

**The Rajasthan Universities' Teachers and
Officers (Selection For Appointment) Act, 1974**

(Act No. 18 of 1974)

Jaipur

1995

**THE RAJASTHAN UNIVERSITIES' TEACHERS AND OFFICERS
(SELECTION FOR APPOINTMENT) ACT NO. 18 OF 1974.**

(As amended to date)

An Act

to provide for special conditions of service of teachers and officers of the Universities in Rajasthan and for matters connected therewith.

Be it enacted by the Rajasthan State Legislative Assembly in the Twenty-fifth Year of the Republic of India as follows :—

†1. *Short title and extent*

(1) This Act may be cited as the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974.

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

2. *Definitions*

(1) In this Act, unless the subject or context otherwise requires :—

* (i) "Ex-cadre post" means post of a Professor or of a Reader created by the State Government under Section 11 outside the regular cadre of teachers in any University in Rajasthan by up-grading the post of a Reader or of a Lecturer in any faculty of any such University for the purpose of filling it up by personal promotion made in accordance with and under this act;

(ii) "Faculty concerned" means the faculty of the University concerned in which :

(a) a vacancy in the post of a teacher is to be filled up by selection, or

(b) an ex-cadre post of a Reader or of a Professor is to be filled up by personal promotion of a Lecturer or a Reader, to be made in accordance with and under this Act;

(iii) "Head of Department concerned" means the Head of Department of a subject taught in the faculty concerned and includes any person who for the time being performs the functions of the Head of Department in the University concerned in accordance with the relevant law;

(iv) "Officer" means the Registrar, the Deputy Registrar, the Asstt. 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;

†As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act, No. 18 of 1984.

*As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act, No. 24 of 1976.

- * (v) "Rules" mean rules made by the Syndicate under this Act;
- (vi) "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.
- † (vii) "Schedule" means a schedule to this Act;
- † (viii) "Syndicate" in relation to a University means the Syndicate and where there is no Syndicate, the Board of Management or such other body, by whatever name called, of that University constituted by the relevant law;
- * (ix) "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;
- (x) "University" means a University established in Rajasthan by an Act of the State Legislature;
- † (xi) "University concerned" means the University in which a vacancy in the post of a teacher or an officer is to be filled up or an ex-cadre post of a Professor or a Reader is to be filled up, by personal promotion of a Reader or, as the case may be, of a Lecturer, in accordance with and under this Act; and
- † (xii) "Vice-Chancellor" means the Vice-Chancellor of the University concerned, and includes any person who for the time being is carrying on the functions of the office of the Vice-Chancellor 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

*As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 24 of 1976.

†As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 18 of 1984.

period not exceeding one year 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 Asstt. Registrar respectively.

**Explanation*

The expression "appointed" in sub-section (1) shall mean appointed initially and not appointed by way of promotion.

4. *Appointment of officers on deputation*

Notwithstanding anything to the contrary contained in this act or the relevant law, if the Vice-Chancellor of the University concerned is of the opinion that—

- (a) efficient and proper management of the administrative affairs of the University so requires; or
- (b) for any good reason, the University is not able easily to fill up a vacancy on the post of Registrar in that University in accordance with the provisions contained and the procedure provided elsewhere in this Act and the relevant law; or
- (c) a suitable person is not available for appointment to the post of Registrar in that University as a measure of stopgap arrangement under sub-section (3) of Section 3,

he may make a request in writing to the State Government to place the services of an officer of the State Government having administrative experience in the affairs of the State of atleast five years, at the disposal of that University for appointing him to the post of the Registrar of the University for a period not exceeding three years in the first instance and the State Government may, after considering such a request, place the service of such an officer of the State Government at the disposal of the University for such appointment and thereupon the authority competent in the University concerned to make appointment to the post of Registrar shall appoint such officer of the State Government as Registrar of that University for a period not exceeding the period as aforesaid.

An appointment of an officer of the State Government as Registrar of any University shall for all purposes be valid and shall not be liable to be questioned on the ground that the appointment has been made in contravention of any other provision of this Act or of the relevant law whether such contravention relates to qualifications or experience laid down about eligibility for appointment to the post of Registrar in that University or to the procedure provided for selecting or appointing a person to such post in this Act or in such law or both.

If a further request in writing of the nature referred to in sub-section (1) is made by the Vice-Chancellor of the

*As amended by the Rajasthan University Teachers and Officers Special Conditions of Service (Amendment) Act No. 18 of 1984.

University concerned the term of deputation of the officer of the State Government appointed as Registrar of that University under the said sub-section may be agreed to by the State Government to be extended for a further period not exceeding one year.

4. Notwithstanding anything to the contrary contained in the relevant law or elsewhere in this Act—
- (a) The Finance Officer (by whatever name designated in a University) to be appointed as such in the University concerned shall, and
 - (b) An Engineer, a Security Officer, an Officer on Special Duty, an Estate Officer or such other officer or officers (by whatever name designated in a University) as may be specified in the rules, may
be an officer of the State Government sent on deputation for that purpose to such University.

*5. *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 University concerned, who shall be the Chairman 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 thereof :

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.

*As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 24 of 1976.

- *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 :

Provided that the member of a Selection Committee nominated under clauses (ii), (iii) or (iv) of sub-section (1) shall continue to be the member of every Selection Committee even after the expiry of his term until a fresh nomination is made by the Chancellor or, as the case may be, by the State Government subject, however, that fresh nomination of such member for Selection Committee shall be made within a period not exceeding three months from the date of expiry of his term.

- †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 two selection committees during the course of the same year.

†6. *Procedure of Selection Committee*

- ‡¹) The quorum required for the meeting of a selection committee constituted under Section 5 shall not be less than five, out of which at least two shall be the experts, if the selection to be made is for the post of Professor or Reader and at least one shall be expert, if the selection to be made is for the post of a Lecturer or any other post of a teacher equivalent thereto. The quorum required for the meeting of a selection committee for the selection of non-teaching posts shall be not less than one-half of the number of members of the Selection Committee, out of which at least one shall be an expert.
- (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 alongwith 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.

*As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 9 of 1977.

†As amended by the Rajasthan Universities' Teachers and Officers (Special conditions of Service) (Amendment) Act No. 24 of 1976.

‡As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 18 of 1984.

- ***(4)** The Selection Committee, while making its recommendations to the Syndicate under sub-section (2), shall prepare a list of candidates selected by it in order of merit and shall further prepare a reserve list in the same order and to the extent of 50% of the vacancies on the posts of teachers or officers for which the selection committee was constituted under sub-section (1) of Section 5 and shall forward the main list and the reserve list alongwith its recommendations to the Syndicate.
- ***7.** *Dis-qualification for sitting as member in selection committees*
A person shall be dis-qualified 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 any University.
- ***8.** *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.
- ***9.** *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.
- †**10.** *Reservation of posts*
Notwithstanding any thing contained in the relevant law, as from the date of commencement of the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act, 1984, there shall be reserved by the University concerned, 16% posts for Scheduled Castes and 12% posts for Scheduled Tribes candidates for appointment to the posts of teachers and officers to be appointed in the University in pursuance of every selection made under this Act :
Provided that if, in any selection, persons belonging to such castes or such tribes are not appointed in such percentage as is provided for in this section whether by reason of their not having applied for selection or by reason of their not having been selected, the number of posts by which such percentage falls short shall be carried forward upto a maximum period of three years.
- †**11.** *Personal promotion against ex-cadre posts*
(1) Notwithstanding anything contained in the relevant law or in this Act, the State Government may, in order to provide

*As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 24 of 1976.

†As amended by the Rajasthan Universities Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 18 of 1984.

promotional opportunities to stagnant deserving teachers, create ex-cadre posts of Professors or Readers in each faculty of a University to the extent of one-third of eligible persons as on 1st January of each year. (Subject, however, to the condition that the total number of ex-cadre posts created of Readers or Professors shall at no point of time exceed one-third of the total number of posts of Lecturers or Readers, as the case may be, in any faculty at such time).

- (2) A Lecturer or a Reader in a University shall be entitled to only one personal promotion under this section during his service in any of the Universities subject to his being eligible for such promotion under this section.
- (3) When ex-cadre posts are created by the State Government in a faculty of a University, the distribution of such posts within the various departments of the University in a particular faculty would be made by a committee consisting of the Vice-Chancellor of the University concerned, Dean of the faculty concerned and the Education Secretary.
- (4) The ex-cadre posts of Professors created in a year shall be filled in by personal promotion on the basis of merit alone from amongst Readers who—
 - (a) have been regularly selected to the post of a Reader;
 - (b) have, after regular selection, put in continuous ten years' service as Reader as on the 1st day of January of the year in which such promotion is to be considered; and
 - (c) possess the qualifications laid down in the relevant law of the University concerned for appointment to the post of Professor.
- (5) The ex-cadre posts of Readers shall be filled in by personal promotion on the basis of seniority-cum-merit from amongst Lecturers who—
 - (a) have been regularly selected on the post of a Lecturer;
 - (b) have, after regular selection, put in on the 1st day of January of the year in which such personal promotion is to be considered—
 - (i) continuous fifteen years' service as Lecturer, or
 - (ii) continuous twelve years' service as Lecturer subject to his possessing the qualifications as laid down in the relevant law of the University concerned for appointment to the post of a Reader.

Explanation :

For the purposes of seniority and counting of years of service as Reader or as Lecturer, under clause (b) respectively of sub-sections (4) and (5), the service rendered as Lecturer or Vice-Principal or Principal after regular selection as Lecturer in a college established or run by the State Government or in a University as also the service rendered, in an adhoc

or temporary capacity immediately before regular selection shall also be taken into account.

- (6) For the purpose of consideration for personal promotion to any of the categories of ex-cadre posts referred to in sub-section (4) and sub-section (5), the Vice-Chancellor of the University concerned shall prepare separate eligibility lists of Lecturers and Readers who are eligible under this section to be considered for such promotion on ex-cadre posts of Professors or Readers allocated to a department of a faculty by the committee referred to in sub-section (3).
 - (7) For every selection of a Lecturer or a Reader in a University for personal promotion to an ex-cadre post in accordance with and under this section, there shall be constituted a committee consisting of members specified in column 2 of Second Schedule for selection to the ex-cadre posts mentioned in column 1 thereof.
 - (8) The Committee referred to in sub-section (7) shall consider the cases of all eligible Lecturers and Readers for personal promotion to the ex-cadre posts of Reader or, as the case may be, of Professor of a department of a faculty of the University to which such posts are allocated under this section and in doing so, shall take into account the service record, the Annual Performance Appraisal Reports (including special Performance Appraisal Report), the academic work done, disciplinary proceedings initiated and penalties, if any, imposed on such Lecturers or, as the case may be, such Readers. The committee may also take personal interview of such eligible Lecturers and Readers to test their suitability. It shall prepare a list containing names of Lecturers and Readers found suitable for personal promotion to such ex-cadre posts in order of preference.
- Explanation* :—The expression “academic work” in this sub-section shall mean and include guidance of research work, publication of books and research papers in standard journals.
- (9) The committee shall send the list referred to in sub-section (8) with its recommendations to the Syndicate of the University concerned. If the Syndicate dis-approves the recommendations of the Selection Committee, the Vice-Chancellor of the University concerned shall submit such list and recommendations alongwith reasons for disapproval given by the Syndicate to the Chancellor of the University concerned for his consideration and the decision of the Chancellor thereon shall be final.
 - (10) Personal promotion to an ex-cadre post shall be made by the authority competent to make appointment of Readers or, as the case may be, of Professors in the University concerned according to the approval of the Syndicate of the University concerned and in case of disapproval of the recommendations of the Selection Committee by the Syndicate according to the decision of the Chancellor.

- (11) The personal promotions granted against ex-cadre posts under this section shall be entirely personal to the teacher concerned and the ex-cadre posts to which such personal promotion is granted shall cease to exist as soon as the teacher promoted to such a post ceases to hold that post permanently for any reason and on ceasing of such ex-cadre post, the original post from which such personal promotion was made of a teacher shall revive.
 - (12) The inter-se seniority of Readers and Professors regularly appointed in a University under the relevant law or in pursuance of the selection made under Section 5 and Section 6 and of all those who are granted personal promotions to an ex-cadre post after the date of commencement of the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act, 1984 shall be regulated by the date of their regular appointment or, as the case may be, personal promotion to an ex-cadre post.
 - (13) Notwithstanding anything contained in this section, where a teacher, due to retire during the year in which the cases for personal promotion are being considered or during the year next following, inspite of his being eligible for such promotion, is not likely to get such promotion because of the want of sufficient number of ex-cadre posts, he may, one year before the date of his retirement be promoted to such an ex-cadre post of a Professor or, as the case may be, a Reader as may be created by the State Government over and above the number of posts created under sub-section (1).
 - (14) Notwithstanding anything contained in this section, an ex-cadre post of a Professor or, as the case may be, a Reader over and above the number of posts created under sub-section (1) may be created also where the State Government is satisfied that such a creation is necessary to cover an exceptionally hard case of stagnancy.
 - (15) Where, as a result of the creation of, or appointment to, the ex-cadre posts of teachers, the existing work-load on a teacher or a category of teachers in a Faculty gets disturbed, suitable redistribution of work shall be made by the Vice-Chancellor of the University concerned subject to the directions, if any, of the State Government.
 - (16) The State Government may make rules for carrying out the purposes of this section.
12. *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.
13. *Power to make rules*
- The Syndicate of the University concerned may make rules for carrying out the provisions of this Act except the provisions contained in Section 11.

14. *Repeal and Saving*

- (1) The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) Ordinance, 1974 (Ordinance No. 17 of 1974) promulgated on the 21st day of July, 1974 is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act as if this Act has commenced on the 21st day of July 1974.

(Sec, 16 of the Rajasthan Universities Teachers' and Officers (Special Conditions of Service) (Amendment) Act, 1984.

Savings and Validation

Notwithstanding the expiry of the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Ordinance, 1983 (7 of 1983), all actions taken or things done—

- (a) during the period the said Ordinance was in force; or
- (b) during the period commencing with the expiry of the said Ordinance and extending upto the date of commencement of this Act,

if taken or done in accordance with the provisions of the Principal Act as amended by the said Ordinance shall be and shall be deemed always to have been lawfully or validly taken or done and shall not be liable to be questioned before any Court, Tribunal or Authority by any person or authority on the ground that the said Ordinance was not in force.

****FIRST SCHEDULE**

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 that of the Professor. Three experts not connected with the University concerned 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.
2. Professor.
- *(i) Dean or, as the case may be, Chairman of the faculty if he is a Professor ; with reference to the Agriculture wing of Mohan Lal Sukhadia University, however, the Chairman of the faculty concerned, the Dean or, as the case may be, the Director of the College concerned, the Director, Research concerned and the Director, Extension Education.
- †(ii) Head of the Department concerned if he is a Professor; otherwise the senior-most Professor in the department.
- (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.

**As amended by the Rajasthan Universities' Teachers and Officers (Special conditions of Service) (Amendment) Act No. 24 of 1976.

*As amended by the Rajasthan Universities' Teachers and Officers (Special conditions of Service) (Amendment) Act No. 18 of 1984.

†As amended by the Rajasthan Universities' Teachers and Officers (Special conditions of Service) (Amendment) Act No. 18 of 1984.

3. Reader, Lecturer & any other teacher having his pay in the scale of a Reader or a Lecturer but lower than that of the Professor
- * (i) Dean or, as the case may be, Chairman of the Faculty if he is a Professor; with reference to the Agriculture wing of the Mohan Lal Sukhadia University, however, the Chairman of the Faculty concerned, the Dean or, as the case may be, the Director of the College concerned, the Director, Research concerned and the Director, Extension Education.
 - * (ii) Head of the department concerned if he is a Professor, otherwise the senior most Professor in the Department.
 - † (iii) Two 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 Asstt. Registrar. One expert not connected with the University concerned to be nominated by the Vice-Chancellor of such University.
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.

*As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 9 of 1977.

†As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 18 1984.

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.

***Explanations-** I. 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 members of the Senate, Board of Management, Syndicate or the Academic Council of such University at the time when the selection committee is constituted.

- *II. Three or, as the case may be, two 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 1 of the 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 5 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 recommend to the Vice-Chancellor of the University concerned names of at least twelve experts for each selection committee which shall be in order of priority.

*As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 18 of 1984.

SECOND SCHEDULE*1. Professor**

- (i) Vice-Chancellor of the University concerned.....Chairman.
- (ii) One of the Professors in the concerned department to be nominated by the Vice-Chancellor by rotation every year or, where there is no post of a Professor in that department or in the case of the non-availability of the Professor for any good cause, one subject expert to be nominated in the manner laid down in item (iii) below.
- (iii) One subject expert from a University in Rajasthan, not being the University concerned or, in the case of the non-availability of such an expert, an expert from outside Rajasthan to be nominated by the State Government.
- (iv) Education Secretary, Government of Rajasthan or in his absence, the Director of College Education, Rajasthan.

2. Reader

- (i) Vice-Chancellor of the University concerned.....Chairman.
- (ii) One of the Professors in the concerned department to be nominated by the Vice-Chancellor by rotation every year or, where there is no post of a Professor in that department or in the case of the non-availability of the Professor for any good cause, one subject expert to be nominated in the manner laid down in item (iii) under Column 2 against Serial No. 1,
- (iii) Education Secretary, Government of Rajasthan or in his absence, the Director of College Education, Rajasthan.

*As amended by the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act No. 18 of 1984.