



MAHARSHI DAYANAND UNIVERSITY, ROHTAK

(A State University established under Haryana Act No. XXV of 1975)

'A' Grade University Accredited by NAAC

No. ET-6/2017/M-51

Dated: _____

13271-13310
20/11/17

To

✓ All the HOD's/ Director
University Teaching Departments/Institutes/UIILMS, Gurgaon.
M.D.University, Rohtak

Sub: Regarding Counting of Past Service under SFS towards pay protection, promotion under CAS.

Sir/Madam,

Please find enclosed herewith a copy of the proceedings duly approved by the Vice-Chancellor with regard to counting of past service under SFS towards pay protection, promotion under CAS etc. You are requested to circulate it amongst the faculty members working under you for taking further necessary action.

DA:As above

Yours faithfully,


Superintendent I/c (Estt.T)
For Registrar

Endst. No.ET-6/2017/SFS/_____ Dated:_____

Copy of the proceedings of the Committee is forwarded to all the set Incharges of Establishment Teaching for information and necessary action.


Superintendent I/c (Estt.T)
For Registrar

PROCEEDINGS OF THE MEETING OF THE COMMITTEE CONSTITUTED BY THE EXECUTIVE COUNCIL VIDE RESO. NO. 55 DATED 13.9.2017, TO WORKOUT DETAILS REGARDING VARIOUS ISSUES WITH REGARD TO COUNTING OF PAST SERVICE UNDER SFS TOWARDS PAY PROTECTION, PROMOTION UNDER CAS ETC. HELD ON 22.9.2017 AT 12:30 PM IN THE O/O DEAN, ACADEMIC AFFAIRS

The following were present:-

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| 1. Dr. Ajay K. Rajan
Dean, Academic Affairs | Convenor |
| 2. Dr. R.R Saini,
Prof. & Head, Deptt. of Commerce | Member |
| 3. Dr. Rajesh Punia,
Associate Professor,
Deptt. Of Physics | Member |

The Committee examined UGC guidelines dated 30.6.2010 and State Govt. guidelines issued vide letter dated 21.7.2011 regarding promotion under CAS as well as decision of the Hon'ble High Court in CWP No. 18972 of 2013 titled Amita Rani Vs. DCRUST, Murthal. The relevant rules as contained in State Govt. guidelines regarding the subject are as under:-

- 19.0 *Counting of Past services for Direct Recruitment and Promotion under CAS.*
- 19.1 *Previous regular service, whether national or international, as Assistant Professor, Associate Professor or Professor or equivalent in a University, College, National Laboratories or other scientific/ professional organizations such as the CSIR, ICAR, DRDO, UGC, ICSSR, ICHR, ICMR, DBT, etc. funded by State/ Central Government, should be counted for direct recruitment and promotion under CAS of a teacher as Assistant Professor, Associate Professor, Professor or any other nomenclature these posts are described as per Appendix III- Table No. II provided that:*
- The essential qualifications of the post held were not lower than the qualifications prescribed by the UGC for Assistant Professor, Associate Professor and Professor as the case may be.*
 - The post is/ was is an equivalent grade or of the pre-revised scale of pay as the post of Assistant Professor (Lecturer) Associate Professor (Reader) and Professor.*
 - The candidate for direct recruitment has applied through proper channel only.*
 - The concerned Assistant Professor, Associate Professor and Professor should possess the same minimum qualifications as prescribed by the UGC for appointment to the post of Assistant Professor, Associate Professor and Professor, as the case may be.*
 - The post was filled in accordance with the prescribed selection procedure as laid down in the Regulations of University/ State Government/ Central Government/ concerned Institutions, for such appointments.*



- f. The previous appointment was not as guest Lecturer for any duration, or an ad hoc or in a leave vacancy of less than one year duration. Adhoc or temporary service of more than one year duration can be counted provided that:
- the period of service was of more than one year duration;
 - the incumbent was appointed on the recommendation of duly constituted Selection Committee; and
 - the incumbent was selected to the permanent post in continuation to the adhoc or temporary service, without any break.
- g. No distinction should be made with reference to the nature of management of the institution where previous service was rendered (private/ local body/ Government), was considered for counting past service under this clause.

All the above guidelines are in consonance with the guidelines issued by the UGC except a change in clause-19.1 , which is reproduced as under:-

10.1.1 of UGC guidelines	19.1 of State Govt. Guidelines
Previous regular service, whether national or international, as Assistant Professor, Associate Professor or Professor or equivalent in a University, College, National Laboratories or other scientific/ professional organizations such as the CSIR, ICAR, DRDO, UGC, ICSSR, ICHR, ICMR, DBT, etc. should be counted for direct recruitment and promotion under CAS of a teacher as Assistant Professor, Associate Professor, Professor or any other nomenclature these posts are described as per Appendix III- Table No. II.	Previous regular service, whether national or international, as Assistant Professor, Associate Professor or Professor or equivalent in a University, College, National Laboratories or other scientific/ professional organizations such as the CSIR, ICAR, DRDO, UGC, ICSSR, ICHR, ICMR, DBT, etc. funded by State/ Central Government , should be counted for direct recruitment and promotion under CAS of a teacher as Assistant Professor, Associate Professor, Professor or any other nomenclature these posts are described as per Appendix III- Table No. II.

The Committee has also gone through the judgment of the Hon'ble High Court delivered in above said writ petition as well as guidelines of UGC and the State Govt. After going through the guidelines of the UGC and the State Govt., the Committee finds that clause 19(g) clearly states that "No distinction should be made with reference to the nature of management of the institution where previous service was rendered (private/ local body/ Government), was considered for counting past service under this clause. The Hon'ble Court has also considered the aspect while rendering orders in the referred writ petition.

Further, the State Litigation Policy, 2010 under clause 5.5 stipulates that the State Govt. will aim to consider and settle the claim a representational/ applicant employee/citizen, if the claim is found covered by any decision of the Court. Many service matters of this nature, can be disposed of at the level of the department itself without compelling the litigant to come to the Court. In this manner, the government departments would be acting as efficient litigants.

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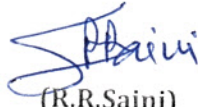
Pravin

Rajesh Puri

In view of the above discussion, the Committee is of the view that the past service rendered as Assistant Professor, Associate Professor or Professor or equivalent, in private/local body/Govt. institution (i.e College/University) apart from National Laboratories or other scientific/ professional organizations such as the CSIR, ICAR, DRDO, UGC, ICSSR, ICHR, ICMR, DBT, etc. under SFS be counted towards pay-protection, promotion under CAS etc. as per State Govt. guidelines dated 21.7.2011.



(A.K. Rajan)



(R.R.Saini)



(Rajesh Punia)