

THE RAJASTHAN UNIVERSITIES' TEACHERS AND OFFICERS (SPECIAL CONDITIONS OF SERVICE) (AMENDMENT) ACT, 1976

(Act No 24 of 1976)

AN

ACT

to amend the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) Act, 1974.

1. Short title and extent.—This Act may be called the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act, 1976.

(2) It extends to the whole of the State of Rajasthan.

2 Definitions.—In this Act, unless the subject or context otherwise requires,—

- (i) "faculty concerned" means the faculty of the University, in which the vacancy of a teacher is to be filled by selection to be made under this Act;**
- (ii) "Head of the department concerned" means the Head of that department of the University concerned, in which the vacancy of a teacher is to be filled in by selection under this Act, and includes any person who for the time being performs the function of the Head of the department of the University concerned in accordance with the relevant law;**

- (iii) "Officer" means the Registrar, the Deputy Registrar, the Assistant Registrar, the Librarian of a University and includes any other officer by whatever name designated and declared by the statutes to be an officer of that University ;
- (iv) 'rules' means rules made by the Syndicate under this Act ;
- (v) 'Relevant law' means an enactment of the Rajasthan State Legislature establishing a University in Rajasthan, and it includes the Statutes, Ordinances, Bye-laws, rules, notifications or Orders made there under and as amended from time to time ;
- (vi) 'Schedule' means the Schedule to this Act;
- (vii) 'Syndicate' in relation to a University means the Syndicate and where there is no Syndicate, the Executive Committee or such other body, by whatever name called, of that University constituted by the relevant law;
- (viii) "Teacher" means a Professor, Reader or a Lecturer of any faculty of a University and such other person by whatever name designated by or under the relevant law - imparting instruction or conducting and guiding research or extension programmes in a University;
- (ix) "University" means a University established in Rajasthan by an Act of the State Legislature ;
- (x) "University concerned" means the University in which any vacancy of a teacher or of an officer is to be filled up;

(xi) "Vice-Chancellor" means the Vice-Chancellor of the University concerned, and includes any person who for the time being performs the functions of the Vice-Chancellor or of the University concerned according to the relevant law.

(2) All other expressions used but not defined in this Act shall have the meaning respectively assigned to them under the relevant law.

3. Restrictions on appointments of teachers and Officers :—

(1) Notwithstanding anything contained in the relevant law, as from the commencement of this Act, no teacher and no officer in any University in Rajasthan shall be appointed except on the recommendations of the Selection Committee constituted under section 4.

(2) Save as otherwise provided in sub-section (3), every appointment of a teacher or of an officer in any University made in contravention of sub-section (1) shall be null and void.

(3) Nothing herein contained shall apply to the appointment of a teacher or an officer as a stop-gap arrangement for a period not exceeding six months or to the appointment of a part time teacher or of a teacher or officer in the pay scale lower than that of Lecturer or Assistant Registrar respectively.

4. Constitution of selection committees :—

(1) For every selection of a teacher or of an officer in a

University, there shall be constituted a committee consisting of the following :

- (i) Vice-Chancellor of the committee;
- (ii) An eminent educationist to be nominated by the Chancellor for a period of one year;
- (iii) An eminent educationist to be nominated by the State Government for a period of one year;
- (iv) One member of the Syndicate to be nominated by the State Government for a period of one year; and
- (v) Such other persons as members specified in column 2 of the Schedule for the selection of the teachers and officers mentioned in column 1 there of :

Provided that where the appointment of a teacher is to be made in the faculty of agriculture in any University or in any University-College imparting instruction or guiding research in agriculture there shall be one more expert to be nominated by the Syndicate out of a panel of names recommended by the Indian Council of Agriculture Research;

Provided further that the selection committee for teaching posts in the faculty of engineering and technology shall also include an expert to be nominated by the Syndicate out of a panel of names recommended by the All India Council of Technical Education.

(2) The eminent educationists nominated under clause (ii) and clause (iii) of sub-section (1) and the member of the Syndicate nominated under clause (iv) of the said sub-section shall be members of every selection committee

constituted during the course of one year from the date of his nomination.

(3) No person shall be eligible to be nominated as an expert on any selection committee in any one year if he has been a member of any to selection committees during the same year.

5. Procedure of selection committees :

(1) The syndicate of the University concerned shall prescribe, by rules, the quorum required for the meeting of a Selection Committee required to be constituted under section 4 which shall not be less than one-half of the members of each selection committee.

(2) The selection committee shall make its recommendations to the Syndicate. If the Syndicate disapproves the recommendations of the selection committee, the Vice-Chancellor of the University concerned shall submit such recommendations along-with reasons for disapproval given by the Syndicate to the Chancellor for his consideration and the decision of the Chancellor thereon shall be final.

(3) Every selection committee shall be bound by the qualifications laid down in the relevant law of the University concerned for the post of a teacher or, as the case may be, of an officer.

6. Dis-qualification for sitting as member in selection committees :-

A person shall be disqualified from sitting as a member of any selection committee and from taking part in any

selection under this Act if he is personally interested in a candidate seeking selection to the post of a teacher or an officer in University.

7. Vacancy or defect not to invalidate selections :-

Subject to the provisions as to the requirement of quorum, no act, proceeding or selection made by a selection committee shall be questioned on the ground of the existence of any vacancy or defect in the nomination of a member of such committee.

8 Transfer of officers :

(1) The Chancellor may, for administrative reasons, transfer an officer of a University to any other University.

(2) Such officer upon his transfer shall carry with him to the University to which he is transferred such other conditions of service as may be specified in the order of transfer.

9. Act to have over-riding effect.—

(1) The provisions of this Act shall have effect notwithstanding anything contained in the relevant law.

(2) So much of the relevant law as provides for the matters covered by this act shall, as from the commencement of this Act, cease to have effect as respects those matters.

10. Power to make rules :

The Syndicate of the University concerned may make rules for carrying out the purposes of this Act.

11. Repeal and savings :

(1) The Rajasthan Universities Teachers and Officers (Special Conditions of Service) (Amendment) ordinance, 1976 (ordinance No. 4 of 1976) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

SCHEDULE

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<p>1. Dean or Associate Dean of College or Dean of Student Welfare and Director of the School of Basic Sciences and Humanities, Director of Research Station, Director of Agricultural Experiment Station, Director of Extension Education and Associate Director or any other teacher having his pay in the scale not lower than of the Professor.</p>	<p>Three experts not connected with the University concerned to be nominated by the Vice-Chancellor of the University concerned out of panel of names recommended by the Academic Council of such University.</p>
<p>2. Professor.</p>	<p>(i) Dean of the Faculty concerned, if he is a Professor subject, however, that in case of the University of Udaipur, Dean of the concerned College or Director of the concerned School or Director of Agricultural Experiment Sta-</p>

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tion or Director of Extension Education, as the case may be;

(ii) Head of the Department concerned if he is a Professor;

(iii) Three experts not connected with the University concerned having special knowledge in the subject in which a Professor is to be appointed to be nominated by the Vice-Chancellor of the University concerned out of a panel of names recommended by the Academic Council of such University

3. Reader, Lecturer and any other teacher having his pay in the scale of a Reader or a Lecturer but lower than that of the Professor.

(i) Dean of the Faculty concerned, if he is a professor subject however, that in case of the University of Udaipur, Dean of the concerned College or Director of the concerned School or Director of Agricultural Experiment Station or Director of Extension Education, as the case may be;

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- (ii) Head of the Department concerned if he is a Professor;
 - (iii) Three experts not connected with the University concerned having special knowledge in the subject in which a Reader, Lecturer or any other such teacher is to be appointed to be nominated by the Vice-Chancellor of the University concerned out of a panel of names recommended by the Academic Council of such University.
4. Registrar, Deputy Registrar, Assistant Registrar or any other officer having the pay scale equivalent to or lower than that of the Registrar and Deputy Registrar but not lower than that of the Assistant Registrar.
- One expert not connected with the University concerned to be nominated by the Vice - Chancellor of such University.

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5. Librarian. Three experts not connected with the University concerned having special knowledge of Library Science and Library Administration to be nominated by the Vice-Chancellor of the University concerned out of a panel of names recommended by the Syndicate of such University.
6. Deputy Librarian, Assistant Librarian or Junior Technician in the Library or any other officer in the Library having his pay in a scale not lower than that of the Lecturer. Two experts not connected with the University concerned having special knowledge of Library Science and Library Administration to be nominated by the Vice-Chancellor of such University.
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Explanation 1.-The expression "expert or experts not connected with the University concerned" wherever used in the Schedule, shall mean such experts who are neither in the employment of the University concerned nor are mem-

bers of the Senate, Board of Control, Syndicate or the Academic Council of such University at the time when the selection committee is constituted.

- II.—Three experts to be nominated by the Vice-Chancellor of the University concerned for the selection of the teachers specified at Serial Numbers 1, 2 and 3 in column i of this Schedule shall be chosen by him on the advice of a committee consisting of a member of the Rajasthan public Service commission to be nominated by the State Government after consultation with the Chairman of the said Commission who will be the Chairman of the committee, the eminent educationist nominated under clause (iii) of sub-section (1) of section 4 and the member of the Syndicate nominated under clause (iv) of the said sub-section of the said section and said committee shall from out of the panel of names recommended by the Academic Council recommended to the Vice-Chancellor of the University concerned name of at least six experts for each selection committee which shall be in order of priority.

राजस्थान के विश्वविद्यालय अध्यापक तथा अधिकारी : सेवा की विशेष शर्तें : संशोधन : अधिनियम, 1977

अधिनियम संख्या 9 सन् 1977

राज्यपाल की अनुमति दिनांक 19 अगस्त, 1977 को प्राप्त हुई। राजस्थान के विश्वविद्यालय अध्यापक तथा अधिकारी (सेवा की विशेष शर्तें) अधिनियम 1974 की ओर संशोधित करने के लिये अधिनियम। भारत गणराज्य के अठ्ठाईसवें वर्ष में राजस्थान राज्य विधान मण्डल निम्नलिखित अधिनियम बनाता है।

1. संक्षिप्त नाम एवं प्रारम्भ :

- (1) इस अधिनियम का नाम-राजस्थान-के विश्वविद्यालय अध्यापक तथा अधिकारी (सेवा की विशेष शर्तें) (संशोधन) अधिनियम 1977 हैं।
(2) यह तुरन्त प्रवृत्त होगा।

- (2) 1974 के राजस्थान अधिनियम 18 की धारा का संशोधन राजस्थान के विश्वविद्यालय अध्यापक तथा अधिकारी (सेवा की विशेष शर्तें) (अधिनियम) 1974 का अधिनियम संख्या 18) जिसे इसमें इसके पश्चात् मूल अधिनियम कहा गया है कि धारा 5 की उपधारा (1) के स्थान पर निम्नलिखित प्रतिस्थापित की जायेगी,
अर्थात् :-

धारा 4 के अधिन गठित-किसी चयन समिति की बैठक के लिये अपेक्षित गण पूर्ति कम- से कम छः होगी, जिनमें यदि किसी प्राचार्य या उपाचार्य के पद के लिये चयन करना हो तो कम से कम दो विशेषज्ञ होंगे और यदि किसी प्राध्यापक के पद या उसके तत्समान अध्यापक के किसी अन्य पद के लिये चयन करना हो तो कम से कम एक विशेषज्ञ होगा। अशासकिक पदों के चयन हेतु चयन समिति की बैठक के लिये अपेक्षित गणपूर्ति प्रत्येक चयन

समिति की सदस्य संख्या के आधे से कम नहीं होगी-जिनमें से कम से कम एक विशेषज्ञ होगा ।

1974 के राजस्थान अधिनियम 18 की अनुसूची का संशोधन मूल अधिनियम की विद्यमान अनुसूची में निम्नलिखित संशोधन वि-

त्तयेंगे :-

- (1) क्रम संख्या 2 के सामने स्तम्भ 2 के मद (1) की प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित की जायेगी :-
- (1) सम्बन्धित संकाय का शाखाध्यक्ष, यदि वह प्राचार्य या किसी स्नातकोत्तर महाविद्यालय का प्रधानाचार्य हो तथापि वह कि उदयपुर विश्वविद्यालय के मामले में सम्बन्धित महाविद्यालय का डीन या सम्बन्धित स्कूल का निदेशक या कृषि प्रयोग आस्थान का निदेशक या विस्तारी शिक्षा का निदेशक, जैसी भी स्थिति हो :
- (2) उक्त अनुसूची की क्रम संख्या 2 के सामने स्तम्भ 2 के मद (11) की प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित की जायेगी । अर्थात् (11) सम्बन्धित विभाग का प्रधान यदि वह प्राचार्य हो अन्यथा विभाग का वरिष्ठतम प्राचार्य हो ।
- (3) उक्त अनुसूची की क्रम संख्या 3 के सामने स्तम्भ 2 के मद संख्या (1) की प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित की जायेगी अर्थात् :-
(1) "सम्बन्धित संकाय का शाखाध्यक्ष यदि वह प्राचार्य या किसी स्नातकोत्तर महाविद्यालय का प्रधानाचार्य हो तथापि वह कि उदयपुर विश्वविद्यालय के मामले में सम्बन्धित महाविद्यालय का डीन या सम्बन्धित स्कूल का निदेशक या कृषि प्रयोग आस्थान का निदेशक या विस्तारी शिक्षा का निदेशक जैसी भी स्थिति हो,"
- (4) उक्त अनुसूची की क्रम संख्या 3 के सामने स्तम्भ 2 के मद संख्या (11) की प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित की जायेगी, अर्थात् :-
(11) सम्बन्धित विभाग का प्रधान, यदि वह प्राचार्य हो अन्यथा विभाग का वरिष्ठतम प्राचार्य"