

The Rajasthan Universities Teachers and Officers (Selection for Appointment) Act, 1974

RAJASTHAN

India

The Rajasthan Universities Teachers and Officers (Selection for Appointment) Act, 1974

Act 18 of 1974

- Published on 18 September 1974
- Commenced on 18 September 1974
- [This is the version of this document from 18 September 1974.]
- [Note: The original publication document is not available and this content could not be verified.]

The Rajasthan Universities Teachers and Officers (Selection for Appointment) Act, 1974 Act No. 18 of 1974 Statement of Objects and Reasons. - Selection of Teachers and Officers in Universities is made as per the provisions of Section 5 of the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974. In the said section there is no provision for the member of Council of Architecture therefore an amendment regarding the provision for including a member of Council of Architecture is proposed in the Bill. Since the Rajasthan Legislative Assembly was not in session and circumstances existed which rendered it necessary for the Governor of Rajasthan to take immediate action, she, therefore, promulgated the Rajasthan Universities' Teachers and Officers (Selection for Appointment) (Amendment) Ordinance, 2012 (Ordinance No. 13 of 2012) on 17th December, 2012, which was published in Rajasthan Gazette, Part IV (B), Extraordinary, dated 17th December, 2012. This Bill seeks to replace the aforesaid Ordinance. Hence the Bill. [Received the assent of the Governor on the 11th day of September, 1974.] An Act to provide for [Selection for Appointment] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.] of teachers and officers of the Universities in the 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] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.] the Rajasthan Universities, Teachers and Officers [(Selection for Appointment)] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.] Act, 1974. (2) It extends to the whole of the State of Rajasthan.

2. Definitions.

- In this Act, unless the subject or context otherwise requires,-(i)["Backward Classes" means such Backward Classes of citizens, other than the Scheduled Castes and the Scheduled Tribes, as may be notified in the Official Gazette by the State Government from time to time;] [Inserted by Rajasthan Act 24 of 1995, w.e.f. 7-7-1995.][x x x] [Clause (i) re-numbered as clause (i-a) by Rajasthan Act 24 of 1995, w.r.e.f. 7-7-1995 and then deleted by Rajasthan Act 3 of 1998, w.r.e.f. 27-12-1996.](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[x x x] [Clause (ii-b) Deleted by Rajasthan Act 3 of 1998, w.r.e.f. 27-12-1996.](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)[[Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.] "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;[(v) [Substituted by Rajasthan Act 24 of 1976, dated 17-4-1976.] "rules" means rules made by the Syndicate under this Act;](vi)[[Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.] "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 thereunder and as amended from time to time;(vii)[[Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.] "Schedule" means [a] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.] Schedule to this Act;[(viii) [Substituted by Rajasthan Act 24 of 1976, dated 17-4-1976.] "Syndicate" in relation to a University means the Syndicate and where there is no Syndicate, the [Board of Management] [Substituted by Rajasthan Act 18 of 1984, w.r.e.f. 9-8-1983.] or such other body, by whatever name called, of that University constituted by the relevant law;](ix)[[Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.] "Teacher" means a Professor, Reader or 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;] [Substituted by Rajasthan Act 24 of 1976, dated 17-4-1976.](x)[[Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.] "University" means a University established in Rajasthan by an Act of the State Legislature;(xi)["University concerned" means the University in which vacancy in the post of a teacher or an Officer is to be filled up under and in accordance with the provisions of this Act; and] [Substituted by Rajasthan Act 3 of 1998. w.r.e.f. 27-12-1996.](xii)[[Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.] "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] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.] Vice-Commissioner 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)[Every appointment of a teacher or of an officer in any University made in contravention of sub-section (1) shall be null and void:Provided that the University may, with prior permission of the State Government, extend the term of appointment of such ad hoc or urgent temporary teachers who were appointed as stop gap arrangement prior to, and working as such immediately before, the commencement of the Rajasthan Universities Teachers and Officers (Selection for Appointment) (Amendment) Act, 2003 (Act No. 7 of 2003), for a period of six months at a time until regular appointments are made in accordance with sub-section (1).] [Substituted by Rajasthan Act 7 of 2003, w.r.e.f. 1-1-2003.][x x x] [Sub-section (3) Deleted by Rajasthan Act 7 of 2003, w.r.e.f. 1-1-2003.][Explanation. - The expression "appointed" in sub-section (1) shall mean appointed initially and not appointed by way of promotion.] [Inserted by Rajasthan Act 18 of 1984, dated 15-11-1984.]

4. [Appointment of officers on deputation. [Inserted by by Rajasthan Act 18 of 1984, dated 15-11-1984.]

(1)Notwithstanding anything to the contrary contained in this Act or the relevant law, if the Vice-Commissioner 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 in 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 [,][x x x] [Clause (c), Deleted by Raj Act 7 of 2003, w.e.f. 1-1-2003.]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 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.(2)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.(3)If a further request in writing of the nature referred to in sub-section (1) is made by the Vice-Commissioner of the 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.] [Substituted by Rajasthan

Act 24 of 1976, dated 17-4-1976.] 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 of 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:[Provided also that the Selection Committee for teaching posts in the faculty of Engineering and Architecture shall also include an expert to be nominated by the Syndicate out of a panel of names recommended by the Council of Architecture.] [Added by Act No. 8 of 2013, dated 23.3.2013.](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 [:] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.][Provided that the member for 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.] [Inserted by Rajasthan Act 18 of 1984, dated 15-11-1984.](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] [Substituted by Rajasthan Act 24 of 1976, dated 17-4-1976.]. Procedure of selection committees.- [(1) The quorum required for the meeting of a Selection Committee constituted under [section 5] [Substituted by Rajasthan Act 9 of 1977, dated 19-8-1977.] shall not be less than [five] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.] out of which at least two shall be the experts, if the selection to be made is for the post of a 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 the 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-Commissioner 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.(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 in 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 along with its recommendations to the Syndicate.] [Inserted by Rajasthan Act 18 of 1984, dated 15-11-1984.][7] [Substituted by Rajasthan Act 24 of 1976, dated 17-4-1976.]. Disqualification 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 any University.[8] [Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.]. 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] [Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.]. 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] [Re numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.]. Reservation of posts.- Notwithstanding anything 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 up to a maximum period of three years.

10A. [Reservation of posts for Backward Classes. [Inserted by Rajasthan Act 24 of 1995, w.e.f. 7-7-1995.]

- Notwithstanding anything contained in the relevant law, as from the date of commencement of the Rajasthan Universities Teachers and Officers (Selection for Appointment) (Amendment) Act, 1995 (Act No. 24 of 1995), there shall be reserved in the University concerned, twenty one percent posts for Backward Classes 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 in the event of non-availability of the eligible and suitable candidates from amongst Backward Classes in a particular year, the vacancies so reserved for them shall be filled in accordance with the normal procedure.]

11. [Transitional Provisions relating to ex-cadre promotion Scheme. [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.]

- Personal promotion granted against ex-cadre posts under the erstwhile scheme of personal

promotion, shall be entirely personal to the teacher concerned and the ex-cadre post to which such personal promotion was granted shall cease to exist as soon as the teacher promoted to such a post ceases to hold that post permanently for any reason whatsoever, and on his ceasing to hold such ex-cadre post, the original post from which such personal promotion was made of a teacher shall revive.][12] [Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.]. Act to have overriding 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]

[Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.]. Power to make rules.- The Syndicate of the University concerned may make rules for carrying out the provisions of this Act [x x x]

[Deleted by Rajasthan Act 3 of 1998. w.r.e.f. 27-12-1996.].[14] [Re-numbered by Rajasthan Act 18 of 1984, dated 15-11-1984.]. Repeal and savings.(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.[First] [Substituted by Rajasthan Act 24 of 1976, dated 17-4-1976.] Schedule]

- | | |
|--|---|
| <p>1</p> <p>Dean or Associated 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>2</p> <p>Three experts not connected with the University concerned to be nominated by the Vice-Commissioner of the University concerned out of a panel of names recommended by the Academic Council of such University.</p> |
| <p>2. Professor</p> | <p>(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;] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.]</p> <p>(ii) [Head of the Department concerned if he is a Professor, otherwise the senior-most Professor in the department;] [Substituted by Rajasthan Act 9 of 1977, dated 19-8-1977.]</p> <p>(iii) Three experts not connected with the University concerned having special knowledge in the subject</p> |

- in which a Professor is to be appointed to be nominated by the Vice-Commissioner of the University concerned out of a panel of names recommended by the Academic Council of such University.
- (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;] [Substituted by Rajasthan Act 9 of 1977, dated 19-8-1977 and again by Rajasthan Act 18 of 1984, dated 15-11-1984.]
- (ii) [Head of the Department concerned if he is a Professor, otherwise the senior-most Professor in the Department;] [Substituted by Rajasthan Act 9 of 1977, dated 19-8-1977.]
- (iii) [Two experts] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.] 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.
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.
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.
5. Librarian.
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.
- One expert not connected with the University concerned to be nominated by the Vice-Commissioner of such University.
- Three experts not connected with the University concerned having special knowledge of Library Science and Library Administration to be nominated by the Vice-Commissioner of the University concerned out of a panel of names recommended by the Syndicate of such University.
- Two experts not connected with the University concerned having special knowledge of Library Science and Library Administration to be nominated by the Vice-Commissioner of such University.

Explanation 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,] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.] 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] [Inserted by Rajasthan Act 18 of 1984, dated 15-11-1984.] 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 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 subsection (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 recommend to the Vice-Commissioner of the University concerned names of at least [twelve] [Substituted by Rajasthan Act 18 of 1984, dated 15-11-1984.] experts for each Selection Committee which shall be in order of priority.[Second schedule] [Inserted by Rajasthan 18 of 1984, dated 15-11-1984.]

1 2

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 nonavailability 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 the nonavailability 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.

Special Provision The following Special Provision is made by Rajasthan 18 of 1984-"16. 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."