataka may also advised to asked the other universities of the State to find out the vacancies of STs in the various posts and initiate action to fill up those posts for the welfare and development in the State.



(Jatohu Hussain)  
जाटोतु हुसैन / Jatohu Hussain  
सदस्य / Member  
भारत सरकार / Government of India  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
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F. No NCST/SER-1599/KA/1/2024-SSW

List of participants of the sitting held on 08.09.2025 at 5.20 P.M under the chairmanship of Shri.Jatothu Hussain, Hon'ble Member, NCST at New Delhi.

Sr. No.	Name and Designation	Address & Phone No.	Signature
I	<u>National Commission for Scheduled Tribes</u>		
1.	Dr. P.K Reddy Director		
2.	NCST Officials		
II	<u>University of Mysore</u>		
Sr. No.	Name and Designation	Address & Phone No.	Signature
1.	SAVITHA M.K. Registrar University of Mysore	9071311111	
III	<u>Higher Education Department</u>		
IV	<u>Petitioner</u>		
	Dr. CHANDRA NAYAK	9886640778	