



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. 9 OF 2022

**APPOINTMENT OF FULL TIME TEACHERS ON CONTRACTUAL BASIS IN THE
UNIVERSITY, DIRECTION, 2022.**

Whereas, the Maharashtra Public Universities Act, 2016 (VI of 2017), (hereinafter the Act) has come into force with effect from 1st March 2017;

AND

Whereas, with the commencement of the Act from 1st March 2017, the Maharashtra Universities Act, 1994 (Act XXXV of 1994) has been repealed;

AND

Whereas, by virtue of entry No 5 in Column (1) of part I of the Schedule, read with sub-section (1) of section 3 of the Act, Rashtrasant Tukadoji Maharaj University Nagpur (hereinafter the University), earlier governed by the Act No. XXXV of 1994, will now be governed by the Act from the date of its enforcement;

AND

Whereas, to fulfill the mandate of section 5 of the Act, the University is duty bound to appoint adequate and quality human resource of teachers;

AND

Whereas, section 5 (11) of the Act empowers the University to create various posts, including the posts of University teachers, from its funds and from the funds received from other funding agencies, prescribe their qualifications, experience and pay scales, and make appointments thereto;

AND

Whereas, Section 13(13)(i) of the Act, empowers the Pro-Vice-Chancellor to consider and recommend proposals to the Management Council

of the University for creation of different posts, including the posts of university teachers required by the university, from the funds of the university and from the funds received from other funding agencies, and qualifications, experience and pay scales for such posts;

AND

Whereas, section 33(1)(k) of the Act casts duty on the Academic Council of the University to consider and recommend to the Management Council of the University for creation of posts of University teachers and non-vacation academic staff, required by the University from the funds of the University and from the funds received from other funding agencies and prescribe their qualifications, experience and pay scales. Thus as far as the proposal for creation of the posts of University teachers and non-vacation academic staff of the University is concerned, there is overlap between the powers of the Pro- Vice-Chancellor and Academic Council and taking this fact in to consideration the procedure ensuring compliance with provisions of sections 13 (13)(l) and 33(1)(k) of the Act for creation of posts of teachers in the university and for their appointment, is required to be specified;

AND

Whereas, the Management Council of the University has been empowered and is entrusted with the duty, under section 31 (v) of the Act, to create the posts of University teachers and non-vacation academic staff from the funds of the University and from the funds received from other funding agencies, on the recommendation of the Academic Council, **as and when required**, and prescribe their qualifications, experience and pay scales;

AND

Whereas, the university has issued Direction in respect of "Implementation of the University Grants Commission minimum qualifications for Appointment of Teachers and other Academic Staff in University and Colleges and Measures for the Maintenance of Standards in Higher Education, Direction, 2012", (Direction No.4 of 2012);

AND

Being aware about the paucity of teaching and non-teaching staff in the university, especially the teaching staff because of which the students-teacher ratio in the departments and conducted colleges/ institution of the university is significantly low than the ratio prescribed by the regulatory bodies;

AND

Whereas, large number of sanctioned posts of teachers in various teaching departments, conducted colleges and institution of the university are lying vacant because of administrative difficulties;

AND

Recognizing that there is urgency of bridging the deficiency in the prescribed students - teacher ratio in the teaching departments/ conducted colleges/institution of the university;

AND

Whereas, the Management Council of the University vide its decision on item no. 68 in its meeting dated 17th April 2017 has decided to make appointments of full time teachers, on contractual basis against the vacant posts of teachers in the University, until regular appointments are made;

AND

Whereas, as per the provisions of section 71 (20) of the Act, a Statute is required to be made for the purpose of establishing the mechanism for identifying the total number of teachers required to bridge the gap in the students to teacher ratio, in the University teaching departments, conducted colleges and the institution, prescribing the minimum qualifications, the procedure of section the tenure of appointment, payment of salary and other terms and conditions of appointment of such teachers, and reservation of the posts;

AND

Whereas, the making of the Statute is a time consuming process and there is urgency in making the appointments of the full time teachers in the University to sub-serve and best serve the interest of the students of the

university who have the fundamental right to receive quality and national standard education in the University;

AND

Whereas, Direction No.12 of 2021 entitled "APPOINTMENT OF FULL TIME TEACHER ON CONTRACTUAL BASIS IN THE UNIVERSITY DIRECTION 2021"; was issued by the University on 07/05/2021 incorporating the provisions of Direction No. 07 of 2020, prescribing procedure for appointment of full time teachers on contractual basis in the University, but by virtue of the proviso to sub-section (8) of section 12 of the Act Direction No. 12 of 2021 also has lapsed, on expiry of the period of six months from the date of its issuance, as the same could not be converted in to a Statute, necessitating issuance of a fresh Direction, incorporating all the provisions of Direction 12 of 2021, as an interim measure pending the making of a Statute governing appointment of full time teachers on contractual basis in the University;

AND

Whereas, it is found necessary to issue a fresh Direction incorporating all the provisions of Direction No. 02 of 2019 as amended by the Direction no. 22 of 2019, as an interim measure pending the making of the statute governing appointment of full time teachers on contractual basis in the University;

Now, therefore, I , Dr. Subhash R. Chaudhari, in discharge of my constitutional and statutory obligation under the provisions of the Act as the principal academic and executive officer of the University, bearing in mind the absolute necessity of making contractual appointments of full time teachers in the University and its conducted colleges/institution, so as to fulfill the mandate of students-teacher ratio, and being convinced about the pressing necessity to exercise my extra ordinary powers, do hereby exercise my powers under section 12 (8) of the Act, and issue the following Directions :-

1. This Direction may be called the "APPOINTMENT OF FULL TIME TEACHERS ON CONTRACTUAL BASIS IN THE UNIVERSITY DIRECTION, 2022."

2. The provisions of this Direction shall be in addition but not in derogation of any other Direction, Statute or an Ordinance of the University in existence.
3. This Direction shall come into force from the date of its issuance.
4. In this Direction, unless the context otherwise requires, the words and phrases shall have the following meaning:-

- i) "Academic Council" means the Academic Council of the University.
- ii) "Conducted College" means and includes the Rashtrasant Tukadoji Maharaj Nagpur University's Dr. Babasaheb Ambedkar College of Law and Barrister Sheshrao Wankhede College of Education;
- iii) "Contractual appointment" means an appointment of a teacher in the University/ conducted colleges/ institution, made for a period of ten months in an academic session under the provisions of this Direction.

Explanation:- The appointment being contractual in nature, it shall create no enforceable right on an appointee for continuation in the succeeding academic session. Every appointment under this Direction being based on comparative merit and being strictly for limited period, the University shall be under no obligation to reappoint the same person in the next academic session. However, the person appointed in the last academic session may apply and compete with others for being selected on the basis of comparative merit in the next academic session, whenever teaching posts are advertised by the university. The appointment in the next session of an appointee of the earlier session shall be deemed to be a fresh appointment and it shall not be considered as a continuation in service.

- iv) "Department" means the academic teaching department of the University;
- v) "Institute" means Laxminarayan Institute of Technology;

- vi) "Pro-Vice Chancellor" means the Pro-Vice- Chancellor of the University;
 - vii) "Selection Committee" means the selection committee constituted by the University for making appointments under this Direction.
 - viii) "Teacher" means an Assistant Professor
 - ix) "University" means the RashtrasantTukdojiMaharaj Nagpur University
5. At the end of each academic year the establishment section of the University shall call from each teaching department, conducted colleges and institution of the University, the information regarding the total teaching work load, the number of full time teachers and their work load and the requirement of full time teachers, to be appointed on contract basis, for the next academic session, keeping in mind the prescription regarding students-teacher ratio from the relevant regulatory bodies, wherever applicable.
6. On the basis of the information received from various teaching departments, conducted colleges and institution of the University, the establishment section shall prepare the proposal for appointment of contractual, full time teachers in the university and submit the same to the Pro-Vice-Chancellor. The Pro-Vice-Chancellor shall cause the meeting of the Board of Deans to be convened, immediately, to consider the proposal submitted by the establishment section for contractual appointments of the teachers in the university.
7. The Board of Deans shall determine the total number of required teaching posts, the necessary qualifications and experience, if any, and the salary to be paid for making contractual appointments in the next academic session. In this exercise the Board of Deans shall bear in mind the U.G.C. guidelines/regulations and also the G.R. issued by the State Government from time to time. Board of Deans shall also decide the allocation of the posts to the various teaching

departments/conducted college/ institution of the University, taking into consideration the average number of students admitted in those departments/conducted colleges/institution for the last five academic years, the total teaching workload and also the availability of the full time faculties in those departments/conducted colleges/institutions. Due preference be given to the departments/conducted colleges/institution imparting professional courses.

8. Based on the decision of the Board of Deans, the Pro-Vice-Chancellor shall prepare the proposal for appointment of teachers, spelling out the number of teachers to be appointed in each department/college/institute of the University, the minimum qualifications and experience required, if any for each post, the consolidated salary and other benefits, if any, payable to the appointee, the tenure of appointment and reservation of the post in each department/college/institution keeping in mind the reservation policy of the State Government and send the same to the Academic Council for its consideration.

9. The Academic Council shall consider the proposal prepared by the Pro-Vice-Chancellor and make recommendation to the Management Council for creation of posts of university teachers and appointment on those posts from the funds of the university or from the funds received from other funding agency, the qualifications for those posts, experience, if any, the consolidated salary and other benefits, if any, the tenure of the posts and reservation of the post, categorywise.

If there is no regular meeting of the Academic Council in near future, the university shall convene an emergent meeting of the Academic Council for consideration of the proposal for appointment of contractual full time teachers prepared by the Pro-Vice-Chancellor.



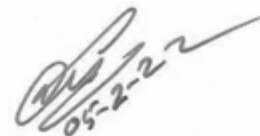
10. The Management Council of the university shall decide in its meeting to create posts of teachers from the funds of the university and from the funds received from other funding agencies, in terms of the recommendations of the Academic Council in this regard. If there is no meeting of the Management Council in the fortnight after the proposal being sent to it then emergent meeting of the Management Council may be convened by the Vice-chancellor to approve the proposal sent by the Academic Council.
11. On approval of the proposal for appointment of teachers in the University by the Management Council, the general administration section of the University shall issue the advertisement in three local newspapers having national circulation, giving minimum fifteen days time for applying, in the prescribed format.
12. Immediately after receiving the application forms, and in no case later than three days after the last date for making the application, all the application forms shall be subjected to scrutiny by one or more subject wise scrutiny committees, headed by senior Professor/Associate Professor/Assistant Professor, constituted by the Vice-Chancellor. The scrutiny committees shall complete the scrutiny, as far as possible, within three days from starting the scrutiny, the period to be extended by the Vice-Chancellor for good cause.
13. The Selection committee for making contractual appointment under this Direction shall be the same as is prescribed for making temporary appointment of teacher under section 103(2) of the Act. The quorum to constitute meeting of selection committee shall be three members of whom atleast one shall be person nominated under clause (d) of sub-section 2 of section 103 of the Act.
14. All the selected candidates shall be made to sign the standard form of contract of appointment as may be prescribed by the University.

On behalf of the University the contract shall be signed by the Registrar of the University. The original copy of the contract shall be retained by the Registrar and the copy of the same may be provided to the appointee, on demand.

15. The entire process, contemplated by this Direction, shall be organized in such a manner that every year the appointee joins the duty, as far as possible, on 1st July.
16. The Heads of the Departments/colleges/institutions shall submit the performance appraisal report about the teacher appointed under this Direction in the prescribed format in the sealed envelop to the Pro-Vice-Chancellor for his review. The Registrar shall put all these reports, alongwith the observations/ remarks of the Pro-Vice-Chancellor, before the selection committees appointed for making contractual appointment in the next academic year, if the same candidate appears again for the interview.
17. While preparing the performance appraisal reports of the teacher appointed under this Direction, the Head of the Department/college/Institution shall also take into account the feed backs from the students in the format prescribed by the University.
18. University shall make adequate provision in its budget for payment of salary to the teachers to be appointed under this Direction. The salary of the teachers shall be paid from the general fund or any other fund received by the University from any funding agency.

Nagpur.

Date - 05-2-22



(Dr. Subhash R. Chaudhari)
Vice-Chancellor