



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. 22 of 2022

Approval and withdrawal of approval to the appointment of Principals and Teachers in Colleges/Institutions/Cluster of Colleges etc., Direction 2022.

Whereas, Maharashtra Public Universities Act, 2016 (Maharashtra Act No. VI of 2017) has come into force with effect from 1st March 2017;

AND

Whereas, Rashtrasant Tukadoji Maharaj Nagpur University (hereinafter the "University") is now being governed by the Maharashtra Public Universities Act, 2016 (Maharashtra Act No. VI of 2017) (hereinafter referred to as the Act);

AND

Whereas, under the scheme of the Act, the University is empowered to affiliate colleges (both private and government, aided and unaided), to recognise the institutions imparting education/conducting research and to confer the status of autonomous colleges/institution and also create cluster of colleges and institutions and as such the family of the University comprises of affiliated colleges and institutions, autonomous colleges and institutions, empowered autonomous colleges, cluster of colleges and institutions and recognised institutions (hereinafter collectively referred to as "Centers of Higher Education") wherein appointment of teachers are made to further the cause of higher education;

AND

Whereas, among others the most notable object of the University is to disseminate, create and preserve knowledge and understanding by teaching,

research and development and undoubtedly these activities depend on quality human resource in the form of qualified, experienced, passionate, dedicated teaching faculty for which regulations have been framed by the apical governing bodies like UGC, AICTE, BCI, Pharmacy Council etc., creating obligation on the University to ensure that the appointments of teachers in all the above mentioned centers of education are in conformity with the applicable regulations;

AND

Whereas, acknowledging and articulating the obligation of the University to ensure appointment of qualified and experienced teachers in the Centers of Higher Education, conformity with the rules and regulations framed by various governing bodies as well as the prescriptions of the State Government, power is conferred upon the Pro Vice Chancellor of the University, under Section 13(13)(f), to accord approval to the appointments of Principals and teachers in the Centers of Higher Education;

AND

Whereas, circumstances can occur in which the privilege of being approved Principal/Teacher conferred upon any person is required to be withdrawn by the university, section 13(13)(f) of the Act also empowers the Pro-Vice Chancellor of the University to withdraw the approval granted to any person as Principal/Teacher of any Center of Higher Education;

AND

Whereas, a committee under the Chairmanship of Dr. Vinayak S. Deshpande, the then Dean, Faculty of Commerce and Management was constituted by the Board of Deans in its meeting dated 21st November 2017 vide item no. 26 to suggest the norms and procedure for grant of and withdrawal of the approval to the Principal/Teachers of Centers of Higher Education and the said committee had held two meetings and has made certain recommendation with respect to the accord and withdrawal of approval to the appointment of Principals and Teachers;

AND

Whereas the Pro Vice Chancellor is duty bound to exercise the power of grant of approval or withdrawal of approval of a Principal/Teacher under section 13(13)(f) by observing a procedure prescribed under an Ordinance framed by the



University and since presently there is no Ordinance of the University prescribing the procedure, which undoubtedly is required to be in compliance with the principles of natural justice, there is a need to frame an Ordinance for the above said purpose in fulfillment of the requirement of mandate of Section 13(13)(f). However since ordinance making is a time consuming process and appointment of Principals and Teachers in the Centers of Higher Education is a continuous process, there is an urgency to lay down the procedure for according and withdrawal of approval of the University to the appointments of Principals/Teachers in the Centers of Higher Education.

AND

Whereas, Direction No. 31 of 2021 repealing Direction No. 23 of 2021 was issued on 20/12/2022 by the University, which could not be converted into the Statute within Six months and hence the said Direction is now lapsed by virtue of the provision of the proviso to section 12(8) of the Act, and in the meeting of the Management council held on 28/01/2022 the Management Council had suggested some change in the provisions of Direction No. 31 of 2021 necessitating issuance of a fresh Direction incorporating the provisions of the lapsed Direction with suggested changes;

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

1. This Direction shall be called "Approval and withdrawal of approval to the appointment of Principals and Teachers in Colleges/Institutions/Cluster of Colleges etc., Direction 2022."
2. This Direction shall come into force with effect from the date of its issuance.
3. **Scope:** This Direction shall govern accord and withdrawal of approval to the appointments of Principals and Teachers of the affiliated colleges and institutions, autonomous colleges and institutions, empowered autonomous colleges, cluster of institutions and recognised institutions.
4. In this Direction unless the context otherwise requires:-
 - i. "Act" means Maharashtra Public University Act 2016.

- ii. "Center of Higher Education" includes affiliated colleges and institutions, autonomous colleges and institutions, empowered autonomous colleges, cluster of institutions and recognised institutions.
- iii. "Principal" means a Principal as defined under the Act.
- iv. "Teacher" means a teacher as defined under the Act
- v. "University" means the Rashtrasant Tukadoji Maharaj Nagpur University, Nagpur.

5. A "center of higher education" which is desirous of making the appointment of Principal or a Teacher by following the procedure prescribed by the state government/university shall make an application to the university in the prescribed form for seeking approval to the appointment of a candidate selected by a selection committee for appointment as a Principal or the teacher as the case may be, within three days from the date of meeting of the selecting committee.
6. The application seeking approval to the appointment shall be accompanied by the following documents certified by the President/Secretary of the Governing body of the centre of Higher Education:-
- i. Copy of the Advertisement for the post published in the reputed News papers.
 - ii. Copy of the roster certified by the competent authority, if applicable.
 - iii. No Objection Certificate from the Government, if applicable.
 - iv. List of the candidates invited for the interview.
 - v. Attendance sheet of the candidates.
 - vi. Minutes of the proceedings of the selecting committee.
 - vii. Marklists, Certificates and other supporting documents and credentials of the candidates recommended by the selecting committee.
 - viii. Copies of the complaints or representations received, if any, regarding appointment of Principal/Teacher.
7. **Grant of Approval:**
- The Pro- Vice-Chancellor shall grant regular approval to the appointments of such persons after verifying their qualifications, required experience, API Score as prescribed by the respective Competent Bodies and other credentials. The decision of the Pro Vice Chancellor with regard to approval should ordinarily be communicated to the concerned Centre of Higher

Education within fifteen days of receipt of application for grant of approval to the appointment of the Principal/Teacher, as the case may be. If the candidate recommended by the selection committee does not possess adequate required qualification and required experience and API, (Wherever is applicable) and / or if, there is a reason to believe that the act of selection committee or selection procedure was not transparent and fair or not as per the procedure prescribed by the University, then approval to the appointment of the candidate recommended by the selection committee shall not be granted. In such cases, the Pro Vice-Chancellor shall record his reasons therefor and return the matter to the concerned Centre of the Higher Education with appropriate direction. The decision of the Pro Vice-Chancellor in this regard, shall be final and binding.

8. **Approval to the appointment of officiating Principal:-**

Every centre of Higher education desiring to make appointment of any teacher as an officiating principal shall submit the proposal to the Pro Vice Chancellor for the same and the Pro Vice Chancellor shall accord his approval to the said appointment if the proposed person fulfills the requirements prescribed by the University for Appointment of officiating principal.

9. **Suspension of Approval:**

An order for suspension of approval of a Principal/Teacher of a Centre of Higher Education may be passed by the Pro-Vice Chancellor in the following circumstances :-

- i. Where a Principal/Teacher is accused of a criminal misconduct, resulting in his/her arrest by the Police, the Pro -Vice Chancellor may suo-motu suspend the approval of the concerned Principal/Teacher, taking cognizance of the event.
- ii. In all cases, other than the one contemplated by section 48(4) of the Act, where Principal/Teacher has been found to have violated the Code of Conduct prescribed by any regulatory authority including University, **especially where a principal or a teacher has been charged of sexual**



harassment and an investigation has been initiated as per the provisions of Ordinance No. 4 of 2007 of the University.

iii. In appropriate case where a Principal /Teacher has been found to have breached the provisions of any Ordinance / Statute / Regulations / Direction of the University, having bearing upon the conduct of the Principal/Teacher, by any appropriate Authority/Officer or a committee constituted by such Authority/Officer.

In all cases where suspension of approval of a Principal/Teacher is contemplated, adequate opportunity of being heard shall be accorded to the concerned delinquent. No order for suspension of approval of any Principal/Teacher shall be passed unless prior permission of the Joint Director, Higher and Technical education has been obtained.


10. Withdrawal of approval:

a. In all cases where approval of a Principal/Teacher is suspended as per the procedure prescribed under clause 9 of this Direction, the Pro Vice Chancellor shall constitute a committee for conducting further inquiry into the matter. On recommendation of the said committee, after giving adequate opportunity of being heard to the delinquent Principal/Teacher, the Pro Vice Chancellor may withdraw the approval of such Teacher/Principal.

b. In the cases other than the one mentioned above for withdrawal of approval (Clause 10 a), where the services of an approved principal/teacher have been terminated by the concerned center of Higher education, by following the procedure prescribed by law, the concerned centre of higher education shall submit the application in the prescribed form to the University seeking withdrawal of approval to the appointment of the concerned Principal/teacher. Every such application for withdrawal of approval shall be accompanied by a detailed statement of facts enclosing all the necessary documents. Such application seeking withdrawal of approval shall be submitted to the university promptly within ten days of the occurrence of the event.

Nagpur

Date : 20/06/2022


(Dr. Subhash R. Chaudhari)
Vice-Chancellor