

The Vice Chancellor
WB National University of Juridical Sciences
Kolkata

Resignation Letter

Dear Sir

I wish to inform you that I am resigning from the position of Assistant Professor at NUJS with immediate effect.

I would like to explain the reasons for doing so. I provide below some background information to you, in case you are not fully aware of all the facts.

I was appointed as Lecturer (ad-hoc) on the Lecturer's pay scale of Rs 8000-275-13500 (pre revised) on 1st November 2007 by NUJS for six months against a regular vacancy. My understanding, at the time of accepting this appointment, was that the University will soon advertise the vacancy enabling me to apply for a permanent position. However, the University could only advertise the vacancy in September 2008 (almost one year after I had joined). In the meanwhile, I was given an extension of six months in May 2008 followed by another extension in November 2008. In October 2008, I applied for the permanent position of Lecturer, for which I was interviewed in January 2009.

The selection committee recommended me for the post of Assistant Professor, the same position and same pay scale on which I had worked earlier (the position of Lecturer was redesignated as Assistant Professor by the Sixth Pay Commission). In March 2009, I was issued an appointment letter stating that I have been appointed as Assistant Professor. However, to my surprise, the letter mentioned that I shall be on one year probation. I was told that the requirement of probation is necessary in order to judge my performance before offering permanent employment.

I found this condition, both bizarre and unreasonable, since I had already served the University as a full-time Lecturer (later re-designated as Assistant Professor) continuously for 16 months from 1st November 2007. In this period of 16 months, I received excellent/very good feedback for my teaching from students, published four papers in international refereed journals, presented papers in four international conferences, handled numerous administrative responsibilities and took various initiatives to augment the academic life of NUJS.

I found no reasonable basis to be asked to serve another one year of probation for the same post, apparently to evaluate my performance, on which I had already worked for 16 months. Hence, I requested the University to waive the requirement of probation by taking into account my service record of 16 months.

Although, I made the representation to waive my probation in March 2009, no decision was taken on this issue till mid 2010. Hence, technically, and much against my desire, I was on probation from March 2009 after having served the University for 16 months on the same post. In the meanwhile, in June 2009, I applied for a three year study leave to read for PhD at King's College London. After lengthy bureaucratic deliberations and only after a very supportive intervention of Professor M P Singh, the University granted me three year study leave (without salary) in August/September 2009 with effect from 1st November 2009.

The leave letter, issued by the then Registrar, required me to serve the remaining period of probation on my re-joining the University. Further, the letter required me to issue an indemnity bond to the University. In response to this letter, in September 2009, I once again repeated my previous request to waive the unreasonable requirement of serving the probation period in light of the fact that I had already served the University for almost two years. Further, I declined to issue any indemnity bond because I found the requirement to issue an indemnity bond, without being made a permanent faculty, unreasonable.

After I had proceeded on leave, the Executive Council finally decided on this matter. In August 2010, I was given a letter by the University enclosing the minutes of the EC meeting held on 8th May 2010. The EC meeting recognised that I had served **‘the University with distinction as Assistant Professor of Law’** and that I continued to take active interest in academic activities and propose new ones during my leave as well. The EC adopted the following resolution **‘The Executive Council clarified that as per law the seniority and increments of Mr Ranjan shall remain unaffected after he rejoins the office and is confirmed’**.

I was not given any follow up letter, by the University, on how the EC decision will be executed such as whether my seniority and increments shall be counted from March 2009 or from November 2007. However, based on the EC resolution, I was assured by the then Vice Chancellor, Professor M P Singh, that my services have been confirmed and that my increments and seniority will be executed as soon as I rejoin the University. To me, it meant that my probation issue had been settled once and for all. Since the assurance was given by none other than the VC himself, I presumed that the University will interpret the EC decision to protect my seniority at least from March 2009 if not November 2007. I also legitimately expected that the University will sort out the modalities related to this issue as soon as I indicate my willingness to join back; and that I will join back as a permanent faculty.

Important to note that even if my seniority would have been counted from March 2009, I would have still lost 16 months of service (from 1st November 2007 to 28th February 2009) for no fault of mine and despite having performed exceedingly well in this period. Reluctantly, I would have accepted this, although, in my view, my seniority should have been counted from 1st November 2007 (my original date of joining NUJS).

However, in February 2012, I learnt that the University’s reading of the EC decision was different from my understanding regarding my service record based on the assurance that I had got. I explain this below, which ultimately triggered me to write this resignation letter.

On 16th February 2012, I received a letter from the Registrar’s office (in response to my query related to my basic pay). This letter was sent after I had emailed the Accounts Officer five times, regarding my basic pay, and pursued the matter for almost one month. To my utter surprise and shock, the 16 February 2012 letter stated that my basic pay, if I re-join the University on 1st November 2012, shall remain Rs 16930 (same as what it was when I proceeded on leave on 31st October 2009). Further, letter stated that my seniority and future increments are **‘subject to confirmation of my probation by University authorities’**. In other words, as per the letter, I shall be on probation after re-joining the University, and that my basic pay, after three years, shall remain same as what it was when I went on leave in October 2009.

This is totally unacceptable to me. This would adversely impact my career prospects despite having performed to the best of my ability. The very fact that I shall be on probation after joining back, despite having served the University to the best of my ability since 1st November 2007 on all fronts - teaching, research or administrative responsibilities - undermines my honour and self-esteem.

Furthermore and most importantly, on the issue of probation, the 16 February 2012 letter appears to contradict the EC decision and goes against the assurance that I got from the University. As a result, I don't know whether my services will be confirmed/are already confirmed; and whether my seniority of last five years shall be protected. As you would appreciate, I do not wish to re-join the University in a situation where facts related to my service record appear to be in total flux with no clarity. This can severely impinge on my future career prospects for no fault of mine.

Sir, I am hurt and disappointed by the manner in which my service matter has been dealt with. I am upset with the insensitive and casual manner in which the University communicated with me on this issue. I have worked very hard to develop my academic profile and, as mentioned above, have served the University to the best of my ability. You may refer to the annual reports of last five years that detail my academic and research activities including my publications; and student feedback forms on my teaching. Even, while on leave, I have tried my best to build the 'NUJS' brand through journal publications, conference presentations and media columns so much so that I have put NUJS's name ahead of King's College London while citing my institutional affiliation. I have tried my best to actively participate and contribute in all debates on various policy issues in last 2-3 years, even while on leave without salary. Despite this, I get an impression that there is no recognition for the contribution that I have made to the University. That the University is keen to fastidiously follow and apply bureaucratic and technical rules even if it results in a manifestly unjust outcome. It appears that the entire system is totally oblivious of the fact that insensitive handling of service matters severely damages the morale of the faculty member and dents his sense of belongingness to the University. Hence, I have decided to work at some other place that, hopefully, will be more appreciative of my efforts.

I had never anticipated that I will end my association with NUJS in this manner. I had every desire to join back. However, given the total uncertainty regarding my service record (as the 16 February letter shows), I am not left with any other choice but to tender my resignation. Hence, I conclude the letter with a heavy heart, but without any bitter feelings; and with a sanguine belief that academicians at NUJS and at other Universities get what they deserve without having to wage bureaucratic battles with administration. May I very humbly submit that we need to apply rules both in their letter and spirit according due sensitivity to the morale of the academic staff member.

I shall always cherish the time I spent at NUJS, the love and affection of my students and my colleagues and the encouragement and affection of Professor M P Singh. I consider myself fortunate that I got the opportunity to serve NUJS! I thank NUJS for providing me with opportunities for professional and personal development. I look back at my career at NUJS with a deep sense of self-satisfaction and pride.

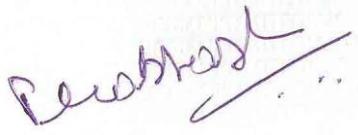
I shall always be available to help NUJS to the best of my ability. NUJS has made many strides in last few years under the inspiring leadership of Professor M P Singh. I am sure that this incredible journey will continue under your leadership as well. I wish you, my

colleagues, students and everyone else at NUJS all success! I hope that we all shall, collectively and despite our different institutional affiliations, continue to work hard to take Indian legal academics and legal education to the next level and leave behind a legacy that future generations of legal academicians shall be proud of.

I apologize to my students (the 2009-2014 batch) whom I taught Legal Methods and had almost promised that I will come back and teach them. I hope they will understand and appreciate my decision.

I had the University laptop with me. Ms Rukmini Das, an alumna of NUJS, shall return the laptop on my behalf very soon.

Yours truly



Prabhash Ranjan
New Delhi
4 June 2012