



APJ ABDUL KALAM TECHNOLOGICAL UNIVERSITY

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KTU/PATOREGISTRAR/43/2021

28.01.2021

NOTIFICATION

Sub: Inviting Options for appointment of Employees and non teaching staff to the various categories of Posts sanctioned by the Government at APJ Abdul Kalam Technological University: regarding:

The 19th Meeting of the Syndicate held on 28.01.2021 vide item No. S 019 - 001 resolved to invite Options for appointment of employees and non teaching staff to the various categories of posts sanctioned by the Government in APJ Abdul Kalam Technological University in accordance with the provisions in the Act and Statutes and Government orders concerned and as per the norms and guidelines approved by the Syndicate.

The APJ Abdul Kalam Technological University was established and incorporated as a University in the State of Kerala by the APJ Abdul Kalam Technological University Act, 2015 (Act No.17 of 2015) (hereinafter referred to as the "Act") by the Legislature of the State of Kerala. Chapter 2 Section 7 of the Act provides for the appointment of the teaching and non-teaching staff in the University. Sub Section (1) of the Act provides that subject to the provisions of this Act and the Statutes made there under, the appointments to the posts which are not to be made through the Kerala Public Service Commission, shall be made by the University. Sub Section (5) of Section 7 provides that notwithstanding anything contained in any law for the time being in force, the existing teaching and non-teaching staff under any University specified in the Schedule to this Act which comes under jurisdiction of the University and may be affected by the establishment of the said University may be appointed in the University by Option and the Government may, by notification in the Gazette, determine such appointment, transfer and the norms thereof. The Schedule to the Act, mentioned in Sub Section (5) specifies the following 6 Universities, namely:-

- 1. The University of Kerala, Thiruvananthapuram*
- 2. The University of Calicut, Kozhikode*
- 3. The Mahatma Gandhi University, Kottayam*
- 4. The Cochin University of Science and Technology, Kochi*
- 5. The Sree Sankaracharya University of Sanskrit, Kalady*
- 6. The Kannur University, Kannur*

The APJ Abdul Kalam Technological University Service has not been constituted yet.



Options were invited from the persons included in the schedule of the Act to the various categories of posts sanctioned by Government. Appointments were made to the category of posts to which options were invited. These optees were not regularized in the University service as the same was not constituted. Also, as per section 7 (5) of the Act, though the Government could have by notification in the Gazette determine such appointment, transfer and norms thereof, Government did not issue any such notification. The First Statutes of the University have been issued by the Government on 05.08.2020. Chapter 7, Statute 38, Part (1) sub statute 1 provides that the terms and conditions with regard to employees and non-teaching staff appointed to posts sanctioned by Government would be prescribed by the Syndicate by Ordinances subject to the provisions of Act and Statutes and that the appointment of employees and non-teaching staff appointed in the University before the coming into force of the Statutes would be regulated by the Statutes and the Ordinances to be prepared by the Syndicate. The Statutes require inviting applications for appointment to the vacant posts of employees and non-teaching staff by way of option within 6 months from the date of issuance of the First Statutes. The Syndicate has not prepared the Ordinances yet. In the light of the above, all appointments (including promotions) to the posts, other than the posts to which option was given, would be treated as appointments to the posts originally opted for. All promotions to higher categories of posts, other than the posts originally opted for, would be treated as provisional.

The APJ Abdul Kalam Technological University service has to be constituted in accordance with the Act and First Statutes and the officers and employees appointed from various Universities have to be regularized in such service. The terms and conditions of such appointments shall have to be determined by the Syndicate. Till such service is constituted and appointments regularized and terms and conditions determined, they can be deemed to be only provisionally appointed in the University. It is seen that some officers and employees who were appointed in University by way of option were given promotions to higher categories, and some persons retired from service while occupying the higher categories and some persons retired from service from the categories to which they were appointed. The University has paid the entire pensionary benefits to those persons covering their entire period of service under their parent University and this University. The University has taken over the entire liability towards this without proper legal sanction and statutory authority. Although the University is entitled to determine the terms and conditions of appointment in the University, this matter would be taken up by the Government for directing the concerned parent Universities/Institutions to give their proportionate share of the pensionary benefits equivalent to the service rendered by such persons in their parent University/Organization to the APJ KTU University. In future, the University shall pay pensionary benefits to the persons retiring from the University only after a decision is taken on this matter by the Government.

I. Posts excluded from Option and included in Option

The APJ Abdul Kalam Technological University Act, 2015 came into force on 05.05.2014. As per Sub Section (5) of Section 7 of the Act, notwithstanding anything contained in any law for the time being in force, existing teaching and non teaching staff under any University specified in the schedule to the Act which comes under the jurisdiction of the University and may be affected by the establishment of the said University may be



appointed in the University by Option and the Government may by notification in the Gazette determine such appointments, transfer and norms thereof. As per Act No.18 of 2015, the Kerala Public Service Commission (Additional functions as respects the services under the Universities), the non teaching posts in the University are to be filled up by direct recruitment by KPSC. The Government vide Order No. GO(P) 7/2016/HEdn dated 26.02.2016 ordered that the posts of Assistant, and Computer Asst Gr.II. shall be filled up by the KPSC. The University has addressed the Government to convert the post of Confidential Asst GR.II to Computer Asst Gr.II. This is under the consideration and processing of the Government. Therefore option is not invited for the post of Confidential Assistant. Options are not being invited to the posts of Section Officers as all sanctioned posts have already been filled up by option.

Options are invited to the remaining vacancies (including deemed vacancies) in the categories of Joint Registrar, Deputy Registrar and Assistant Registrar. The Government vide Order No.GO(P) 37/2020/HEDn dated 06.11.2020 has specified several other categories of non teaching posts in the University to be filled up by the KPSC. Amongst such posts, the category of Clerical Assistant is not included. Therefore, the vacancy of Clerical Assistant is also proposed to be filled up by Option.

II. Formation of APJ Abdul Kalam Technological University Service

Though Sub Section (5) of Section 7 provides that Government may by notification in the Gazette determine the appointment, transfer and norms thereof in respect to the persons appointed in the University by Option, Government have not issued such notification. As the Statutes have come into force, the appointment has to be now governed by the provisions in the Act and Statutes. The First Statutes of the University has been issued in the Kerala Gazette Extraordinary No. 1769 on 05.08.2020. Chapter 7 of the First Statutes relates to appointment of non-teaching staff of the University. Statute 38 Part I Sub Statute 1 provides that subject to the provisions in the Act and Statutes, the Syndicate of the University shall frame Ordinances relating to the terms and conditions of the service of the employees and non-teaching Staff sanctioned by the Government. It further provides that the employees and non-teaching staff appointed before the coming into force of the Statutes, shall be regularized in accordance with the Statutes and the Ordinances framed by the Syndicate. Part III, Sub Statute 15 provides that a service by name 'APJ Abdul Kalam Technological University Service' shall be constituted in the University. This Sub Statute provides for various groups of officers in accordance with the range of their scale of pay.

Part II, Sub Statute 13 relates to providing opportunity for appointment by option to the various categories of posts (in the University) sanctioned by the Government within 6 months of coming into force of the Statutes. It provides that those vacancies in the categories of posts (sanctioned by Government) which are to be filled up by direct recruitment, by any law for the time being in force, shall be filled up through the Kerala Public Service Commission. The above Sub Statute further provides that persons holding other similar categories of posts sanctioned by the Government, in any of the Universities affected by the establishment of the University (APJKTU) as specified in the Schedule to the Act, may give option for appointment to the remaining vacancies in those categories of posts in the University (as specified in this notification). It also provides the eligibility



criteria for considering such options for appointment in the University and for the determination of seniority of such appointees in that specific category in the University service.

In the light of the above, Options are invited to the following four categories of posts from persons holding similar posts in the following six Universities:-

1. The University of Kerala, Thiruvananthapuram
2. The University of Calicut, Kozhikode
3. The Mahatma Gandhi University, Kottayam
4. The Cochin University of Science and Technology, Kochi
5. The Sree Sankaracharya University of Sanskrit, Kalady
6. The Kannur University, Kannur

S.No	Name of the Category of Post	Number of vacancies
1	Joint Registrar	3
2	Deputy Registrar	8
3	Assistant Registrar	5
4	Clerical Assistant	1

III. Conditions for Options:

1. Option shall be submitted in the prescribed option form (**Annexure 1**) and complete in all respects. Option forms without signed self declaration and dated signature of the Registrar will not be considered.
2. The number of vacancies in each categories of posts is the number of actual vacancies/deemed vacancies as on 05.08.2020, the date of issuance of the First Statutes.
3. The options will be a one-time facility.
4. Persons holding similar categories of posts as on the date of this Notification shall be eligible to apply to the respective categories.
5. Options once exercised shall be final.
6. Appointment shall be given only to the post to which option is exercised.
7. Options shall be forwarded to the Registrar, APJ Abdul Kalam Technological University through the Registrar of the concerned Universities with a certificate to the effect that the optee would be relieved from the University for taking up appointment in the category to which option is exercised, if appointed by the APJ Abdul Kalam Technological University.
8. Options shall be processed by the APJ Abdul Kalam Technological University in accordance with the provisions of the First Statutes of the University published in the Kerala Gazette Extraordinary No. 1769 dated 05.08.2020.



9. *The list of persons eligible to be appointed in each category of posts in the order of ranking shall be published by the University. Appointment orders would be issued within one week from the date of publishing the option list. The time limit for relieving the concerned optee by the concerned University shall be **two weeks** from the date of issue of the appointment order which would be specified in the appointment order. Failure of the optee to join within the specified time limit would be deemed as waiving the offer of appointment. Consequently the next optee in the order of ranking would be offered appointment and the above process repeated till the turn of the persons in the list is exhausted, where the vacancy in the respective category of post remains unfilled. The list would stand cancelled when all the vacancies are filled up.*
10. *The optee who accepts the appointment order and joins duty in the APJ Abdul Kalam Technological University in the category of post he has given option shall not be eligible to return or revert to his parent University under any circumstances.*
11. *Persons already appointed in the APJ Abdul Kalam Technological University through option shall have the right to return to his/her parent University for any purpose including regular/notional promotion (as his/her lein remains in the parent University since he/she has not been regularized in the APJ Abdul Kalam Technological University Service). They are free to apply afresh for appointment by option in the APJ Abdul Kalam Technological University to any of the category of posts in accordance with this notification.*
12. *Vacancies in various categories of posts filled up on the basis of option given and by direct recruitment shall be treated as “vacancies filled up” and only the remaining vacancies in the respective categories shall be treated as ‘vacancies remaining’ to be filled up by Option.*
13. *Persons who have been provisionally promoted to a category of post other than the category of post to which they gave option for appointment in the APJ Abdul Kalam Technological University, shall be deemed to have been appointed and continuing in the category of post to which they gave option. **Such persons shall have the right to give option to such categories of posts to which they were promoted in the University**, provided the parent University in which they have lein, certifies that they had been promoted to such category of post with effect from such date (to be specified by the parent University through **Annexure 2**), not later than the date of this notification. Such options would be processed for appointment in the respective category in accordance with the provisions of the First Statutes.*
14. *Persons who have been appointed to a category of post to which they gave option for appointment in APJAKTU, who would have been promoted to a higher category of post in their parent University had they continued there, would also have the right to give option to such higher categories of posts in APJAKTU, provided the parent University in which they have lein, certifies that they would have been promoted to such category of post with effect from such date (to be specified by the parent University though **Annexure 2**), not later than the date of this notification. Such*



options would be processed for appointment in the respective category in accordance with the provisions of the First Statutes.

15. *Consequent to the decision of terming promotions made to higher categories of posts, from the post to which options were given, as provisional promotions and cancelling of the decision to make appointments to higher posts other than the posts opted for and accommodating such persons in the category of posts to which they originally gave option, may result in excess number of persons in lower categories of posts in excess of the sanctioned posts in such categories. Such persons would be allowed to continue in such lower categories of posts notionally, till Ordinances are made by the Syndicate, regularizing and regulating all the appointments made in the University as per the Act, Statutes and Government Orders.*
16. *Options shall be addressed to the Registrar, APJ Abdul Kalam Technological University, CET Campus, Kulathur PO, Thiruvananthapuram-695 016 by registered post with acknowledgement due or by hand under acknowledgement on or before **15.02.2021.***

By Order of the Vice Chancellor,

Dr. Baiju B
REGISTRAR (IN CHARGE)

To:

1. *The Registrar, University of Kerala, Thiruvananthapuram*
2. *The Registrar, University of Calicut, Kozhikode*
3. *The Registrar, Mahatma Gandhi University, Kottayam*
4. *The Registrar, Cochin University of Science and Technology, Kochi*
5. *The Registrar, Sree Sankaracharya University of Sanskrit, Kalady*
6. *The Registrar, Kannur University, Kannur*

* This is a computer system (Digital File) generated letter. Hence there is no need for a physical signature.



ANNEXURE 1**APJ ABDUL KALAM TECHNOLOGICAL UNIVERISTY
THIRUVANATHAPURAM****OPTION FORM**

S. No	Particulars	
1	<i>Name of the Post to which option is exercised (In capital letters)</i>	:
2	<i>Name of the Applicant (In capital letters)</i>	:
3	<i>Name of the parent University</i>	:
4	<i>Post held in the parent University (as on the date of Notification)</i>	:
5	<i>Pay & Scale of pay of the Post cited in S.No.4</i>	:
6	<i>Date of commencement of continuous service in the parent University</i>	:
7	<i>Date of joining in the post mentioned in Item No.4</i>	:
8	<i>Date of Birth: DD/MM/YY</i>	:
9	<i>Permanent Address with Pincode</i>	:



10	Address for Communication with : Pincode	
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11. Details of Service (from the Continuous appointment)

S. No	Name of the University/ Institution	Post Held	Period		Scale of pay
			From	To	

DECLARATION

I,.....holding the post of.....
in the pay scale of Rs.....in.....University
do hereby opt to be considered for appointment in the APJ Abdul Kalam
Technological University as.....in the scale
of pay Rs..... If appointed, I am willing to serve anywhere
in the State of Kerala as the jurisdiction of the University is statewide. My lein in
my Parent University would stand terminated from the date of regularization in
the APJ Abdul Kalam Technological University service. I further certify that I
would be bound by the conditions of Option fixed by the APJ Abdul Kalam
Technological University.

Dated Signature with Name & Designation



CERTIFICATE FROM THE REGISTRAR

Certified that Sri/ Smt..... is presently working asas on the date of Notification in this University and that his service particulars given above are correct. Also certified that if Sri/ Smt.....is appointed in the APJ Abdul Kalam Technological University, he/she would be relieved from this University and his/her lein in the University terminated upon regularization in the APJKTU service.

(Seal)

Dated Signature with Name & Designation



ANNEXURE 2

I. CERTIFICATE FROM THE REGISTRAR

Certified that Sri/ Smt....., at the time of relieving from this University for appointment to the **post** of (state the **category of post to which option was originally given**) in the APJ Abdul Kalam Technological University by Option, **was promoted** in this University to the category ofon.....; to the category of on; and to the category ofon.....

(Seal)

Name & Dated Signature

II. CERTIFICATE FROM THE REGISTRAR

Certified that Sri/ Smt....., at the time of relieving from this University for appointment to the **post** of (state the **category of post to which option was originally given**) in the APJ Abdul Kalam Technological University by Option **would have been promoted** to the following categories as on the date of Notification of option by APJKTU, **had he/she continued in this University:**
category ofon.....
category ofon.....;
category ofon.....

(Seal)

Name & Dated Signature

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