



RASHTRASANT TUKADOJI MAHARAJ NAGPUR UNIVERSITY

(Established by Government of Central Provinces Education Department by Notification No. 513 dated the 1st of August, 1923 & presently a State University governed by Maharashtra Public Universities Act, 2016) (Mah. Act No. VI of 2017)

DIRECTION NO. 12 OF 2022.

PROCEDURE TO DEAL WITH ALL TYPES OF GRIEVANCES OF TEACHERS AND OTHER EMPLOYEES OF THE UNIVERSITY, AFFILIATED, AND AUTONOMOUS COLLEGES AND RECOGNIZED INSTITUTIONS, DIRECTION, 2022.

Whereas, the Maharashtra Public Universities Act, 2016 (Maharashtra Act No. VI of 2017) (hereinafter referred to as "the Act") has come into force w.e.f. 1st March 2017 and the same is made applicable to the Rashtrasant Tukadoji Maharaj University, Nagpur (hereinafter referred to as "the University") by virtue of the provision of Section 3 (1) of the Act;

AND

Whereas, Section 79 of the Act provides for the constitution and powers of the Grievances Committee to entertain and consider grievances of the teachers and other employees of the University, affiliated and autonomous colleges and recognized institutions;

AND

Whereas, it is expedient to provide by a Statute, framed under section 71 (22) of the Act, the procedure to be adopted by the Grievances Committee to deal with grievances which are within its jurisdiction, and which are brought before it by affected persons;

AND

Whereas, the making of statute is a time-consuming process and since grievance committee, as contemplated by section 79 of the Act, has been established in the University and therefore there was urgency in prescribing the procedure to be followed by the Grievances Committee and accordingly last time Direction No. 21 of 2021 was issued by the University on 10-08-2021 but the said Direction has lapsed by virtue of the provisions of proviso to sub-section 8 of section 12 of the Act necessitating issuance of a fresh Direction, incorporating the provisions of the said lapsed Direction 21 of 2021 with suitable modifications to address some practical problems experienced in implementing the scheme of grievance redressal in the University ;

Now, therefore, I, **Dr. Subhash R Chaudhari, Vice-Chancellor,** Rashtrasant Tukadoji Maharaj University, Nagpur, in exercise of the powers conferred upon me by the provision of section 12(8) of the Act, do hereby issue the following Directions:-

1. This Direction may be called **"PROCEDURE TO DEAL WITH ALL TYPES OF GRIEVANCES OF TEACHERS AND OTHER EMPLOYEES OF THE UNIVERSITY, AFFILIATED AND AUTONOMOUS COLLEGES AND RECOGNIZED INSTITUTIONS, DIRECTION, 2022."**
2. This Direction shall come into force with effect from the date of its issuance.
3. In this Direction, unless the context otherwise requires:-
 - (i) "Act" means The Maharashtra Public Universities Act 2016.
 - (ii) "Applicant" means teachers including Principals, the non-teaching employee of the University/affiliated College /autonomous college, autonomous institution or the recognized institution on whose application complaint is registered for consideration by the Grievances Committee.
 - (iii) "College" means a College as defined in Section 2(12) of the Act.
 - (iv) "Conducted College" means a Conducted college as defined in Section 2(22) of the Act.
 - (v) "Department" means a Department as defined in section 2 (24) of the Act.
 - (vi) "Director" means a Director as defined in Section 2(25) of the Act.
 - (vii) "Grievances Committee" means the Grievances Committee duly constituted as per Section 79(3) of the Act.
 - (viii) "Head of the Department" means the Head of the Department so appointed, as per Section 2(31) the Act.
 - (ix) "Institution" means the Institution as defined in Section 2(34) of the Act.
 - (x) "Management" means the Management as defined in Section 2(37) of the Act.




- (xi) "Non-teaching Employee" means the Non-teaching employee inclusive of non academic staff of the university/affiliated college/conducted college/ autonomous college/autonomous institution/department of the university/ institution of the university or the recognized institution appointed to perform administrative task/duties.
 - (xii) "Principal" means a Principal as defined in Section 2(44) of the Act.
 - (xiii) "Recognised institution" means the Recognised institution as defined in Section 2(46) of the Act.
 - (xiv) "Registrar" means the Registrar of the University appointed under Section 14(1) of the Act.
 - (xv) "Teacher" means a Teacher as defined in Section 2 (61) of the Act.
 - (xvi) "Tribunal" means the Tribunal as defined in Section 2(62) of the Act.
 - (xvii) "University" means the University as defined in Section 2 (63) of the Act.
 - (xviii) "University teacher" means the University teacher as defined in Section 2(68) of the Act.
4. There shall be a Grievances Committee in the University, constituted as per provisions of section 79(3) of the Act. The Grievances committee shall be competent to deal with all types of grievances, except grievances against the State Government including its officials, of teachers and other employees of the University, affiliated and autonomous colleges and recognized institutions, other than those managed and maintained by the State Government, Central Government or a local authority and which are not within the jurisdiction of the University and College Tribunal.
 5. An applicant who is eligible to file grievance under this Direction shall make a representation to the competent authority of the University, affiliated or autonomous College, recognized institution pointing out his grievance before approaching the Grievance Committee. It shall be obligatory for the competent authority of the University, affiliated and autonomous college, recognized institutions to consider the representation and take a decision




thereon, in accordance with law, within a period of three months from the date of receipt of representation.

In case no decision is taken by the competent authority, within the period stipulated above, cause of action shall arise to approach the Grievances Committee within a period of three years.

6. The Grievances Committee shall entertain and decide grievances after giving reasonable opportunity of being heard to both the parties.
Provided that where the grievance of a complainant is pending for adjudication before a competent court or a tribunal, such a grievance shall not be entertained by the Grievances Committee, unless it is referred to it by the competent court or the tribunal.
7. Any three members out of whom at least one shall be either the Chairman or Chancellor's nominee on the Management Council, who is a member of the committee, shall constitute the quorum.
8. The aggrieved applicant shall submit 9 copies of the application/complaint pertaining to his grievance in the prescribed form (**Annexure-A**) along with 9 copies of the statement of facts and supporting documents to the Law Officer of the university. Such application/complaint shall be accompanied by a non refundable fee, which may be prescribed by the University from time to time, payable through a Demand Draft in the name of Finance and Accounts Officer, Rashtrasant Tukadoji Maharaj Nagpur University, Nagpur or in cash. The statement of facts shall be typed on the A-4 size paper with a margin of 1.5 inches on the left and top side and the margin of 1.0 inch on the right and the bottom side. It should narrate the facts in detail in a chronological order. The statement should end with a prayer clause seeking specific relief. The statement of facts shall be accompanied by the correspondence between the complainant and the respondent and the decision/order of the respondent, thereon, if any.
9. The applicant shall also submit a copy of such complaint to the management of the college/Head of the Department/Principal/Director of the institution/Registrar of the University, as the case may be, and shall

produce the proof thereof while submitting the application to the law officer of the University.

Provided that in case the Management/Head of the Department/Principal/Director/Registrar, as the case may be, refuses to accept the copy of the complaint, the applicant shall send the same by the registered post with due acknowledgement and produce the receipt or the acknowledgement as a proof thereof.

10. (a) The grievance of an applicant shall be maintainable notwithstanding that on the date of complainant he/she has ceased to be in service by virtue of termination, dismissal, removal, superannuation, resignation or otherwise, if the complaint is filed within the period of limitation.
- (b) On the death of an applicant before making complaint in terms of provisions of this Direction the cause of action shall survive in all cases where the complaint relates to recovery of salary or arrears of salary or any other amount to which the deceased was entitled to in accordance with his/her service conditions and as such the legal heirs of the deceased employee shall be entitled to make application/complaint in this regard.

11. (a) The applicant aggrieved party may submit his/her grievance within a period of three years from the date of accrual of cause of action. The Grievances Committee may, however, in appropriate cases consider the request for condonation of delay on proof of sufficient reasons for not approaching the Grievances Committee within the prescribed time limit of three years. In the event the request for condonation of delay is not entertained/rejected the grievance application shall not be entertained by the Grievances Committee. This follows that in the event delay is condoned, the grievance will be entertained and will be dealt with in accordance with rules to its logical end.

- (2) The period of three years shall be available to the applicant to approach the grievances Committee from the date of rejection of the representation submitted by the applicant or on expiry of three months in the event the representation remained undecided.



12. The Law officer of the University shall register all such application(s) received by him/her in separate register to be maintained by him/her, wherein each application shall be granted a number, year wise.
13. All such registered complaints shall be included in the agenda for the meeting of the grievances committee within 15 days from the date of their receipt by the Law officer.
14. Notices of the meeting of the Grievances Committee shall be sent to all the concerned parties at least 10 days before the date of the meeting.
15. The Principal of the College/President/Secretary of the College/Institute or Deputy Registrar of University/Head of the concerned department, as the case may be, shall make available to the Grievances Committee all the relevant documents/records/papers/files etc. pertaining to the grievance petition as and when called upon to do so in a sealed cover to be deposited with the Superintendent of Legal Cell to make it available to the Grievances Committee as and when required.
16. Where the Chairman of the Committee is not able to attend the meeting of the committee for whatsoever reason, the Chancellor's nominee on the Management Council shall preside over the meeting.
17. (1) During pendency of the grievance application in the event of death of the applicant/complainant, his legal representatives may apply for substitution of their names in place of the deceased applicant if the cause of action still survives, within a period of 90 days from the date of death of the applicant.
(2) The aforesaid clause will not be applicable in the event death of the applicant occurred after the petition is already closed for orders on hearing both the parties. In that event the legal representatives of the deceased applicant will be entitled to get the fruits of the order passed by the Grievances Committee in favour of the applicant, or may challenge it before higher authorities as per rules in case the order goes against the deceased applicant.



- (3) The Grievances Committee may consider request for condonation of delay to make application for bringing legal representatives on record within 60 days after expiry of period of 90 days to bring the legal representatives on record, on proof of sufficient cause.
- (4) In the event request for bringing legal representatives of the deceased applicant is rejected or delay to bring their names on record is not condoned, the complaint shall be treated as abated when it is still pending for final hearing.
- (5) In case no steps are taken by the legal representatives within a period of 150 days as stated above and when the fact of death of applicant is brought to the notice of the Grievances Committee, the complainant shall stand abated, without granting any relief to the deceased applicant on merit.
18. The Grievances Committee shall take decision on the complaint, as far as possible by consensus. However, where there are differences in the opinion of the members the decision shall be taken by majority. No decision on any complaint shall be taken before the committee in any meeting unless the Chairman of the Committee is present in that meeting. Where the members are equally divided in their opinion the Chairman of the Committee shall have a casting vote.
19. Where the judgment of the committee is ready in all respects but the Chairman is not present in the meeting in that case the Governor's nominee who is member of the committee may pronounce the order to the parties on behalf of Chairman and Grievances Committee.
20. (1) The decision rendered by the Grievances Committee shall as far as possible be in the form of an order of the Civil Court and it shall be signed by the Chairman and members of the Grievances Committee present on the date of decision of the complainant.
- (2) Before pronouncement of final/interim order the members of the Grievance Committee shall discuss the facts and the legal aspects involved in the matter and the same shall be considered by the Chairman while drafting the final order.
- (3) Since, the decision is taken only after due discussion and deliberation between members of Grievances Committee including the chairman, it will



be sufficient if the judgement/order is signed by the Chairman and the members of the committee present on the date of the order.

21. The Grievance Committee shall hear, settle and decide the grievance, as per the law, as far as possible, within three months, from the date of filling of the complaint. Where the grievance could not be settled within the stipulated time, the Committee shall record the reasons for the same.
22. The Law Officer shall communicate the decision/order of the Grievance Committee to all concerned including the applicant within 15 days from the date of decision.
23. For the purpose of computation of period of limitation for filing appeal against the decision of the Grievances Committee, the date of pronouncement of order shall be taken into consideration when the date of order and the date of pronouncement of the order are different.
24. The opposite party shall be liable to submit the action taken/compliance report to the Grievances Committee. In the event of non-compliance/non implementation of the order passed by the Grievances Committee within the time limit prescribed, if any, on the part of affiliated or autonomous college/institution or the recognized institution the aggrieved party may submit a complaint in this behalf to the Pro Vice Chancellor of the University for taking appropriate action as per the provisions of Uniform Statute No. 1 of 2019. Where the non-compliance is on the part of the University the aggrieved person shall be at liberty to make a representation/complaint to the Vice-Chancellor under section 12(5) of the Act. The Vice-Chancellor shall pass a suitable order for implementation of the order of the grievance committee.
25. (1) The complaint (Statement of facts) and the reply submitted to it by the college/institution shall be considered as pleadings of the parties and as such the same shall contain the verification clause at the end as under:-



VERIFICATION

"I, do hereby state on oath that the contents of the complaint /reply are true as per record. Hence signed and verified at Nagpur on (date)".

(2) The complaint or reply to it may not be required to be notarized before any Notary and the self verification as stated above will be sufficient.

26. The Grievance Committee not being a Court or Tribunal, although is entrusted with the quasi judicial functions, Advocates are prohibited from appearing before the Grievances Committee during the course of hearing of complaint on behalf of the complainant/respondent .

Place :- Nagpur
Date : 25-2-22


(Dr. Subhash R Chaudhari)
Vice-Chancellor



ANNEXURE-A

**RASHTRASANT TUKADOJI MAHARAJ NAGPUR UNIVERSITY**

(Established by Government of Central Provinces Education Department by Notification No. 513 dated the 1st of August, 1923 & presently a State University governed by Maharashtra Public Universities Act, 2016) (Mah. Act No. VI of 2017)

To
The Law Officer,
Secretary of the Grievances Committee,
Rashtrasant Tukadoji Maharaj Nagpur University,
Nagpur

Sir/Madam,

I am submitting herewith my grievance in the prescribed proforma in 9 copies with necessary enclosures alongwith the prescribed fee for registering my grievance under section 79 of the Maharashtra Public Universities Act (VI of 2017), for the consideration of the Grievances Committee.

- (1) Name of the complainant/applicant :-----
- (2) Name of the College/Department/ Institute of the aggrieved party:---

- (3) Short description of the Grievance :-----

- (4) The list of supporting documents, if any, in support of the complaint.....
.....
.....
- (5) Details of the Demand Draft No. _____ date. _____
Drawn on Bank _____
- (6) Copy of the acknowledgement of the representation made to the opposite party in terms of provisions of para 5 of the Direction.

Signature (with date) of aggrieved party

Name and Signature (with date) of the Head
Director/Registrar/Management as the case
may be of the Department/Principal/