

PART II : STATUTES

LAW (LEGISLATIVE DRAFTING) DEPARTMENT

(Group-II)

NOTIFICATION

Jaipur, November 13, 1995

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. Short title, extent and commencement

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.

2. Definitions

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;

* First Statutes of the University were made by the Government under Sec. 22(1) of the Act and were published in Rajasthan Gazette Extraordinary, Part IV (ग), dated 30 November 1962.

† Superseded by the Act No. 12 of 1972. Published in Rajasthan Gazette Extraordinary, Part IV A, dated 28 June 1972. See Appendix I to 'Part II : Statutes' for the superseded provisions.

- (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.

Election of Registered Graduates

Meeting of the Senate

3. Application

The provisions of this Act shall apply to all public services.

4. Prohibition of daily wage appointments and regulation of temporary appointment

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.
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. Prohibition of creation of posts

1. No post shall be created in any officer or establishment relating to a public service without the previous sanction of the competent authority.
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. Prohibition of revision of pay, allowances, perquisites, honorarium, compensatory allowances etc.

No revision of pay, allowances, perquisites, 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.

7. Regulation of recruitment

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

Syndicate Composition and term of Office

* Substituted for the following provision in the First Statutes :

"The Senate shall, on a date to be fixed by the Vice-Chancellor, meet once a year at a meeting to be called 'Annual Meeting of the Senate'. At such annual meeting any vacancies among the officers of the University or among the members of the Senate or the Syndicate or the Finance Committee which ought to be filled by the Senate shall be so filled up."

Assented by Chancellor on 18 August 1982. (Senate : 18 November 1980).

Superseded by Act No. 12 of 1972. Refer to Item 1 of Appendix I to 'Part I : Act' on page 57 for the superseded provision and later changes.

be made except :

- (a) from the panel of candidates selected and recommended for appointment by the Rajasthan Public Service Commission where the post is within the purview 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. Bill not to be passed

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 of the appointee concerned.

9. Bar to regularisation of services

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.

10. Power to give directions

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.

11. Abatement of claims

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

¹ Deleted the word 'ordinarily'. Assented by Chancellor on 9 May 1972.

² Substituted for "funds shares" occurring in the First Statutes. Assented by Chancellor on 20 July 1965. (Senate : 9 December 1964).

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.

**Academic Council
Composition and
term of Office**

¹ Substituted for the following provision in the First Statutes :
"The Heads of the University Department of the status of Professor or Reader or Principals of colleges and institutions admitted to the privileges of the University."
Assented by Chancellor on 16 June 1970.

² Substituted. Received assent of Chancellor on 14 July 1975. The provision in the First Statutes was :
"Two members of the teaching staff of the University, colleges and institutions elected by their teachers."
This was replaced by the following :
"Five members of the teaching staff of the University, Colleges and Institutions other than the Heads of the Departments, elected from amongst themselves by single transferable vote". (Assented by Chancellor on 28 April 1973.)

³ Added. Assented by Chancellor on 14 July 1975.

12. Review Committees

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.

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

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. Offences and punishments

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 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.
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. Penalties

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 :

¹ Added. Assented by Chancellor on 20 July 1965. (Senate : 9 December 1964).

² Substituted for the following provision in the First Statutes :

"(v) To promote research and specialised studies within the University, through a Research Board formed for the purpose and consisting of the following :

1. Vice-Chancellor, Chairman,
2. Dean of the Faculty concerned,
3. Head of the Department concerned,

and to require, from time to time, reports on such researches and specialised studies"

Assented by Chancellor on 16 July 1970.

**Faculties
composition &
term of office**

- (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.

16. Penalty for abettors

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

17. Offences by companies

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 in charge 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 casemaybe.

18. Protection of action taken in good faith

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.

19. Act to override other laws

The provisions of this Act shall have effect notwithstanding anything contained

¹ Substituted. Assented by Chancellor on 20 July 1988.
Progressive changes in this Statute are given in Appendix II to 'Part II: Statutes'.

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.

20. Power to make rules

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 no effect, as the case may be, however that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

¹ Added. Assented by Chancellor on 30 May 1983.

² Clause 2 (a), (b) of Statute 8 Substituted for the following clause 2 in the First Statutes :

St. 2. "The University may have the following faculties :

- i) Arts (English, Sanskrit, Hindi, History, Philosophy and Music);
- ii) Social Sciences (Economics, Sociology, Political Science, Geography) ;
- iii) Science;
- iv) Commerce;
- v) Engineering;
- vi) Law;
- vii) Education;

and such other faculties as may be constituted from time to time.

Provided that till separate faculties are established two or more faculties may be grouped together."

Amendments assented by Chancellor on 20 July 1965, 16 June 1970, 9 May 1972, 28 April 1973, 14 July 1975, 28 January 1982 and 28 June 1988.

- ¹ Substituted for the following :
"Provided that till separate Faculties are established two or more Faculties may be grouped together."
by an amendment assented on 16 June 1970.
- ² Added. Assented by Chancellor on 9 May 1972.
- ³ Added. Assented by Chancellor on 14 July 1975.
- ⁴ Substituted for "Mathematics." Assented by Chancellor on 28 April 1973.
- ^{5A} Added. Assented by Chancellor on 26 June 2007.
- ^{7A} Added. Assented by Chancellor on 23 April 2002.
- ⁵ Added. Assented by Chancellor on 3 August 2001.

¹ Substituted for the following provision "**Commerce** : Commerce".
Amendment assented by Chancellor on 28 June 1988.

² Added. Assented by Chancellor on 28 January 1982.

³ Added. Assented by Chancellor on 6 January 1982.

⁴ Added. Assented by Chancellor on 29 January 1991.

⁵ Substituted for the word "Deans". Assented on 20 July 1965.

⁶ Substituted for the following provision in the First Statutes. Assented on 6 January 1982.

(iv) one or two teachers according to the strength of the Department by rotation, according to seniority from each Department of the Faculty; provided that the teacher has atleast five years of teaching experience of degree classes in a subject of the Faculty;

Note: There shall be only one teacher where the strength of the Department is [not more than five]* including the Head of the Department.

*Substituted for "not less than 10". Assented on 20 July 1965.

⁷ Substituted for the words "two teachers". Assented on 27 July 1985.

**Functions of the
Faculties**

¹ Substituted for the words "including the Head of the Deptt. ". Assented on 27 July 1985.

² Statute (3) (A) Added. Assented on 6 January 1982.

^{2A} Ibid.

³ Deleted the following occurring in the First Statutes by an amendment assented on 20 July 1965 :
"The conduct of the meeting of a Faculty and the quorum required for each faculty shall be prescribed by the Statutes and Regulations."

**Constitution of
Committee of
Courses and
Studies**

¹Substituted for the following provision in the First Statutes :

"Faculties shall have such powers and shall perform such duties as may be assigned to them by the Statutes and the Ordinances. They shall also consider and make such recommendations to the Academic Council on any question pertaining to their respective spheres or works as may be referred to them by the Academic Council."

Assented by Chancellor on 20 July 1965.

² Statute 9 (A) (1), (2), (3), (4), (5) : Added. Assented by Chancellor on 20 July 1965. (Senate : 9 December 1964).

³ Added. Assented on 15 November 1970.

⁴ Added. Assented 16 June 1970.

⁵ Added. Assented on 27 July 1985.

⁶ Added. Assented on 21 June 2007

¹ Added. Assented on 23 December 2002.

^{2a} Added. Assented on 3 August 2001.

^{2b} Substituted for "One Lecturer by rotation in order of seniority". Assented on 27 July 1985.

³ Added. Assented on 27 July 1985.

¹ Added. Assented by Chancellor on 30 June 1968.

² Added. Assented by Chancellor on 27 July 1985.

³ Substituted for "Two Lecturers by rotation in order of seniority". Assented on 27 July 1985.

⁴ Added. Assented on 27 July 1985.

¹ Added. Assented on 27 July 1985.

² Substituted for "One Lecturer by rotation in order of seniority". Assented on 27 July 1985.

³ Added. Assented on 27 July 1985.

**Equivalence
Committee**

¹ Added, Assented by Chancellor on 6 January 1982.

**Departmental
Council
Composition,
Functions etc.**

¹ Added. Assented on 8 July 1967. (Senate : 30 April 1967).
² Added. Assented by Chancellor on 14 July 1988.

**Finance
Committee
Composition,
Functions etc.**

**Standing
Committees**

**Additional
Powers of the
Vice-Chancellor**

¹ Added. Assented by Chancellor on 14 July 1975.
² Added. Assented by Chancellor on 12 April 1991.
³ Added. Assented by Chancellor on 20 July 1965.

**Results
Committee**

**Appointment and
Powers of the
Registrar**

¹ Deleted the Word "himself". Assented by Chancellor on 20 July 1965.

² Substituted for "Conveners". Assented by Chancellor on 28 June 1988.

³ Inserted. Assented by Chancellor on 28 June 1988.

⁴ Deleted "however". Assented on 28 June 1988.

⁵ Substituted for "he will also appoint Tabulators and Checkers". Assented by Chancellor on 30 May 1983.

⁶ Superseded by Act No. 18 of 1974. The superseded provision was :

"The Registrar shall be appointed by the Syndicate on the recommendation of the Selection Committee consisting of the following, namely :

(i) the Vice-Chancellor; (ii) one person to be nominated by the Syndicate from amongst its members; (iii) an educationist to be nominated by the Chancellor for each appointment."

⁷ Substituted for "The emoluments and conditions of service of Registrar shall be such as may be determined by Syndicate". Assented by Chancellor on 6 January 1982.

**The Deans of
Faculties**

¹ Deleted the words "and superintend". Assented by Chancellor on 6 January 1982.

² Substituted for "monies". Assented on 20 July 1965.

³ Substituted for "University or principals of colleges and heads of institutions". Assented on 14 October 1982.

⁴ Substituted for "Readers in the subjects in which there are no professors in the University". Amendment assented on 20 July 1965.

⁵ Substituted for the words "principal or teacher". Assented on 20 July 1965.

**Withdrawal of
Degrees and
Diplomas**

**Honorary
Degree**

**University
Teachers**

**Recognition
of Teachers**

¹ Substituted. Assented by Chancellor on 6th January 1982.
(Senate : 18 Nov. 1980).

The provision in the First Statutes as amended was :

19. (1) The Selection Committee for any appointment specified in column (1) of the Table below shall consist of the Vice-Chancellor, an educationist nominated by the Chancellor and the persons specified in the corresponding entry in column (2) of the said Table.

The Table

1	2
Professor Reader	(i) The Dean of the Faculty (ii) The Head of the Department concerned, if he is a Professor (iii) Three experts in the subject in the case of Professors and two experts in the subject in the case of Readers and Lecturers; such experts not being under the employments of the University nor are members of the Senate, Syndicate and the Academic Council; such experts shall be nominated by the Vice-Chancellor ¹ .
Lecturers	(i) The Dean of the Faculty (ii) The Head of the Department concerned (iii) Two experts in the subject not connected with the University, nominated by the Vice-Chancellor
(a)	Four members of the Selection Committee shall form a quorum if the total membership of the Committee, is six or more, and three, if the total membership is five (where the Dean of the Faculty and Head of the Department concerned are the same persons). At least one expert shall be present in the selection of Readers and Lecturers and two experts in the selection of Professors. ²
[(b)	For the selection of other categories of teachers and technical staff or the University, the Vice-Chancellor may appoint such Adhoc Committee or Committees as he deems fit. ³ [Provided however, that a Committee consisting of the Vice-Chancellor, Chancellor's nominee and the Dean of the Faculty concerned, may recommend to the Syndicate the appointment, of a distinguished scholar, scientist, writer or artist on contract basis for a period of not exceeding three years, on such terms and conditions as the Syndicate may determine. Such appointments may be outside the normal prescribed strength of the teaching departments in the University; and the rules relating to age and qualifications will not apply to such appointments. Provided further, that the Syndicate may also, on the recommendation of a Committee consisting of the Vice-Chancellor, the Chancellor's nominee, the Dean of the Faculty concerned and Professor-Head of the Department, if any, appoint distinguished teachers in the service of other Universities and institutions, as Visiting Professors in the University, for a period not exceeding two years, on such terms and conditions as the Syndicate may determine] ⁴
St.19	(1) Superseded by Act No. 18 of 1974. 19(1) (a) by Act 24 of 1976 and Act 9 of 1977. 19(1)(b) was substituted as above. Both the provisions also stand superseded by Act No. 18 of 1974.
	¹ Substituted for "Two experts in the subject not concerned with the University, nominated by the Vice-Chancellor". Assented on 5th May 1970.
	² Added. Assented on 5th May 1970.
	³ Added. Assented on 20th July 1965. Initially numbered 19(1)(a). Renumbered 19(1) (b) by an amendment assented on 5 May 1970.
	⁴ Both provisos added. Assented on 15 November 1970. Later renumbered as Statute 19(5) by amendment on 2 July

¹ Substituted for the following :

“The Selection Committee shall consider and present to the Syndicate recommendations as to the appointment referred to it. If the Syndicate is unable to accept the recommendations made by the committee, it shall record its reasons and submit the case to the Chancellor for final orders.”

Assented by Chancellor on 6 January 1982 (Senate : 16 November 1980.)

² Added. Assented by Chancellor on 6 September 1985. (Senate: 18 November 1980).

³ Superseded the following provision by Act 18 of 1974.

19. (5) That a committee consisting of the Vice-Chancellor, Chancellor's nominee and the Dean of the Faculty concerned, may recommend to the Syndicate the appointment of a distinguished scholar, scientist, writer or artist on contract basis for a period of not exceeding three years, on such terms and conditions as the Syndicate may determine. Such appointments shall be outside the normal prescribed strength of the teaching departments in the University; and the rules relating to age and qualifications will not apply to such appointments.

Provided further, that the Syndicate may also, on the recommendation of a Committee consisting of the Vice-Chancellor, the Chancellor's nominee, the Dean of the Faculty concerned and Professor-Head of the Department, if any, appoint distinguished teachers in the service of other Universities and institutions, as Visiting Professors in the University, for a period not exceeding two years, on such terms and conditions as the Syndicate may determine.

⁴ Added. Assented by Chancellor on 27 May 1982. (Senate : 18 November 1980)

**Co-ordination
Committee**

¹ Added. Assented by Chancellor on 27 May 1982. (Senate : 18 November 1980)

² Added. Assented by Chancellor on 27 May 1982. (Senate : 18 November 1980).

³ Added. Assented by Chancellor on 18 August 1982. (Senate : 18 November 1980).

⁴ Added. Assented by Chancellor on 18 August 1982. (Senate : 18 November 1980).

Conditions governing admission of Colleges/Institutions to the privileges of the University

¹ Substituted for the words "every three months". Assented by Chancellor on 16 March 1977.

² Substituted for "and atleast three representatives of the teaching staff of whom the Principal of the College or the Head of the Institution shall be one and the remaining two shall be selected from amongst its teachers. Provided that the said condition shall not apply in case of colleges and institutions maintained by the Government which shall, however have one representative of the University on each governing body or associated in an advisory capacity where there is no governing body". Assented by Chancellor on 30 June 1968.

¹ Substituted for "15th August". Assented by Chancellor on 28 April 1973.

University Fund

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- ¹ Substituted for the words "the personal Deposit Account in Government Treasury, Jodhpur or the Fund may be invested in such securities and to such extent". Assented by Chancellor on 30 June 1968.
- ² Clauses (i) to (vii) inserted by an amendment assented by Chancellor on 30 June 1968.
- ³ Added. Assented by Chancellor on 2 July 1974.

Annual Report

**Financial
Estimates**

Provident Fund

¹ Inserted. Assented by Chancellor on 30 January 1983.

² Substituted for "officers, clerical staff, and servants employed by". Assented on 30 June 1968. (Senate : 6 May 1968).

³ Added. Assented on 2 August 1985.

⁴ Substituted for 'servant'. Assented on 30 June 1968.

⁵ Deleted "receiving a salary of fifty rupees per mensem or more". Assented on 30 June 1968.

⁶ Deleted "Part time or officiating employees shall not be so entitled". Assented on 30 June 1968.

¹ Deleted "a consolidated salary or on". Assented on 30 June 1968.

² Substituted for "he wishes the balance at his credit to be paid in the event of his death". Assented on 30 June 1968.

³ Substituted for "his nominee by written application to the Syndicate" Assented on 30 June 1968.

¹ Added. Assented on 30 June 1968.

² Added. Assented on 30 June 1968.

³ Substituted. Assented on 15 April 1983. (Senate : 18 November 1980).

⁴ Substituted. Assented on 29 June 1978.

⁵ Substituted. Assented on 15 April 1983.

Note : For progressive changes in Statute 33 (5), (6) see Appendix III to 'Part II : Statutes'.

* Substituted for the following provisions in the First Statutes by an amendment assented on 30 June, 1968.

¹“(7) (i) The amount of subscription deducted from the monthly salary of each employee together with the contribution by the University shall be deposited in the Post Office Savings Bank, to the credit of an account opened in the name of each subscriber, within two days of the receipt of the money so far as possible.

The investment of the amount to the credit of subscriber shall also be permissible in Government Securities or Postal Cash Certificates or National Savings Certificates through the Post Office on the condition that :

1. in the case of Government Securities, no security of the face value of less than Rs. 100/- shall be purchased at one time,
2. the Securities shall be kept in the custody of the Accountant General, Posts and Telegraphs, and the receipts thereof in the custody of the Registrar, and
3. the Postal Cash Certificates and the National Savings Certificates shall be kept in the custody of the Registrar.”

² Deleted the word “Investment”. Assented by Chancellor on 14 October, 1982.

* Amendment assented on 30 June 1968. The provision in the First Statutes was :

“(ii) Subscribers to the Provident Fund on whose behalf accounts are opened at the Post Office under the provisions of these Statutes will not be deprived of their right to open ordinary private accounts in the Post Office Savings Bank or to purchase Post Office Cash Certificates or National Savings Certificates or Government Securities, through the Post Office.”

³ Deleted the word “Investment”. Assented on 26 December, 1982.

⁴ Substituted for “Two”. Assented on 14 July, 1975.

⁵ Inserted. Assented on 14 July, 1975.

⁶ Substituted for “Registrar”. Assented on 6 January 1982.

⁷ Substituted for “Accounts”. Assented on 28 April, 1973.

⁸ Added. Assented on 28 April, 1973.

* Substituted. Amendment assented on 30 June, 1968. The provision in the First Statutes was :

“(ii) Subscribers to the Provident Fund on whose behalf accounts are opened at the Post Office under the provisions of these Statutes will not be deprived of their right to open ordinary private accounts in the Post Office Savings Bank or to purchase Post Office Cash Certificates or National Savings Certificates or Government Securities, through the Post

¹ Substituted for the following provisions in First Statutes. Assented on 30 June, 1968:
“(iv) A statement of the total amount at the credit of each subscriber shall be furnished to him once in the beginning of each year.”

² Added. Assented on 30 June, 1968.

³ Deleted the word “Investment”. Assented on 2 August, 1985.

⁴ It was 33(7) (v) in the First Statutes.

* Substituted for the following provisions in the First Statutes by an amendment assented on 30 June, 1968.
“No final withdrawal shall be allowed until the termination of the subscriber's service or his death, but in case of necessity of which the Syndicate shall be the sole judge, the Syndicate may allow a subscriber to make a temporary withdrawal of a sum not exceeding the total amount subscribed by him.”
† Added. Assented on 9 May 1972.

¹ Substituted for "thirty". Assented on 14 July 1975.

² Substituted for the following provision in the First Statutes. Amendment assented on 30 June 1968.

"When a subscriber has already taken an advance, he shall not be eligible for a fresh advance until the amount already advanced has been fully paid up."

³ Deleted the words "due to illness of the subscriber or his / her dependents". Assented on 9 May 1972.

⁴ Added. Assented on 30 June 1968.

⁵ Substituted for : "It shall ordinarily be recovered in one instalment in the month after the repayment of the principal. If the period of repayment exceeds twenty months, interest may, if the subscriber so desires, be recovered in two equal monthly instalments". Assented on 14 July, 1975.

⁶ Added. Assented on 30 June, 1968.

* Added. Assented on 2 July 1974.

¹ Substituted for "declared by the University in the previous year". Assented on 14 July, 1975.

* Added. Assented on 14 July, 1975.

* By amendment assented on 30 June, 1968 the Statutes 34 (A), (B), (C), (D), (E), (F), (G), (H) were renumbered 34 (1), (2), (3), (4), (5), (6), (7), (8) respectively.

² Substituted by Amendment assented on 30 June 1968 for the following provision in First Statutes :

"34. A. For purposes of payments of premiums towards an insurance policy of a subscriber, withdrawals, at his option, from Provident Fund Account in the Post Office shall be allowed to the extent of 75 per cent only out of the subscription of a member of the staff."

¹ Substituted for "Syndicate". Assented on 30 June, 1968.

² Substituted for "allowed by the Post Office Savings Bank and the amount so recovered from the emoluments of the subscriber". Assented on 30 June, 1968.

³ Inserted. Assented on 30 June, 1968.

⁴ Inserted. Assented on 30 June, 1968.

⁵ Ibid.

* This was under the heading 'Explanation 1' in the First Statutes. Heading dropped by amendment assented on 30 June 1968.

* This was under the heading 'Explanation 2' in the First Statutes. Heading dropped by amendment assented on 30 June 1968.

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- ¹ Inserted. Assented on 30 June, 1968.
- ² Renumbered 34(4)(1)(c) from 34(D) (4). Assented on 30 June 1968.
- ³ Substituted for "allowed by the Post Office Savings Bank". Assented on 30 June, 1968.
- ⁴ Substituted for "Syndicate". Assented on 30 June 1968.
- ⁵ It was 33 (D) (5) in the First Statutes.

¹ Inserted. Assented on 30 June, 1968.

¹ Substituted for "allowed by the Post Office Savings Bank". Assented on 30 June 1968.
² Inserted. Assented on 30 June 1968.
³ substituted for "the Post Office Savings Bank". Assented on 30 June 1968.

**Payment of
Gratuity to
University
Employees**

* Substituted. Assented by Chancellor on 28 April 1973.

The provision in the First Statutes was :

“35 Servants employed by the University drawing salary of less than Rs.50/- per month shall be entitled to gratuity on the following scales :

For 30 years' service and over.	18 months' pay
For service over 25 years but less than 30 years	15 months' pay
For service over 20 years but less than 25 years	12 months' pay
For service over 15 years but less than 20 years	10 months' pay
For service over 10 years but less than 15 years.	8 months' pay
For service over 5 years but less than 10 years	6 months' pay
For service of less than 5 years.	Nil

No person shall, however, be entitled to a gratuity if he is dismissed from service on account of misconduct or for some offence. If a servant dies or becomes insane while in service of the University, the gratuity will be paid to his dependents, who in the view of the University are best entitled and in such instalments as the University may decide.

¹ Deleted "on superannuation (including extensions, if any) either from the University or the State Government". Assented on 14 July 1975.

² Deleted "ex-gratia." Assented on 16 November 1975.

Gratuity Fund

**Condition of
Payment**

¹ Added. Assented on 14 July 1975.

Nominations

¹ Substituted.

(a) St. 35 (6) as incorporated by rules assented on 28 April 1973 was :

"Gratuity shall be payable at the discretion of the Vice-Chancellor to an employee on his rendering satisfactory service to the University till the date he attains the age of superannuation or the date of retirement after extension, or his death while in service, or on termination of service otherwise than on dismissal.

Provided that the amount of gratuity payable to an employee under this Statute shall be reduced by an amount equal to the value of any loss or damage to University property including money caused on account of negligence or criminal offence, or on account of contributory negligence resulting in any loss of University property or money".

(b) This was substituted by the following by an amendment assented on 16 June 1976.

"(6) Gratuity shall be payable at the discretion of the Vice-Chancellor to an employee on his rendering satisfactory service to the University or on his attaining the age of superannuation or on retirement after extension in service or retirement before attaining the age of superannuation or on resignation or on his death while in service or on termination of service otherwise than on dismissal.

Provided that no gratuity shall be payable to an employee if he resigns from the University service before completing two years of continuous service in the University."

(c) The Present provision was substituted by amendment assented on 28 October 1985.

² Substituted. Amendment assented on 18 July 1987.

Progressive changes in 35 (8) (i) are given in Appendix IV to 'Part II : Statutes'.

**Gratuity to a
temporary
employee**

**Death
Gratuity**

¹ Deleted by amendment assented on 16 June 1976. Deleted portion given in Appendix V to 'Part II : Statutes'.

**Power of
Relaxation**

**Power of
Interpretation**

Scale of Gratuity

* Substituted. Amendment assented on 18 July 1987.
Progressive changes in Appendix I to St. 35(8)(i) are given in Appendix IV to 'Part II : Statutes'.

¹ Added. Assented on 16 July 1965. (Senate : 9 December 1964).

² Added. Assented on 14 July 1975.

³ Substituted. Assented on 26 November 1988. Progressive changes in this Statute are given below.

1. The Vice-Chancellor shall be a whole time officer of the University. He shall be paid a salary of Rs. 2000/- per month and be provided with a rent free residence furnished by the University.

Assented on 6 November 1965. (Senate : 18 September 1965).

2. The Vice-Chancellor shall be a whole time officer of the University. He shall be paid a salary of Rs. 2500/- per month and be provided with a rent free residence furnished by the University.

Provided that the present incumbent of the office of the Vice-Chancellor shall draw the salary of Rs. 2,500/- p.m. from 1st November, 1972.

Assented on 28 April 1973.

3. The Vice-Chancellor shall be a whole time officer of the University. He shall be paid a salary of Rs. 3000/- per month and that a retired Government servant is posted or appointed as Vice-Chancellor his pension and the amount equal to D.C.R.C. will be adjusted against his salary. The Vice-Chancellor shall also be provided with a rent free residence furnished by the University.

Provided that the above provision shall be effective from 1st August 1979.

Assented on 6 January 1982.

⁴ 'Added. Assented on 6 November 1965.

⁵ Added. Assented on 6 November 1965.

⁶ Added. Assented on 6 November 1965.

⁷ Added. Assented on 15 December 1985.

¹ Added. Assented on 6 November 1965.
² Added. Assented on 22 March 1971.
³ Added. Assented on 6 November 1965.

¹ Added. Assented on 6 November 1965.

² Added. Assented on 29 June 1978.

³ Added. Assented on 17 December 1983. (Senate : 12-13 February 1983).

¹ Added. Assented on 16 February 1982.

**APPLICATION FORM FOR THE GRANT OF LOAN OUT
OF PROVIDENT FUND ACCOUNT**

1. Name
2. Father's name
3. Designation
4. Department/Faculty/Office
5. P.F. Account No.
6. Pay and Grade
7. Amount of P.F. Loan, if
taken previously
8. Purpose for which the
previous loan was taken
9. When was the last instalment paid?
10. Amount of loan now required
11. Number of instalments in which
the loan will be repaid
12. Purpose for which the P.F. Loan is required

Date

Signature

Forwarded to the Registrar with the remarks that nothing is outstanding (instalment/interest) on account of P.F. loan drawn by the applicant.

No.

Signature

Dated

Designation

FOR OFFICE USE

1. Balance at credit Rs.
2. Balance of previous loan Rs.
3. Date of last instalment of
recovery of the previous loan Rs.
4. Amount admissible for sanction Rs.
5. No. of instalments of recovery Rs.
6. Amount of each instalment of recovery Rs.

Assistant

Section Officer

RECOMMENDATION FOR GRANT OF LOAN

Assistant Registrar(Accounts) Sanctioned

Financial Adviser

Registrar Vice-Chancellor

Recovery orders are placed below for signatures.

Paid Rs.....Vide Cheque No..... of Vr. No.....

Assistant Section Officer

MEDICAL & HEALTH DEPARTMENT

No. Date

I, Dr.

after careful, personal examination of the case hereby certify that
Mr./Mrs./Miss

s/o w/o d/o dependent on

an employee of *Jai Narain Vyas University, Jodhpur is, suffering
from (mention disease in block letters)

and is under my treatment. Mr./Mrs./Miss

May need Rs. Rupees

..... Approximate to complete the treatment.

Date

Signature & Designation of
Authorised Medical Attendant with Seal

¹ Substituted for the word 'faculty' occurring in the First Statutes.
Received assent of Chancellor on 20 July 1965. (Senate : 9 December 1964).

² Substituted for "the Ministry of Defence (i) Research and Development Organisation" occurring in the First Statutes.
Received assent of Chancellor on 16 July 1965. (Senate : 9 December 1964).

¹ Substituted for the words "two persons in number to be elected by Senate" occurring in the First Statutes. Received assent of Chancellor on 16 July 1965. (Senate : 9 December 1964).

Scale of Gratuity

Scale of Gratuity

