

***JAI NARAIN VYAS UNIVERSITY, JODHPUR**
(REMOVAL OF DIFFICULTIES) ORDER, 1963
(See Section 39)

†Whereas certain difficulties have arisen in giving effect to the provisions of *Jai Narain Vyas University, Jodhpur Act, 1962 (Rajasthan Act 17 of 1962);

Now, therefore, in exercise of the powers conferred by section 39 of the said Act, the State Government makes the following order.

1. (1) This order may be called *Jai Narain Vyas University, Jodhpur (Removal of Difficulties) Order, 1963. **Short title, commencement and duration**
(2) It shall be deemed to have come into force on the 16th day of July, 1962, and shall remain in force for a period of two years.
2. In this Order, unless the context otherwise requires — **Definitions**
 - (1) 'Act' means *Jai Narain Vyas University, Jodhpur Act, 1962 (Act 17 of 1962);
 - (2) 'Section' means Section of the Act;
 - (3) 'Special Officer' means Special Officer appointed under section 37; and
 - (4) 'Vice-Chancellor' means Vice-Chancellor of the University appointed under section 11.
3. Notwithstanding anything contained in sections 4, 8, 13, 22, 24, 27, 28 and 35(1) or any other provisions of the Act, the Vice-Chancellor may, by an order in writing while this order is in force and until the Statutes or Ordinances, as the case may be, are duly made and brought into force,— **Temporary powers of Vice-Chancellor**
 - (a) exercise the powers of the University—
 - (i) to institute, subject to the approval of the State Government, professorships, readerships, lecturerships and other teaching posts required by the University;
 - (ii) to appoint or recognise persons as professors, readers or lecturers or otherwise as teachers of the University; and
 - (iii) to appoint officer of the University :
Provided that no person shall be permanently appointed or recognized under parts (ii) and (iii) above until his appointment has been confirmed by the Syndicate;

† Notification F. (98) Edu./Cell-III/62 dated 29 October 1963. Published in Rajasthan Gazette Extraordinary, Part IV A, dated 29 October 1963.

Provided further that the Vice-Chancellor may authorise the Special Officer, for the purpose of subsection (1) of section 35, to execute contracts on behalf of the University and such contracts shall be lodged with the Special Officer;

- (iv) to acquire, hold and manage property, movable and immovable, including trusts and endowments for the purpose of the University;
- (b) specify the authorities responsible for organising the teaching recognised by the University;
- (c) provide for all or any matters specified in clause (c), (g) and (h) of section 21 and associate with or admit any college or institution within the municipal limits of the city of Jodhpur to the privileges of the University under section 5;
- (d) provide for all or any matters specified in section 23;
- (e) maintain or approve and recognise hostels and halls;
- (f) exercise the powers of the University to establish the University Fund and prescribe the moneys to be credited to the said Fund and the matters to which the said fund shall be applied and appropriated, prepare a statement of financial estimates of the University for the current year, direct the investment and placing of the fund in proper custody and authorise the Special Officer or any other officer or person to operate upon the said fund with such powers of credit and withdrawal therefrom as may be specified.

**Validity of
Orders made**

4. All orders or directions made by the Vice-Chancellor under this Order shall be deemed to have been validly made, and all actions taken in pursuance of such directions or orders shall be deemed to have been lawfully taken, notwithstanding anything inconsistent therewith in the Statutes and Ordinances finally

THE RAJASTHAN UNIVERSITIES TEACHERS
(ABSORPTION OF TEMPORARY LECTURERS) ORDINANCE, 1978
(Ordinance No. 5 of 1978)

*An Ordinance to provide for the absorption of temporary lecturers of
longstanding, working in the Universities in Rajasthan.*

made under the Act.

Whereas, the Rajasthan State Legislative Assembly is not at present in session and the Governor is satisfied that the circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred on him by Article 213 of the Constitution of India, the Governor of the State of Rajasthan is hereby pleased to make and promulgate in the Twenty-ninth year of the Republic of India the following Ordinance, namely :—

1. (1) This Ordinance may be called the Rajasthan Universities Teachers (Absorption of Temporary Lecturers) Ordinance, 1978.
 - (2) It extends to the whole of the State of Rajasthan.
 - (3) It shall come into force at once.
2. In this Ordinance, unless the subject or context otherwise requires,—
 - (i) 'department concerned' means the department of the University concerned in which the vacancy of a lecturer exists;
 - (ii) 'relevant law' means the Rajasthan Universities Teachers and Officers (Special Conditions of Service) Act, 1974 and any 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;
 - (iii) 'Screening Committee' means a Committee appointed under the provisions of this Ordinance to scrutinise the academic record and report(s) about the work and conduct of the temporary lecturers;
 - (iv) 'temporary lecturer' means a lecturer appointed in the pay scale prescribed by the University concerned for the lecturers and on temporary basis as stop gap arrangement but shall not include lecturers appointed on contract basis or those in foreign service and serving the University concerned on deputation;
 - (v) 'University concerned' means the University in which the

**Short title,
extent and
commencement**

Definitions

temporary lecturers are working; and

(vi) '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 of the University concerned according to the relevant law.

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

Substantive appointment of temporary lecturers

3. All temporary lecturers as were appointed as such on or before the 25th day of June, 1975 and are continuing as such at the commencement of this Ordinance shall be considered by the University concerned for their absorption and substantive appointment on the recommendation of the Screening Committee constituted under section 4 subject to their fulfilling the conditions of eligibility including minimum qualifications prescribed by the University concerned under the relevant law as applicable on the respective dates of their temporary appointments and subject also to the availability of substantive vacancies of lecturers in the department concerned.

Constitution of the Screening Committee

4. The Screening Committee shall consist of the following :—

- (i) Vice-Chancellor of the University concerned who shall be Chairman of the Committee;
- (ii) The Head of the department concerned of the University;
- (iii) The Dean of the Faculty concerned;
- (iv) The senior most Professor/Reader of the department if he is not the Head of the Department; and
- (v) One expert, not connected with the University concerned and having special knowledge in the subject in which a lecturer is to be screened, to be nominated by the Chancellor.

Appointment to be under the Act No. 18 of 1974

5. The lecturers appointed to the substantive posts in pursuance of the provisions of this Ordinance shall be deemed to have been appointed under the provisions of the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) Act, 1974 (Act No.18 of 1974).

Last date of making substantive appointments

6. No appointment in pursuance of this Ordinance shall be made after the expiry of the 31st August, 1978.

Termination of the services of the temporary lecturers not substantively appointed

7. The services of a temporary lecturer who is considered for substantive appointment under section 3 and 4 but is not substantively appointed on or before the 31st day of August, 1978 shall stand terminated on the expiry of that day.

Ordinance to have over-riding effect

8. The provisions of this Ordinance shall have effect notwith-

**THE RAJASTHAN UNIVERSITIES TEACHERS
(ABSORPTION OF TEMPORARY LECTURERS) ACT, 1979**

(Act No. 7 of 1979)

*An Act to provide for the absorption of temporary lecturers
of longstanding, working in the Universities in Rajasthan.*

standing anything contained in the relevant law.

Be it enacted by the Rajasthan State Legislature in the Thirtieth Year of the Republic of India as follows :

**Short title,
extent and
commencement**

1. (1) This Act may be called the Rajasthan Universities Teachers (Absorption of Temporary Lecturers) Act, 1979.
- (2) It extend to the whole of the State of Rajasthan.
- (3) Except section 10, which shall come into force at once, the other provisions of this Act shall be deemed to have come into force on the 8th day of June, 1978.

Definition

2. In this Act, unless the subject or context otherwise requires :
 - (i) 'department concerned' means the department of the University concerned in which the vacancy of a lecturer exists;
 - (ii) 'relevant law' means the Rajasthan Universities Teachers and Officers (Special Conditions of the Service) Act, 1974 and any 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;
 - (iii) 'Screening Committee' means a Committee appointed under the provisions of this Act to scrutinise the academic record and report(s) about the work and conduct of the temporary lecturers;
 - (iv) 'temporary lecturer' means a lecturer appointed in the pay scale prescribed by the University concerned for lecturers and on temporary basis as stop-gap arrangement but shall not include lecturers appointed on contract basis or those in foreign service and serving the University concerned on deputation;
 - (v) 'University concerned' means the University in which the temporary lecturers are working; and
 - (vi) '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 of

the University concerned according to the relevant law.

**Substantive
appointment of
temporary
lecturers**

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

3. All temporary lecturers as were appointed as such on or before the 25th day of June, 1975 and were continuing as such at the commencement of the Rajasthan Universities Teachers (Absorption of Temporary Lecturers) Ordinance, 1978 (Ordinance No. 5 of 1978) shall be considered by the University concerned for their absorption and substantive appointment on the recommendation of the Screening Committee constituted under section 4 or section 5, as the case may be subject to their fulfilling the conditions of eligibility including minimum qualifications prescribed by the University concerned under the relevant law as applicable on the respective dates of their temporary appointments and subject also to the availability of substantive vacancies of lecturers in the department concerned.

**Constitution of
the Screening
Committee**

4. The Screening Committee shall consist of the following :

- (i) Vice-Chancellor of the University concerned who shall be Chairman of the Committee;
- (ii) the Head of the Department concerned of the University;
- (iii) the Dean of the Faculty concerned;
- (iv) the senior most Professor/Reader of the Department if he is not the Head of the Department; and
- (v) one expert, not connected with the University and having special knowledge in the subject in which the lecturer is to be screened, to be nominated by the Chancellor.

Re-Screening

5. (1) Notwithstanding anything contained in section 7 or any other provision of the Rajasthan Universities Teachers (Absorption of Temporary Lecturers) Ordinance, 1978 (Ordinance No. 5 of 1978), the services of temporary lecturer, who was considered for substantive appointment by a Screening Committee but was not found suitable, shall be deemed not to have terminated and he shall continue to be a temporary lecturer till he is again considered for substantive appointment under section 3 after his re-screening under sub-section (2) of this section.

(2) A temporary lecturer who was considered for substantive appointment by the Screening Committee referred to in section 4, but was not found suitable shall be again considered by the Screening Committee re-constituted in the same manner as is provided in that section.

**Appointment to
be under the Act
No. 18 of 1974**

6. The Lecturers appointed to the substantive posts in pursuance of the provisions of the Rajasthan Universities Teachers (Absorption of Temporary Lecturers) Ordinance, 1978

(Ordinance No. 5 of 1978) or of this Act shall be deemed to have been appointed under the provisions of the Rajasthan Universities Teachers and Officers (Special Conditions of Service) Act, 1974 (Act No.18 of 1974).

7. No appointment in pursuance of this Act shall be made after the expiry of the 31st day of August, 1979.
8. The services of a temporary lecturer who is considered for substantive appointment under section 3, 4 and 5 but is not substantively appointed on or before the 31st day of August, 1979 shall stand terminated on the expiry of that day.
9. The provisions of this Act shall have effect notwithstanding anything contained in the relevant law.
10. (1) The Rajasthan Universities Teachers (Absorption of Temporary Lecturers) Ordinance, 1978 (Ordinance No. 5 of 1978) and the Rajasthan Universities Teachers (Absorption of Temporary Lecturers) (Amendment) Ordinance, 1978 (Ordinance No. 8 of 1978) are hereby repealed.
(2) Notwithstanding such repeal but subject to the provisions of

Last date of making substantive appointments

Termination of the services of the temporary lecturers not substantively appointed

Act to have overriding effect

Repeal and Savings

THE RAJASTHAN UNIVERSITIES
TEACHERS AND OFFICERS
(Selection for Appointment)

ACT 1974 (Act No. 18 of 1974)†

As amended by
Ordinance 4 of 1976
Act No. 24 of 1976
Act No. 9 of 1977
Ordinance No. 7 of 1983
Act No. 18 of 1984
Act No. 24 of 1995
Act No. 3 of 1998

sub-section (1) of section 5 of this Act anything done or any action taken under the said Ordinances shall be deemed to have done or taken under this Act.

AN ACT

to provide for selection for appointment of teachers and officers of the Universities in Rajasthan and for matters connected therewith.

Short title and extent

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

Definitions

1. (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. (1) 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;¹
 - (ii) "faculty concerned" means the Faculty of the University concerned in which a vacancy in the post of a teacher is to be filled up by selection;
 - (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 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

† See Appendix II to 'Part I : Act' for progressive changes in this Act.

¹ Amended by Act No. 24 of 1995.

of that University;

- (v) 'rules' means 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 thereunder 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 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; and¹
 - (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. (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 5.
- (i) for the existing sub-section (2), the following shall be substituted; namely :—
 - (ii) Every appointment of a teacher or of an officer in any University made in contravention of sub-section (1) shall be null and void.

Restrictions on appointments of Teachers and Officers.

Provided that the University may, with prior permission of the State Government, extend the term of appointment of

† Two words 'Board of Management' shall be deemed always to have been substituted (for the words 'Executive Committee') on and from 9 August 1983. (Act No. 18 of 1984).

¹ Amended by Act No. 3 of 1998.

**Appointment of
Officers on
deputation**

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).

- †[4. (1) 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 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;

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-Chancellor of the University concerned, the term of deputation of the officer

† The above new section 4 shall be deemed always to have been inserted. (Act No. 18 of 1984).

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.]

**Constitution of
Selection
Committees**

5. (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 First 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 All India Council of Technical Education.

- (2) The eminent educationists nominated under clause (ii) and clause (iii) of sub-section (i) and the member of the

Syndicate mentioned 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 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.

**Procedure of
Selection
Committee**

- (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. (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 a Professor or Reader and at least one shall be expert if the selection is to be made 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 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-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.
 - (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 alongwith its recommendations to the Syndicate.

**Disqualification
for sitting as
member in
Selection
Committees**

7. 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. **Vacancy or defect not to invalidate Selections**
8. 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. **Transfer of Officer**
9. (1) The Chancellor may for administrative reasons, transfer an officer of a University to any other University. **Reservation of posts**
 (2) Such officer upon his transfer shall carry with him to the University which he is transferred such other conditions of service as may be specified in the order of transfer.
10. 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 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.
- 10-A. *Reservation of posts for Backward Classes.*— 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 per cent 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.¹
11. *Transitional Provisions relating to ex-cadre Promotion Scheme.*— 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

¹ Amended by Act No. 24 of 1995.

² Amended by Act No. 3 of 1998.

- Act to have overriding effect** 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.²
- Power to make rules** 12. (1) The provisions of this Act shall have effect notwithstanding anything contained in the relevant law.
- Repeal and savings** (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. The Syndicate of the University concerned may make rules for carrying out of the provisions of this Act.¹
- Savings and Validation** 14. (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 replaced.
- (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 correspondence provisions of this Act as if this Act has commenced on the 21st day of July, 1974.
- 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 of the Ordinance was in force; or
- (b) during the period commencing with the expiry of the said Ordinance and extending upon the date of commencement of this Act.

FIRST SCHEDULE

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1. Deans 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.	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

¹ Amended by Act No. 3 of 1998.

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- 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) 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 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

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| | <p>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.</p> |
| <p>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.</p> | <p>One expert not connected with the University concerned to be nominated by the Vice-Chancellor of such University.</p> |
| <p>5. Librarian</p> | <p>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.</p> |
| <p>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.</p> | <p>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.</p> |

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

Explanation 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 No. 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) or 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.

LAW (LEGISLATIVE DRAFTING) DEPARTMENT

NOTIFICATION

Jaipur, May 7, 1999

F.2 (3) Vidhi/2/99.—In pursuance of clause (3) of Article 348 of the Constitution of India the Governor is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English Language of the Rajasthan (Lok Sewaon Mein Niyuktion ka Viniyaman Aur Staff ka Suvyavasthikaran) Act, 1999 (1999 ka Adhiniyam Sankhya 6) :

THE RAJASTHAN (REGULATION OF APPOINTMENTS TO PUBLIC SERVICE AND RATIONALISATION OF STAFF) ACT, 1999

(Act No. 6 of 1999)

(Received the assent of the Governor on the 5th day of May 1999)

An Act

to regulate appointments and prohibit irregular appointments in offices and establishments under the control of the State Government, local authorities, public corporations and Universities etc. and matters connected therewith and incidental thereto.

Be it enacted by the Rajasthan State Legislature in the Fiftieth year of the Republic of India as follows :

1. (1) This Act may be called the Rajasthan (Regulation of Appointments to Public Services and Rationalisation of Staff) Act, 1999.
- (2) It extends to the whole of the State of Rajasthan.
- (3) It shall come into force at once.

**Short title,
extent and
commencement**

Definitions

2. In this Act, unless there is any thing repugnant in the subject or context :

- (i) 'Competent authority' means the officer or authority specified by the State Government by notification to exercise the powers and perform the functions of a competent authority under this Act and different authorities may be specified for different purposes with respect to different districts, different departments or different institutions;
- (ii) 'daily wage employee' means any person who is employed in any public service on the basis of payment of daily wages and includes a person employed, on the basis of nominal muster roll or consolidated pay either on full time or part time or piece rate basis, or as a workcharged employee, and also includes any other similar category of employees, by whatever designation called, other than, those who are selected and appointed on a sanctioned post in accordance with the relevant rules on a regular basis;
- (iii) 'Government Company' means any company incorporated under the Companies Act, 1956 (Central Act No. 1 of 1956) in which not less than fifty one per cent of the paid up share capital is held by the State Government and includes a company which is subsidiary of such a Government Company;
- (iv) 'local authority' means :
 - (a) A Panchayati Raj institution established under the Rajasthan Panchayati Raj Act, 1994 (Act No. 13 of 1994) ;
 - (b) A Municipality, constituted under the Rajasthan Municipalities Act, 1959 (Act No. 38 of 1959); and
 - (c) Any other Local Bodies, Corporations and Universities etc. established or declared as local bodies under any Rajasthan law for the time being in force;
- (v) 'Public Service' means services in any office or establishment of :
 - (a) The State Government;
 - (b) A Local Authority;
 - (c) A Government Company or undertaking wholly owned or controlled by the State Government;
 - (d) A body established under any law made by the Legislature of the State whether incorporated or not including a University; and
 - (e) any other body established by the State Government or a society registered under any law relating to the registration of societies for the time being in force and receiving funds from the State Government either fully or partly for its maintenance, or any educational institution whether registered, or not but receiving aid from the State Government.

3. The provisions of this Act shall apply to all public services. **Application**
4. (1) The appointment of any person in any public service to any post, in any class, category or grade as a daily wage employee shall be prohibited. **Prohibition of daily wage appointments and regulation of temporary appointment**
- (2) No urgent temporary appointment shall be made in any public service to any post, in any class, category or grade without the prior permission of the competent authority and such appointment shall also be consistent with such conditions as may be imposed by the competent authority.
5. (1) No post shall be created in any office or establishment relating to a public service without the previous sanction of the competent authority. **Prohibition of creation of posts**
- (2) Any appointment made to any post created in violation of sub-section (1) shall be invalid and the provisions of sections 8, 9 and 15 shall *mutatis mutandis* apply to such appointments.
6. No revision of pay, allowances, perquisites, honorarium, compensatory allowances etc. in respect of any employee or elected or nominated member, chairperson or any office bearer etc. of the establishments or offices mentioned under section 3 of this Act, shall be made without the approval of competent authority. **Prohibition of revision of pay, allowances, perquisites, honorarium, compensatory allowances etc.**
7. No recruitment or appointment other than those referred to in sub-section (2) of section 4, in any public service to any post in any class, category or grade shall be made except : **Regulation of recruitment**
- (a) from the panel of candidates selected and recommended for appointment by the Rajasthan Public Service Commission where the post is within the perview of the said Commission; or
- (b) From a panel prepared by a Selection Committee constituted for the purpose in accordance with the relevant rules or orders issued in that behalf; or
- (c) where recruitment or appointment otherwise than in accordance with clauses (a) and (b) is permissible, from the candidates having the requisite qualifications and in accordance with the relevant rules and/or orders.
- Explanation :* For the removal of doubts it is hereby declared that nothing in this section shall apply to compassionate appointments made in favour of son/daughter/spouse of any person employed in public service who dies in harness in accordance with the relevant rules and/or orders issued from time to time.
8. The Treasury Officer/Sub Treasury Officer or Accounts Officer or any other Officer or authority who is charged with the responsibility of passing the salary bill shall not pass such first bill of any person appointed to public service unless a certificate issued by the Appointing Authority to the effect that the appointment has been made in accordance with the provisions of section 7 or sub-section (2) of section 4 is attached to the salary **Bill not to be passed**

Bar to regularisation of services

bill of the appointee concerned.

9. No person who is a daily wage employee and no person who is appointed on an urgent temporary basis and is continuing as such at the commencement of this Act shall have or shall be deemed ever to have a right to claim for regularisation of services on any ground whatsoever and the services of such person shall be liable to be terminated any time with due notice:

Provided that in the case of workmen falling within the scope of section 25-F of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947), retrenchment compensation as may be payable under the said Act shall be paid in case of termination of services by way of retrenchment :

Provided further that nothing in this section shall apply to the workmen governed by Chapter V-B of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947).

Explanation : For the removal of doubt it is hereby declared that the termination of services under this section shall not be deemed to be dismissal or removal from service but shall only amount to retrenchment or termination simpliciter, not amounting to any punishment.

Power to give directions

10. For the purpose of enforcing the provisions of this Act, it shall be competent for the State Government, the Director of Treasuries and Accounts, the Director of Inspection, the Director of Local Fund Audit Department, the concerned Chief Accounts Officer, Financial Advisor/Senior Accounts Officer etc. or Head of the Department of the government, or local authority to issue such directions as may be deemed fit to their subordinates and the subordinates shall comply with such directions and where any subordinate functionary is guilty of non-compliance with such directions, it shall be deemed that such functionary is guilty of misconduct and shall be liable to be proceeded against under the disciplinary rules applicable to him.

Abatement of claims

11. Notwithstanding anything contained in any judgement, decree or order of any court, tribunal or other authority, the claims for regular appointment of all daily wage employees and persons appointed on an urgent temporary basis, shall stand abated and accordingly :

(a) no suit or other proceeding shall be instituted or maintained in any court, tribunal or other authority by the daily wage or temporary appointees against the State Government or any other employer of public services specified under sub-clause (b) to (e) of clause (v) of section 2 for the regularisation of the services;

(b) no court shall enforce any decree or order directing the regularisation of the services of such persons; and

(c) all suits or other proceedings pending in any court or tribunal claiming the regularisation of services shall abate.

Review Committees

12. (1) After the date of commencement of this Act, the State Government may constitute a Review Committee with an

officer not below the rank of a Secretary to the Government as the Chairperson and such number of members of such rank as it may deem fit to review :

- (a) the existing staff pattern in any office or establishment employing persons belonging to any public service keeping in view the workload of such office or establishment; and
 - (b) the pay scales, allowances, exgratia payments, bonus, pension, gratuity and other terminal benefits and perquisites applicable to the post belonging to any public service of such office or establishment keeping in view the qualifications and job requirements of each such post.
- (2) After undertaking review under sub-section (1), the Review Committee shall submit a report alongwith its recommendations to the State Government for such action as may be prescribed by rules made in this behalf.
 - (3) The Review Committee shall regulate its own procedure for discharging the functions under this section.
 - (4) All orders and decisions of the Review Committee shall be authenticated by the chairperson or a member authorised by him in this behalf.

Explanation : For the purpose of this section, Secretary to the Government includes a Principal Secretary or Special Secretary to the Government.

Review Committee to exercise the powers of a civil court in certain matters.

13. (1) The Review Committee constituted under section 12 shall, while discharging the duties under this Act, have all the powers of a civil court while trying a suit under the code of Civil Procedure, 1908 (Central Act No. V of 1908) in respect of the following matters, namely :
 - (a) summoning & enforcing the attendance of any person and examining him on oath;
 - (b) requiring the discovery and production of any document;
 - (c) receiving evidence on affidavits;
 - (d) requisitioning any public record or copy thereof from any court or office; and
 - (e) issuing Commissions for the examination of witnesses or documents.
 - (2) For the purpose of discharging its duties, the Review Committee shall have the right to inspect or cause to be inspected any office or establishment referred to in sub-section (1) of section 12.
14. (1) Any person or authority who contravenes the provisions of this Act shall, apart from the penalties otherwise provided for, in conviction by a competent court having jurisdiction

Offences and punishments

be punishable with imprisonment for a term which shall not be less than six months and which may extend upto two years and also with fine which shall not be less than five thousand rupees but which may extend upto ten thousand rupees.

Penalties

- (2) No court shall take cognizance of offence punishable under this section except on a complaint filed by a competent authority with the previous sanction of the State Government.

15. (1) Where any holder of an elective office or any officer or functionary or other authority makes any appointment in contravention of the provisions of this Act :

- (a) in the case of the holder of an elective office, it shall be deemed that he has abused his position or power and accordingly, the competent authority, shall initiate proceedings for his removal, and
 (b) in the case of an officer or functionary or other authority, it shall be deemed that he is guilty of misconduct and the competent authority shall initiate action under the disciplinary rules applicable to him.

- (2) All appointments made in public service in contravention of the provisions of this Act shall be unauthorised and any payments made as a consequence of such appointment out of the funds of the State Government or of the concerned local authority or of other bodies or institutions as specified under sub-clauses (c) to (e) of clause (v) of section 2, as the case may be, shall be deemed to be unauthorised, and the same shall be recoverable in the manner as may be prescribed, from the officer or functionary or other appointing authority who makes such appointments, and where the recovery is not possible in the prescribed manner, the same shall be recoverable as arrears of land revenue.

Penalty for abettors

Offences by companies

16. Whoever abets any offence punishable under this Act shall be punished with the punishment provided for in this Act for such offence.

17. (1) Where an offence punishable under the provisions of this Act is committed by a company, every person, who at the time of committing the offence was incharge of, and was responsible to the company for the conduct shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

- (2) Notwithstanding anything contained in sub-section (1), where any offence against the provisions of this Act has

been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any Director, Manager, Secretary or other officer of the company, such functionary shall be liable to be proceeded against and punished accordingly.

Explanation : For the purpose of this section —

- (a) "Company" means a company as defined in the Companies Act, 1956 (Central Act No. 1 of 1956) and includes a University, a firm, a society or other association of individuals; and
- (b) "Director" means —
 - (i) in relation to a University established by law for the time being in force; or
 - (ii) in relation to a society or other association of individuals or bodies, registered, formed, constituted or established, as the case may be, under any law for the time being in force;
 - or
 - (iii) in relation to any other institution;

the person who, by whatever name designated, is empowered or entrusted with the powers to make appointments under the concerning law for the time being in force or otherwise, as the case may be.

Protection of action taken in good faith

18. No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

Act to override other laws

19. The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force or in any rule, regulation, bye law, standing order made or resolution passed by any local authority, Government Company/ Undertaking, other body or society specified under sub-clauses (b) to (e) of clause (v) of section 2, or in any judgement, decree or order of any court, tribunal or other authority.

Power to make rules

20. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out all or any of the provisions of this Act.

(2) All rules made under this Act, shall be laid, as soon as may be after they are so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which they are so laid or in the session immediately following, the House of the State Legislature makes any modification in any of such rules or resolves that any such rules should not be made, such rules shall thereafter have effect only in such modified form or be of

LAW (LEGISLATIVE DRAFTING) DEPARTMENT
(GROUP-II)

NOTIFICATION

Jaipur, August 5, 2008

No. F.2(40)Vidhi/2/2008.—In pursuance of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorize the publication in the Rajasthan Gazette of the following translation in the English language of the Rajasthan Vishwavidhyalayaon Ke Adhyapak (Asthayi Adhyapakon ka Aamelan) Adhiniyam, 2008 (2008 Ka Adhiniyam Sankhyank 22) :-

(Authorized English Translation)

THE RAJASTHAN UNIVERSITIES' TEACHERS
(ABSORPTION OF TEMPORARY TEACHERS)

ACT, 2008

(Act No. 22 of 2008)

[Received the assent of the Governor on the 3rd day of August, 2008]

An Act

to provide for the absorption of temporary teachers of long standing, working in the Universities of Rajasthan.

Be it enacted by the Rajasthan State Legislature in the Fifty-ninth Year of the Republic of India, as follows :-

**Short title,
extent and
commencement**

1. (1) This act may be called the Rajasthan Universities' Teachers (Absorption of Temporary Teachers) Act, 2008.
- (2) It extends to the whole of the State of Rajasthan.
- (3) It shall be deemed to have come into force on and from 12th June, 2008.

Definitions

2. (1) In this Act, unless the subject or context otherwise requires,-
 - (i) "Department concerned" means the Department of the University concerned in which the vacancy of a teacher exists;
 - (ii) "relevant law" means the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974 (Act No. 18 of 1974) and any enactment of the Rajasthan State Legislature establishing a University in Rajasthan, and it includes the Statutes, Ordinances, Regulations, by-laws, rules, notifications or orders made thereunder and as amended from time to time.
 - (iii) "screening committee" means a Committee appointed under the provisions of this Act to scrutinize the academic record and report(s) about the work and conduct of the temporary teachers;
 - (iv) "temporary teacher" means a teacher appointed in accordance with the provisions of sub-section (3) of section 3 of the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974 (Act

No. 18 of 1974) in the pay scale prescribed by the University concerned on temporary basis as stop-gap arrangement, after due public advertisement of vacancies, or a teacher appointed on part time basis and continuing in the pay scale prescribed by the universities but shall not include a teacher appointed on contract basis or those in foreign service and serving the University concerned on deputation;

- (v) "University concerned" means the University in which the temporary teachers are working; and
 - (vi) "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 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. All temporary teachers continuing as such at the commencement of this Act shall be considered by the University concerned for this absorption and substantive appointment on the recommendation of the Screening Committee constituted under section 4, subject to their fulfilling the condition of eligibility, including minimum qualification, prescribed by the University concerned under the relevant law and subject to the availability of substantive vacancies of teachers in the Department concerned.
4. The Screening Committee shall consist of the following, namely:-
- (i) Vice-chancellor of the University concerned who shall be Chairperson of the Committee;
 - (ii) Dean of the faculty concerned;
 - (iii) the Head of Department concerned of the University concerned;
 - (iv) the senior most Professor/Reader of the Department, if he is not the Head of Department;
 - (v) one expert, not connected with the University concerned and having special knowledge in the subject in which the teacher is to be screened, 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;
 - (vi) one member to be nominated by the Chancellor.
 - (vii) an eminent educationist to be nominated by the State Government; and
 - (viii) one member of the Syndicate/Board of Management to be nominated by the State Government.

**Substantive
appointment
of temporary
teachers**

**Constitution
of Screening
Committee**

**Appointment
to be under
the Act No.
18 of 1974**

- | | |
|--|---|
| Last date for making appointments | 5. The teachers appointed to the substantive posts in pursuance of the provisions of this Act shall be deemed to have been appointed under the provisions of the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974 (Act No. 18 of 1974). |
| Termination of the services of temporary teachers not substantively appointed | 6. No appointment in pursuance to the provisions of this Act shall be made after the expiry of 180 days from the date of the commencement of this Act. |
| The Act to have overriding effect | 7. The services of a temporary teacher, who is considered for substantive appointment under sections 3 and 4 but is not substantively appointed on or before the expiry of 180 days from the date of the commencement of this Act, shall stand terminated on the date of such expiry. |
| Repeal and Savings | 8. The provision of this Act shall have overriding effect notwithstanding anything contained in the relevant law. |
| | 9. (1) The Rajasthan Universities' Teachers (Absorption of Temporary Teachers) Ordinance, 2008 (Ordinance No. 3 of 2008) is hereby repealed. |
| | (2) Notwithstanding such repeal, all things done, actions taken or orders made under the said Ordinance shall be deemed to have been, taken or made under this Act. |

EDUCATION DEPARTMENT

NOTIFICATION

[No. F. 3(21)Edu/Gr.III/83]

G.S.R. 58.— In exercise of the powers conferred by sub-section (13) of section 11 of the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974, the State Government hereby makes the following rules, namely :—

1. *Short title of commencement.*— (1) These rules may be cited as the Rajasthan University Teachers and Officers (Selection for the Appointment) Rules, 1983.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Annual Performance Appraisal Reports.*— The University concerned shall maintain for all teachers of the University Annual Performance Appraisal Reports on and after the year 1982-83 in such form as may be prescribed by the Syndicate or the Board of Management, as the case may be, of the University.

3. *Special Performance Appraisal Reports.*— For the purpose of making personal promotion to ex-cadre posts in the year 1983, the University concerned shall maintain a Special Performance Appraisal Report in such form as may be prescribed by the Syndicate or, as the case may be, Board of Management of the University concerned and the same shall be made available to the committee constituted under section 11 for making personal promotions to such posts.

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.

APPENDIX I to 'PART I : ACT'

Progressive Changes in the Composition of the Syndicate

(Reference: page 12 of Act)

1. The composition of the Syndicate was initially provided by Statute 4 of the First Statutes as follows :
St. 4 :
 - (1) the Syndicate shall be the executive body of the University and shall consist of the following persons, namely :
 - (i) the Vice-Chancellor,
 - (ii) the Chief Justice, Rajasthan High Court, Jodhpur,
 - (iii) two Deans, nominated by the Vice-Chancellor in rotation,
Provided that no Dean shall be nominated for two successive terms,
 - (iv) the Director of College Education, Rajasthan,
 - (v) two Educationists to be nominated by the Chancellor,
 - (vi) two University Professors nominated by the Vice-Chancellor,
Provided that no University Professor shall be nominated for two successive terms, and
 - (vii) two members of the Senate being non-teachers elected by the Senate, one of whom shall be registered graduate.
 - (2) The term of the office of the elected and nominated members of the Syndicate shall be three years.
 - (3) Five members of the Syndicate shall form a quorum.
2. The above provision was superseded by section 3 of Jodhpur University (Amendment) Act, 1972 (Act No. 12 of 1972)¹. By this section 16 of the principal Act was substituted by the following :
"16. *The Syndicate.*— (1) The Syndicate shall be the executive body of the University and shall consist of the following persons, namely :—
 - (i) the Vice-Chancellor,
 - (ii) the Chief Justice, Rajasthan High Court, Jodhpur,
 - (iii) two Deans nominated by the Vice-Chancellor in rotation,
 - (iv) the Director of College Education, Rajasthan,
 - (v) two educationist to be nominated by the Chancellor,
 - (vi) two University Professors nominated by the Vice-Chancellor :
Provided that no University Professor shall be nominated for two successive terms;
 - (vii) two members of the Senate being non-teachers, elected by the Senate, one of whom shall be a registered graduate,
 - (viii) two persons elected by the Senate from amongst persons who are elected as "Other Members" of the Senate under clause (xxiv) of sub-division III of sub-section (2) of section 15, and
 - (ix) two members of the State Legislature nominated by the Speaker.
- (2) The term of office of the elected and nominated members shall be three

¹ [Received assent of Governor on 21 June 1972. Published in Rajasthan Gazette Extraordinary, Part IV A, dated 28 June 1972.]

² [Made and promulgated by Governor on 17 December 1974. Published in Rajasthan Gazette Extraordinary, Part IV B, dated 18 December 1974.]

- years, but the members who have been elected or nominated under the provisions of the Statutes and are continuing as such, shall remain as such members for their remaining term as if they are elected or nominated under the provisions of this section.
- (3) Five members of the Syndicate shall form a quorum.”
3. (a) By Jodhpur University (Amendment) Ordinance 1974 (Ordinance 28 of 1974)² the following clause was inserted in sub-section 1 of section 16 of the Act after clause (ix) :
- “(x) One person elected by the Senate from amongst students who are elected as “Other Members” of the Senate under clause (xxviii) of sub-section III of sub-section (2) of section 15 and the *ex-officio* members of the Senate under clause (bb) of sub-division III of sub-section (2) of the said section.”
- (b) Further the following new sub-section (4) was inserted after sub section (3) of section 16 in the principal Act :
- “4” Persons who are members under clause (x) of sub-section (1) shall not be associated with the appointment of examiners or with the Committee of Selection of the employees of the University, the finance committee and with such other committee as the State Government may, by notification in the official Gazette, specify.”
4. The amendment as above inserted by Ordinance 28 of 1974 were confirmed by Act No. 7 of 1975.¹
5. By the Jodhpur University (Amendment) Ordinance 1975 section 16 of the principal Act was amended and a new composition for the Syndicate was provided. This was superseded by Act No. 26 of 1975.
6. For section 16 of the Act, the following was substituted by Jodhpur University (Second Amendment) Act 1975 (Act No. 26 of 1975).²
- “16. *Syndicate*.— (1) The Syndicate shall be the executive body of the University and shall consist of the following persons, namely :—
- (i) Vice-Chancellor;
 - (ii) two persons nominated by the Vice-Chancellor from amongst the Deans of Faculties or the Deans or Directors of the constituent colleges or recognized colleges;
 - (iii) two University Professors nominated by the Vice-Chancellor;
 - (iv) two Educationists nominated by the Chancellor;
 - (v) Director of College Education, Rajasthan; and
 - (vi) One person nominated by the State Government.
- (2) Members of the Syndicate, other than the Vice-Chancellor and the Director, College Education, Rajasthan, shall hold office for a period of three years from the date of their nomination.”
7. For section 16 of the Act the following was substituted by the Jodhpur University (Amendment) Act 1977 (Act No. 6 of 1977).³
- “16. *Syndicate*.— (1) The Syndicate shall be the executive body of the University and shall consist of the following persons, namely : —
- (i) Vice-Chancellor;
 - (ii) Director of College Education;
 - (iii) Two eminent educationists to be nominated by the Chancellor;
 - (iv) One Professor from amongst the Professor of the University to be nominated by the Vice-Chancellor in rotation, in accordance with their inter se seniority as Professor in the University;
 - (v) Two Deans of faculties, to be nominated by the Vice-Chancellor, in rotation, in accordance with their inter se seniority as Professor/Director/Principal of Post-Graduate College;

¹ [Received assent of Governor on 15 March 1975. Published in Rajasthan Gazette Extraordinary, Part IV A, dated 15 March 1975.]

² [Received assent of Governor on 19 August 1975. Published in Rajasthan Gazette Extraordinary, Part IV A, dated 22 August 1975. By section (2) of this Act, it came into force w.e.f. 10 July 1975.]

³ [Received assent of Governor on 19 August 1977. Published in Rajasthan Gazette Extraordinary, Part IV A, dated 19 August 1977. By sub-section (2) of section 1 of the Act, it was to come into force at once.]

- (vi) One Principal, to be nominated by the Vice-Chancellor from amongst the Principals of Constituent Colleges and Recognised Colleges in rotation in accordance with their seniority as Principal;
- (vii) Two teachers, who have put in not less than seven years teaching experience in the institution of higher education in Rajasthan on 1st January immediately preceding the year in which elections are held, other than University Professors, Deans, Principals/Heads of recognized/constituent colleges, to be elected by the teachers of recognized/constituent colleges from amongst teachers;
- (viii) Two members of the State Legislature nominated by the Speaker thereof;
- (ix) Two persons, to be elected by the Senate from amongst its non-teacher and non-student members who are not the employees of the University or any of the colleges recognized by it;
- (x) One person to be elected by the Senate from amongst students who are elected as "other members" of the Senate under sub-clause (a) of clause (xxviii) of sub-division III of sub-section (2) of section 15 and the *ex-officio* "other Members" of the Senate under sub-clause (bb) of clause (xxviii) of sub-division III of sub-section (2) of the said section.

Explanation.— (1) The expression 'eminent educationist' means a person who has had close association with an institution of higher learning for a considerable period of time or who has made distinctive contribution in the field of education and learning or in the sphere of educational administration.

- (2) The student members elected under clause (x) shall not be associated with the —
 - (a) appointment of examiners;
 - (b) finance;
 - (c) selection of the employees of the University.
 - (3) The inter se seniority of the Principals of Government and aided colleges shall be as determined by the Director of College Education and of others as determined by the Vice-Chancellor.
- (2) The members of the Syndicate other than the Vice-Chancellor and Director of College Education shall hold office for a period of three years from the date of their nomination or election as the case may be.
- (3) No person referred in clause (iii) to (x) of sub-section (1) shall be eligible for election and/or nomination for more than two terms."
8. Section 16 of the Act referred to above was amended by Jodhpur University (Amendment) Ordinance 1981 (Ordinance No. 1 of 1981). The amendment was confirmed by section 2 of the Jodhpur University (Amendment) Act 1981 (Act No. 9 of 1981).
9. Section 16 of the Act referred to above was amended by Jodhpur University (Change of Name and Amendment) Act, 1984 (Act No. 1 of 1992) which is as follows :
- Amendment of section 16, Rajasthan Act 17 of 1962.*— In section 16 of the principal Act, —
- (1) In sub-section (1), —
 - (a) clause (ii) shall be substituted by the following, namely :—
 - “(ii) two persons nominated by the Vice-Chancellor from amongst the Deans of faculties or Directors of constituent colleges or Principals of affiliated colleges;”
 - (b) for clause (vii), the following clause shall be substituted, namely :—
 - “(vii) two teachers who have put in not less than seven years teaching experience in an institution of higher education in Rajasthan as on 1st January immediately preceding the year in which elections are held, other than University Professor, Deans, Principals, Heads of affiliated colleges and Directors of constituent colleges of the University, to be elected by the teachers of the

APPENDIX II to 'PART I : ACT'
**Progressive Changes in the Rajasthan Universities Teachers and
Officers (Selection for Appointment) Act, 1974**

(Ref. : page 32 of Act)

University and of its constituent and affiliated colleges from amongst themselves;" and

- (c) in clause (ix), for the expression "sub-clause (bb) of clause (xxviii)", the expression "clause (xxix)" shall be substituted; and
- (2) for sub-section (2), the following sub-section shall be substituted, namely :—
- “(2) The elected members and members nominated under clauses (iv), (vi) and (viii) shall hold office for a period of three years and members nominated under clauses (ii) and (iii) for a period of one year from the date of election or nomination, as the case may be.”

A provision for securing an impartial selection of personnel by a uniform standard of recruitment in all the Universities of Rajasthan was first made by Ordinance No. 17 of 1974. The later amending Acts/Ordinances were :

1. The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) Act, 1974. Act No. 18 of 1974.
2. The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Ordinance, 1976. Ordinance No. 4 of 1976.
3. The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act, 1976. Act No. 24 of 1976.
4. The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act, 1977. Act No. 9 of 1977.
5. The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Ordinance, 1983. Ordinance No. 7 of 1983.
6. The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act, 1984. Act No. 18 of 1984.

**THE RAJASTHAN UNIVERSITIES' TEACHERS AND OFFICERS
(SPECIAL CONDITIONS OF SERVICE) ACT, 1974†**

(Act No. 18 of 1974)

(Received the assent of the Governor on the 11 September, 1974.)

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* : This Act may be called the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) 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) "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

[†] The Act was preceded by issuance of "The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) Ordinance, 1974 (Ord. No. 17 of 1974)" made and promulgated by Governor on 21 July 1974 and published in Rajasthan Gazette Extraordinary, dated 23 July 1974.

whatever name designated and declared by the Statutes to be an officer of that University;

- (iv) "prescribed" means prescribed by rules made 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 thereunder and as amended from time to time;
 - (vi) "Schedule" means the schedule to this Act;
 - (vii) "Syndicate" means the Syndicate of a University and includes the Executive Council, if any, 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 instructions, guiding and conducting research 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 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.

4. *Constitution of Selection Committee :*

- (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) the Education Commissioner, Rajasthan or the Director of College Education, Rajasthan when nominated by the Education Commissioner, Rajasthan; and
 - (iv) 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.
- (2) For purposes of this selection, the eminent educationist to be nominated by the Chancellor shall be chosen from out of panel of names drawn up by a committee consisting of the Chancellor's nominee who will be the Chairman of the committee, a nominee of the Chairman, University Grants Commission, and a nominee of the Vice-Chancellor of the University concerned.
- (3) The person nominated by the Chancellor under sub-section (2) shall be the member of every selection committee constituted during the course of one

year from the date of his nomination.

Provided that the Chancellor may for good reasons cancel the nomination at any time before the expiry of the period of his nomination.

- (4) 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.
 - (5) No person who has been nominated as an expert on any selection committee under this section shall be eligible to participate in the selection of a teacher if during the course of two years preceding the date of selection, either any of the candidates for selection has been the student of the expert or the expert has examined the thesis of such candidate.
5. *Procedure of selection committees :*
- (1) The procedure to be followed by a selection committee in making its recommendation and the criteria to be applied in making the selection as also the quorum required for its meeting shall be prescribed.
 - (2) Every selection committee shall be bound by the qualifications laid down in the relevant law for the post of a teacher or of an officer.
6. *Disqualification for appointment on the committee :*
- (1) A person shall be disqualified for being or for continuing as a member of any selection committee or for taking part in any selection under this Act if he—
 - (a) is personally interested in a candidate for any selection; or
 - (b) is of unsound mind; or
 - (c) is adjudged insolvent; or
 - (d) has by [reason] of health or any other bodily infirmity, become incapable of acting; or
 - (e) is convicted of an offence of moral turpitude or is arrested for an offence against the security of State; or
 - (f) has so abused his position as a member of any selection committee as to render his continuance on the selection committee detrimental to the interest of the University or of the general public.
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 :*
- (1) The State Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act, and, in particular, and without prejudice to the generality of the foregoing power, such rules may provide for any matter which is by this Act, required to be prescribed or for which rules may be made under this Act.
 - (2) All rules made under this Act, shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made and

SCHEDULE

1	2
1. Professor	<p>(i) Dean of the Faculty concerned [if he is a Professor and where he is not a Professor any Professor of the Deptt. concerned nominated by the Vice-Chancellor];¹</p> <p>(ii) Head of the Department concerned if he is a Professor;</p> <p>(iii) Two persons [as experts who are]² not connected with the University concerned [and] who have special knowledge of or interest in the subject with which the Professor to be appointed will be concerned, [one of whom] to be nominated by the Syndicate, [...] out of a panel of names recommended by the University Grants Commission and the other [to be nominated by the Vice-Chancellor out of a panel of names recommended by the Academic Council of the University concerned]⁴.</p>
2. Reader, Lecturer and any other teacher by whatever name designated having his pay in the scale of a Reader or a Lecturer but lower than that of the Professor.	<p>(i) One Professor of the Department concerned to be nominated by the Vice-Chancellor;</p> <p>(ii) Two persons [as experts who are]⁵ not connected with the University [concerned]⁶, who have special knowledges of or interest in the subject with which the candidate to be selected will be connected, one of whom shall be nominated by the Syndicate out of a panel of names recommended by the University Grants Commission and the other shall be nominated by the Vice-Chancellor out of a panel of names recommended by the Academic Council of the University concerned.</p>
3. Registrar, Deputy Registrar, Assistant Registrar or any other officer by whatever name designated and 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 member of the Syndicate nominated by it.
4. Librarian	Two persons not connected with the University who have special knowledge of the subject of library Science or library administration, out of whom one to be nominated by the Syndicate out of a panel of names recommended by the University Grants Commission, and the other to be nominated by the Vice-Chancellor concerned.

¹ Added by Act. [This did not form part of the Ordinance No. 17.]

² Added by Act.

³ Deleted by the Act, the words "one of whom shall be" occurring in the Ordinance.

⁴ Added by the Act.

⁵ Added by the Act.

⁶ Added by the Act.

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

[Received the assent of the Governor on the 17th day of April, 1976.]

shall be subject to such rescission or modification as the State Legislature may make, during the session in which they are so laid or the session immediately following.

11. *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.

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

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

2. *Amendment of section 2, Rajasthan Act 18 of 1974.*— In sub-section (1) of section 2 of the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) Act, 1974 (Rajasthan Act 18 of 1974), hereinafter referred to as the 'principal Act',—

- (i) for clause (iv) the following clause shall be substituted, namely :—
“(iv) “rules” means rules made by the Syndicate under this Act”;
- (ii) for clause (vii), the following clause shall be substituted, namely :—
“(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”; and
- (iii) in clause (viii), for the words, “guiding and conducting research in a University”, the words “or conducting and guiding research or extension programmes in a University” shall be substituted.

3. *Amendment of section 3, Rajasthan Act 18 of 1974.*— In sub-section (3) of section 3 of the principal Act, after the expression “a part-time teacher”, the expression “or of a teacher or officer in the pay scale lower than that of Lecturer or Assistant Registrar respectively” shall be inserted.

4. *Amendment of section 4, Rajasthan Act 18 of 1974.*— For section 4 of the principal Act, the following section shall be substituted, namely :—

“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 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 person as members specified in column 2 of the Schedule for the selection of the teachers and officers mentioned in column 1 thereof :—

†Published in Rajasthan Gazette Extraordinary, Part IV A, dated 17 April 1976 at page 17 to 30.

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 two selection committees during the course of the same year."

5. *Amendment of section 5, Rajasthan Act 18 of 1974.*— For section 5 of the principal Act, the following section shall be substituted, namely :—

"5. *Procedure of Selection Committees.*— 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 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."

"SCHEDULE"

1	2
1. 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.	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 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; (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;
(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 not 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. |
| 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 | 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. |

6. *Amendment of section 6, Rajasthan Act 18 of 1974.*— For section 6 of the principal Act, the following section shall be substituted, namely :—

“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 election 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.”

7. *Amendment of section 10, Rajasthan Act 18 of 1974.*— For section 10 of the principal Act, the following section shall be substituted, namely :—

“10. *Power to make rules.*—The Syndicate of the University concerned may make rules for carrying out the purposes of this Act.”

8. *Amendment of Schedule, Rajasthan Act 18 of 1974.*— For the existing Schedule to the principal Act, the following Schedule shall be substituted, namely :—

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 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 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

† Published in Rajasthan Gazette Extraordinary, Part IV B, dated 20 February 1976, Page 289.

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 recommend to the Vice-Chancellor of the University concerned names of at least six experts for each selection committee which shall be in order of priority.”

9. *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, any thing 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 the Act.

†THE RAJASTHAN UNIVERSITIES' TEACHERS AND OFFICERS
(SPECIAL CONDITIONS OF SERVICE) (AMENDMENT)

ACT, 1977

(Act No. 9 of 1977)

[Received the assent of the Governor on the 19th day of August, 1977.]

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

Be it enacted by the Rajasthan State Legislature in the Twenty eighth Year of the Republic of India as follows :—

STATEMENT OF OBJECTS AND REASONS

The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) Act, 1974 (Act No. 18 of 1974) contains minor lacunas in the compositions of Selection Committees. The quorum is not specified and a Selection Committee can proceed with the selections even without experts being present. These defects have been removed in the amendments proposed.

Hence the Bill.

1. *Short title and commencement.*— (1) This Act may be called the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act, 1977.

(2) It shall come into force at once.

2. *Amendment of section 5, Rajasthan Act 18 of 1974.*— Sub-section (1) of section 5 of the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) Act, 1974 (Act No. 18 of 1974), hereinafter referred to as the principal Act, shall be substituted by the following, namely :—

“(1) The quorum required for the meeting of a Selection Committee constituted under section 4 shall not be less than six, 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.”

3. *Amendment of Schedule, Rajasthan Act 18 of 1974.*— In the existing Schedule to the principal Act, the following amendments shall be made :—

(1) The entry in column 2 of item (i) against serial No. 2 shall be substituted by the following:—

“(1) Dean of the Faculty concerned if he is a Professor or Principal of a Post-graduate college, subject however, that in case of the University of Udaipur, Dean of the concerned Colleges or Director of the concerned School or Director of Agricultural Experiment Station or Director of Extension Education as the case may be”;

(2) The entry in column No. 2 of item No. (ii) against serial No. 2 of the

† Published in Rajasthan Gazette Extraordinary, Part III A, dated 28 July 1977, Page 37 to 40.

Schedule shall be substituted by the following, namely :—

“(ii) Head of the department concerned if he is a Professor, otherwise the senior most Professor in the department”;

(3) The entry in column 2 of item No. (i) against serial No. 3 of the Schedule shall be substituted by the following, namely :—

“(i) Dean of the Faculty concerned if he is a Professor or Principal of a Post-graduate college, subject, however, that in case of the University of Udaipur, Dean of concerned College, or Director of the concerned School or Director of Agricultural Experiment Station or Director of Extension Education, as the case may be”;

(4) The entry in column No. 2 of item No. (ii) against serial No. 3 of the Schedule shall be substituted by the following, namely :—

“(ii) Head of the department concerned if he is a Professor, otherwise the senior most Professor in the Department.”

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

ORDINANCE, 1983

(Ordinance No. 7 of 1983)

(Made and promulgated by the Governor on the 3rd day of October, 1983)

AN ORDINANCE

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

Whereas, the Rajasthan Legislative Assembly is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action in this behalf;

Now, therefore, in exercise of the powers conferred upon him by clause (1) of Article 213 of the Constitution of India, the Governor of the State of Rajasthan hereby promulgates in the Thirty-fourth Year of the Republic of India, the following Ordinance, namely :—

1. *Short title and commencement.*— (1) This Ordinance may be cited as the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Ordinance, 1983.

(2) It shall come into force at once.

2. *Citation of the principal Act.*— The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) Act, 1974 (Rajasthan Act No. 18 of 1974), hereinafter referred to as the principal Act, shall henceforth be cited as the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974.

3. *Amendment of the long title.*— In the long title of principal Act, for the expression “Special Conditions of Service”, the expression “Selection for Appointment” shall be substituted.

4. *Amendment of section 1, Rajasthan Act 18 of 1974.*— In sub-section (1) of section 1 of the principal Act, for the word “called”, the words “cited as” and for the expression “Special Conditions of Service”, the expression, “Selection for Appointment” shall be substituted.

5. *Amendment of section 2, Rajasthan Act 18 of 1974.*— In section 2 of the principal Act,—

(a) for clauses (i) and (ii), the following clauses shall be substituted, namely :—

“(i) “ex-cadre post” means post of a Professor or 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 Lecturer or of a Reader 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 Reader or Professor is to be filled up by personal promotion of a Lecturer or 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";
- (b) the existing clauses (iii), (iv), (v), (vi), (vii), (viii), (ix), (x) and (xi) shall respectively be re-numbered as clauses (iv), (v), (vi), (vii), (viii), (ix), (x), (xi) and (xii) thereof;
- (c) in clause (vii) as so re-numbered, for the word "the", the word "a" shall be substituted;
- (d) in clause (viii) as so re-numbered, for the word "Executive Committee", the words "Board of Management" shall be and shall be deemed always to have been substituted on and from 9th day of August, 1983;
- (e) for clause (xi) as so re-numbered, the following clause shall be substituted, namely :—
 - "(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 Professor or Reader is to be filled up, by personal promotion of a Reader or, as the case may be, of Lecturer, in accordance with and under this Act";
 - and
 - (f) in clause (xii) as so re-numbered, for the expression "performs the functions of the", the expression "is carrying on the functions of the office of the" shall be substituted.

6. *Amendment of section 3, Rajasthan Act 18 of 1974.*— in section 3 of the principal Act,—

- (a) in sub-section (3), for the words "six months", the words "one year" and for the punctuation mark full-stop appearing at the end of the said sub-section, the punctuation mark colon shall be substituted;
- (b) after sub-section (3) as so amended, the following proviso and explanation shall be inserted, namely :—
 - "Provided that no person who has been rejected by a selection committee constituted under sections 5 shall be appointed as a teacher or an officer by way of stop-gap arrangement under this sub-section.

Explanation.—The expression "appointed" in sub-section (1) shall mean a teacher or an officer in any University initially appointed as such teacher or officer or not appointed by way of promotion."

7. *Insertion of new section 4, Rajasthan Act 18 of 1974.*— After section 3 of the principal Act as so amended, the following new section shall be and shall be deemed always to have been inserted, namely :—

"4. *Appointment of officers on deputation.*— (1) 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 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; or
- (c) a suitable person is not available for appointment to the post of Registrar in that University as a measure of stop-gap 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 at least five years, at the disposal of that University for appointing him to the post of Registrar of the University for a period not exceeding 3 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-Chancellor 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, the Finance Officer (by whatever name designated in a University) to be appointed as such in the University concerned shall be an officer of the State Government sent on deputation for that purpose to such University.

8. *Amendment of section 4, Rajasthan Act 18 of 1974.*— The existing section 4 of the principal Act shall be re-numbered as section 5 thereof and in section 5 as so re-numbered, in sub-section (2), the punctuation mark full-stop appearing at the end of the said sub-section shall be substituted by the punctuation mark colon and after sub-section (2) as so amended, the following proviso shall be inserted, namely :—

“Provided that the number 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.”

9. *Amendment of section 5, Rajasthan Act 18 of 1974.*— The existing section 5 of the principal Act shall be re-numbered as section 6 thereof and in section 6 as so re-numbered,—

- (a) in sub-section (1), for the figure “4”, the figure “5” and for the word “six”, the word “five” shall be substituted; and
- (b) after sub-section (3), the following new sub-section shall be inserted, namely :—

“(4) The Selection Committee, while making its recommendations to the Syndicate under sub-section (2), shall prepare 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 alongwith its recommendations to the Syndicate.”

10. *Re-numbering of sections 6, 7 and 8, Rajasthan Act 18 of 1974.*— The existing sections 6, 7 and 8 of the principal Act shall, respectively, be re-numbered as sections 7, 8 and 9 thereof.

11. *Insertion of new sections 10 and 11, Rajasthan Act 18 of 1974.*— After section 9 of the principal Act as so re-numbered, the following new sections shall be added, namely :—

“10. *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) Ordinance, 1983, 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 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 Lecturer or Reader, 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, Deans of faculties 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 put in continuous twelve years service as Reader after regular selection as on 1st 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 the Lecturer;
- (b) have put in continuous eighteen years service as Lecturer after regular selection as on 1st January of the year in which such personal 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 Reader.

Explanation.— The expression “service” in sub-section (4) and sub-section (5) shall include service rendered as a Lecturer in any college established or run by the State Government after regular selection as such Lecturer.

(6) For the purpose of consideration for personal promotion to any of the category 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 the selection to the ex-cadre posts mentioned in column 1 thereof.

(8) The committee referred to in sub-section (7) shall consider the case 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 post is 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 name of Lecturers and Readers found suitable for personal promotion to such ex-cadre posts in order of preference.

Explanation I. 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.

- II. Adverse report in Annual Performance Appraisal Reports or penalties imposed in disciplinary proceedings pertaining to a period beyond five years from the year of selection shall not be considered

by the committee.

(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 disapproves the recommendations of the Selection Committee, the Vice-Chancellor of the University concerned shall submit such list and recommendations along with 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 to 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 ex-cadre post 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 promotion to an ex-cadre, post after the date of commencement of the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Ordinance, 1983 shall be regulated by the date of their regular appointment or personal promotion to an ex-cadre post, as the case may be.

(13) The State Government may make rules for carrying out the purposes of this section."

12. *Re-numbering of sections 9, 10 and 11, Rajasthan Act 18 of 1974.*— The existing sections 9, 10, and 11 of the principal Act shall respectively be re-numbered as sections 12, 13 and 14 thereof.

13. *Amendment of re-numbered section 13, Rajasthan Act 18 of 1974.*— For section 13 of the principal Act as so re-numbered, the following section shall be substituted, namely :—

"13. *Power to make rules.*— The Syndicate of the University concerned may

"SECOND SCHEDULE"

1	2
1. Professor	(i) Vice-Chancellor of the University concerned ... Chairman (ii) One of the Professors in the department of the faculty concerned to be nominated by the Vice-Chancellor by rotation every year. (iii) One subject expert to be taken from Rajasthan other than from the University concerned and nominated by the Vice-Chancellor from a panel of three experts to be prepared by the Academic Council of the University concerned. (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 department of the faculty concerned to be nominated by the Vice-Chancellor by rotation every year. (iii) Education Secretary, Government of Rajasthan or in his absence, the Director of College Education, Rajasthan."

make rules for carrying out the provisions of this Act except the provisions contained in section 11.”

14. *Amendment of the Schedule to Rajasthan Act 18 of 1974.*— In the Schedule to the principal Act,—

- (a) for the word “SCHEDULE”, the words “FIRST SCHEDULE” shall be substituted;
- (b) for the expression “Three experts” appearing in column 2 against categories of Teachers specified at Serial Nos. 1 and 2 of column 1, the expression “Two experts” shall be substituted;
- and
- (c) in Explanation II, for the word “six”, the word “twelve” shall be substituted.

15. *Insertion of Second Schedule to Rajasthan Act 18 of 1974.*— After the existing Schedule as so amended, the following new Schedule shall be added, namely :—

APPENDIX III to 'PART I : ACT'

[THE] UNIVERSITY GRANTS COMMISSION ACT, 1956

[ACT 3 OF 1956]

An act to make provision for the co-ordination and determination of standards in Universities and for that purpose, to establish a University Grants Commission.

Be it enacted by Parliament in the Seventh Year of the Republic of India as followed :—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*— (1) This Act may be called THE UNIVERSITY GRANTS COMMISSION ACT, 1956.

(2) It shall come into force on such date† as the Central Government may, by notification in the Official Gazette, appoint.

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

- (a) “Commission” means the University Grants Commission established under section 4;
- (b) “executive authority”, in relation to a University, means the chief executive authority of the University (by whatever name called) in which the general administration of the University is vested;
- (c) “Fund” means the Fund of the University Grants Commission constituted under section 16;
- (d) “member” means a member of the University Grants Commission and includes a Chairman ††[and Vice-Chairman];
- (e) “prescribed” means prescribed by rules made under this Act;
- (f) “University” means a University established or incorporated by or under a Central Act, a Provincial Act or a State Act, and includes any such institution as may, in consultation with the University concerned, be recognized by the Commission in accordance with the regulations made in this behalf under this Act.

3. *Application of Act to institution for higher studies other than Universities.*— The Central Government may, on the advice of the Commission, declare, by notification in the Official Gazette, that any institution for higher education, other than a University, shall be deemed to be a University for the purposes of this Act, and on such a declaration being made, all the provisions of this Act shall apply to such institution as if it were a University within the meaning of clause (f) of section 2.

—Amended by Act 33 of 1972, 59 of 1984.

—Extended by Act 26 of 1968.

† 5-11-1956 is the date appointed—See Gaz. of India, Pt. II, S. 3, P. 1882.

†† Inserted by the University Grants Commission (Amendment) Act, 1972 (33 of 1972), S. 2 (17-6-1972).

‡ Substituted for former S. 5 by the University Grants Commission (Amendment) Act, 1972 (33 of 1972), S. 3 (17-6-1972).

CHAPTER II

ESTABLISHMENT OF THE COMMISSION

4. *Establishment of the Commission.*— (1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be established a Commission by the name of the University Grants Commission.

(2) The said Commission shall be a body corporate having perpetual succession and a common seal, and shall by the said name sue and be sued.

‡[5. *Composition of the Commission.* (1) The Commission shall consist of—

- (i) a Chairman,
- (ii) a Vice-Chairman, and
- (iii) ten other members,

to be appointed by the Central Government.

(2) The Chairman shall be chosen from among persons who are not officers of the Central Government or of any State Government.

(3) Of the other members referred to in clause (ii) of sub-section (1) —

- (a) two shall be chosen from among the officers of the Central Government, to represent that Government;
- (b) not less than four shall be chosen from among persons who are, at the time when they are so chose, teachers of Universities; and
- (c) the remainder shall be chosen from among persons —
 - (i) who have knowledge of, or experience in agriculture, commerce, forestry or industry;
 - (ii) who are members of the engineering, legal, medical or any other learned profession; or
 - (iii) who are Vice-Chancellors of Universities or who, not being teachers of Universities are; in the opinion of the Central Government, educationists of repute or have obtained high academic distinctions :

Provided that not less than one-half of the number chosen under this clause shall be from among persons who are not officers of the Central Government or of any State Government.

(4) The Vice-Chairman shall exercise such of the powers, and discharge such of the duties of the Chairman as may be prescribed.

(5) Every appointment under this section shall take effect from the date on which it is notified by the Central Government in the Official Gazette.]

6. *Terms and conditions of service of members.*— †(1) A person appointed as Chairman, Vice-Chairman or other member shall, unless he becomes disqualified for continuing as such under the rules that may be made under this Act,—

- (a) in the case of Chairman, hold office for a term of five years; and
- (b) in the case of Vice-Chairman or any other member, hold office for a term of three years :

Provided that —

- (i) a person who has held office as Chairman or Vice-Chairman shall be eligible for further appointment as Chairman, Vice-Chairman or other member; and
- (ii) a person who has held office as any other member shall be eligible for further appointment as Chairman, Vice-Chairman or other members :

Provided further that a person who has held office for two terms in any capacity, whether as Chairman, Vice-Chairman or other member, shall not be eligible for any further appointment as Chairman, Vice-Chairman or other member.]

(2) A member may resign his office by writing under his hand addressed to the Central Government, but he shall continue in office until his resignation is accepted by the Central Government.

† Substituted for former sub-section (1) by the University Grants Commission (Amendment) Act, 1972 (33 of 1972), S. 4 (17-6-1972).

‡ Substituted for former sub-section (3) and (4) by the University Grants Commission (Amendment) Act, 1972 (33 of 1972), S. 4 (17 June 1972).

‡[(3) If a casual vacancy occurs in the office of the Chairman, whether by reason of his death, resignation, or inability to discharge his functions owing to illness or other incapacity, the Vice-Chairman holding office as such for the time being shall, notwithstanding anything contained in sub-sec. (2) of section 5, act as the Chairman and shall, unless any other person is appointed earlier as the Chairman, hold the office of the Chairman for the remainder of the term of office of the person in whose place he is to so act :

Provided that where no Vice-Chairman is holding office at the time when the vacancy in the office of the Chairman occurs, the Central Government shall, notwithstanding anything contained in sub-section (2) of section 5, appoint any other member to act as the Chairman and the person so appointed shall not hold the office of the Chairman for a period exceeding six months.

(4) If a casual vacancy occurs in the office of the Vice-Chairman or any other member, whether by reason of his death, resignation or inability to discharge his functions owing to illness or other incapacity such vacancy shall be filled up by the Central Government by making a fresh appointment and the member so appointed shall hold office for a term of three years.

(5) The Office of the Chairman and the Vice-Chairman shall be wholtime and salaried and subject thereto, the terms and conditions of service of the Chairman, Vice-Chairman and other members shall be such as may be prescribed.]

7. *Meetings of the Commission.*— The Commission shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be provided by regulations made under this Act.

8. *Vacancies amongst members or defect in constitution not to invalidate acts or proceedings of the Commission.*— No act or proceedings of the Commission shall be deemed to be invalid by reason merely of any vacancy in, or any defect in the constitution of the Commission.

9. *Temporary association of persons with the Commission for particular purposes.*— (1) The Commission may associate with itself, in such manner and for such purposes as may be determined by regulations made under this Act, any person whose assistance or advice it may desire in carrying out any of the provisions of this Act.

(2) A person associated with it by the Commssion under sub-section (1) for any purpose shall have a right to take part in the discussions relevant to that purpose, but shall not have a right to vote at a meeting of the Commission, and shall not be a member for any other purpose.

10. *Staff of the Commission.*— Subject to such rules as may be made by the Central Government in this behalf, the Commission may appoint a Secretary and such other employees as it may think necessary for the efficient performance of its functions under this Act and the terms and conditions of service of the employees shall be such as may be determined by the Commission.

11. *Authentication of orders and other instruments of the Commission.*— All orders and decisions of the commission shall be authenticated by the signature of the Chairman or any other member authorized by the Commission in this behalf and all other instruments issued by the Commission shall be authenticated by the signature of the Secretary or any other officer of the Commission authorized in like manner in this behalf.

CHAPTER III

POWERS AND FUNCTIONS OF THE COMMISSION

12. *Functions of the Commission.*— It shall be the general duty of the Commission to take, in consultation with the Universities or other bodies concerned, all such steps as it may think fit for the promotion and co-ordination of University education and for the determination and maintenance of standards of teaching, examination and research in Universities, and for the purpose of performing its functions under this Act, the Commission may—

- (a) inquire into the financial needs of Universities;

¹ Substituted for "necessary for the development of such Universities" by the University Grants Commission (Amendment) Act, 1972 (33 of 1972), S. 5 (17-6-1972).

² Inserted, *ibid.*

- (b) allocate and disburse, out of the Fund of the Commission, grants to Universities established or incorporated by or under a Central Act for the maintenance and development of such Universities or for any other general or specified purpose;
- (c) allocate and disburse, out of the Fund of the Commission, such grants to other Universities as it may deem ¹[necessary or appropriate for the development of such Universities or for the maintenance, or development, or both, of any specified activities of such Universities] or for any other general or specified purpose :
- Provided that in making any grant to any such University, the Commission shall give due consideration to the development of the University concerned, its financial needs, the standards attained by it and the national purpose which it may serve;
- ²[(cc) allocate and disburse, out of the Fund of the Commission, such grants to institutions deemed to be Universities in pursuance of declaration made by the Central Government under section 3, as it may deem necessary, for one or more of the following purposes, namely :—
- (i) for maintenance in special case,
- (ii) for development,
- (iii) for any other general or specified purpose;]
- ¹[(ccc) establish, in accordance with the regulations made under this Act, institutions for providing common facilities, services and programmes for a group of universities or for the universities in general and maintain such institutions or provide for their maintenance by allocating and disbursing out of the Fund of the Commission such grants as the Commission may deem necessary;]
- (d) recommend to any University the measures necessary for the improvement of University education and advise the University upon the action to taken for the purpose of implementing such recommendation;
- (e) advise the Central Government or any State Government on the allocation of any grants to Universities for any general or specified purpose out of the Consolidated Fund of India or the Consolidated Fund of the State, as the case may be;
- (f) advise any authority, if such advice is asked for, on the establishment of a new University or on proposals connected with the expansion of the activities of any University;
- (g) advise the Central Government or any State Government or University on any question which may be referred to the Commission by the Central Government or the State Government or the University, as the case may be;
- (h) collect information on all such matters related to University education in India and other countries as it thinks fit and make the same available to any University;
- (i) require a University to furnish it with such information as may be needed relating to the financial position of the University or the studies in the various branches of learning undertaken in that University, together with all the rules and regulations relating to the standards of teaching and examination in that University respecting each of such branches of learning;
- (j) perform such other functions as may be prescribed or as may be deemed necessary by the Commission for advancing the cause of higher education in India or as may be incidental or conducive to the discharge of the above functions.
- †[12A. *Regulation of fees and prohibition of donations in certain cases.*—
- (1) In this section,—
- (a) “affiliated”, together with its grammatical variations, includes in

¹ Inserted, *ibid*, 1984 (59 of 1984), S. 2 (1-10-1984).

† Section 12A renumbered as S. 12-B, and S. 12-A inserted by the University Grants Commission (Amendment) Act, 1984 (59 of 1984), S. 3 (1-10-1984).

- relation to a college, recognition of such college by, association of such college with, and admission of such college to the privileges of, a university;
- (b) “college” means any institutions, whether known as such or by any other name which provides for a course of study for obtaining any qualification from a university and which, in accordance with the rules and regulations of such university, is recognized as competent to provide for such course of study and present students undergoing such course of study for the examination for the award of such qualification;
- (c) “prosecution”, in relation to a course of study, includes promotion from one part or stage of the course of study to another part or stage of the course of study;
- (d) “qualification” means a degree or any other qualification awarded by a university;
- (e) “regulations” means regulations made under this Act;
- (f) “specified course of study” means a course of study in respect of which regulations of the nature mentioned in sub-section (2) have been made;
- (g) “student” includes a person seeking admission as a student;
- (h) “university” means a university or institution referred to in sub-section (1) of section 22.
- (2) Without prejudice to the generally of the provisions of section 12 if, having regard to —
- (a) the nature of any course of study for obtaining any qualification from any university;
- (b) the types of activities in which persons obtaining such qualification are likely to be engaged on the basis of such qualification;
- (c) the minimum standards which a person possessing such qualification should be able to maintain in his work relating to such activities and the consequent need for ensuring, so far as may be, that no candidate secures admission to such course of study by reason of economic power and thereby prevents a more meritorious candidate from securing admission to such course of study; and
- (d) all other relevant factors,
- the Commission is satisfied that it is necessary so to do in the public interest, it may, after consultation with the university or universities concerned, specify by regulations the matters in respect of which fees may be charged, and the scale of fees in accordance with which fees shall be charged in respect of those matters on and from such date as may be specified in the regulations in this behalf, by any college providing for such course of study from, or in relation to, any student in connection with his admission to, and prosecution of, such course of study :
- Provided that different matters and different scales of fees may be so specified in relation to different universities or different classes of colleges or different areas.
- (3) Where regulations of the nature referred to in sub-section (2) have been made in relation to any course of study, no college providing for such course of study shall —
- (a) levy or charge fees in respect of any matter other than a matter specified in such regulations;
- (b) levy or charge any fees in excess of the scale of fees specified in such regulations; or
- (c) accept, either directly or indirectly, any payment (otherwise than by way of fees) or any donation or gift (whether in cash or kind),
- from, or in relation to any student in connection with his admission to, and prosecution of, such course of study.
- (4) If, after making, in relation to a college providing for a specified course of

study, an inquiry in the manner provided by regulations, and after giving such college a reasonable opportunity of being heard, the Commission is satisfied that such college has contravened the provisions of sub-section (3), the Commission may, with the previous approval of the Central Government, pass an order prohibiting such college from presenting any students then undergoing such course of study therein to any university for the award of the qualification concerned.

- (5) The Commission shall forward a copy of the order made by it under sub-section (4) to the university concerned, and on and from the date of receipt by the university of a copy of such order, the affiliation of such college to such university shall, in so far as it relates to the course of study specified in such order, stand terminated and on and from the date of termination of such affiliation and for a period of three years thereafter affiliation shall not be granted to such college in relation to such or similar course of study by that or any other university.
 - (6) On the termination of the affiliation of any college under sub-section (5), the Commission shall take all such steps as it may consider appropriate for safeguarding the interests of the students concerned.
 - (7) The provisions of this section and the regulations made for the purposes of this section shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.]
- ¹[12B]. *Prohibition regarding giving of any grant to a University not declared by the Commission fit to receive such grant.*— No grant shall be given by the Central Government, the Commission, or any other organization receiving any funds from the Central Government, to a University which is established after the commencement of the University Grants Commission (Amendment) Act, 1972, unless the Commission has, after satisfying itself as to such matters as may be prescribed, declared such University to be fit for receiving such grant.]
13. *Inspection.*— (1) For the purpose of ascertaining the financial needs of a University or its standards of teaching, examination and research, the Commission may, after consultation with the University, cause an inspection of any department or departments thereof to be made in such manner as may be prescribed and by such person or persons as it may direct.
 - (2) The Commission shall communicate to the University the date on which any inspection under sub-sec. (1) is to be made and the University shall be entitled to be associated with the inspection in such manner as may be prescribed.
 - (3) The commission shall communicate to the University its views in regard to the results of any such inspection and may, after ascertaining the opinion of the University, recommend to the University the action to be taken as a result of such inspection.
 - (4) All communications to a University under this section shall be made to the executive authority thereof and the executive authority of the University shall report to the Commission the action, if any, which is proposed to be taken for the purpose of implementing any such recommendation as is referred to in sub-sec. (3).
 14. *Consequences of failure of Universities to comply with recommendations of the Commission.*— If any University ³[grants affiliation in respect of any course of study to any college referred to in sub-section (5) of section 12A in contravention of the provisions of that sub-section or] fails within a reasonable time to comply with any recommendation made by the Commission under S. 12 or S. 13. ⁴[or contravenes the provisions of any rule made under clause (f) or clause (g) of sub-sec. (2) of S. 25, or of any

¹ Inserted by the University Grants Commission (Amendment) Act, 1972 (33 of 1972), S. 6 (17-6-1972).

² Section 12-A renumbered as S. 12-B by the University Grants Commission (Amendment) Act, 1984 (59 of 1984), S. 3 (1-10-1984).

³ Inserted by the University Grants Commission (Amendment) Act, 1972 (33 of 1972), S. 7 (17-6-1972).

⁴ Substituted for "for its failure to comply with such recommendation", *ibid.*

⁵ Inserted, *ibid.*, 1984 (59 of 1984), S. 4 (1-10-1984).

- regulation made under clause (e) or (f) or clause (g) of section 26,] the Commission, after taking into consideration the cause, if any, shown by the University ³[or such failure or contravention,] may withhold from the University the grants proposed to be made out of the Fund of the Commission.
15. *Payment of the Commission.*— The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Commission in each financial year such sums as may be considered necessary for the performance of the functions of the Commission under this Act.
16. *Fund of the Commission.*— (1) The Commission shall have its own Fund and all sum which may, from time to time, be paid to it by the Central Government and all the receipts of the Commission (including any sum which any State Government or any other authority or person may hand over to the Commission) shall be carried to the Fund and all payments by the Commission shall be made therefrom.
- (2) All moneys belonging to the Fund shall be deposited in such banks or invested in such manner as may, subject to the approval to the Central Government be decided by the Commission.
- (3) The Commission may spend such sums as it thinks fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the Fund of the Commission.
17. *Budget.*— The Commission shall prepare, in such form and at such time each year as may be prescribed a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure, and copies thereof shall be forwarded to the Central Government.
18. *Annual report.*— The Commission shall prepare once every year, in such form and at such time as may be prescribed, as annual report giving a true and full account of its activity during the previous year; and copies thereof shall be forwarded to the Central Government and the Government shall cause the same to be laid before both Houses of Parliament.
19. *Account and audit.*— (1) The Commission shall cause to be maintained such books of account and other books in relation to its account in such form and in such manner as may, in consultation with the Comptroller and Auditor-General of India, be prescribed.
- (2) The Commission shall, as soon as may be after closing its annual accounts, prepare a statement of accounts in such form, and forward the same to the Comptroller and Auditor-General by such date, as the Central Government may in consultation with the Comptroller and Auditor-General, determine.
- (3) The accounts of the Commission shall be audited by the Comptroller and Auditor-General at such times and in such manner as he thinks fit.
- (4) The annual accounts of the Commission together with the audit report thereon shall be forwarded to the Central Government and the Government shall cause the same to be laid before both Houses of Parliament and shall also forward a copy of the audit report to the Commission for taking suitable action on the matters arising out of the audit report.

CHAPTER IV

MISCELLANEOUS

20. *Directions by the Central Government.*— (1) In the discharge of its functions under this Act, the Commission shall be guided by such directions on questions of policy relating to national purposes as may be given to it by the Central Government.
- (2) If any dispute arises between the Central Government and the Commission as to whether a question is or is not a question of policy relating to national purpose, the decision of the Central Government shall be final.
21. *Returns and Information.*— The Commission shall furnish to the Central Government such returns or other information, with respect to its property or activities as the Central Government may, from time to time, require.
22. *Right to confer degrees.*— (1) The right of conferring or granting degree shall be exercised only by a University established or incorporated by or under a Central Act, a

Provincial Act or a State Act or an institution deemed to be a University under section 3 or an institutions specially empowered by an Act of Parliament to confer or grant degrees.

(2) Save as provided in sub-section (1), no person or authority shall confer, or grant, or hold himself or itself out as entitled to confer or grant, any degree.

(3) For the purpose of this section, "degree" means any such degree as may, with the previous approval of the Central Government, be specified in this behalf by the Commission by notification in the Official Gazette.

23. *Prohibition of the use of the word "University" in certain cases.*— No institution, whether a corporate body or not, other than a University established or incorporated by or under a Central Act, a Provincial Act or a State Act shall be entitled to have the word "University" associated with its name in any manner whatsoever :

Provided that nothing in this section shall, for a period of two years from the commencement of this Act, apply to an institution which immediately before such commencement, had the word "University" associated with its name.

24. *Penalties.*— Whoever contravenes the provisions of section 22 or section 23 shall be punishable with fine which may extend to one thousand rupees, and if the person contravening is an association or other body of individuals, every member of such association or other body who knowingly or wilfully authorizes or permits the contravention shall punishable with fine which may extend to one thousand rupees.

25. *Power to make rules.*— (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters namely :—

- (a) the procedure for the retirement of members under section 6;
- (b) the disqualifications for continuing as a member of the Commission;
- (c) the terms and conditions of service of members of the Commission;
- (d) the terms and conditions of service of employees appointed by the Commission;
- (e) the additional functions which may be performed by the Commission under clause (j) of section 12;
- (f) the returns and information which are to be furnished by Universities in respect of their financial position or standards of teaching and examination maintained therein;
- (g) the inspection of Universities;
- (h) the form and manner in which the budget and reports are to be prepared by the Commission;
- (i) the manner in which the accounts of the Commission are to be maintained;
- (j) the form and manner in which returns or other information are to be furnished by the Commission to the Central Government;
- (k) any other matter which has to be, or may be, prescribed.

¹[(3) The power to make rules conferred by this section shall include the power to give retrospective effect from a date not earlier than the date of commencement of this Act, to the rules or any of them but no retrospective effect shall be given to any rule so as to prejudicially affect the interests of any person to whom such rule may be applicable.]

26. *Power to make regulations.*— (1) The Commission ²[may, by notification in the Official Gazette, make regulations] consistent with this Act and the rules made thereunder,—

- (a) regulating the meetings of the Commission and the procedure for conducting business thereat;
- (b) regulating the manner in which and the purposes for which persons may be associated with the commission under section 9;

¹ Substituted by the University Grants Commission (Amendment) Act, 1984 (59 of 1984), S. 5 (1-10-1984).

² Substituted for the words "may make regulations" by the University Grants Commission (Amendment) Act, 1984 (59 of 1984), S. 6 (1-10-1984).

³ Inserted, *ibid.*

- (c) specifying the terms and conditions of service of the employees appointed by the Commission;
- (d) specifying the institutions or class of institutions which may be recognized by the Commission under clause (f) of section 2;
- (e) defining the qualifications that should ordinarily be required of any person to be appointed to the teaching staff of the University having regard to the branch of education in which he is expected to give instructions;
- (f) defining the minimum standards of instruction for the grant of any degree by any University;
- (g) regulating the maintenance of standards and the co-ordination of work or facilities in Universities;
- ³(h) regulating the establishment of institution referred to in clause (ccc) of section 12 and other matters relating to such institutions ;
- (i) specifying the matters in respect of which fees may be charged and scales of fees in accordance with which fees may be charged by a college under sub-section (2) of section 12A;
- (j) specifying the manner in which an inquiry may be conducted under sub-section (4) of section 12A].

(2) No regulation shall be made under clause (a) or clause (b) or clause (c) or clause (d) ⁴[or clause (h) or clause (i) or clause (j)]¹ of sub-section (1) except with the previous approval of the Central Government.

⁴ Inserted by the University Grants Commission (Amendment) Act, 1984 (59 of 1984), S. 6 (1-10-1984).

⁵ Inserted by the University Grants Commission (Amendment) Act, 1972 (33 of 1972), S. 8 (17-6-1972).

⁶ Substituted for the words "by regulations made", ibid, 1984 (59 of 1984), S. 7 (1-10-1984).

⁷ Inserted by the University Grants Commission (Amendment) Act, 1984 (59 of 1984), S. 8 (1-10-1984).

LAW (LEGISLATIVE) DEPARTMENT

(Group II)

NOTIFICATION

Jaipur, November 11, 1992

No. F. 2(39) Vidhai/2/92—In pursuance of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorize the publication in the Rajasthan Gazette of the following translation in the English language of the Rajasthan Sarvajanik Pareeksha (Anuchit Sadhanon ki Roktham) Adhiniyam, 1992 (Adhiniyam Sankhya 27 of 1992) :

THE RAJASTHAN PUBLIC EXAMINATION
(PREVENTION OF UNFAIRMEANS) ACT, 1992)

(Act No. 27 of 1992)

(Received the assent of the Governor on the 8th day of November, 1992.)

AN

ACT

to prevent the leakage of question papers and use of unfairmeans at public examinations and to provide for matters connected therewith and incidental thereto.

Be it enacted by the Rajasthan State Legislature in the Forty-third Year of the Republic of India as follows :

1. Short title, extent and commencement—(1) This Act may be called the Rajasthan Public Examination (Prevention of Unfairmeans) Act, 1992.
 - (2) It shall extend to the whole of the State of Rajasthan.
 - (3) It shall come into force at once.
2. Definitions—In this Act,—
 - (a) “examination centre” means any place fixed for holding public examination and includes the entire premises attached thereto;
 - (b) “public examination” means any of the examination specified in the schedule;
 - (c) “unfairmeans” in relation to an examination while answering question in a public examination, means the unauthorised help from any person, or from any material written, recorded or printed, in any form whatsoever or the use of any unauthorised telephonic, wireless or electronic or other instrument or gadget; and
 - (d) the words and expressions used herein and not defined, but defined, in the Indian Penal Code (45 of 1860), have the meanings respectively assigned to them in that code.
3. Prohibition of use of unfairmeans... No person shall use unfairmeans at any public examination.
4. Unauthorised possession or disclosure of question paper... No person who is not lawfully authorized or permitted by virtue of his duties so to do shall before the time fixed for distribution of question papers to examinees at a public examination :
 - (a) Procure or attempt to procure or possess, such question paper on any portion or copy thereof; or
 - (b) impart or offer to impart, information which he knows or has reason to believe to be related to, or derived from or to have a bearing upon such question paper.
5. Prevention of leakage by person entrusted with examination work. No person who is entrusted with any work pertaining to public examination shall, except where he is permitted by virtue of his duties so to do, directly, or indirectly divulge or cause to be divulged or make known to any other person any information or part thereof which has come to his knowledge by virtue of the work being so entrusted to him.
6. Penalty. Whoever contravenes or attempts to contravene or abets the

contravention of the provisions of section 3 or section 4 or section 5, shall be punished with imprisonment for a term which may extend to three years or with fine which may extend to two thousand rupees or with both.

7. Penalty for offence with preparation to cause hurt. Whoever commits an offence punishable under section 6 having made preparation for, causing death or any person or causing hurt to any person or assaulting any person or for wrongfully restraining any person or for putting any person in fear of death or hurt or assault or wrongful restraint shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine which may extend to five thousand rupees.
8. Power to amend Schedule. The State Government may, by notification in the Official Gazette, include in the Schedule any other public examination in respect of which it considers necessary to apply the provisions of this Act and upon the publication in the Official Gazette the Schedule shall be deemed to have been amended accordingly.

THE SCHEDULE

(Section 2)

1. Any examination conducted by the Board of Secondary Education for Rajasthan under the Rajasthan Secondary Examination Act, 1957 (Act No. 42 of 1957).
2. Any examination conducted by any University established by law in India.
3. Any examination conducted by the Rajasthan Public Service Commission or Union Public Service Commission.

LAW (LEGISLATIVE DRAFTING) DEPARTMENT

(Group II)

NOTIFICATION

Jaipur, February 11, 1993

No. F. 4 (10) Vidhai/88—The following Act of the Rajasthan State Legislature received the assent of the President on the 9th day of January, 1993 and is hereby published for general information :

THE INDIAN PENAL CODE (RAJASTHAN AMENDMENT) ACT, 1991

(Act No. 4 of 1993)

(Received the assent of the President on the 9th day of January, 1993.)

AN

ACT

Further to amend the Indian Penal Code, 1860 in its application to the State of Rajasthan.

Be it enacted by the Rajasthan State Legislature in the Forty-third Year of the Republic of India as follows :

1. Short title, extent and commencement—(1) This Act may be called the Indian Penal Code (Rajasthan Amendment) Act, 1991.
 - (2) It shall extend to the whole of the State of Rajasthan.
 - (3) It shall come into force at once.
2. Amendment of section 21, Central Act 45 of 1860 — In section 21 of the Indian Penal Code, 1860 (Central Act 43 of 1860), in its application to the State of Rajasthan, after clause twelfth, the following new clause shall be added, namely;

“Thirteenth— Every person employed or engaged by any public body in the conduct and supervision of any examination recognized or approved under any law.

Explanation— The expression, 'Public Body' includes —

- (a) a University, Board of Education or other body, either established by or under a Central or State Act or under the provisions of the

Constitution of India or constituted by the Government, and
(b) a local authority.”

*[First Published in the Rajasthan Gazette, Extraordinary Part IV (A),
Dated March 3, 1992.]

LAW (LEGISLATIVE DRAFTING) DEPARTMENT
(Group 2)

NOTIFICATION

Jaipur, March 3, 1992

No. F.2 (13) Vidhi/84.—The following Act of the Rajasthan State Legislature received the Assent of the President on the 12th day of February, 1992 and is hereby published for general information :—

THE JODHPUR UNIVERSITY (CHANGE OF NAME AND AMENDMENT) ACT, 1984

(Act No. 1 of 1992)

[Received the assent of the President on the 12th day of February, 1992]

AN
ACT

To change the name of the University of Jodhpur and to amend further the Jodhpur University Act, 1962.

Be it enacted by the Rajasthan State Legislature in the Thirty-fifth Year of the Republic of India, as follows :—

1. *Short title and commencement.*— (1) This Act may be cited as the Jodhpur University (Change of name and Amendment) Act, 1984.
(2) It shall come into force at once.
2. *Change of name of the University of Jodhpur.*— (1) The name of the University of Jodhpur constituted and incorporated by the Jodhpur University Act, 1962 (Rajasthan Act 17 of 1962), hereinafter referred to as the principal Act, shall, as from the commencement of this Act, be the Jai Narain Vyas University, Jodhpur.
(2) Any reference to the University of Jodhpur in any law for the time being in force or in any indenture, instrument or other documents shall be read and construed as a reference to that University under its name as altered by this Act.
(3) Nothing in this Act shall affect the continuity of the corporate status of the said University.
3. *Citation of the principal Act.*— The principal Act shall be cited as the Jai Narain Vyas University Act, 1962.
4. *Amendment of section 1, Rajasthan Act 17 of 1962.*— In sub-section (1) of section 1 of the principal Act, for the word “Jodhpur”, the words “Jai Narain Vyas” shall be substituted.
5. *Amendment of section 2, Rajasthan Act 17 of 1962.*— In section 2 of the principal Act,—
(a) for clause (a), the following clause shall be substituted, namely :—
“(a) “College” means a constituent or an affiliated college of the University enumerated in or under sub-section (1) of section 5 and shall include a college admitted to the privileges of the University in accordance with or under this Act;”;
(b) after clause (a), the following clauses shall be inserted, namely :—
“(aa) “Director” means the Head of a constituent college and includes,

- where there is no Director, the person for the time being appointed to act as Director;
- (aaa) "Faculty" means a Faculty of the University";
- (c) in clause (c), between the word "University", and the punctuation mark and the word "provided", the words "or college" shall be inserted;
- (d) in clause (d), between the words "head of a college", and "and includes", the words "other than a constituent college" shall be inserted; and
- (e) in clause (g), for the words "University of", the expression "Jai Narain Vyas University", shall be substituted.
6. *Amendment of section 3, Rajasthan Act 17 of 1962.*— For sub-section (1) of section 3 of the principal Act, the following sub-section shall be substituted, namely :—
- “(1) The Chancellor and the existing Vice-Chancellor of the University of Jodhpur and the existing members of the Senate, Syndicate and Academic Council of the University and all persons who may hereafter become such officers or members of the aforesaid bodies of the University shall, so long as they continue to be such officers or members, constitute a body corporate by the name of Jai Narain Vyas University, Jodhpur.”
7. *Amendment of section 4, Rajasthan Act 17 of 1962.*— In section 4 of the principal Act,—
- (a) in clause (7), after the words "the University", the words "and its constituent colleges" shall be inserted;
- (b) for clause (9) the following clause shall be substituted, namely :—
- “(9) to maintain and manage hostels or halls, to admit to all or any of its privileges colleges, other than constituent or affiliated colleges enumerated in or under sub-section (1) of section 5, and to withdraw all or any of those privileges and to recognize hostels or halls not maintained by the University and to withdraw any such recognition”; and
- (c) in clause (11), after the words "of the University", the words "and its constituent colleges" shall be inserted.
8. *Amendment of section 5, Rajasthan Act 17 of 1962.*— For section 5, the following section shall be substituted, namely :—
- “5. *The colleges and jurisdiction of the University.*— (1) The University shall have the following constituent and affiliated colleges :—
- I. *Constituent Colleges*—
- (a) Kamla Nehru College for Women; and
- (b) Institute of Evening Studies
- II. *Affiliated colleges*—
- (a) Lahoo Memorial College of Science, Jodhpur;
- (b) Mahesh Teachers' Training College, Jodhpur; and
- (c) Onkarmal Somani College of Commerce, Jodhpur.

Provided that the State Government may, in consultation with the University, by notification published in the Official Gazette, enumerate such other college as it deems fit to be constituent or affiliated college of the University.

- (2) The jurisdiction of the University shall extend to and the powers conferred by or under this Act shall be exercisable by it in the University Departments, its constituent and affiliated colleges and colleges which may be admitted by it to the privileges of the University in accordance with or under this Act.
- (3) The State Government may, by order in writing :—
- (a) require any college to terminate, with effect from such date as may be specified in the order, its association with, or its admission to the privileges of, any other University incorporated by law to such extent as may be considered necessary and proper, or
- (b) exclude, to such extent as may be considered necessary and proper, from admission to the privileges of the University any college specified in the order which, in the opinion of the State Government, is required to be associated with or admitted to the privileges of, any other University :

Provided that no order made under this sub-section,—

- (a) shall be made otherwise than with the concurrence of the Chancellor of the University, or
 - (b) shall be made so as to take effect during the middle of an academic session”.
9. *Amendment of section 11, Rajasthan Act 17 of 1962.*— In section 11 of the Principal Act,—
- (a) in sub-section (1),—
 - (i) in between the words “by the Chancellor” and the words “upon the recommendation”, the expression ‘on the advice of the State Government’ shall be inserted;
 - (ii) The punctuation mark colon appearing after the words “Chairman of the Committee” shall be substituted by the punctuation mark full-stop and the existing proviso shall be omitted;
 - (b) the punctuation mark colon appearing after the words “his appointment” in sub-section (2) shall be substituted by the punctuation mark full-stop and the existing proviso to sub-section (2) shall be omitted; and
 - (c) for sub-section (6) and (7), the following sub-section shall be substituted, namely :—
 - “(6) When a permanent vacancy in the office of the Vice-Chancellor occurs by reason of his death, resignation, removal or the expiry of his term of office, it shall be filled by the Chancellor in accordance with sub-section (1) and for so long as it not so filled, stop-gap arrangement shall be made by him under and in accordance with sub-section (7).
 - (7) When a temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, suspension or otherwise or when a stop-gap arrangement is necessary under sub-section (6), the Registrar shall forthwith report the matter to the Chancellor who shall make, on the advice of the State Government, such arrangement for the carrying on the functions of the office of the Vice-Chancellor as he deems fit.”
10. *Amendment of section 12, Rajasthan Act 17 of 1962.*— In section 12 of the principal Act,—
- (a) After sub-section (7), the following new sub-section shall be added, namely :—
 - “(8) Without prejudice to the powers of the Chancellor under sub-section (2) of section 10, the Vice-Chancellor shall have, for good and sufficient cause, power to make an enquiry himself or to cause it to be made, by such officer or officers of the University as her may direct, against a teacher,”; and
 - (b) sub-section (8) shall be re-numbered as sub-section (2) thereof.
11. *Amendment of section 13, Rajasthan Act 17 of 1962.*— The punctuation mark colon appearing after the word “Ordinances” in section 13 of the principal Act shall be substituted by the punctuation mark full-stop and the existing proviso to the said section shall be omitted.
12. *Amendment of section 14, Rajasthan Act 17 of 1962.*— In Section 14 of the principal Act,—
- (a) the brackets and figure “(1)” appearing immediately after the marginal heading shall be omitted; and
 - (b) sub-section (2) shall be omitted.
13. *Amendment of section 15, Rajasthan Act 17 of 1962.*— In Section 15 of the principal Act,—
- (a) for clause (xvi) of sub-division I of sub-section (2), the following clause shall be substituted, namely :—
 - “(xvi) One Principal or Head of constituent or affiliated colleges or

institutions elected by the Principals and Heads of such colleges or institutions from amongst themselves,";

- (b) for clause (xxiii) of sub-division III of the said sub-section, the following clause shall be substituted, namely :—
 “(xxiii) two persons, not being in the service of the University or college or connected with the management of an affiliated college or a recognized hall or hostel, elected by the registered graduates of the University from amongst themselves,”;
- (c) for clause (xxiv) of sub-division III of the said sub-section, the following clause shall be substituted, namely :—
 “(xxiv) eight teachers, other than the Heads of University Departments and Principals or Heads of constituent and affiliated colleges of the University (by whatever name designated) elected by the teachers from amongst themselves,”;
- (d) in clause (xxviii) of sub-division III of the said sub-section,—
- (i) sub-clause (a) (1) shall be substituted by the following, namely :—
 “(1) two students of the University departments or its constituent and affiliated colleges shall be elected by the Presidents of the Students' Unions of University Departments and of such colleges of the University and ten representatives including the President of the Central Students Union, elected by the Executive of the Central Students Union, and”;
- (ii) in sub-clause (b), for the bracket, letter and words “(b) a person other than”, the following shall be substituted, namely :—
 “Provided that —
 (a) a person other than”;
- (iii) for sub-clause (bb) and sub-clause (c) and the explanation thereunder, the following shall be substituted, namely :—
 “(b) he shall automatically cease to be a member of the Senate on his ceasing to be a student or registered scholar, which entitles him to be elected as such.
Explanation.— The election of the person under clause (xxiv) and (xxviii) shall be held in accordance with the system of proportional representation by means of the single transferable vote and the voting at such election shall be by secret ballot,”;
- (e) after clause (xxviii) of sub-division III as so amended, the following new clause shall be added, namely :—
 “(xxix) President and Senior Vice-President of the Central Students' Union shall be ex-officio other members”; and
- (f) for sub-section (4), the following sub-section shall be substituted, namely :—
 “(4) Members of the Senate, other than ex-officio members, life members and other members elected under clause (xxii), (xxiv) and (xxviii) or nominated under clauses (xxv) and (xvi) of sub-division III of sub-section (2), shall hold office for a period of five years but the members who have been elected or nominated under the provisions of the Statutes and are continuing as such shall remain as such members for their remaining term as if they are elected or nominated under the provisions of this section. The other members elected under clause (xxii) and clause (xxiv) shall hold office for a period of three years, those elected under clause (xxviii) for the current academic session in which they are elected while those nominated under clause (xxv) and clause (xxvi) for a period of one year.”

14. *Amendment of section 16, Rajasthan Act 17 of 1962.*— In section 16 of the principal Act,—

- (1) in sub-section (1),—
- (a) clause (ii) shall be substituted by the following, namely :—
 “(ii) two persons nominated by the Vice-Chancellor from amongst the Deans of faculties or Directors of constituent colleges or Principals

- of affiliated colleges;”
- (b) for clause (vii), the following clause shall be substituted, namely :—
“(vii) two teachers who have put in not less than seven years teaching experience in an institution of higher education in Rajasthan as on 1st January immediately preceding the years in which elections are held, other than University Professors, Deans, Principals, Heads of affiliated colleges and Directors of constituent colleges of the University, to be elected by the teachers of the University and of its constituent and affiliated colleges from amongst themselves;”; and
- (c) in clause (ix), for the expression “sub-clause (bb) of clause (xxviii),” the expression “clause (xxix)” shall be substituted; and
- (2) for sub-section (2), the following sub-section shall be substituted, namely :—
“(2) The elected members nominated under clauses (iv), (vi) and (viii) shall hold office for a period of three years and members nominated under clause (ii) and (iii) for a period of one year from the date of election or nomination, as the case may be.”
15. *Amendment of section 21, Rajasthan Act 17 of 1962.*— In section 21 of the principal Act,—
- (a) after clause (j), the following clauses shall be inserted, namely, —
“(k) the appointments, powers and duties of the Directors of constituent colleges;
(l) the conditions under which colleges and institutes may be affiliated to the University and the withdrawal of such affiliation, including the laying down minimum standard of admission to the concerned colleges and institutions;”; and
(b) the existing clause (k) shall be re-numbered as clause (m) thereof.
16. *Amendment of section 22, Rajasthan Act 17 of 1962.*— The existing sub-section (1) of section 22 of the principal Act shall be omitted, the existing sub-sections (2), (3), (4), (5) and (6) shall be re-numbered as sub-sections (1), (2), (3), (4) and (5) respectively thereof and for the expression “sub-section (3)” in sub-section (3) as so re-numbered, the expression “sub-section (2)” shall be substituted.
17. *Amendment of section 24, Rajasthan Act 17 of 1962.*— In sub-section (1) of section 24 of the principal Act, the words “after considering the views of the Senate” shall be omitted.
18. *Insertion of new section 39, Rajasthan Act 17 of 1962.*— After section 38 of the principal Act, the following new section shall be inserted, namely :—
“39. Transitory provisions. On the date of commencement of the Jodhpur University (Change of Name and Amendment) Act, 1984, —
(a) any person holding office as Vice-Chancellor of the University shall, on such commencement, be the Vice-Chancellor of the University so re-constituted and shall continue to hold the said office and to exercise all powers and to perform all duties conferred on the Vice-Chancellor by or under the provisions of this Act for the residue of his term as Vice-Chancellor of the University of Jodhpur;
(b) the members of the authorities, bodies and committees of the University, shall be deemed to be respectively the members of the authorities, bodies and committees of the University so re-constituted and shall continue to exercise all powers and perform all duties conferred on the authorities, bodies and committees by or under this Act or the Statutes;
(c) the appointments of the Registrar and all other officers and servants of the University which are lawfully subsisting shall be deemed to have been made under and for the purposes of this Act and the Registrar and all such officers and servants shall continue to hold office and to act, subject to the conditions governing the terms of

- their office or employment except in so far as such conditions may be altered by competent authority;
- (d) all colleges admitted to the privileges of the University shall be deemed to be the colleges admitted to the privileges of the University so reconstituted;
 - (e) all registered scholars in University departments and colleges of the University shall be deemed to be registered scholars in the departments and colleges of the University so reconstituted;
 - (f) all property, movable or immovable and all rights, interests of whatever kind, powers and privileges of the University shall be deemed to be transferred to and vested in the University so reconstituted and shall be applied to the objects and for the purposes of the University so reconstituted;
 - (g) all benefications or grants accepted or received by or promised to the University shall be deemed to have been accepted or received by or promised to the University so re-constituted, and all the conditions on which such benefications or grants were accepted or received or promised shall be deemed to be valid under this Act;
 - (h) all dues, liabilities and obligations incurred and lawfully subsisting in favour of or against the University shall be the dues, liabilities and obligations in favour of or against the University so reconstituted;
 - (i) any will, deed or other documents, which contains any bequest, gift, trust in favour of the University or any nomination, filed in the University shall be construed as if the University as reconstituted is named therein;
 - (j) the appointments of all the examiners of the University as lawfully subsisting shall be deemed to have been made under and for the purposes of this Act and such examiners shall continue to hold office and to act until fresh appointments are made;
 - (k) all Statutes, Ordinances and Regulations, all notices and orders made or issued under the Jodhpur University Act, 1962 shall, so far as such Statutes, Ordinances, Regulations, notices and orders are not inconsistent with the provisions of this Act, continue in force until they are superseded or modified or withdrawn under the provisions of this Act; and
 - (l) all references to the University in any enactment or other instruments issued under an enactment, shall be construed as references to the University so re-constituted.

Explanation.— For the purposes of this section, the expressions :

- (i) “this Act” means the Jodhpur University Act, 1962 as amended by the Jodhpur University (Change of Name and Amendment) Act, 1984;
 - (ii) “University” means the University of Jodhpur as constituted by or under the Jodhpur University Act, 1962; and
 - (iii) “the University so re-constituted” means the Jai Narain Vyas University, Jodhpur as reconstituted by or under the principal Act as amended by the Jodhpur University (Change of Name and Amendment) Act, 1984”.
19. *Re-numbering and amendment of existing section 39, Rajasthan Act 17 of 1962.*— The existing section 39 of the principal Act shall be renumbered as section 40 thereof and in section 40 as so re-numbered,—
- (a) in sub-section (1), for the expression “transition from the provisions of the University of Rajasthan Act to the provisions of this Act (in the area and in matters covered by this Act)”, the expression “re-constitution of the University of Jodhpur as Jai Narain Vyas University, Jodhpur, by or under the provisions of the Jodhpur University (Change of Name and Amendment) Act, 1984, hereafter in this section referred to as the Amending Act, in matters covered by this Act” shall be substituted;
 - (b) in clause (a) of the said sub-section, between the expression “addition or omission” and the expression as it may deem fit, the expression, “and consistent with the Amending Act,” shall be inserted;

LAW (LEGISLATIVE DRAFTING) DEPARTMENT
(Group II)

NOTIFICATION

Jaipur, November 13, 1995

No. F. 2 (34) Vidhi/2/95.— In pursuance of clause (3) of Article, 348 of the Constitution of India, the Governor is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English language of the Rajasthan Vishwa Vidyalaya ke Adhyapak tatha Adhikari (Niyukti ke liye Chayan) (Sanshodhan) Adhiniyam, 1995 (1995 ka Adhiniyam Sankhya 24) :-

THE RAJASTHAN UNIVERSITIES' TEACHERS AND OFFICERS (SELECTION FOR APPOINTMENT) (AMENDMENT) ACT, 1995

(Act No. 24 of 1995)

[Received the assent of the Governor on the 6th day of November, 1995.]

An

Act

further to amend, the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974 (Act No. 18 of 1974):

Be it enacted by the Rajasthan State Legislature in the Forty Sixth Year of the Republic of India as follows :-

1. *Short title and commencement.*— (1) This Act may be called the Rajasthan Universities Teachers and Officers (Selection for Appointment) (Amendment) Act, 1995.
2. *It shall be decided to have come into force with effect from 7th day of July, 1995.*
2. *Amendment of section 2, Rajasthan Act No. 18 of 1974*—In sub-section (1) of section 2 of the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974 (Act No. 18 of 1974), hereinafter referred to as the principal Act, clause (i) shall, be re-numbered as clause (i-a) and before clause (i-a) as so re-numbered, the following clause shall be inserted:-

"(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;"
3. *Insertion of new section 10-A, Rajasthan Act No. 18 of 1974*—After section 10 of the principal Act, the following new section 10-A shall be inserted :-

"10-A. Reservation of posts for Backward Classes—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 per cent posts for Backward Classes for appointment to the post 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, that vacancies so reserved for them shall be filled in accordance with normal procedure."
4. *Repeat and Savings*— (1) The Rajasthan Universities' Teachers and Officers (Selection for Appointment) (Amendment) Ordinance, 1995 (Ordinance No. 1 of 1995) is hereby repeated.

(2) Notwithstanding such repeal, all actions taken or orders made under the principal Act as amended by the said Ordinance shall be deemed to have been taken or made under the principal Act as amended by this Act.

LAW (LEGISLATIVE DRAFTING) DEPARTMENT

(Group II)

NOTIFICATION

Jaipur, March 30, 1998

No. F. 2(1)Vidhi/2/98.—In pursuance of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English language of the Rajasthan Vishvavidyalayon ke Adhyapak tatha Adhikari (Niyukti ke liye Chayan) (Sanshodhan) Adhiniyam, 1998 (1998 ke Adhiniyam Sankhya 3) :-

(Authorised English Translation)

THE RAJASTHAN UNIVERSITIES' TEACHERS AND OFFICERS (SELECTION FOR APPOINTMENT) (AMENDMENT) BILL, 1998

(Act No. 3 of 1998)

(Received the assent of the Governor on the 27th day of March, 1998.)

An

Act

further to amend the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974.

Be it enacted by the Rajasthan State Legislature in the Forty-Ninth Year of the Re-public of India as follows :—

1. *Short title and commencement*—(1) This Act may be called the Rajasthan Universities' Teachers and Officers (Selection for Appointment) (Amendment) Act, 1998.
(2) It shall be deemed to have come into force on and from the 27th December, 1996.
2. *Amendment of section 2, Rajasthan Act No. 18 of 1974.*—In sub-section (1) of section 2 of the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974 (Act No. 18 of 1974), hereinafter referred to as the principal Act,
(a) the existing clauses (i-a) and (ii) (b) shall be deleted; and
(b) for clause (xi), the following clause shall be substituted, namely:-
"(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".
3. *Substitution of section 11, Rajasthan Act No. 18 of 1974.*—For the existing section 11 of the principal Act, the following shall be substituted, namely :—
"11. Transitional Provisions relating to ex-cadre promotion Scheme.—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."
4. *Amendment of section 13, Rajasthan Act No. 18 of 1974.*—In section 13 of the principal Act, the expression "except the provisions contained in section 11" shall be deleted.
5. *Deletion of Second Schedule.*— The Second Schedule to the principal Act shall be deleted.
6. *Repeat and Savings.*—(1) The Rajasthan Universities' Teachers and Officers (Selection for Appointment) (Amendment) Ordinance, 1996 (Ordinance No. 2 of 1996) and the Rajasthan Universities' Teachers and Officers (Selection for Appointment) (Amendment) Ordinance, 1997 (Ordinance No. 1 of 1997) are hereby repealed.
(2) Notwithstanding such repeal all things done, actions taken or orders made under the principal Act as amended by the said Ordinances shall be deemed to have been done, taken or made under the principal Act as

amended by this Act.

LAW (LEGISLATIVE DRAFTING) DEPARTMENT

(Group II)

NOTIFICATION

Jaipur, April 5, 2003

No. F. 2(14) Vidhi-2/2003.—In pursuance of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English language of the Rajasthan Vishwavidhyalayaon ke Adhyapak tatha Adhikari (Niyukti ke liye Chayan) (Sansodhan) Adhiniyam, 2003 (Adhiniyam Sankhyank 7 of 2003) :-

THE RAJASTHAN UNIVERSITIES' TEACHERS AND OFFICERS (SELECTION FOR APPOINTMENT) (AMENDMENT) ACT, 2003

(Act No. 7 of 2003)

[Received the assent of the Governor on the 5th day of April, 2003]

An

Act

further to amend the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974.

Be it enacted by the Rajasthan State Legislature in the Fifty-fourth Year of the Republic of India, as follows :-

1. *Short title and commencement.*— (1) This Act may be called the Rajasthan Universities' Teachers and Officers (Selection for Appointment) (Amendment) Act, 2003.
 - (2) It shall be deemed to have come into force on and from 1st January, 2003.
2. *Amendment of section 3, Rajasthan Act No. 18 of 1974.*—In section 3 of the Rajasthan Universities' Teachers and Officers (Selection for Appointment) Act, 1974 (Act No. 18 of 1974) hereinafter referred to as the principal Act,—
 - (i) for the existing sub-section (2), the following shall be substituted, namely :

"(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)" and
 - (ii) existing sub-section (3) shall be deleted.
3. *Amendment of section 4, Rajasthan Act No. 18 of 1974.*—In sub-section (1) of section 4 of the principal Act,—
 - (i) in clause (b), for the expression "or", appearing at the end, the punctuation mark "," shall be substituted; and
 - (ii) existing clause (c) shall be deleted.
4. *Repeal and savings.* —(1) The Rajasthan Universities' Teachers and Officers (Selection for Appointment) (Amendment) Ordinance, 2002 (Ordinance No. 1 of 2003) is hereby repealed.
 - (2) "Notwithstanding such repeal, all actions taken or orders made under the principal Act as amended by the said Ordinance shall be deemed to have been taken or made under the principal Act as amended by this Act."