



DIGVIJAI NATH POST GRADUATE COLLEGE, GORAKHPUR-273001

Affiliated to : D.D.U. Gorakhpur University, Gorakhpur (U.P.)

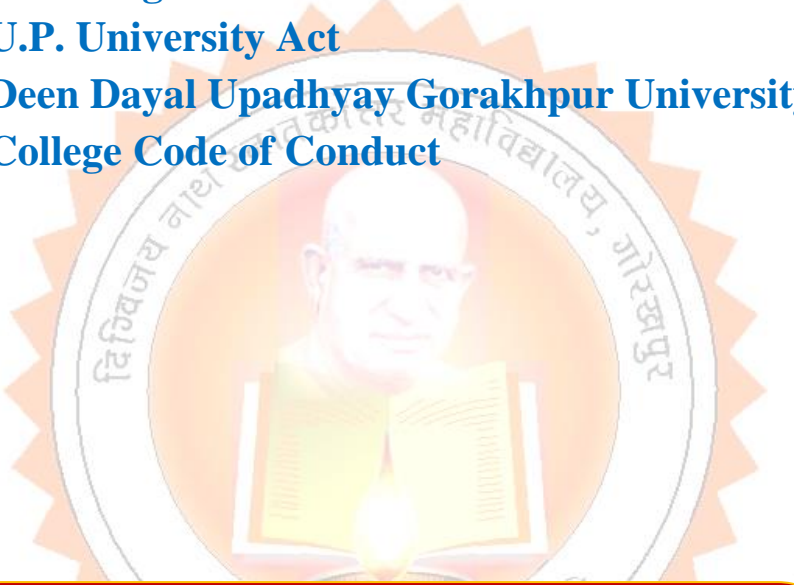
☎ : 0551-233454 📠 : 09792987700,

e-mail : digvijayans@gmail.com, dnpqgkp@gmail.com,

website : www.dnpgcollege.edu.in

Rules and Regulations of the College

- 1. Rules of Association of the Maharana Pratap Shiksha Parisad and Memorandum of Association of College**
- 2. UGC Regulation-2018**
- 3. U.P. University Act**
- 4. Deen Dayal Upadhyay Gorakhpur University, Gorakhpur**
- 5. College Code of Conduct**



**Rules of Association
of the
Maharana Pratap Shiksha Parisad
&
Memorandum of Association
Of
Digviajinath P.G. College, Gorakhpur**



महाराजा प्रताप सिंह कॉलेज
गोरखपुर
उत्तर प्रदेश



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Principal
Digvijay Nath P. G. College
Gorakhpur

**RULES OF ASSOCIATION
OF THE
MAHARANA PRATAP SHIKSHA PARISHAD GORAKHPUR.**

- Rule 1. The registered office of the Parishad shall be located at Gorakhpur.
- Rule 2. The Foundation Members of the Parishad, Patrons, Life Members and Associate Members for the time being shall continue to be members of the Parishad.

Rule 3. (1) All the properties of every nature moveable or immoveable acquired heretofore or to be acquired hereafter belonging to the Parishad or to the institutions run by the Parishad shall vest in the Parishad.

(2) The affairs and the management of the Parishad including the management and control of the institutions and organizations run by or under the Parishad and the control and management of the ~~preparing~~ properties for the time being vested in it or in the institutions run by it and supervision of other activities taken up by the Parishad shall vest exclusively in a Governing Council, which shall be called the "Governing Council of the Parishad."



Without prejudice to the general powers conferred under sub-rule (2) above, the Governing Council shall inter alia exercise the following powers:-

(a) to take over, establish, maintain and run institutions, colleges, research institutes, dispensaries, libraries, reading rooms, museum, art galleries etc.

(b) to acquire land, buildings and other moveable and immoveable properties by purchase or otherwise.

(c) to construct buildings and other structures for the purpose of or connected with the Parishad.

(d) to accept gifts, grants and subsidies, donations, etc. and to raise money for the purposes of the Parishad.

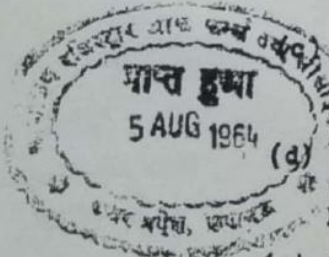
(e) to lend or borrow money and to sell, lease or mortgage the property of the Parishad on such terms and conditions as it may think to be in the best interest of the Parishad.

(f) to grant scholarships and to give other financial help to poor and deserving persons specially students;

(g) to acquire, finance or run a daily, weekly or monthly paper and to start a printing press;

(h) to enter into and to secure the fulfilment of the contracts and other engagements entered into by or on behalf of the Parishad.

(i) to appoint, remove or suspend ^{the} the servants of the Parishad and of the institutions and organizations which are maintained by it and to fix their salaries.



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- (j) to institute, conduct, defend, compound or abandon any legal proceedings by or against the Parishad.
- (k) to refer any claims by or against the Parishad to arbitration;
- (l) to provide money for establishing, maintaining and running institutions, colleges, libraries, reading rooms, dispensaries etc. and for all other activities, which may be taken up by the Parishad for achieving all or any of its objects;
- (m) to invest and deal with the moneys of the Parishad or the institutions run by it which is not immediately required in such manner as it may think fit;
- (n) To dispose off and transfer in any manner whatever the properties for the time being vested in the Parishad or in the institutions run by it.

The Governing Council may, subject to its general control and supervision and such restrictions as it may like to impose, delegate all or any of its powers to any person.

The acts of the Governing Council shall be valid notwithstanding any vacancies in the membership from any cause whatsoever.

Foundation members of the Parishad for the time being shall hold office for their lives.

A members of the Governing Council may resign his office by writing under his hand addressed to the President of the Governing Council.

A member may be removed from the membership of the Governing Council

- (i) if he fails to attend 5 consecutive meetings of the Governing Council without satisfactory reasons;
- (ii) if he is of unsound mind and stands so declared by a competent court;
- (iii) if, he is an undischarged insolvent;
- (iv) if, he is convicted by a court of law, of and offence involving moral turpitude; and
- (v) if, he does any act of omission or commission which he knows will be, or is likely to be injurious to the interest of the Parishad.

Provided that no such member shall be removed from his office unless a resolution to that effect has been passed by the Governing Council, at a special meeting convened for the purpose by a majority of not less than $\frac{2}{3}$ of the total members present in the meeting and of which at least 15 days notice has been given to each member.



Rule 4 (a)

(b)

(c)

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Rule 5. (a)

All vacancies among the Foundation Members in the Governing Council shall be filled by election by Foundation Members, for the time being, present in the meeting from amongst the Life members.

(b)

Four members shall form a quorum for all such meetings.

(c)

All casual vacancies among members, other than the Foundation Members, of the Governing Council shall be filled up by election by the members for the time being of the said Council present in the meeting specially convened for the purpose and of which 15 day's notice has been given to each member of the Council.

(d)

For the purposes of clause (a) of this rule each Foundation Member and for the purposes of clause (c) each member of the Governing Council present shall have one vote in respect of each vacancy, which is to be filled up in that meeting.

(e)

The persons who obtains the highest number of votes shall be declared to have been elected in that vacancy. But in case of tie between or more persons who receive the largest number of votes the Chairman shall have a second vote and a person in whose favour he casts his vote shall be declared to have been elected. Votes shall be taken by show of hands.

A person who is elected in the vacancy caused against the Foundation Members shall be deemed to be a Foundation Member for all purposes.

Rule 6. (1)

In these rules:-

(a)

A patron: means a person who has paid or shall hereafter pay Rs 1,000/- or more in lump sum to the Parishad as donation and shall agree in writing to its objects and to abide by its rules and regulations.

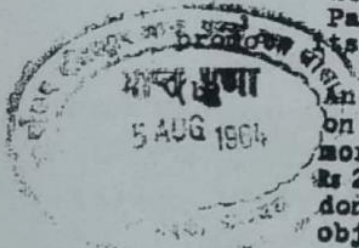
An Associate Member: means a person who has paid, on or before the 1st day of July 1959, Rs 100/- or more in a lump sum or who shall thereafter pay Rs 250/- or more in a lump sum to the Parishad as donation, and shall agree in writing to promote its object and to abide by its rules and regulations.

(c)

A life Member means a representative of institutions and/by or affiliated by/or to the Parishad, or who has in the opinion of the Governing Council, rendered some special service to the Parishad or who takes active interest in promoting all or any of the objects for which the Parishad has been established and whose name has been entered in the register of the "Life Members" of the Parishad at the instance of the Governing Council.

Provided that mere payment of the amount mentioned in clause a, b, shall not entitle any one to become a Patron, Associate member or Life Member unless he has been so approved by the Governing Council by a resolution supported by at least 2/3rd of the members.

The Governing Council may remove a 'Patron', a 'Life Member' or an 'Associate Member' from its membership if he:



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- (i) is bankrupt and stands so declared by a court, or,
- (ii) is an undischarged insolvent, or,
- (iii) is convicted by a court of law of an offence involving moral turpitude, or,
- (iv) is found to have committed a breach of rules and regulations of the Parishad, or,
- (v) does any act which in the opinion of the Governing Council is injurious to the interest of the Parishad.

- Rule 7. (a) Out of the five members referred to in clause (b) of Article 4 of the Memorandum of Association of the Parishad. One member from amongst the Patrons;
- (b) two members from amongst the Associate Members of the Parishad shall be elected by the Governing Council.
- (c) The remaining members out of the five members referred to in clause (b) of Article 4 of the Memorandum of Association of the Parishad shall be elected by the Governing Council from amongst its 'Life Members'.

Persons elected under rule 7 above shall hold office for three years and shall be eligible for re-election.

- Rule 9. If a member who represents the 'Patron' or the 'Life Members' or the 'Associate Members' on the Governing Council, dies, resigns, or is removed from office, the casual vacancy so caused shall be filled by the Governing Council from the class which he represented and the person so nominated shall hold office for the remaining term of the member in whose vacancy he has been nominated.

- Rule 10. Five members present shall form the quorum for a meeting of the Governing Council of the Parishad and one fifth of the total number of members shall form for the quorum of the General Meeting of the Parishad.

No quorum shall be required for a meeting held to transact business notified for a meeting which has been adjourned for want of quorum.

- Rule 11. Each member shall have one vote and all questions coming before the Governing Council of the Parishad or the General body of the Parishad shall be decided by majority of votes of the members present at the meeting. In case of a tie the Chairman shall have a second or casting vote.

- Rule 12. The Governing Council shall elect its President from amongst the 'Foundation Members'. The Governing Council shall also elect a Vice-President and Secretary and a Secretary from amongst its members. The President, the Vice-President, the Hony. General Secretary and the Secretary so elected shall also be the President, Vice-President and Hony. General Secretary of the Parishad and shall hold office for three years and shall be eligible for re-election. Such election shall ordinarily take place every fourth year in the month of April or after.

- Rule 13. The Governing Council shall meet at least once a year, and may meet as often as necessary.



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Rule 14. A General Meeting of called once in every Council so desires it necessary.

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Rule 15. A report of the activities and other matters relating to the Parishad for the period under review shall be placed before the General Meeting of the Parishad and a Statement of accounts for each year relating to that period shall be made available to the members of the Parishad.

Rule 15A. (a) An auditor shall be appointed in the General Meeting of the Parishad and he shall hold office for 3 years.

(b) The accounts of the Parishad shall be audited at the close of every financial year (from 1st April to 31st March) and the report submitted by the Auditor shall be duly considered and passed by the Governing Council.

Rule 16. The Honorary General Secretary may when necessary or when so directed by the 'President' of the Governing Council, call a special meeting of the Governing Council of the Parishad to transact such business as may be notified. Such meeting may also be called on the requisition of the members of the Council, but their number shall not be less than one third of the total number of members.

The Governing Council may make regulations for running, maintaining, managing and controlling the institutions and organisations, which may be established or taken over by the Parishad, and for regulating other activities, which may be taken up by the Parishad for carrying out its purposes, provided that they are not inconsistent with these rules or the provisions of the Societies Registration Act (Act No. XXI of 1860) or the Memorandum of Association of the Parishad.

(a) Subject to the restrictions laid down by the Governing Council or by these rules, or by or under the Parishads Registration Act (Act XXI 1860) or the Memorandum of Association of the Parishad or regulations framed by the Governing Council, all executive business of the Parishad shall, subject to the following clauses, be carried on by the Honorary General Secretary.

*** Add that the funds of the Parishad shall be operated and all cheques issued on its behalf shall be signed by the Honorary General Secretary.

(b) The President may call for any papers from the Honorary General Secretary and pass such orders on them as he may deem fit.

(c) The Honorary General Secretary shall follow the directions issued by the President in connection with the executive business from time to time.

(d) The President may delegate all or any of his powers vested in him under this rule to the Vice-President.

(e) In the absence of the Honorary General Secretary the Secretary shall act in his behalf.

Rule 18. The Governing Council may add to, amend, vary or delete any of the rules.

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Provided that no rule varied or deleted has been passed by not in the meeting of purpose and of which at given to each member.

ed to, amended to that effect has the members present specially called for that fifteen days notice has been

Rule 19. No act of the Governing Council shall be deemed invalid because of any vacancy in the Council or any defect in procedure.

Rule 20. All resolutions of the Governing Council certified as duly passed by its President shall be deemed voted not withstanding any defect in procedure.

Rule 21. All notices required to be served under these rules shall be deemed to have been duly served if posted to the registered address of the addressee under a certificate of posting.

Rule 22. The Parishad shall sue and be sued in the name of the Honorary General Secretary or such other persons who may have been appointed by the Governing Council for the said purpose.



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DECLARATION OF ADOPTION
OF
DIG VIJAY NATH DEGREE COLLEGE
S O R A K H P U R

1. NAME : The name of the Institution shall be Dig Vijay Nath Degree College, Gorakhpur.
2. OFFICE : The Registered Office of the Institution shall be at Dig Vijay Nath Degree College, Gorakhpur.
3. AIMS & OBJECTS :
 - (a) To impart literary, scientific, technical, commercial, agricultural, industrial, moral, religious, aesthetic and an integrated all round liberal education.
 - (b) To provide facilities for specialized training and extension work.
 - (c) To set up and maintain Hall and Library.
 - (d) To promote the spirit of learning and research.
 - (e) To turn out loyal & useful citizens to serve the mother-land.
 - (f) To acquire moveable or immoveable property through purchase, donations or gift from individuals or societies in the interest of the College.
 - (g) To adopt all other means and to do all other acts that are conducive to the progress of the College and the attainment of the above object.

4. NAMES, ADDRESSES AND OCCUPATIONS OF THE FIRST OFFICE BEARERS AND MEMBERS OF THE MANAGING COMMITTEE OF THE INSTITUTION TO WHOM BY RULES AND REGULATIONS OF THE INSTITUTION THE MANAGEMENT OF ITS AFFAIRS IS ENTRUSTED.

| Name | Occupation | Address |
|--|----------------------------|--|
| 1. Sri Holindran Mahant Sri Avadh Nath (President) | Mahant | Sri Goraknath Temple Gorakhpur |
| 2. Chaudhary Ram Lakhan Chand (Vice-President) | Banker | Urban Bank, Gorakhpur |
| 3. Dr. Hari Prasad Shukla, M.A. (Secretary) | Social service | 9, Civil Lines, Gorakhpur |
| 4. Sri Samant Lal (Joint Secretary) | Social Service | Sri Goraknath Temple Gorakhpur |
| 5. Sri Lakshmi Shankar Varma (Member) | Advocate | Patia Bazar, Gorakhpur |
| 6. Dr. Ram Prakash Singh (Member) | Reader in Ancient Hist. | University of Gorakhpur |
| 7. Dr. Pader Nath Lalari (Member) | Medical practitioner | Bank Road, Gorakhpur |
| 8. Dr. A. K. Singh, (Member) | Lecturer in Sanskrit | University of Gorakhpur |
| 9. Sri S. N. Singh, (Member) | Principal | M. P. Intermediate Coll Gorakhpur |
| 10. Sri S. P. Singh (Member) | Industrialist | Shahib Jute Mills, Chaujan, Gorakhpur |

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|---|-------------------|---|
| 11. Dr. Gopal Prasad (Member) | Industrialist | 80/A Pirthviraj Road, New Delhi |
| 12. Sri Yadvendra Singh, M. A. A. (Member) | Social Service | Aluna Bazar, Gorakhpur |
| 13. Principal (Ex-officio Member) | Principal | Dig Vijai Nath Degree College, Gorakhpur |
| 14. Two teachers of the College by rotation on the basis of seniority (Members) | Teachers | Dig Vijai Nath Degree College, Gorakhpur |

WE THE UNDERSIGNED, ARE DESIROUS OF BEING FORMED INTO
A SOCIETY UNDER THE SOCIETIES REGISTRATION ACT 1960.

Name

Signature

- | | |
|---------------------------------|--------------------|
| 1. Avasidyanath | <i>[Signature]</i> |
| 2. Hari Prasad Shukla | <i>[Signature]</i> |
| 3. Nauminath | |
| 4. Lakshmi Shankar Varan | <i>[Signature]</i> |
| 5. Ram Briksh Singh | <i>[Signature]</i> |
| 6. Kedar Nath Lahiri | <i>[Signature]</i> |
| 7. L. N. Singh | <i>[Signature]</i> |
| 8. J. B. Sinha | <i>[Signature]</i> |
| 9. Chaudhari Ram Lakhan Chandra | <i>[Signature]</i> |

6. RULES AND REGULATIONS FOR THE MANAGEMENT OF DIG VIJAI
NATH DEGREE COLLEGE, GORAKHPUR.

The administration of the College shall be run by a
Managing Committee appointed by the Maharana Pratap Shiksha
Parishad, Gorakhpur from among its members. It shall consist
of 15 members including the office bearers, the Principal who
shall be an ex-officio member and two teachers of the College
by rotation in order of seniority who shall hold office for a
term of two years.

Provided further that the Managing Committee shall have
powers to elect members.

7. TERMINATION OF A MEMBER'S TERM OF THE MANAGING COMMITTEE.
- A member shall cease to act on the Managing Committee if
- (1) He dies,
 - (2) He resigns and his resignation is accepted by the
Managing Committee,
 - (3) He is declared insolvent;

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(3)

- (4) He is of unsound mind,
- (5) He is convicted by a Court of law on a charge involving moral turpitude; and
- (6) In the judgement of the Managing Committee he is found to act against the interest of the Institution.

7. MEETINGS OF THE MANAGING COMMITTEE.

- (a) The Managing Committee shall meet atleast once every three months.
- (b) The President or Secretary shall have powers to convene special meetings of the Managing Committee in case of emergency.
- (c) Intimation regarding ordinary meetings shall be given to the members concerned under certificate of posting atleast seven days before the date of the meeting, provided further that 24 hours notice would be deemed sufficient in case of an emergent meeting.

8. QUORUM

One third of the total strength of the Managing Committee shall form quorum.

9. TERM

Members of the Managing Committee shall hold office for a term of 4 years.

10. POWERS AND DUTIES OF THE MANAGING COMMITTEE.

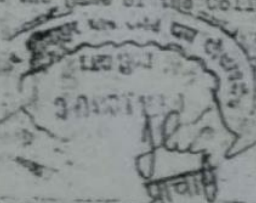
The Committee shall have the following powers and duties -

- (a) To frame bye-laws that may be necessary for efficient management of the Institution consistent with the provisions of the Act and Statutes and Ordinances of the Gorakhpur University.
- (b) To sanction the Annual Budget of the College.
- (c) To sanction money for expenditure in emergent cases not provided for in the budget.
- (d) To take loans from Government, Semi-government bodies Banks or any other registered agency or individuals for construction of building or any other developmental project of the College.
- (e) To supervise general administration of the College.
- (f) To take constitutional and legal steps in the interest of the College.
- (g) To accept donations, and raise subscriptions for the College and spend it in the interest of the College or deposit it in the name of the College.

31/12/12

Sh. M. M. M.

Krishna Shankar
Ramesh Lal Chauhan (Member)



(4)

- (h) To fill vacancies on the Managing Committee on the basis of majority of votes.
- (i) To negotiate and contract and rescind any vary all such contracts and execute all such deeds in the name and on behalf of the College, considered expedient and desirable in its interest.
- (j) To appoint, promote, punish or dismiss any member of the teaching, ministerial or inferior staff of the College in accordance with the provisions of the Act, Statutes and Ordinances of the Gorakhpur University.
- (k) To appoint sub-committees for special purposes.
- (l) To delegate any or all of its powers to an office bearer of the Managing Committee.
- (m) To authorise the Secretary or any other Office bearer to take such steps on behalf of the Managing Committee as they deem necessary in the interest of the College.
- (n) To fix salaries or grant special allowances to members of the staff.
- (o) To sanction leave other than casual leave to the members of the staff.

Provided further that the Secretary shall have the powers to grant leave other than casual leave for a period of two months subject to the approval of the Managing Committee.

- (p) To alter, vary, annul, repeal or revoke any of the rules and provisions here-in-set forth or to add any new clause here-unto.

II. POWERS AND DUTIES OF THE PRESIDENT

The President shall be the principal administrative authority of the College and in addition to the powers conferred on him by the relevant provisions of the Act, Statutes and Ordinances of the Gorakhpur University, he shall have the following powers and duties -

- (1) To exercise due control over finance and other affairs of the College.
- (2) To preside over meetings of the Managing Committee.
- (3) To exercise one ordinary vote and in the event of votes being equal on either side, to exercise a second casting vote.
- (4) To give rulings on points of procedure which shall be binding on all present at the meeting.
- (5) To delegate any of his powers to any office bearer of the Managing Committee.

12. POWERS AND DUTIES OF THE VICE-PRESIDENT.

- (1) The Vice-President shall preside over the meetings of

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Dr. Kishan Prakash Varma
Nam Lal Varma (Hon.)

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the Managing Committee in the absence of the President and perform all such duties and exercise all such powers as may be delegated to him in writing by the President.

✓ 13. POWERS AND DUTIES OF THE SECRETARY.

In addition to the powers conferred on him by the relevant provisions of the Act, Statutes and Ordinances of the Gorakhpur University, the Secretary shall have the following powers and duties -

- (1) To convene meetings of the Managing Committee.
- (2) To cause the minutes of meetings of the Managing Committee to be recorded and a Minute Book to be maintained.
- (3) To sanction payment of dues and sign all bills and cheques.
- (4) To make temporary arrangements for appointment to any post in the Institution subject to the provisions of Act, Statutes and Ordinances of the Gorakhpur University.
- (5) To carry on correspondence on behalf of the Institution.
- (6) To enter into contract for and on behalf of the Committee in accordance with the resolutions.
- (7) To sanction non-recurring expenses within the budget allotment.
- ✓ (8) To operate all the funds of the College except the Boys' Funds.
- ✓ (9) To prepare the annual Budget and lay it before the Managing Committee for consideration and approval.
- (10) To institute and defend suits for all against the institution under instructions of the Managing Committee.
- (11) To perform such other functions as the Managing Committee may direct from time to time.
- (12) To apply for, and receive all loans on behalf of the Managing Committee and excrete bonds and deeds in that respect.
- (13) To grant casual leave to the Principal.

14. POWERS AND DUTIES OF THE JOINT SECRETARY

The Joint Secretary shall exercise all the powers and perform all the duties of the Secretary in his absence.

15. POWERS AND DUTIES OF THE PRINCIPAL

The Principal shall be the chief academic and executive Officer of the Institution and in addition to the powers conferred on him by the Act, Statutes and Ordinances of the Gorakhpur University, he shall have the following powers and duties -

- (I) To supervise tutorial work and to maintain discipline in

प्रचार
दिग्विजयनाथ पी.जी. कॉलेज
गोरखपुर

Lakshmi Shankar Banna
Nam Laxman (Hud)

प्रचार
दिग्विजयनाथ पी.जी. कॉलेज
गोरखपुर

प्रचार
दिग्विजयनाथ पी.जी. कॉलेज
गोरखपुर

(6)

the College.

- (2) To enforce the relevant provisions of the Act, Statutes and Ordinances of the Gorakhpur University in respect of courses prescribed by the University.
- (3) To assign duties and fix working hours for the teaching, ministerial and inferior staff of the College.
- ✓ (4) To check the monthly accounts of receipts and expenditure and affix his signatures thereon.
- ✓ (5) To be incharge of Auxiliary (Boys) Funds of the College and to operate such funds.
- (6) To maintain the service books and character rolls of all the employees of the College and to recommend disciplinary action to be taken against them on grounds of misconduct.
- (7) To form sub-committees and assign duties other than teaching to members of the staff in the interest of efficient administration of the College.

16. SEAL OF THE COLLEGE

The College shall have a seal which will bear the words 'BIG VILJAINATH DEGREE COLLEGE, GORAKHPUR'. All instruments, deeds and documents shall be in the name of the said College and duly executed by the Secretary affixing the seal of the College thereon.

True Copy

Dr. K. K. Singh
Principal

Dr. Kishan Prakash Varma
Dean, Law School
H. K. K. K.

08/28/69
वि. वि. जयनाथ पी. जी. कॉलेज
गोरखपुर

X Oct. 28, 1969

Dr. K. K. Singh
Principal

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UGC Regulation-2018

UNIVERSITY GRANTS COMMISSION
New Delhi-110002, The__February, 2018

DRAFT UGC REGULATIONS ON MINIMUM QUALIFICATIONS FOR APPOINTMENT OF TEACHERS AND OTHER ACADEMIC STAFF IN UNIVERSITIES AND COLLEGES AND MEASURES FOR THE MAINTENANCE OF STANDARDS IN HIGHER EDUCATION 2018

No. _____-In exercise of the powers conferred under clause (e) and (g) of sub-section(I) of Section 26 of University Grants Commission Act, 1956 (3 of 1956), and in pursuance of the MHRD _____ read with Ministry of Finance(Department of Expenditure) O.M.No. _____ and in terms of the MHRD Notification MHRD letters No. 1-7/2015-U.II(1) dated 02.11.2017 and its Corrigendum No. 1-7/2015-U.II(2) dated 08.11.2017 and in supersession of the UGC Regulations On Minimum Qualifications For Appointment Of Teachers And Other Academic Staff In Universities And Colleges And Measures For The Maintenance Of Standards In Higher Education 2010, issued by University Grants Commission vide Regulations No. _____ dated _____, 2018 together with all amendments made therein from time to time, the University Grants Commission hereby frames the following Regulations, namely:-

1. Short title, application and commencement:
 - 1.1 These Regulations may be called the University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education) Regulations, 2018.
 - 1.2 The shall apply to every University established or incorporated by or under a Central Act, Provincial Act or a State Act, every Institution including a Constituent or an affiliated College recognized by the Commission, in consultation with the University concerned under Clause (i) of Section 2 of the University Grants Commission Act, 1956 and every Institution deemed to be a University under Section 3 of the said Act.
 - 1.3 They shall come into force from the date of notification.
2. The Minimum Qualifications for appointment and other service conditions of University and College teachers Librarians and Directors of Physical Education and Sports as a measure for the maintenance of standards in higher education, shall be as provided in the Annexure to these Regulations.
3. Consequences of failure of the Universities to comply with the recommendations of the Commission, as provision of Section 14 of the University Grants Commission Act, 1956:

If any University Grants affiliation in respect of any course of study to any college referred to in sub-section(5) of Section 12-A in contravention of the provisions of the sub-section, or fails within a reasonable time to comply with any recommendations made by the Commission under Section 12 or Section 13, or contravenes the provision of any rule made under clause (f) of sub-section (2) of Section 25 or of any regulations made under clause (e) or clause(f) of clause (g) of Sub-Section(I) of Section 26, the Commission after taking into consideration the cause, if any, shown by the University for such failure or contravention, may withhold from the university the grants proposed to be made out of the fund of the Commission.

**DRAFT UGC REGULATIONS ON MINIMUM QUALIFICATIONS FOR APPOINTMENT OF
TEACHERS AND OTHER ACADEMIC STAFF IN UNIVERSITIES AND COLLEGES AND
MEASURES FOR THE MAINTENANCE OF STANDARDS IN HIGHER EDUCATION, 2018**

These Regulations are issued for minimum qualifications for appointment and other service conditions of University and College Teachers, Librarians, Directors of Physical Education and Sports for the maintenance of standards in higher education and revision of pay scales.

1.0 COVERAGE

1.1 For teachers in Faculties for which Statutory Professional Councils/Bodies exist like Indian Council for Agricultural Research, Ministry of Health and Family Welfare and Ministry of AYUSH, National Council of Teacher Education, All India Council for Technical Education, Rehabilitation Council of India, etc., the norms and regulations stipulated by the concerned Statutory Professional Councils/Bodies, if any, shall apply for the purposes of direct recruitment with the following proviso:

- i The UGC Regulations shall be applicable for direct appointment of Teachers, in case the concerned Statutory Professional Councils/Bodies have not laid down the norms so far with the condition that in such cases, the norms of the Statutory Professional Councils//Bodies shall be applicable from the date they are notified by the concerned Councils/Bodies.
- ii In the subjects in which NET/SET/SLET is conducted by UGC/CSIR or any other body accredited by UGC, NET/SET/SLET shall be an additional requirement for appointment to the post of Assistant Professor and equivalent positions as per Clause 3.3.

1.2 The Universities/State Governments shall modify or amend the relevant Act/Statutes of the Universities concerned within 6 months of adoption of these Regulations.

2.0 PAY SCALES, PAY FIXATION FORMULA AND AGE OF SUPERANNUATION, ETC.

2.1 The revised scales of pay and other service conditions including age of superannuation in central universities and other institutions maintained and/or funded by the University Grants Commission (UGC), shall be strictly in accordance with the decision of the Central Government, Ministry of Human Resource Development (Department of Education), as contained in **Appendix-I and II**.

2.2 The pay scale shall, in the Central Universities and other institutions maintained and/or funded by the UGC, be fixed in accordance with the pay fixation formula approved by the Ministry of Human Resource Development (MHRD), as contained in **Appendix-I and II**.

2.3 The pay fixation formula for teachers shall apply for other positions in the Library and Physical Education and Sports cadres in the Central Universities and Colleges thereunder and Institutions Deemed to be Universities whose maintenance expenditure is met by the UGC.

I. The revised scales of pay and age of superannuation as provided in Clause 2.1.0 above, may also be extended to Universities, colleges and other higher educational institutions coming under the purview of the State Legislature and maintained by the State Governments, subject to the implementation of the scheme as a composite one in adherence of the terms and conditions laid down in the MHRD notifications as provided in the MHRD letters No. 1-7/2015-U.II(1) dated 02.11.2017 and its Corrigendum No. 1-7/2015-U.II(2) dated 08.11.2017 with all conditions specified by the UGC in these Regulations and other Guidelines as contained in Appendix I and II.

II. Subject to the availability of vacant positions and fitness, teachers such as Assistant Professor, Associate Professor, Professor and Senior Professor only, may be re-employed on contract appointment beyond the age of superannuation, as applicable to the concerned University, college and Institution, up to the age of seventy years.

Provided further that all such re-employment shall be strictly in accordance with the guidelines prescribed by the UGC, from time to time.

III. All other aspects which are not covered in these Regulations, on applicability, financial assistance, date of implementation of revised pay and allowances and payment of arrears, etc. shall be as laid down in the MHRD Notifications letter No.1-7/2015-U.II(1) dated 02.11.2017 and its Corrigendum MHRD letter F.No. 1-7/2015-U.II(2) dated 08.11.2017 provided as Appendix-I and II of these Regulations.

3.0 RECRUITMENT AND QUALIFICATIONS

3.1 The direct recruitment to the posts of Assistant Professors, Associate Professors and Professors in the Universities and Colleges and Senior Professor in the Universities shall be on the basis of merit through all India advertisement and selections by the duly constituted Selection Committees as per the provisions made under these Regulations. These provisions shall be incorporated under the Statutes/Ordinances of the concerned university. The composition of such committees shall be as prescribed in these Regulations.

3.2 The minimum qualifications required for the post of Assistant Professors, Associate Professors, Professors, Senior Professors, Principals, Assistant Librarians, Deputy Librarians, Librarians, Assistant Directors of Physical Education and Sports, Deputy Directors of Physical Education and Sports and Directors of Physical Education and Sports, shall be as prescribed by the UGC in these Regulations.

3.3

I. The National Eligibility Test (NET), or an accredited test (State Level Eligibility Test SET/SLET) shall remain the minimum eligibility for appointment of Assistant Professor and equivalent positions wherever provided in these regulations. Further, SLET/SET

shall be valid as the minimum eligibility for direct recruitment to Universities/Colleges/Institutions under the control of the respective state only.

- i. *Provided* further, that candidates, who have been awarded Ph. D. Degree in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degree) Regulation, 2009 or University Grants Commission (Minimum Standards and Procedure for Award of M.Phil/Ph.D. Degree) Regulation, 2016 and their subsequent amendments from time to time as the case may be, shall be exempted from the requirement of the minimum eligibility condition of NET/SLET/SET for recruitment and appointment of Assistant Professor or equivalent positions in Universities / Colleges / Institutions.
 - ii. *Provided* further that, the award of degree to candidates registered for the M.Phil / Ph.D. programme prior to July 11, 2009, shall be governed by the provisions of the then existing Ordinances / Bye-laws / Regulations of the Institutions awarding the degree. All such Ph.D. candidates shall be exempted from the requirement of NET/SLET/SET for recruitment and appointment of Assistant Professor or equivalent positions in Universities/Colleges / Institutions subject to the fulfillment of the following conditions:-
 - a) Ph.D. degree of the candidate awarded in regular mode only;
 - b) Evaluation of the Ph.D. thesis by at least two external examiners;
 - c) An open Ph.D. viva voce of the candidate had been conducted;
 - d) Candidate has published two research papers from his/her Ph.D. work out of which at least one must be in a refereed journal;
 - e) Candidate has made at least two presentations in conference/seminars, based on his/her Ph.D work.

(a) to (e) as above are to be certified by the Registrar/ Dean (Academic Affairs).
- II. NET/SLET/SET shall not be required for such disciplines for which NET/SLET/SET is not conducted.
- 3.4 A minimum of 55% marks (or an equivalent grade in a point scale wherever grading system is followed) shall be required at the Master's level for direct recruitment of teachers at any level.
- I. A relaxation of 5% shall be provided at the graduate and master's level for the candidates belonging to Scheduled Caste/Scheduled Tribe/Differently-abled ((a) Blindness and low vision; (b) Deaf and Hard Hearing; (c) locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy; (d) Autism, intellectual disability, specific learning disability and mental illness; (e) Multiple disabilities from amongst persons under (a) to (d) including deaf-blindness)/Other Backward Classes (OBC)(Non-creamy Layer) for the purpose of eligibility and assessing good academic record for direct recruitment. The eligibility marks of 55% marks (or an equivalent grade in a point scale wherever grading system is followed) and the relaxation of 5% to the categories mentioned above are permissible, based on only the qualifying marks without including any grace mark procedures.

- 3.5.** A relaxation of 5% shall be provided, from 55% to 50% of the marks to the Ph.D. Degree holders, who have obtained their Master's Degree prior to 19 September, 1991.
- 3.6** Relevant grade which is regarded as equivalent of 55% wherever the grading system is followed by a recognized university shall also be considered valid at the Master's level.
- 3.7** The Ph.D. Degree shall be a mandatory qualification for the appointment and promotion to the post of Professors.
- 3.8** The Ph.D. Degree shall be a mandatory qualification for appointment and promotion to the post of Associate Professors.
The Ph.D. Degree shall be a mandatory qualification for promotion to the post of Assistant Professor (Selection Grade/Academic Level 12) in Universities. The Ph.D. Degree shall be a mandatory qualification for direct recruitment to the post of Assistant Professor in Universities with effect from 01.07.2021. For promotion to the post of Assistant Professor (Selection Grade/Academic Level 12) in Colleges, the Ph. D. shall be a mandatory qualification if the date of eligibility falls on or after 01.07.2021.
- 3.9** The period of time taken by candidates to acquire M.Phil. and/or Ph.D. Degree shall not be considered as teaching/ research experience to be claimed for appointment to the teaching positions. Further the period of active service spent on pursuing Research Degree simultaneously with teaching assignment without taking any kind of leave shall be counted as teaching experience for the purpose of direct recruitment/ promotion. The period of leave taken for pursuing Research Degree i.e. for acquiring Ph.D. degree shall not be counted as teaching experience for the purpose of direct recruitment/ promotion.

4.0 DIRECT RECRUITMENT

- 4.1** For Disciplines of Arts, Commerce, Humanities, Education, Law, Social Sciences, Sciences, Languages, Library Science, Journalism and Mass Communication.

I. Assistant Professor:

Eligibility :

A.

- i) Master's degree with 55% marks (or an equivalent grade in a point scale wherever grading system is followed) in a relevant/allied subject from an Indian University, or an equivalent degree from an accredited foreign university.
- ii) Besides fulfilling the above qualifications, the candidate must have cleared the National Eligibility Test (NET) conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET or who are or have been awarded a Ph. D. Degree in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degree) Regulations, 2009 or 2016 and their amendments from time to time as the case may be.
Provided further, candidates registered for the Ph.D. programme prior to July 11, 2009, shall be governed by the provisions of the then existing Ordinances / Bye-

laws / Regulations of the Institutions awarding the degree and such Ph.D. candidates shall be exempted from the requirement of NET/SLET/SET for recruitment and appointment of Assistant Professor or equivalent positions in Universities/Colleges / Institutions subject to the fulfillment of the following conditions :-

- a) Ph.D. degree of the candidate awarded in regular mode only;
- b) Evaluation of the Ph.D. thesis by at least two external examiners;
- c) An open Ph.D. viva voce of the candidate had been conducted;
- d) Candidate has published two research papers from his/her Ph.D. work out of which at least one must be in a refereed journal;
- e) Candidate has made at least two presentations in conference/seminars, based on his/her Ph.D work.

(a) to (e) as above are to be certified by the Registrar/ Dean (Academic Affairs).

- iii) NET/SLET/SET shall also not be required for such Masters Programmes in disciplines for which NET/SLET/SET is not conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET.

OR

- B.** Ph.D degree from a university/institution with a ranking in top 500 in the World University ranking (at any time) by Quacquarelli Symonds (QS), the Times Higher Education (THE) and Academic Ranking of World Universities (ARWU) of the Shanghai Jiao Tong University (Shanghai).

Note: Academic score as prescribed in Appendix III, Table 3 A for Universities and 3 B for Colleges, shall be considered for short-listing of the candidates for interview only and the selections shall be based on performance in the interview.

II. Associate Professor:

Eligibility:

- i. Good academic record with a Ph.D. Degree in the concerned/allied/relevant disciplines.
- ii. A Master's Degree with at least 55% marks (or an equivalent grade in a point scale wherever grading system is followed).
- iii. A minimum of eight years of experience of teaching and/or research in an academic/research position equivalent to that of Assistant Professor in a University, College or Accredited Research Institution/industry with a minimum of seven publications in the peer reviewed/UGC listed journals and a total research score of Seventy Five (75) as per the criteria given in Appendix III, Table 2.

- iv. Contribution to educational innovation, design of new curricula and courses, and technology – mediated teaching learning process.

III. Professor:

Eligibility:

A.

- (i) An eminent scholar with Ph.D. qualification(s) in the concerned/allied/relevant discipline and published work of high quality, actively engaged in research with evidence of published work with a minimum of 10 research publications in the peer reviewed/ UGC listed journals and a total research score of 120 as per the criteria given in Appendix III, Table 2.
- (ii) A minimum of ten years of teaching experience in university/college as Assistant Professor/Associate Professor/Professor, and/or research experience at equivalent level at the University/National level institutions/industries with evidence of having successfully guided doctoral candidate.
- (iii) Contribution to educational innovation, design of new curricula and courses, and technology – mediated teaching learning process.

OR

- B.** An outstanding professional with Ph.D. in relevant/allied/applied disciplines from academics/research institutions/industries, who has made significant contributions to the knowledge in the concerned/allied/relevant discipline to be substantiated with documentary evidence.

IV. Senior Professor in Universities

- i) The appointment to the post of Senior Professor shall be through direct recruitment.
- ii) Up to 10 percent of the existing sanctioned strength of Professors in the university shall be appointed as Senior Professor in the universities.

Eligibility:

- i) An eminent scholar with good track record of high quality publications in the reputed journals, significant research contribution to the discipline and engaged in research supervision.
- ii) A minimum of ten years of teaching/research experience as Professor or an equivalent grade in the University/College/National level institute.
- iii) Selection shall be based on academic achievements, favourable review from three eminent subject experts who are not less than the rank of Senior Professor or a Professor of at least ten years experience.
- iv) The selection shall be based on ten best publications in the Peer reviewed/UGC listed journals and award of minimum two Ph.D degrees under his/her supervision during last 10 years and interaction with a Selection Committee constituted as per UGC Regulations.

V. College Principal (Professor's Grade)

A. Eligibility:

- i. Ph.D. degree

- ii. Professor/Associate Professor with a total service/ experience of fifteen years of teaching/research/ administration in Universities, Colleges and other institutions of higher education.
- iii) A minimum of 120 Research Score as per Appendix III, Table 2.

B. Tenure

College Principal shall be appointed for a period of five years initially extendable for another term of five years on the basis of performance assessment by a similar Selection Committee process which shall take into account an External Peer Review Committee assessment, constituted as per these regulations.

VI. Vice Principal

An existing senior faculty member shall be designated as Vice-Principal by the Governing Body of the College on the recommendation of the Principal for a period not exceeding the tenure of the Principal, who can be assigned specific activities, in addition to existing responsibilities. During the absence of the Principal for any reason, the Vice Principal shall exercise the powers of Principal.

4.2. MUSIC, PERFORMING ARTS, VISUAL ARTS AND OTHER TRADITIONAL INDIAN ART FORMS LIKE SCULPTURE, ETC.

I. ASSISTANT PROFESSOR:

A.

- i) Master's Degree with 55% marks (or an equivalent grade in a point scale wherever grading system is followed) in the relevant subject or an equivalent degree from an Indian/Foreign University.
- ii) Besides fulfilling the above qualifications, the candidate must have cleared the National Eligibility Test (NET) conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET or who are or have been awarded a Ph. D. Degree in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degree) Regulations, 2009 or 2016 and their amendments from time to time as the case may be.
Provided further, candidates registered for the Ph.D. programme prior to July 11, 2009, shall be governed by the provisions of the then existing Ordinances / Bye-laws / Regulations of the Institutions awarding the degree and such Ph.D. candidates shall be exempted from the requirement of NET/SLET/SET for recruitment and appointment of Assistant Professor or equivalent positions in Universities/Colleges / Institutions subject to the fulfillment of the following conditions:-
 - a) Ph.D. degree of the candidate awarded in regular mode only;
 - b) Evaluation of the Ph.D. thesis by at least two external examiners;
 - c) Open Ph.D. viva voce of the candidate had been conducted;
 - d) Candidate has published two research papers from his/her Ph.D. work out of which at least one must be in a refereed journal;

- e) Candidate has made at least two presentations in conference/seminars, based on his/her Ph.D work.

(a) to (e) as above are to be certified by the Registrar/ Dean (Academic Affairs).

- v) NET/SLET/SET shall also not be required for such Masters Programmes in disciplines for which NET/SLET/SET is not conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET.

OR

- B.** A traditional and a professional artist with highly commendable professional achievement in the concerned subject having Bachelor degree, who should have:

- (a) Studied under noted/reputed traditional Masters/Artists
- (b) A' grade artist of AIR/Doordarshan; and
- (c) Ability to explain with logical reasoning the subject concerned and adequate knowledge to teach theory with illustrations in said discipline.

II. ASSOCIATE PROFESSOR:

A.

- i) Good academic record with doctoral degree, with performing ability of high professional standard.
- ii) Eight years of experience of teaching at the University, College level and/or research in University/national level institutions equal to that of Assistant Professor in Universities/Colleges.
- iii) Has made significant contributions to the knowledge in the subject concerned, as evidenced by quality of publications.
- iv) Contribution to educational innovation such as designing of new courses, curricula and/or outstanding performing achievement in the field of specialization.

OR

- B.** A traditional and a professional artist with highly commendable professional achievement in the concerned subject having Masters degree, who should be or have:

- a) A' grade artist of AIR/Doordarshan;
- b) Eight years of outstanding performing achievements in the field of specialization;
- c) Experience in designing of new courses and /or curricula;
- d) Participation in National Seminars/Conferences/Concerts in reputed institutions; and
- e) Ability to explain with logical reasoning the subject concerned and adequate knowledge to teach theory with illustrations in the said discipline.

III. PROFESSOR:

A.

- i) An eminent scholar with a doctoral degree actively engaged in research with ten years of experience in teaching in University/College and/or research at the University/National level institutions with a minimum of 6 research publications in the peer reviewed/UGC listed journals and a total research score of 120 as per Appendix III, Table 2.
- ii) Contribution to educational innovations such as designing of new curriculum and/or outstanding performing achievement in the field of specialization.

OR

- B.** A traditional and a professional artist with highly commendable professional achievement in the concerned subject having Masters degree, who should be or have:
- a) 'A' grade artist of AIR/Doordarshan;
 - b) Ten years of outstanding performing achievements in the field of specialization;
 - c) Significant contributions in the field of specializations and ability to guide research;
 - d) Participation in National/International Seminars/Conferences/ Workshops/Concerts and/or recipient of National/International Awards/Fellowships; and
 - e) Ability to explain with logical reasoning the subject concerned and adequate knowledge to teach theory with illustrations in the said discipline.

4.3 DRAMA DISCIPLINE:

I. ASSISTANT PROFESSOR:

A.

- i) Master's Degree with 55% marks (or an equivalent grade in a point scale wherever grading system is followed) in the relevant subject or an equivalent degree from an Indian/Foreign University.
- ii) Besides fulfilling the above qualifications, the candidate must have cleared the National Eligibility Test (NET) conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET or who are or have been awarded a Ph.D. Degree in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degree) Regulations, 2009 or 2016 and their amendments from time to time as the case may be.
Provided further, candidates registered for the Ph.D. programme prior to July 11, 2009, shall be governed by the provisions of the then existing Ordinances / Bye-laws / Regulations of the Institutions awarding the degree and such Ph.D. candidates shall be exempted from the requirement of NET/SLET/SET for recruitment and appointment of Assistant Professor or equivalent positions in Universities/Colleges / Institutions subject to the fulfillment of the following conditions :-
 - a) Ph.D. degree of the candidate awarded in regular mode only;
 - b) Evaluation of the Ph.D. thesis by at least two external examiners;
 - c) Open Ph.D. viva voce of the candidate had been conducted;
 - d) Candidate has published two research papers from his/her Ph.D. work out of which at least one must be in a refereed journal;
 - e) Candidate has made at least two presentations in conference/seminars, based on his/her Ph.D work.*(a) to (e) as above are to be certified by the Registrar/ Dean (Academic Affairs).*
- iii) NET/SLET/SET shall also not be required for such Masters Programmes in disciplines for which NET/SLET/SET is not conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET.

OR

- B.** A traditional and a professional artist with highly commendable professional achievement in the concerned subject, who should be or have:

- a) A professional artist with Bachelor degree with 55% marks (or an equivalent grade in a point scale wherever grading system is followed) from National School of Drama or any other such approved Institution in India or abroad;
- b) Five years of regular acclaimed performance at regional/ national/ international stage with evidence; and
- c) Ability to explain with logical reasoning the subject concerned and adequate knowledge to teach theory with illustrations in the said discipline.

II. ASSOCIATE PROFESSOR:

A.

- i) Good academic record with doctoral degree with performing ability of high professional standard as recommended by an expert committee constituted by the University concerned for the said purpose.
- ii) Eight years of experiences of teaching in a University / College and/ or research in University/national level institutions equal to that of Assistant Professor in Universities/Colleges.
- iii) Has made significant contributions to the knowledge in the subject concerned, as evidenced by quality of publications.
- iv) Contributions to educational innovation such as designing new courses and/ or curricula and/ or outstanding performing achievements in the field of specializations.

OR

- B.** A traditional and a professional artist with highly commendable professional achievement in the concerned subject having Masters degree, who should have:

- a. A recognized artist of Stage/ Radio/TV;
- b. Eight years of outstanding performing achievements in the field of specialization;
- c. Experience in designing of new courses and /or curricula;
- d. Participation in Seminars/Conferences in reputed institutions; and
- e. Ability to explain with logical reasoning the subject concerned and adequate knowledge to teach theory with illustrations in the said discipline.

III. PROFESSOR:

A.

- i) An eminent scholar with a doctoral degree actively engaged in research with ten years of experience in teaching and /or research at the University/National level institutions including experience of guiding research in doctoral level, with outstanding performing achievement in the field of specialization with a minimum of 6 research publications in the peer reviewed/ UGC listed journals and a total research score of 120 as per Appendix III, Table 2.
- ii) Contribution to educational innovations such as designing of new curriculum and/ or outstanding performing achievement in the field of specialization.

OR

- B.** A traditional and a professional artist with highly commendable professional achievement in the concerned subject having Masters degree, who should have:

- a. Ten years of outstanding performing achievements in the field of specialization;

- b. Has made significant contributions in the field of specializations and has the ability to guide research;
- c. Participation in National/International Seminars/Conferences/ Workshops and/ or recipient of National/International Awards/ Fellowships; and
- d. Ability to explain the logical reasoning of the subject concerned and adequate knowledge to teach theory with illustrations in the said discipline.

4.4 VISUAL (FINE) ARTS DISCIPLINE

I. ASSISTANT PROFESSOR:

A.

- i) Master's degree with 55% marks (or an equivalent grade in a point scale wherever grading system is followed) in the relevant subject or an equivalent degree from an Indian/Foreign University.
- ii) Besides fulfilling the above qualifications, the candidate must have cleared the National Eligibility Test (NET) conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET or who are or have been awarded a Ph. D. Degree in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degree) Regulations, 2009 or 2016 and their amendments from time to time as the case may be.

Provided further, candidates registered for the Ph.D. programme prior to July 11, 2009, shall be governed by the provisions of the then existing Ordinances / Bye-laws / Regulations of the Institutions awarding the degree and such Ph.D. candidates shall be exempted from the requirement of NET/SLET/SET for recruitment and appointment of Assistant Professor or equivalent positions in Universities/Colleges / Institutions subject to the fulfillment of the following conditions :-

- a) Ph.D. degree of the candidate awarded in regular mode only;
- b) Evaluation of the Ph.D. thesis by at least two external examiners;
- c) Open Ph.D. viva voce of the candidate had been conducted;
- d) Candidate has published two research papers from his/her Ph.D. work out of which at least one must be in a refereed journal;
- e) Candidate has made at least two presentations in conference/seminars, based on his/her Ph.D work.

(a) to (e) as above are to be certified by the Registrar/ Dean (Academic Affairs).

- iii) NET/SLET/SET shall also not be required for such Masters Programmes in disciplines for which NET/SLET/SET is not conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET.

OR

- B.** A Professional artist with highly commendable professional achievement in the concerned subject, who should have:

- a. Bachelor degree with 55% marks (or an equivalent grade in a point scale wherever grading system is followed) in Visual (Fine) arts discipline from the recognized Institution of India/Abroad;
- b. Five years of experience of holding regular regional/National exhibitions/Workshops with evidence; and

- c. Ability to explain with logical reasoning the subject concerned and adequate knowledge to teach theory with illustrations in the said discipline.

II. ASSOCIATE PROFESSOR:

A.

- i) Good academic record with doctoral degree, with performing ability of high professional standard.
- ii) Eight years of experience of teaching in a University / College and/ or research in University / national level institutions equal to that of Assistant Professor in Universities/Colleges.
- iii) Has made significant contributions to the knowledge in the subject concerned as evidenced by quality of publications.
- iv) Contributions to educational innovation such as: designing new courses and/ or curricula and/or outstanding performing achievements in the field of specializations.

OR

- B.** A Professional artist with highly commendable professional achievement in the concerned subject having Masters degree with 55% marks (or an equivalent grade in a point scale wherever grading system is followed), who should be or have:

- a. A recognized artist of his/her own discipline;
- b. Eight years of outstanding performing achievements in the field of specialization;
- c. Experience in designing of new courses and /or curricula;
- d. Participation in Seminars/Conferences in reputed institutions; and
- e. Ability to explain with logical reasoning the subject concerned and adequate knowledge to teach theory with illustrations in the said discipline.

III. PROFESSOR:

A.

- i) An eminent scholar with a doctoral degree actively engaged in research with ten years of experience in teaching and /or research at the University/National level institutions including experience of guiding research at doctoral level, with outstanding performing achievement in the field of specialization, a minimum of 6 research publications in the peer reviewed/ UGC listed journals and a total research score of 120 as per Appendix III, Table 2.
- ii) Contribution to educational innovations such as designing of new curriculum and/ or outstanding performing achievement in the field of specialization.

OR

- B.** A Professional artist with highly commendable professional achievement in the concerned subject having Masters degree, who should have:

- a. Ten years of experience of holding regular regional/national exhibition/workshops with evidence;
- b. Significant contributions in the field of specialization and ability to guide research;
- c. Participation in National/International Seminars/Conferences/ Workshops and/or recipient of National/International Awards/ Fellowships; and
- d. Ability to explain with logical reasoning the subject concerned and adequate knowledge to teach theory with illustrations in the said discipline.

4.5 YOGA DISCIPLINE

I. ASSISTANT PROFESSOR:

- A.** Good academic record with at least 55% marks (or an in a point scale wherever grading system is followed) at the Master's degree level (Yoga), in the relevant subject or an equivalent degree from an Indian/Foreign University.

Besides fulfilling the above qualifications, the candidate must have cleared the National Eligibility Test (NET) conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET or who are or have been awarded a Ph. D. Degree in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degree) Regulations, 2009 or 2016 and their amendments from time to time as the case may be.

Or

- B.** 55% marks in Master degree(Yoga)+Ph.D. in Yoga in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degree) Regulations, 2009 or 2016 and their amendments from time to time as the case may be.

Or

- C.** Master degree in any discipline with 55% of marks +Ph.D. in Yoga*in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degree) Regulations, 2009 or 2016 and their amendments from time to time as the case may be.

*Note: Considering the paucity of teachers in the newly emerging field of Yoga this alternative has been provided and will be valid only for five years from the date of notification of these regulations

II. ASSOCIATE PROFESSOR

- i. Good academic record with a Ph.D. degree in concerned /allied/relevant disciplines.
- ii. A Master's degree with at least 55% marks (or an equivalent grade in a point scale wherever grading system is followed).
- iii. A minimum of eight years of experience of teaching and/ or research in an academic/research position equivalent to that of Assistant Professor in a University, College or Accredited Research Institutions/Industry with evidence of published work and a minimum of 7 publications as books and/or research/policy papers in the peer reviewed/UGC listed journals and a total research score of Seventy Five (75) as per the criteria given in Appendix III, Table 2.
- iv. Contribution to educational innovation, design of new curricula and courses, and technology mediated teaching learning process.

III. PROFESSOR

- A.**
- i. An eminent scholar with Ph. D. qualifications(s) in the concerned/allied/relevant discipline and published work of high quality actively engaged in research with evidence of published work with a minimum of 10 publications as books and/ or research/policy papers in the peer reviewed/UGC listed journals and a total research score of 120 as per the criteria given in Appendix III, Table 2.
 - ii. A minimum of ten years of teaching experience in University/College and/or experience in research at the University/National level Institution/Industries, with evidence of having successfully guided doctoral candidate.

- iii. Contribution to educational innovation, design of new curricula and technology mediated teaching learning process.

Or

- B. An outstanding professional, with established reputation in the relevant field, who has made significant contributions to the knowledge in the concerned/allied/relevant discipline to be substantiated by credentials.

4.6 QUALIFICATIONS, EXPERIENCE AND OTHER ELIGIBILITY REQUIREMENTS FOR APPOINTMENT OF OCCUPATIONAL THERAPY TEACHERS

I. ASSISTANT PROFESSOR:

Bachelor Degree in Occupational Therapy (B.O.T./B. Th.O./B.O.Th.), Masters in Occupational Therapy (M.O.Th/M.Th.O./ M.Sc. O.T/M.OT.) with at least 55% marks (or an equivalent grade in a point scale wherever grading system is followed) from a recognized University

II. ASSOCIATE PROFESSOR:

- i) Master in Occupational Therapy (M.O.T./M.O.Th./M.Sc. O.T.) with eight years experience as Assistant Professor.
- ii) Desirable: Higher Qualification like Ph. D. in any discipline of occupational therapy recognized by the UGC and published work of high standard in peer reviewed/UGC listed journals.

III. PROFESSOR:

- i) Masters in Occupational Therapy (M.O.T. / M.O.Th./M.Th.O./M.Sc. O.T.) with Ten years of total experience in Occupational Therapy.
- ii) Desirable: Higher Qualification like Ph. D. in any discipline of occupational therapy recognized by the UGC and published work of high standard in peer reviewed/UGC listed journals.

IV. PRINCIPAL / DIRECTOR / DEAN:

Masters in Occupational Therapy (M.O.T./M.Th.O./M.Oth./M.Sc. O.T.) with fifteen years experience, which shall include five years experience as Professor (Occupational Therapy).

- i) Senior-most Professor shall be Principal / Director / Dean.
- ii) Desirable: Higher qualification like Ph. D. in any discipline of occupational therapy recognized by the UGC and published work of high standard in peer reviewed /UGC listed journals.

4.7 QUALIFICATIONS, EXPERIENCE AND OTHER ELIGIBILITY REQUIREMENTS FOR APPOINTMENT OF PHYSIOTHERAPY TEACHERS

I. ASSISTANT PROFESSOR: Bachelor Degree in Physiotherapy (B.P/T./B. Th./P./B.P.Th.), Masters in Physiotherapy (M./P.Th/M.Th.P./M.Sc. P.T/M.PT.) with at least 55% marks (or an

equivalent grade in a point scale wherever grading system is followed) from recognized University.

II. ASSOCIATE PROFESSOR:

- i) Master in Physiotherapy (M.P.T./M.P.Th./M.Th.P/M.Sc. P.T.) with eight years total experience as Assistant Professor.
- ii) Desirable: Higher Qualification like Ph. D. in any discipline of Physiotherapy recognized by U.G.C and published work of higher standard in peer reviewed /UGC listed journals.

III. PROFESSOR:

- i) Masters in Physiotherapy (M.P.T. / M.P.Th./M.Th.P./M.Sc. P.T.) with ten years total experience.
- ii) Desirable: Higher Qualification like Ph. D. in any discipline of Physiotherapy recognized by U.G.C and published work of high standard in peer reviewed/ UGC listed journals.

IV. PRINCIPAL / DIRECTOR / DEAN:

- i) Masters in Physiotherapy (M.P.T./M.Th.P./M.Pth./M.Sc. P.T.) with fifteen years total experience, including five years experience as Professor (Physiotherapy).
- ii) Senior-most Professor shall be the Principal / Director / Dean.
- iii) Desirable: Higher qualification like Ph. D. in any discipline of Physiotherapy recognized by the UGC and published work of high standard in peer reviewed / UGC listed journals.

4.8 MINIMUM QUALIFICATIONS FOR DIRECT RECRUITMENT TO THE POSTS OF UNIVESRITY ASSISTANT LIBRARIAN / COLLEGE LIBRARIAN,UNIVERSITY DEPUTY LIBRARIANAND LIBRARIAN

I. UNIVERSITY ASSISTANT LIBRARIAN / COLLEGE LIBRARIAN

1. A Master's Degree in Library Science / Information Science / Documentation Science or an equivalent professional degree with at least 55% marks (or an equivalent grade in a point scale wherever grading system is followed) and a consistently good academic record with knowledge of computerization of library.
2. Besides fulfilling the above qualifications, the candidate must have cleared the National Eligibility Test (NET) conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET or who are or have been awarded a Ph. D. Degree inaccordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degree) Regulations, 2009 or 2016 and their amendments from time to time as the case may be.

Provided further, candidates registered for the Ph.D. programme prior to July 11, 2009, shall be governed by the provisions of the then existing Ordinances / Bye-laws / Regulations of the Institutions awarding the degree and such Ph.D. candidates shall be exempted from the requirement of NET/SLET/SET for recruitment and appointment of Assistant Professor or equivalent positions in Universities/Colleges / Institutions subject to the fulfillment of the following conditions:-

- a) Ph.D. degree of the candidate awarded in regular mode only;

- b) Evaluation of the Ph.D. thesis by at least two external examiners;
- c) Open Ph.D. viva voce of the candidate had been conducted;
- d) Candidate has published two research papers from his/her Ph.D. work out of which at least one must be in a refereed journal;
- e) Candidate has made at least two presentations in conference/seminars, based on his/her Ph.D work.

(a) to (e) as above are to be certified by the Registrar/ Dean (Academic Affairs).

3. NET/SLET/SET shall also not be required for such Masters Programmes in disciplines for which NET/SLET/SET is not conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET.

II. UNIVERSITY DEPUTY LIBRARIAN

1. A Master's Degree in library science/information science/documentation with at least 55% of the marks or an equivalent grade in a point scale wherever grading system is followed.
2. Eight years experience as an Assistant University Librarian/College Librarian.
 - i. Evidence of innovative library services including integration of ICT in library.
 - ii. Ph.D. Degree in library science/ Information science / Documentation/Archives and manuscript keeping/computerization of library and a total research score of 75 as per the criteria given in Appendix III, Table 2.

III. UNIVERSITY LIBRARIAN

1. A Master's Degree in Library Science /Information Science/Documentation with at least 55% marks or an equivalent grade in a point scale wherever grading system is followed.
2. At least ten years as a Deputy Librarian in University Library or ten years of teaching as Associate Professor in Library Science in a University Department or fifteen years' experience as a College Librarian.
3. Evidence of innovative library services including integration of ICT in library.
4. Ph.D. Degree in library science/information science / documentation/archives and manuscript-keeping and a total research score of 120 as per the criteria given in Appendix III, Table 2.

4.9 MINIMUM QUALIFICATIONS FOR THE POSTS OF ASSISTANT DIRECTORS OF PHYSICAL EDUCATION AND SPORTS, DEPUTY DIRECTOR OF PHYSICAL EDUCATION AND SPORTS AND DIRECTOR OF PHYSICAL EDUCATION AND SPORTS (DPES)

I. University Assistant Director of Physical Education and Sports / College Director of Physical Education and Sports

A.

- i. Master's Degree with 55% marks in Physical Education and Sports or Physical Education or Sports Science (or an equivalent grade in a point scale wherever grading system is followed)
- ii. Record of having represented the university / college at the inter-university /inter-collegiate competitions or the State and/ or national championships.
- iii. Besides fulfilling the above qualifications, the candidate must have cleared the National Eligibility Test (NET) conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET or who are or have been awarded a Ph. D. Degree in Physical Education or Physical Education and Sports or Sports Science in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degree) Regulations, 2009 or 2016 and their amendments from time to time as the case may be.

Provided further, candidates registered for the Ph.D. programme prior to July 11, 2009, shall be governed by the provisions of the then existing Ordinances / Bye-laws / Regulations of the Institutions awarding the degree and such Ph.D. candidates shall be exempted from the requirement of NET/SLET/SET for recruitment and appointment of Assistant Professor or equivalent positions in Universities/Colleges / Institutions subject to the fulfillment of the following conditions:-

- a) Ph.D. degree of the candidate awarded in regular mode only;
- b) Evaluation of the Ph.D. thesis by at least two external examiners;
- c) Open Ph.D. viva voce of the candidate had been conducted;
- d) Candidate has published two research papers from his/her Ph.D. work out of which at least one must be in a refereed journal;
- e) Candidate has made at least two presentations in conference/seminars, based on his/her Ph.D work.

(a) to (e) as above are to be certified by the Registrar/ Dean (Academic Affairs).

- iv. NET/SLET/SET shall also not be required for such Masters Programmes in disciplines for which NET/SLET/SET is not conducted by the UGC, CSIR or similar test accredited by the UGC like SLET/SET.
- v. Passed the physical fitness test conducted in accordance with these Regulations.

OR

B. An Asian game or commonwealth games medal winner who has a degree at least at Graduation level.

II.UNIVERSITY DEPUTY DIRECTOR OF PHYSICAL EDUCATION AND SPORTS

A.

- (i) A Ph.D. in Physical Education or Physical Education and Sports or Sports Science and a total research score of 75 as per the criteria given in Appendix III, Table 2. Candidates from outside the university system, in addition, shall also possess at least 55% marks (or an equivalent grade in a point scale wherever grading system is followed) at the Master's Degree level by the university concerned.
- (ii) Eight years experience as University Assistant DPES/College DPES.
- (iii) Evidence of organizing competitions and conducting coaching camps of at least two weeks duration.
- (iv) Evidence of having produced good performance of teams/athletes for competitions like state / national / inter-university / combined university, etc.
- (v) Passed the physical fitness test in accordance with these Regulations.

OR

B. An Olympic games/ world cup/ world Championship medal winner who has degree at least at Graduation Level.

III. UNIVERSITY DIRECTOR OF PHYSICAL EDUCATION AND SPORTS

- (i) A Ph.D. in Physical Education or Physical Education and Sports or Sports Science and a total research score of 120 as per the criteria given in Appendix III, Table 2.
- (ii) Experience of at least ten years in Physical Education and Sports as University Deputy/College DPES (Academic Level 13A) or fifteen years as University Assistant DPES/College DPES (Selection Grade) or teaching for ten years in Physical Education and Sports or Sports Science.
- (iii) Evidence of organizing competitions and conducting coaching camps of at least two weeks' duration.
- (iv) Evidence of having produced good performance of teams/athletes for competitions like state/national/inter-university/combined university, etc.

IV. Physical Fitness Test Norms

- (a) Subject to the provisions of these regulations, all candidates who are required to undertake the physical fitness test are required to produce a medical certificate certifying that he/she is medically fit before undertaking such tests.
- (b) On the production of such certificate mentioned in sub-clause (a) above, the candidate would be required to undertake the physical fitness test in accordance with the following norms:

| |
|---------------------------------|
| NORMS FOR MEN |
| 12 MINUTES RUN/WALK TEST |

| | | | |
|---------------|---------------|---------------|---------------|
| Upto 30 Years | Upto 40 Years | Upto 45 Years | Upto 50 Years |
| 1800 metres | 1500 metres | 1200 metres | 800 metres |

| NORMS FOR WOMEN | | | |
|-------------------------|---------------|---------------|---------------|
| 8 MINUTES RUN/WALK TEST | | | |
| Upto 30 Years | Upto 40 Years | Upto 45 Years | Upto 50 Years |
| 1000 metres | 800 metres | 600 metres | 400 metres |

5.0 SELECTION COMMITTEES AND GUIDELINESS ON SELECTION

PROCEDURES:

The UGC has evolved the following guidelines on: (a) Constitution of Selection Committees for selection of Assistant Professor, Associate Professor, Professor, Senior Professor, Assistant Librarian, Deputy Librarian, Librarian, Assistant Director of Physical Education and Sports, Deputy Director of Physical Education and Sports and Director of Physical Education and Sports; and (b) specified selection procedures for direct recruitment and Career Advancement Schemes for teachers and other academic staff in universities and colleges.

5.1 Selection Committee Composition

I. Assistant Professor in the University:

- (a) The Selection Committee for the post of Assistant Professor in the University shall have the following composition.
1. The Vice Chancellor shall be the Chairperson of the Selection Committee.
 2. An academician nominated by the Visitor/Chancellor, wherever applicable.
 3. Three experts in the concerned subject nominated by the Vice Chancellor out of the panel of names approved by the relevant statutory body of the university concerned.
 4. Dean of the concerned Faculty, wherever applicable
 5. Head/Chairperson of the Department/School.
 6. An academician representing SC/ST/OBC/Minority/Women/Differently-abled categories to be nominated by the Vice Chancellor or Acting Vice Chancellor, if any of the candidates representing these categories is the applicant and if any of the above members of the selection committee do not belong to that category.

- (b) At least four members, including two outside subject experts shall constitute the quorum.

II. Associate Professor in the University

- (a) The Selection Committee for the post of Associate Professor in the University shall have the following composition:
- i. Vice Chancellor to be the Chairperson of the Selection Committee.
 - ii. An academician who is the nominee of the Visitor/Chancellor, wherever applicable.
 - iii. Three experts in the concerned subject/field nominated by the Vice Chancellor out of the panel of names approved by the relevant statutory body of the university concerned.
 - iv. Dean of the faculty, wherever applicable.
 - v. Head/Chairperson of the Department/School.
 - vi. An academician representing SC/ST/OBC/ Minority / Women / Differently-abled categories, if any of candidates representing these categories is the applicant, to be nominated by the Vice Chancellor, if any of the above members of the selection committee do not belong to that category.
- (b) At least four members, including two outside subject experts, shall constitute the quorum.

III. Professor in the University

The composition of the Selection Committee for the post of Professor in the University shall have the following composition:

- (a) The Selection Committee for the post of Associate Professor in the University shall have the following composition:
- i. Vice Chancellor to be the Chairperson of the Selection Committee.
 - ii. An academician who is the nominee of the Visitor/Chancellor, wherever applicable.
 - iii. Three experts in the concerned subject/field nominated by the Vice Chancellor out of the panel of names approved by the relevant statutory body of the university concerned.
 - iv. Dean of the faculty, wherever applicable.
 - v. Head/Chairperson of the Department/School.
 - vi. An academician representing SC/ST/OBC/ Minority / Women / Differently-abled categories, if any of candidates representing these categories is the applicant, to be nominated by the Vice Chancellor, if any of the above members of the selection committee do not belong to that category.
- (b) At least four members, including two outside subject experts, shall constitute the quorum.

IV. Senior Professor

(a) The Selection Committee for the post of Senior Professor in the University shall have the following composition:

- i. Vice Chancellor to be the Chairperson of the Selection Committee.
- ii. An academician not below the rank of Senior Professor/Professor with minimum ten years experience who is the nominee of the Visitor/Chancellor, wherever applicable.
- iii. Three experts not below the rank of Senior Professor/Professor with minimum ten years experience in the concerned subject/field nominated by the Vice Chancellor out of the panel of names approved by the relevant statutory body of the university concerned.
- iv. Dean (not below the rank of Senior Professor/Professor with minimum ten years experience) of the faculty, wherever applicable.
- v. Head/Chairperson (not below the rank of Senior Professor/Professor with minimum ten years experience) or Senior most Professor (not below the rank of Senior Professor/Professor with minimum ten years experience) of the Department/School.
- vi. An academician (not below the rank of Senior Professor/Professor with minimum ten years experience) representing SC/ST/OBC/ Minority / Women / Differently-abled categories, if any of candidates representing these categories is the applicant, to be nominated by the Vice Chancellor, if any of the above members of the selection committee do not belong to that category.

(b) At least four members, including two outside subject experts, shall constitute the quorum.

V. Assistant Professor in Colleges including Private Colleges:

(a) The Selection Committee for the post of Assistant Professor in Colleges including Private Colleges shall have the following composition:

- i. Chairperson of the Governing Body of the college or his/her nominee from among the members of the Governing body to be the Chairperson of the Selection Committee.
- ii. The Principal of the College.
- iii. Head of the Department of the concerned subject in the College.
- iv. Two nominees of the Vice Chancellor of the affiliating university of whom one should be a subject expert. In case of colleges notified/declared as minority educational institutions, two nominees of the Chairperson of the college from out of a panel of five names, preferably from minority communities, recommended by the Vice Chancellor of the affiliating university from the list of experts suggested by the relevant statutory body of the college, of whom one should be a subject expert.
- v. Two subject-experts not connected with the college to be nominated by the Chairperson of the governing body of the college out of a panel of five

- names recommended by the Vice Chancellor from the list of subject experts approved by the relevant statutory body of the university concerned. In case of colleges notified/declared as minority educational Institutions, two subject experts not connected with the University to be nominated by the Chairperson of the Governing Body of the College out of the panel of five names, preferably from minority communities, recommended by the Vice Chancellor from the list of subject experts approved by the relevant statutory body of the College.
- vi. An academican representing SC/ST/OBC/Minority/Women/Differently-abled categories, if any of candidates representing these categories is the applicant, to be nominated by the Vice Chancellor, if any of the above members of the selection committee do not belong to that category.
- (b) To constitute the quorum for the meeting, five of which at least two must be from out of the three subject-experts shall be present.
 - (c) For all levels of teaching positions in Government colleges, the State Public Services Commissions / Teacher Recruitment Boards must invite three subject experts for which the concerned University, be involved in the selection process by the State Public Service Commission.
 - (d) For all levels of teaching positions in Constituent college(s) of a university, the selection committee norms shall be similar to that of the posts of departments of the university.

VI.Associate Professor in Colleges including Private Colleges

- (a) The Selection Committee for the post of Associate Professor in Colleges including Private Colleges shall have the following composition:
 - i. The Chairperson of the Governing Body or his or her nominee, from among the members of the Governing body to be the Chairperson of the Selection Committee.
 - i. The Principal of the College.
 - ii. The Head of the Department of the concerned subject from the college.
 - iv. Two University representatives nominated by the Vice Chancellor, one of whom will be the Dean of College Development Council or equivalent position in the University, and the other must be expert in the concerned subject. In case of Colleges notified/declared as minority educational institutions, two nominees of the Chairperson of the College from out of a panel of five names, preferably from minority communities, recommended by the Vice-Chancellor of the affiliating university from the list of experts suggested by the relevant statutory body of the college of whom one should be a subject expert.
 - v. Two subject-experts not connected with the college to be nominated by the Chairperson of the governing body of the college out of a panel of five names recommended by the Vice Chancellor from the list of subject experts approved by the relevant statutory body of the university concerned. In case of colleges

notified/declared as minority educational Institutions, two subject experts not connected with the University to be nominated by the Chairperson of the Governing Body of the College out of the panel of five names, preferably from minority communities, recommended by the Vice Chancellor from the list of subject experts approved by the relevant statutory body of the College.

- vi. An academician representing SC/ST/OBC/ Minority/Women/Differently-abled categories, if any of candidates representing these categories is the applicant, to be nominated by the Vice Chancellor, if any of the above members of the selection committee do not belong to that category.
- (b) The quorum for the meeting should be five of which at least two must be from out of the three subject-experts

VII.College Principal

A. Selection Committee

- (a) The Selection Committee for the post of College Principal shall have the following composition:
 - i. Chairperson of the Governing Body as Chairperson.
 - ii. Two members of the Governing Body of the college to be nominated by the Chairperson of whom one shall be an expert in academic administration.
 - iii. Two nominees of the Vice Chancellor who shall be Higher Education experts out of which at least one shall be a person not connected in any manner with the affiliating University. In case of Colleges notified/declared as minority educational institutions, one nominee of the Chairperson of the College from out of a panel of five names, preferably from minority communities, recommended by the Vice-Chancellor of the affiliating university of whom one should be a subject expert.
 - iv. Three experts consisting of the Principal of a College, a Professor and an accomplished educationist not below the rank of a Professor (to be nominated by the Governing Body of the college out of a panel of six experts approved by the relevant statutory body of the university concerned).
 - v. An academician representing SC/ST/OBC/Minority/Women/Differently-abled categories, if any of candidates representing these categories is the applicant, to be nominated by the Vice Chancellor, if any of the above members of the selection committee do not belong to that category.
- (b) At least five members, including two experts, should constitute the quorum.
- (c) All the selection procedures of the selection committee shall be completed on the day/last day of the selection committee meeting itself, wherein, minutes are recorded along with the scoring Performa and recommendation made on the basis of merit with the list of selected and waitlisted candidates/Panel of names in order of merit, duly signed by all members of the selection committee.
- (d) The term of appointment of the college principal shall be FIVE years with eligibility for reappointment for one more term only after a similar Selection Committee process which shall take into account an External Peer Review Committee assessment.

B. External Peer Review Committee

The External Peer Review Committee for the post of College Principal shall have the following composition:

- i. Nominee of the Vice Chancellor of the affiliating University.
- ii. Nominee of the Chairman, University Grants Commission.

The nominees shall be nominated from the Principals of the Colleges with Excellence/College with Potential With Excellence/Autonomous Colleges/NAAC 'A+' accredited Colleges.

Note: It is clarified that the MHRD notification as provided in the MHRD letters No. 1-7/2015-U.II(1) dated 02.11.2017 (Appendix I) mentions of two grades for the post of Principal, however the regulation has merged the two grades and only Principal (Professor Grade) shall be applicable.

VIII. Selection Committees for the posts of Directors, Deputy Directors, Assistant Directors of Physical Education and Sports, Librarians, Deputy Librarians and Assistant Librarians shall be the same as that of Professor, Associate Professor and Assistant Professor respectively, except that the concerned expert in Physical Education and Sports or Sports Administration or Library, practicing Librarian/Physical Director, as the case may be, shall be associated with the Selection Committee as one of the subject experts.

IX. The —Screening cum Evaluation Committee for CAS promotion of Assistant Professors/equivalent cadres in Librarians/Physical Education and Sports from one level to the other higher level shall consist of:

A. For University teachers:

- a. The Vice Chancellor as the Chairperson of the Selection Committee;
- b. The Dean of the concerned Faculty;
- c. The Head of the Department /Chairperson of the School; and
- d. One subject expert in the concerned subject nominated by the Vice Chancellor from the University panel of experts.

B. For College teachers:

- a. The Principal of the college;
- b. Head of the concerned department from the college;
- c. Two subject experts in the concerned subject nominated by the Vice Chancellor from the university panel of experts;

Note: The quorum for these committees in both categories mentioned above shall be three including the one subject expert/ university nominee need to be present.

5.2. The Screening cum Evaluation Committee on verification/evaluation of grades secured by the candidate through the Assessment Criteria and Methodology Performa designed

by the respective university based on these Regulations and as per the minimum requirement specified:

(a) In Appendix III, Tables 1 to 3 for each of the cadre of Assistant Professor;

(b) In Appendix III, Tables 4 for each of the cadre of Librarians; and

(c) In Appendix III, Tables 5 for each of the cadre of Physical Education and Sports shall recommend to the Syndicate/ Executive Council /Board of Management of the University/College about the suitability for the promotion of the candidate(s) under CAS for implementation.

5.3 The selection process, shall be completed on the day/last day of the selection committee meeting, wherein the minutes are recorded and recommendation made on the basis of the performance of the interview are duly signed by all members of the selection committee.

6.0 SELECTION PROCEDURES:

I. The overall selection procedure shall incorporate transparent, objective and credible methodology of analysis of the merits and credentials of the applicants based on weightages given to the performance of the candidate in different relevant dimensions and his/her performance on a grading system Performa, based on the Appendix III, Tables 1, 2, 3 A, 3 B, 4 and 5.

In order to make the system more credible, universities may assess the ability for teaching and/or research aptitude through a seminar or lecture in a classroom situation or discussion on the capacity to use latest technology in teaching and research at the interview stage. These procedures can be followed for both direct recruitment and CAS promotions wherever selection committees are prescribed in these Regulations.

II. The Universities shall adopt these Regulations for selection committees and selection procedures through their respective statutory bodies incorporating Appendix III, Table 1, 2, 3 A, 3 B, 4 and 5 at the institutional level for University Departments and their Constituent colleges/ affiliated colleges (Government/Government-aided/Autonomous/Private Colleges) to be followed transparently in all the selection processes. The universities may devise their own self-assessment cum performance appraisal forms for teachers in strict adherence to the Appendix III, Table 1, 2, 3 A, 3 B, 4 and 5 prescribed in these Regulations.

III. In all the Selection Committees of direct recruitment of teachers and other academic staff in universities and colleges provided herein, an academican representing Scheduled Caste/Scheduled Tribe/OBC/Minority/Women/Differently-abled categories, if any of candidates representing these categories is the applicant and if any of the members of the selection committee do not belong to that category, shall be nominated by the Vice Chancellor or Acting Vice Chancellor of the University, and in case of a College Vice Chancellor or Acting Vice Chancellor of the University to which the college is affiliated to. The academican, so nominated for this purpose, shall be one level above the cadre level of the applicant, and such nominee shall ensure that the norms of the Central Government or concerned State Government, in relation to the categories mentioned above, are strictly followed during the selection process.

- IV. The process of selection of Professor shall involve inviting the bio-data with duly filled Performa developed by the respective universities based on the Assessment Criteria and Methodology guidelines set out in these Regulations in Appendix III, Table 1 and 2 and reprints of all significant publications of the candidates.

Provided that such publications submitted by the candidate shall have been published during the qualifying period.

Provided further that such publications shall be provided to the subject experts for assessment before the interview and the evaluation of the publications by the experts shall be factored into the weightage while finalizing the outcome of selection.

- V. In the case of selection of faculty members who are from outside the academic stream and are considered under Clause 4.1 (III.B), 4.2 (I.B, II.B, III.B), 4.3 (I.B, II.B, III.B), 4.4 (I.B, II.B, III.B) and 4.5 (III.B) of these regulations, the universities' statutory bodies must lay down clear and transparent criteria and procedures so that only outstanding professionals who can contribute substantially to the university knowledge system are selected in any discipline as per the requirements including those laid down in these regulations.

- VI. In the selection process for posts involving different nature of responsibilities in certain disciplines/areas, such as Music and Fine Arts, Visual arts and Performing arts, Physical Education and Sports and Library, greater emphasis may be laid on the nature of deliverables indicated against each of the posts in these Regulations which need to be taken up by the concerned institution while developing Performa for both direct recruitment and CAS promotions.

- VII. The Internal Quality Assurance Cell (IQAC) shall be established in all Universities/Colleges as per the UGC/ National Assessment Accreditation Council (NAAC) guidelines with the Vice Chancellor, as Chairperson (in the case of Universities), and Principal, as Chairperson (in case of Colleges). The IQAC shall act as the documentation and record-keeping Cell for the institution including assistance in the development of Assessment Criteria and Methodology Performa based on these Regulations. The IQAC may also introduce, wherever feasible, the student feedback system as per the NAAC guidelines on institutional parameters without incorporating the component of students' assessment of individual teachers in the Assessment Criteria and Methodology Performa.

- A. The Assessment of the performance of College and University teachers for CAS promotion is based on the following criteria:

- i. **Teaching-Learning and Evaluation:** Commitment to teaching based on observable indicators such as being regular to class, punctuality to class, remedial teaching and clarifying doubts within and outside the class hours, counselling and mentoring, additional teaching to support the college/university as and when the

need arises, etc. Examination and evaluation activities like attending to examination supervision duties, question papers setting for university/college examinations, participation in evaluation of examination answer scripts, conducting examinations for internal assessment as per schedule to be announced by the institution at the beginning of each Academic Session and returning and discussing the answers in the class.

- i. **Personal Development Related to Teaching and Research Activities:** Attending orientation/refresher/methodology courses, development of e-contents and MOOC's, organizing seminar/ conference/ workshop / presentation of papers and chairing of sessions/guiding and carrying out research projects and publishing the research output in national and international journals etc.
- iii. **Administrative Support and Participation in Students' Co- and Extra-curricular Activities.**

B. Assessment Procedure

The following **three-step** process is recommended for carrying out assessment for promotion under CAS at all levels:

Step 1: The college/university teachers shall submit to college/university an annual self-appraisal report in a prescribed Performa to be designed based on the Tables 1 to 5 of Appendix III. The report should be submitted at the end of every academic year, within the stipulated time. The teacher will provide documentary evidence for the claims made in the annual self-appraisal report, which is to be verified by the HOD/Teacher- in-charge etc. The submission should be through the Head of the Department (HOD)/teacher-in-charge.

Step: 2: After completion of the required years of experience for promotion under CAS and fulfilment of other requirements indicated below, the teacher shall submit an application for promotion under CAS.

Step 3: A CAS Promotion shall be granted as mentioned in the clauses 6.4 of these regulations.

6.1 While the Assessment Criteria and Methodology:

- (a) Tables 1 to 3 of Appendix III are applicable to the selection of Assistant Professors/ Associate Professors/ Professors/Senior Professor in Universities and Colleges;
- (b) Table 4 of Appendix III is applicable to Assistant Librarians/ Deputy Librarians and Librarians for both direct recruitment as well as Career Advancement Promotions, the minimum requirement of Assessment Criteria and Methodology to each of the cadres shall vary from those for university teachers and for UG/PG College Teachers, as given in these Tables of Appendix III; and
- (c) Table 5 of Appendix III are applicable to Assistant Directors/ Deputy Directors/ Directors of Physical Education and Sports.

- 6.2** The minimum norms of Selection Committees and Selection Procedures as well as Assessment Criteria and Methodology requirements for the above cadres, either through direct recruitment or through Career Advancement Schemes Regulations, shall be as per these regulations.
- 6.3** The criteria for promotions under Career Advancement Scheme as given in these regulations shall be effective prospectively from the date of notification of these regulations. However, to avoid hardship to the faculty members who have already qualified or are likely to qualify shortly under existing regulations, a choice may be given to the faculty members to opt for being considered for promotions under existing regulations itself. This option can be exercised only within two years from the date of notification of these regulations.
- I** A teacher who wishes to be considered for promotion under CAS may submit in writing to the university/college, with three months in advance of the due date, that he/she fulfils all qualifications under CAS and submit to the university/college the Assessment Criteria and Methodology Performa as evolved by the concerned university duly supported by all credentials as per the Assessment Criteria and Methodology guidelines set out in these Regulations. In order to avoid delays in holding Selection Committee meetings in various positions under CAS, the University/College should immediately initiate the process of screening/selection, and shall complete the process within six months from the date of application. Further, in order to avoid any hardships, candidates who fulfill all other criteria mentioned in these Regulations, as on and till the date on which these regulations is notified, can be considered for promotion from the date, on or after Date, on which they fulfill these eligibility conditions, provided as mentioned above.
- I** The Selection Committee specifications as delineated in Clauses 5.1 to 5.3 are applicable to all direct recruitments of Faculty Positions and Career Advancement promotions of Assistant Professor to Associate Professor and to that of Associate Professor to Professor.
- II** CAS promotions from a lower grade to a higher grade of Assistant Professor shall be conducted by a —Screening cum Evaluation Committee adhering to the criteria laid outas in the Tables 1, 2 and 3of Appendix III.
- IV.** CAS promotions being a personal promotion to the incumbent teacher holding a substantive sanctioned post, on superannuation of the individual incumbent, the said post shall revert back to its original cadre.
- V.** The incumbent teacher must be on the role and active service of the Universities/Colleges on the date of consideration by the Selection Committee for /CAS Promotion.
- VI** Candidates shall offer themselves for assessment for promotion, if they fulfill the minimum grading indicated in the appropriate Assessment Criteria and Methodology system tables by submitting an application and the required Assessment Criteria and

Methodology Performa. They can do so three months before the due date if they consider themselves eligible. Candidates who do not consider themselves eligible can also apply at a later date. In any event, the university concerned shall send a general circular twice a year calling for applications for CAS promotions from eligible candidates.

- i) If a candidate applies for promotion on completion of the minimum eligibility period and is successful, the date of promotion will be from that of minimum period of eligibility.
- ii) If, however, the candidate finds that he/she fulfills the CAS promotion criteria as defined in Table 1, 2, 4 and 5 of Appendix III at a later date and applies on that date and is successful, his/her promotion will be effected from that date of candidate fulfilling the eligibility criteria.
- iii) Candidate who does not succeed in the first assessment, then the candidate shall have to be re-assessed only after a minimum period of one year. When such a candidate succeeds in the eventual assessment, his/her promotion shall be deemed to be one year from the date of last rejection.

VI Regarding the cases pending for promotions from one Academic Level/Grade Pay to another Academic Level/Grade Pay under Career Advancement Scheme of UGC Regulations On Minimum Qualifications For Appointment Of Teachers And Other Academic Staff In Universities And Colleges And Measures For The Maintenance Of Standards In Higher Education 2010, the faculty members shall be given the option to be considered for the promotion from one Academic Level/Grade Pay to another Academic Level/Grade Pay as per the following:

- (a) The faculty members shall be considered for the promotion from one Academic Level/Grade Pay to another Academic Level/Grade Pay as per the Career Advancement Scheme of these regulations.

OR

- (b) The faculty members shall be considered for the promotion from one Academic Level/Grade Pay to another Academic Level/Grade Pay as per the Career Advancement Scheme of UGC Regulations On Minimum Qualifications for Appointment Of Teachers And Other Academic Staff In Universities And Colleges And Measures for The Maintenance Of Standards In Higher Education 2010 with relaxation in the requirements of Academic Performance Indicators (API) based Performance Based Appraisal System (PBAS) upto 11th July, 2016 i.e. the date of issue of University Grants Commission (Minimum Qualifications for Appointment Of Teachers And Other Academic Staff In Universities And Colleges And Measures for The Maintenance Of Standards In Higher Education) (4th Amendment), Regulations 2016. Thereafter the provisions for the promotion from one Academic Level/Grade Pay to another Academic Level/Grade Pay as per the Career Advancement Scheme of UGC Regulations On Minimum Qualifications for Appointment Of Teachers And Other Academic Staff In Universities And Colleges And Measures for The

Maintenance Of Standards In Higher Education 2010 and its amendment University Grants Commission (Minimum Qualifications for Appointment Of Teachers And Other Academic Staff In Universities And Colleges And Measures for The Maintenance Of Standards In Higher Education) (4th Amendment), Regulations 2016 shall be applicable.

6.4 STAGES OF PROMOTION UNDER CAREER ADVANCEMENT SCHEME OF INCUMBENT AND NEWLY APPOINTED ASSISTANT PROFESSORS/ ASSOCIATE PROFESSORS/PROFESSORS

- A** Entry level Assistant Professors (Level 10) would be eligible for promotion under the Career Advancement Scheme (CAS) through two successive levels (Level 11 and Level 12), provided they are assessed to fulfill the eligibility and performance criteria as laid out in Clause 6.3. of these regulations.

B. Career Advancement Scheme (CAS) for Colleges teachers

I. Assistant Professor (Academic Level 10) to Assistant Professor (Senior Scale/Academic Level 11)

Eligibility: Assistant Professors who have completed four years of service with Ph.D. or five years of service with M.Phil. / PG Degree in Professional Courses such as LLM, M.Tech., M.V.Sc., M.D., or six years of service for those without Ph.D./M.Phil./ PG Degree in Professional courses.

- i. Attended one Orientation course of 21 days duration on teaching methodology; and
- ii. Any one of the following: Completed Refresher / Research Methodology Course
OR
Any two of the following: Workshop, Syllabus Up Gradation Workshop, Training Teaching-Learning-Evaluation, Technology Programmes and Faculty Development Programmes of at least one week (5 days) duration,
OR
Taken one MOOCs course (with e-certification) or development of e-contents in four-quadrants / MOOC's course during the assessment period.

CAS Promotion Criteria: A teacher shall be promoted if

- i. The teacher gets 'satisfactory' or 'good' grade in the annual performance assessment reports of at least three of the last four years of the assessment period as prescribed in Appendix III, **Table 1**, and
- ii. The promotion is recommended by the screening-cum evaluation committee.

II. Assistant Professor (Senior Scale/Academic Level 11) to Assistant Professor (Selection Grade/Academic Level 12)

Eligibility:

- 1) Assistant Professors who have completed five years of service in Academic Level 11.
- 2) Any two of the following in the last five years of Academic Level-11: Completed courses / programmes from among the categories of Refresher Courses/Research Methodology/

Workshops/Syllabus Up Gradation Workshop/ Teaching-Learning-Evaluation/ Technology Programmes/ Faculty Development Programmes/ Syllabus Up Gradation Workshop/ Teaching-Learning-Evaluation/ Technology Programmes/ Faculty Development Programmes of at least two weeks (ten days) duration (or completed two courses of at least one week (five days) duration in lieu of every single course/programme of at least two weeks (ten days) duration); or taken MOOCs course in the relevant subject (with e-certification); or Contribution towards development of e-content in 4-quadrant(at least one quadrant) minimum of 10 modules of a course/contribution towards development of at least 10 modules of MOOCs course/ contribution towards conduct of a MOOCs course during the period of assessment.

Note:The Ph.D. Degree shall be a mandatory qualification for promotion to the post of Assistant Professor (Selection Grade/Academic Level 12) in Colleges from 01.07.2020.

CAS Promotion Criteria: A teacher shall be promoted if

- i) The teacher gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least four of the last five years of the assessment period, (as prescribed in Appendix III, Table 1) and
- ii) The promotion is recommended by the Screening cum evaluation committee.

III. Assistant Professor (Selection Grade/Academic Level 12) to Associate Professor (Academic Level 13A)

Eligibility:

- 1) Selection Grade Assistant Professor who have completed three years of service in that grade.
- 2) Ph.D. degree in concerned subject/allied/relevant discipline.
- 3) Any one of the following during last three years: completed one course / programme from among the categories of Refresher Courses/ Methodology Workshops/Syllabus Up Gradation Workshop/ Teaching-Learning-Evaluation Technology Programmes / Faculty Development Programmes of at least two weeks (ten days) duration (or completed two courses of at least one week (five days) duration in lieu of every single course/programme of at least two weeks (ten days) duration); or taken one MOOCs course (with e-certification); or contribution towards development of e-content in 4-quadrant(at least one quadrant) minimum of 10 modules of a course/contribution towards development of at least 10 modules of MOOCs course/ contribution towards conduct of a MOOCs course during the period of assessment.

CAS Promotion Criteria: A teacher shall be promoted if

- i) The teacher gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least two of the last three years of the assessment period as prescribed in Appendix III, **Table 1**, and
- ii) The promotion to the post of Associate Professor is recommended through selection committee constituted as per these Regulations.

IV. Associate Professor (Academic Level 13A) to Professor (Academic Level 14)

Eligibility:

1. Associate Professors who have completed three years of service in that grade.
2. Ph.D. degree in concerned subject/allied/relevant discipline.
3. A minimum of 10 research publications in peer reviewed/ UGC listed journals out of which three research papers shall be published during the assessment period.
4. A minimum of 110 Research Score as per Appendix III, Table 2

CAS Promotion Criteria: A teacher shall be promoted if

- i) The teacher gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least two of the last three years of the assessment period, as per Appendix III, Table 1 and at least 110 research score as per Appendix III, Table 2.
- ii) The promotion to the post of Professor is recommended through selection committee as per these Regulations.

C. Career Advancement Scheme (CAS) for University teachers

I. Assistant Professor (Academic Level 10) to Assistant Professor (Senior Scale/Academic Level 11)

Eligibility: Assistant Professors who have completed four years of service with Ph.D. or five years of service with M.Phil. / PG Degree in Professional Courses such as LLM, M.Tech, M.V.Sc., M.D., or six years of service for those without Ph.D./M.Phil./ PG Degree in Professional courses and satisfy the following conditions:

- i) Attended one Orientation course of 21 days duration on teaching methodology;
- ii) Any one of the following: Completed Refresher/ Research Methodology Course/ Workshop/ Syllabus Up Gradation Workshop/ Training Teaching-Learning-Evaluation, Technology Programmes/ Faculty Development Programmes of at least one week (5 days) duration, or taken one MOOCs course (with e-certification) or development of e-contents in four-quadrants / MOOC’s course during the assessment period; and
- iii) One research publication during assessment period.

CAS Promotion Criteria: A teacher shall be promoted if

- i) The teacher gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least three of the last four years of the assessment period (as prescribed in Appendix III, **Table 1**), and
- ii) The promotion is recommended by the screening-cum evaluation committee.

II. Assistant Professor (Senior Scale/Academic Level 11) to Assistant Professor (Selection Grade/Academic Level 12)

Eligibility:

- i) Senior Assistant Professors who have completed five years of service in that grade.
- ii) Ph.D Degree in the concerned subject/allied/relevant disciplines.
- iii) Any two of the following in the last five years of Academic Level-11: Completed course / programme from among the categories of Refresher Courses/Research Methodology/ Workshops/ Syllabus Up Gradation Workshop/ Teaching-Learning-Evaluation/ Technology Programmes / Faculty Development Programmes of at least two weeks (ten days) duration (or completed two courses of at least one week (five days) duration in lieu of every single course/programme of at least two weeks (ten days) duration), or, taken one MOOCs course in the relevant subject (with e-

certification); or contribution towards development of e-content in 4-quadrant(at least one quadrant) minimum of 10 modules of a course/contribution towards development of at least 10 modules of MOOCs course/ contribution towards conduct of a MOOCs course during the period of assessment.

- iv) Three research publications in the peer reviewed journals/UGC listed journals during assessment period.

CAS Promotion Criteria: A teacher shall be promoted if

- i) The teacher gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least four of the last five years of the assessment period, (as prescribed in Appendix III, Table 1) and
- ii) The promotion is recommended by the Screening cum evaluation committee.

III. Assistant Professor (Selection Grade/Academic Level 12) to Associate Professor (Academic Level 13A)

- 1) Selection Grade Assistant Professor who have completed three years of service in that grade.
- 2) Ph.D Degree in the concerned subject/allied/relevant disciplines
- 3) Any one of the following during last three years: completed one course / programme from among the categories of Refresher Courses/ Methodology Workshops/Syllabus Up Gradation Workshop/ Teaching-Learning-Evaluation Technology Programmes / Faculty Development Programmes of at least two weeks (ten days) duration (or completed two courses of at least one week (five days) duration in lieu of every single course/programme of at least two weeks (ten days) duration); or taken one MOOCs course (with e-certification); or contribution towards development of e-content in 4-quadrant(at least one quadrant) minimum of 10 modules of a course/contribution towards development of at least 10 modules of MOOCs course/ contribution towards conduct of a MOOCs course during the period of assessment.
- 4) A minimum of seven publications in the peer reviewed/ UGC listed journals out of which three research publications shall be published during the assessment period.

CAS Promotion Criteria: A teacher shall be promoted if

- i) The teacher gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least two of the last three years of the assessment period as prescribed in Appendix III, Table 1 and a research score of at least 70 as per Appendix III, Table 2
- ii) The promotion to the post of Associate Professor is recommended through selection committee constituted as per these Regulations.

IV. Associate Professor (Academic Level 13A) to Professor(Academic Level 14)

Eligibility:

- 1) Associate Professors who have completed three years of service in that grade.
- 2) Ph.D degree in concerned subject/allied/relevant discipline
- 3) A minimum of ten research publications in the peer reviewed/ UGC listed journals out of which three research papers shall be published during the assessment period.
- 4) A minimum of 110 Research Score as per Appendix III, Table 2.

CAS Promotion Criteria: A teacher shall be promoted if

- i) The teacher gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least two of the last three years of the assessment period, as per Appendix III, Table 1 and at least 110 research score as per Appendix III, Table 2.
- ii) The promotion to the post of Professor is recommended through selection committee constituted as per these Regulations.

V. Professor(Academic Level 14) to Senior Professor(Academic Level 15)

Senior Professor shall also be through promotion under CAS. Promotion shall be based on academic achievement, favourable review from three eminent subject experts who are not less than the rank of a senior professor or a professor of at least ten years of experience. The selection shall be based on 10 best publications during last 10 years and interaction with a selection committee constituted as per these regulations.

Eligibility:

- i) Ten years as a Professor.
- ii) A minimum of ten publications in the peer reviewed / UGC listed journals and two Ph.D. successfully awarded under his/her supervision during this period.

D. Career Advancement Scheme (CAS) for Librarians

Note: The following provisions apply only to those personnel who are not involved in teaching of Library Science. Teachers in institutions where Library Science is a teaching department will be covered by the provisions given under sections 6.4 (II) and 6.4 (III), of these regulations for Colleges/Institutions and for Universities, respectively.

I University Assistant Librarian (Academic level 10)/College Librarian (Academic level 10) to University Assistant (Senior Scale/Academic level 11)/ College Librarian (Senior Scale/Academic level 11):

Eligibility:

Assistant Librarian/ College Librarian who has completed four years of service with Ph.D. in Library Science/ Information Science/ Documentation Science or equivalent degree or five years of service with M.Phil., or six years of service for those without M.Phil/Ph.D.

- (i) Attended one Orientation course of 21 days duration and
- (ii) Training/Seminar/Workshop/Course on automation and digitalization, maintenance and other activities of at least 5 days as per Appendix III, Table 4.

CAS Promotion Criteria: An Assistant Librarian/College Librarian shall be promoted if:

- i) The Assistant Librarian/ College Librarian gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least three of the last four years of the assessment period as prescribed in Appendix III, Table 4, and
- ii) The promotion is recommended by the screening cum evaluation committee.

II University Assistant Librarian (Senior Scale/Academic level 11) College Librarian (Senior Scale/Academic level 11) to University Assistant Librarian (Selection Grade/Academic level 12/ College Librarian (Selection Grade/Academic level 12)

Eligibility:

- 1) University Assistant Librarian (Senior Scale/Academic level 11)/College Librarian (Senior Scale/Academic level 11) who has completed five years of service in that grade.
- 2) Any two of the following in the last five years: Training/Seminar/Workshop/Course on automation and digitalization, maintenance and other activities as per Appendix III, Table 4 of at least two weeks (ten days) duration (or completed two courses of at least one week (five days) duration in lieu of every single course/programme of at least two weeks (ten days) duration), or taken/developed one MOOCs course in the relevant subject (with e-certification), or library up-gradation course.

CAS Promotion Criteria: An individual shall be promoted if:

- i) The individual gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least four of the last five years of the assessment period, as prescribed in Appendix III, Table 4 and
- ii) The promotion is recommended by screening cum evaluation committee.

III University Assistant Librarian (Selection Grade/Academic level 12)/ College Librarian (Selection Grade/Academic level 12) to University Deputy Librarian (Academic Level 13A)/College Librarian (Academic Level 13A)

Eligibility:

- 1) University Assistant Librarian (Selection Grade/Academic Level 12)/College Librarian (Selection Grade/Academic Level 12) who has completed three years of service in that grade.
- 2) Any one of the following in the last three years: Training/Seminar/Workshop/Course on automation and digitalization, maintenance and other activities as per Appendix III, Table 4 of at least two weeks (ten days) duration (or completed two courses of at least one week (five days) duration in lieu of every single course/programme of at least two weeks (ten days) duration), or taken/developed one MOOCs course in the relevant subject (with e-certification), or library up-gradation course.

CAS Promotion Criteria: An individual shall be promoted if:

- i) The individual gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least four of the last five years of the assessment period, as prescribed in Appendix III, Table 4 and
- ii) The promotion is recommended by a Selection Committee constituted as per these regulations based on the interview performance.

E Career Advancement Scheme (CAS) for Directors of Physical Education and Sports

Note: The following provisions apply only to those personnel who are not involved in teaching physical education and sports. Teachers in institutions where Physical Education and Sports is a teaching department will be covered by the provisions

given under sections 6.4 (II) and 6.4 (III), of these regulations for Colleges/Institutions and for Universities, respectively.

I. Assistant Director of Physical Education and Sports (Academic Level 10)/College Director of Physical Education and Sports (Academic Level 10) to Assistant Director of Physical Education(Senior Scale/Academic Level 11) and Sports /Senior College Director of Physical Education and Sports(Senior Scale/Academic Level 11)

Eligibility: Assistant Director of Physical Education and Sports /College Director of Physical Education and Sports who has completed four years of service with Ph.D. in Physical Education or Physical Education & Sports or Sports Science or five years of service with M.Phil., or six years of service for those without M.Phil/Ph.D.

- i) Attended one Orientation course of 21 days duration and
- ii) Any one of the following: Completed Refresher / Research Methodology Course/ workshop, or/ training Teaching-Learning-Evaluation Technology Programmes/ Faculty Development Programmes of at least 5 days duration, or taken/developed one MOOCs course (with e-certification).

CAS Promotion Criteria: An individual shall be promoted if:

- i) The individual gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least three of the last four years of the assessment period as prescribed in Appendix III, Table 5; and
- ii) The promotion is recommended by the screening cum evaluation committee.

II. Assistant Director of Physical Education and Sports(Senior Scale/Academic Level 11)/ College Director of Physical Education And Sports (Senior Scale/Academic Level 11) to University Assistant Director of Physical Education and Sports (Selection Grade/Academic Level 12) / College Director of Physical Education and Sports (Selection Grade/Academic Level 12)

Eligibility:

- 1) Assistant Director of Physical Education and Sports(Senior Scale/Academic Level 11) / College Director of Physical Education and Sports(Senior Scale/Academic Level 11) who has completed five years of service in that grade.
- 2) Any two of the following in the last five years: Completed one course / programme from among the categories of refresher courses, methodology workshops or Teaching-Learning-Evaluation Technology Programmes / Faculty Development Programmes of at least two weeks (ten days) duration (or completed two courses of at least one week (five days) duration in lieu of every single course/programme of at least two weeks (ten days) duration), or, taken/developed one MOOCs course in the relevant subject (with e-certification).

CAS Promotion Criteria: An individual shall be promoted if

- i) The individual gets ‘satisfactory’ or ‘good’ grade in the annual performance assessment reports of at least four of the last five years of the assessment period as prescribed in Appendix III, Table 5 and
- ii) The promotion is recommended by the screening cum evaluation committee.

III. University Assistant Director of Physical Education and Sports (Selection Grade/Academic Level 12)/ College Director of Physical Education and Sports (Selection Grade/Academic Level 12) to University Deputy Director of Physical Education and Sports (Academic Level 13 A)/ College Director of Physical Education and Sports (Academic Level 13A)

Eligibility:

- 1) University Assistant Director of Physical Education and Sports (Selection Grade/Academic Level 12)/College Director of Physical Education and Sports (Selection Grade/Academic Level 12) who has completed three years of service
- 2) Any one of the following during last three years: completed one course / programme from among the categories of Refresher Courses, Methodology Workshop, or Teaching-Learning-Evaluation Technology Programmes / Faculty Development Programmes of at least two weeks (ten days) duration (or completed two courses of at least one week (five days) duration in lieu of every single course/programme of at least two weeks (ten days) duration), or taken / developed one MOOCs course in relevant subject (with e-certification).

CAS Promotion Criteria: An individual shall be promoted if

- i) If the individual gets ‘satisfactory’ or ‘good’ grade performance assessment reports of at least two of the last three years of the assessment period as prescribed in Appendix III, Table 5 and
- ii) The promotion is recommended by selection committee constituted as per these regulations based on the interview performance.

6.5. Discretionary award of advance increments for those who enter the profession as Associate Professors or Professors with higher merit, high number of research publications and experience at the appropriate level, shall be within the competence of the appropriate authority of the concerned University or recruiting institution based on the recommendations of selection committee(s) while negotiating with individual candidates in the context of the merits of each case, taking into account the pay structure of other teachers in the faculty and other merit- specific factors. Discretionary award of advance increments is not applicable to those entering the profession as Assistant Professor/Assistant Librarian/Assistant Director of Physical Education and Sports and to those who are entitled for grant of advance increments for having acquired Ph. D., M. Phil., M.Tech., etc. However, those entering service as Assistant Professor/Assistant Librarian/Assistant Director of Physical Education and Sports with post-doctoral teaching/research experience after Ph.D. and proven credentials may be eligible for

discretionary award of advanced increments to be decided and recorded by the selection committee in its minutes.

7.0 SELECTION OF PRO-VICE CHANCELLOR / VICE - CHANCELLOR OF UNIVERSITIES:

7.1 PRO-VICE-CHANCELLOR:

The Pro-Vice-Chancellor shall be a whole time Professor of the University and shall be appointed by the Executive Council on the recommendation of Vice-Chancellor.

- 7.2** The Pro-Vice-Chancellor shall hold office for a period, which is co-terminus with that of Vice-Chancellor. However, it shall be the prerogative of the Vice-Chancellor to recommend a new Pro-Vice-Chancellor to the Executive Council, during his tenure. These Regulations, for selection of Pro- Vice- Chancellor, shall be adopted by the concerned University through amendment of their Act/Statute.

3.3. ICE CHANCELLOR:

- i. Persons of the highest level of competence, integrity, morals and institutional commitment are to be appointed as Vice-Chancellors. The Vice-Chancellor to be appointed should be a distinguished academician, with a minimum of ten years of experience as Professor in a University system or ten years of experience in an equivalent position in a reputed research and / or academic administrative organization.
- ii. The selection of Vice-Chancellor should be through proper identification of a Panel of 3-5 names by a Search Committee through a public Notification or nomination or a talent search process or in combination. The members of the above Search Committee shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University concerned or its colleges. While preparing the panel, the search committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad, and adequate experience in academic and administrative governance to be given in writing along with the panel to be submitted to the Visitor/Chancellor. One member of the Search Committee shall be nominated by the Chairman, University Grants Commission, for selection of Vice Chancellors of State/Private Universities.
- iii. The Visitor/Chancellor shall appoint the Vice Chancellor out of the Panel of names recommended by the Search Committee.
- iv. The term of office of the Vice Chancellor shall form part of the service period of the incumbent concerned making him/her eligible for all service related benefits.

8.0 DUTY LEAVE, STUDY LEAVE, SABBATICAL LEAVE

8.1 DUTY LEAVE:

- i. Duty leave of the maximum of 30 days in an academic year may be granted for the following:
 - (a) Attending Orientation Programmes, Refresher Courses, Research Methodology Workshop, Faculty Induction Programmes, conferences, congresses, symposia and seminars on behalf of the university or with the permission of the university;

- (b) Delivering lectures in institutions and universities at the invitation of such institutions or universities received by the university, and accepted by the Vice Chancellor;
 - (c) Working in another Indian or foreign university, any other agency, institution or organization, when so deputed by the university;
 - (d) Participating in a delegation or working on a committee appointed by the Central Government, State Government, the UGC, a sister university or any other academic body; and
 - (e) For performing any other duty for the university.
- ii. The duration of leave should be such as may be considered necessary by the sanctioning authority on each occasion.
 - iii. The leave may be granted on full pay. Provided that if the teacher receives a fellowship or honorarium or any other financial assistance beyond the amount needed for normal expenses, he/she may be sanctioned duty leave on reduced pay and allowances.
 - iv. Duty leave may be combined with earned leave, half pay leave or extraordinary leave.
 - v. Duty leave should be given also for attending meetings in the UGC, DST, etc. where a teacher invited to share expertise with academic bodies, government or NGO.

8.2 STUDY LEAVE:

- i. The scheme of Study Leave provides an opportunity to avail of scholarships/fellowships awarded to the faculty who wish to acquire new knowledge and to improve analytical skills. When a teacher is awarded a scholarship or stipend (by whatever nomenclature used) for pursuing further studies leading to Ph.D./Post doctoral qualification or for undertaking research project in a higher education institution abroad, the amount of the scholarship/fellowship shall not be linked to the recipient's pay/salary paid to him/her by his /her parent institution. The awardee shall be paid salary for the entire duration of fellowship/scholarship, provided of course he/she does not take up any other remunerative jobs like teaching, in the host country.
- ii. A teacher on Study Leave shall not take up, during the period of that leave, any regular or part-time appointment under an organization in India or abroad. He/She may however be allowed to accept a fellowship or a research scholarship or an adhoc teaching and research assignment with honorarium or any other form of assistance, other than regular employment in an institution either in India or abroad, provided that the Executive Council/Syndicate of his/her parent institution may, if it so desires, sanction study leave on reduced pay and allowances to the extent of any receipt in this regard, in lieu of teaching etc., which may be determined by his/her employer.
- iii. Study leave shall be granted to entry-level appointees as Assistant Professor/Assistant Librarian/Assistant Director of Physical Education and

Sport/College DPE&S (other than as Associate Professor or Professor of a University/College/Institution, who is otherwise eligible for sabbatical leave) after a minimum of three years of continuous service, to pursue a special line of study or research directly related to his/her work in the University/College/Institution or to make a special study of the various aspects of University organization and methods of education giving full plan of work.

- iv. Study leave shall be granted by the Executive Council/Syndicate on the recommendation of the Head of the Department concerned. The leave shall not be granted for more than three years in one spell, save in very exceptional cases, in which the Executive Council/Syndicate is satisfied that such extension is unavoidable on academic grounds and necessary in the interest of the University/College/Institution.
- v. Study Leave shall not be granted to a teacher who is due to retire within five years of the date on which he/she is expected to return to duty after the expiry of study leave.
- vi. Study leave shall be granted not more than twice during one's career. However, under no circumstances, shall the maximum period of study leave admissible during the entire service exceed five years.
- vii. Study leave may be granted more than once provided that not less than five years have elapsed after the teacher/returned to duty on completion of earlier spell of Study leave. For subsequent spell of study leave, the teacher shall indicate the work done during the period of earlier leave as also give details of work to be done during the proposed spell of study leave.
- viii. No teacher who has been granted study leave shall be permitted to alter substantially the course of study or the programme of research without the permission of the Executive Council/Syndicate, in the event of the course of study falls short of study leave sanctioned, the teacher shall resume duty on the conclusion of the course of study unless the previous approval of the Executive Council/Syndicate to treat the period of short-fall as Extra-Ordinary leave has been obtained.
- ix. Subject to the maximum period of absence from duty on leave not exceeding three years, study leave may be combined with earned leave, half-pay-leave, extra-ordinary leave of vacation provided that the earned leave at the credit of the teacher shall be availed off at the discretion of the teacher. When study leave is taken in continuation of vacation, the period of study leave shall be deemed to begin to run on the expiry of the vacation. A teacher, who is selected to a higher post during study leave, shall be placed in that position and shall get the higher scale only after joining the post.
- x. The period of study leave shall count as service for the purposes of retirement benefits (pension/contributory provident fund), provided that the teacher rejoins the University/College/Institution on the expiry of his/her study leave, and serve for the period for which the Bond has been executed.

- xi. Study leave granted to a teacher shall be deemed to be cancelled in case it is not availed of within 12 months of its sanction, provided that where study leave granted has been so cancelled. The teacher may apply again for such leave.
- xii. A teacher availing herself/himself of study leave, shall undertake that she shall serve the University/College/Institution for a continuous period of at least three years to be calculated from the date of his/her resuming duty on expiry of the study leave.
- xiii. A teacher-
 - (a) who is unable to complete his/her studies within the period of study leave granted to him/her, or
 - (b) who fails to rejoin the services of the University on the expiry of his/her study leave, or
 - (c) who rejoins the service of the university but leaves the service without completing the prescribed period of service after rejoining the service, or
 - (d) who within the said period is dismissed or removed from the service by the University
 shall be liable to refund to the University/College/Institution, the amount of leave salary and allowances and other expenses, incurred on the teacher or paid to him/her or on his/her behalf in connection with the course of study.

EXPLANATION:

If a teacher asks for extension of study leave and is not granted the extension but does not rejoin duty on the expiry of the leave originally sanctioned, he/she shall be deemed to have failed to rejoin the service on the expiry of his/her leave for the purpose of recovery of dues under these guidelines.

Notwithstanding the above, the Executive Council/Syndicate may order that nothing in these guidelines shall apply to a teacher who, within three years of return to duty from study leave is permitted to retire from service on medical grounds, provided further that the Executive Council/Syndicate may, in any other exceptional case, waive or reduce, for reasons to be recorded the amount refundable by a teacher under these guidelines.

- xiv. After the leave has been sanctioned, the teacher shall, before availing himself/herself of the leave, execute a bond in favour of the University/College/Institution, binding himself/herself for the due fulfillment of the conditions laid down in para (x) to (xiii) above and give security of immovable property to the satisfaction of the Finance Officer/Treasurer or a fidelity bond of an insurance company or a guarantee by a scheduled bank or furnish security of two permanent teachers for the amount which might become refundable to the University/College/Institutions in accordance with para(x) to (xiii) above.
- xv. The teacher on study leave shall submit to the Registrar/Principal of his/her parent University/College/Institution six-monthly reports of progress in his/her studies from his/her supervisor or the Head of the institution. This report shall reach the Registrar/Principal within one month of the expiry of every six months of the study

leave. If the report does not reach the Registrar/Principal within the specified time, the payment of leave salary may be deferred till the receipt of such report.

- xvi. The teacher on study leave shall submit a comprehensive report on the completion of the study leave period. A copy of the research document/monograph/academic paper produced during the period of study leave shall be put in the public domain, preferably on the website of the University/College/Institution.
- xvii. With a view of enhancing knowledge and skills of faculty members, especially junior faculty, at the rank of Assistant Professor, the Heads of Universities/Colleges/Institutions and their subordinate Departments are enjoined to be generous in the award of study leave in the interest of faculty improvement, thereby impacting academic standards of Universities/Colleges/Institutions in the long run.

8.3 SABBATICAL LEAVE:

- i) Permanent, whole-time teachers of the university and colleges who have completed seven years of service as Reader/Associate Professor or Professor may be granted sabbatical leave to undertake study or research or other academic pursuit solely for the object of increasing their proficiency and usefulness to the university and higher education system. The duration of leave shall not exceed one year at a time and two years in the entire career of a teacher.
- ii) A teacher, who has availed himself/herself of study leave, would not be entitled to the sabbatical leave, until after the expiry of five years from the date of the teacher's return from previous study leave or any other kind of training programme of duration one year or more.
- iii) A teacher shall, during the period of sabbatical leave, be paid full pay and allowances (subject to the prescribed conditions being fulfilled) at the rates applicable to him/her immediately prior to his/her proceeding on sabbatical leave.
- iv) A teacher on sabbatical leave shall not take up, during the period of that leave, any regular appointment under another organization in India or abroad. He/she may, however, be allowed to accept a fellowship or a research scholarship or ad hoc teaching and research assignment with honorarium or any other form of assistance, other than regular employment in an institution of advanced studies, *provided* that in such cases the Executive Council/Syndicate may, if it so desires, sanction sabbatical leave on reduced pay and allowances.
- v) During the period of sabbatical leave, the teacher shall be allowed to draw the increment on the due date. The period of leave shall also count as service for purposes of pension/contributory provident fund, *provided* that the teacher rejoins the university on the expiry of his/her leave.

8.4 OTHER KINDS OF LEAVE RULES FOR PERMANENT TEACHERS OF THE UNIVERSITIES/ COLLEGES

- (a) The following kinds of leave would be admissible to permanent teachers:

- (i) Leave treated as duty, viz. Casual leave, Special casual leave, and Duty leave;
- (ii) Leave earned by duty, viz. Earned leave, Half Pay leave, and Commuted leave;
- (iii) Leave not earned by duty, viz. Extraordinary leave; and Leave not due;
- (iv) Leave not debited to leave account –
- (v) Leave for academic pursuits, viz. Study leave and Sabbatical leave/Academic leave;
- (vi) Leave on grounds of health, viz. Maternity leave and Quarantine leave.
- (b) The Executive Council/Syndicate may grant, in exceptional cases, for the reasons to be recorded, any other kinds of leave, subject to such terms and conditions as it may deem fit to impose.

I. Casual Leave

- (i) Total casual leave granted to a teacher shall not exceed 8 days in an academic year.
- (ii) Casual leave cannot be combined with any other kind of leave except special casual leave. However, such casual leave may be combined with holidays including Sundays. Holidays or Sundays falling within the period of casual leave shall not be counted as casual leave.

II. Special Casual Leave

- (i) Special casual leave, not exceeding 10 days in an academic year, may be granted to a teacher:
 - (a) To conduct examination of a university/Public Service Commission/board of examination or other similar bodies/institutions; and
 - (b) To inspect academic institutions attached to a statutory board, etc.
- (ii) In computing the 10 days' leave admissible, the days of actual journey, if any, to and from the places where activities specified above, take place, will be excluded.
- (iii) In addition, special casual leave to the extent mentioned below, may also be granted;
 - (a) To undergo sterilization operation (vasectomy or salpingectomy) under family welfare programme. Leave in this case will be restricted to 6 working days; and
 - (b) To a female teacher who undergoes non-puerperal sterilization. Leave in this case will be restricted to 14 days.

- (iv) Special casual leave cannot be accumulated, nor can it be combined with any other kind of leave except casual leave. It may be granted in combination with holidays or vacation by the sanctioning authority on each occasion.

III. Earned Leave

- (i) Earned leave admissible to a teacher shall be:
 - (a) 1/30th of actual service including vacation; *plus*
 - (b) 1/3rd of the period, if any, during which he/she is required to perform duty during vacation.

For purposes of computation of period of actual service, all periods of leave except casual, special casual and duty leave shall be excluded.

- (ii) Earned leave at the credit of a teacher shall not accumulate beyond 300 days. The maximum earned leave that may be sanctioned at a time shall not exceed 60 days. Earned leave exceeding 60 days may, however, be sanctioned in the case of higher study, or training, or leave with medical certificate, or when the entire leave, or a portion thereof, is spent outside India.

For avoidance of doubt, it may be noted:

1. When a teacher combines vacation with earned leave, the period of vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay which may be included in the particular period of leave..
2. In case where only a portion of the leave is spent outside India, the grant of leave in excess of 120 days shall be subject to the condition that the portion of the leave spent in India shall not in the aggregate exceed 120 days.
3. Encashment of earned leave shall be allowed to members of the teaching staff as applicable to the employees of Central/State Governments.

IV. Half-pay Leave

Half-pay leave admissible to a permanent teacher shall be 20 days for each completed year of service. Such leave may be granted on the basis of medical certificate from a registered medical practitioner, for private affairs or for academic purposes.

Explanation:

A "completed year of service" means continuous service of specified duration under the university and includes periods of absence from duty as well as leave including extraordinary leave.

V. Commuted Leave

Commuted leave, not exceeding half the amount of half pay leave due, may be granted on the basis of medical certificate from a registered medical practitioner to a permanent teacher subject to the following conditions:

- (i) Commuted leave during the entire service shall be limited to a maximum of 240 days;
- (ii) When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave due; and
- (iii) The total duration of earned leave and commuted leave taken in conjunction shall not exceed 240 days at a time. *Provided* that no commuted leave shall be granted under these rules unless the authority competent to sanction leave has reason to believe that the teacher will return to duty on its expiry.

VI. Extraordinary Leave

- (i) A permanent teacher may be granted extraordinary leave when:
 - (a) No other leave is admissible; or
 - (b) Other leave is admissible and the teacher applies in writing for the grant of extraordinary leave.
- (ii) Extraordinary leave shall always be without pay and allowances. Extraordinary leave shall not count for increment except in the following cases:
 - (a) Leave taken on the basis of medical certificates;
 - (b) Cases where the Vice Chancellor/Principal is satisfied that the leave was taken due to causes beyond the control of the teacher, such as inability to join or rejoin duty due to civil commotion or a natural calamity, provided the teacher has no other kind of leave to his credit;
 - (c) Leave taken for pursuing higher studies; and
 - (d) Leave granted to accept an invitation to a teaching post or fellowship or research-cum-teaching post or on assignment for technical or academic work of importance.
- (iii) Extraordinary leave may be combined with any other leave except casual leave and special casual leave, provided that the total period of continuous absence from duty on leave (including periods of vacation when such vacation is taken in conjunction with leave) shall not exceed three years except in cases where leave

is taken on medical certificate. The total period of absence from duty shall in no case exceed five years in the full working life of the individual.

- (iv) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

VII. Leave Not Due

- (i) Leave not due, may, at the discretion of the Vice Chancellor/Principal, be granted to a permanent teacher for a period not exceeding 360 days during the entire period of service, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate. Such leave shall be debited against the half-pay leave earned by him/her subsequently.
- (ii) 'Leave not due' shall not be granted, unless the Vice Chancellor/Principal is satisfied that as far as can reasonably be foreseen, the teacher will return to duty on the expiry of the leave and earn the leave granted.
- (iii) A teacher to whom 'leave not due' is granted shall not be permitted to tender his/her resignation from service so long as the debit balance in his/her leave account is not wiped off by active service, or he/she refunds the amount paid to him/her as pay and allowances for the period not so earned. In a case where retirement is unavoidable on account of reason of ill health, incapacitating the teacher for further service, refund of leave salary for the period of leave still to be earned may be waived by the Executive Council.

Provided that the Executive Council may waive off, in any other exceptional, for reasons to be recorded in writing, the refund of leave salary for the period of leave still to be earned.

VIII. Maternity Leave

- (i) Maternity leave on full pay may be granted to a woman teacher for a period not exceeding 180 days, to be availed of twice in the entire career. Maternity leave may also be granted in case of miscarriage including abortion, subject to the condition that the total leave granted in respect of this to a woman teacher in her career is not more than 45 days, and the application for leave is supported by a medical certificate.
- (ii) Maternity leave may be combined with earned leave, half pay leave or extraordinary leave but any leave applied for in continuation of maternity leave may be granted if the request is supported by a medical certificate.

IX. Child Care Leave

Women teachers having minor children may be granted leave up to two years for taking care of their minor children. Child care leave for a maximum period of two years (730days) may be granted to the women teachers during entire service period in lines with Central Government women employees. In the cases, where the child care leave is granted more than 45 days, the University/College/Institution may appoint a part time / guest substitute teacher with intimation to the UGC.

X. Paternity Leave

Paternity leave of 15 days may be granted to male teachers during the confinement of their wives, and such leave shall be granted only up to two children.

XI. Adoption leave

Adoption leave may be provided as per the rules of the Central Government.

9. RESEARCH PROMOTION GRANT

The UGC or the respective agency (Central/State Governments) may provide a start-up grant at the level of Rs. 3.0 lakhs in Social Sciences, Humanities and Languages and Rs. 6.0 lakhs in Sciences and Technology to teachers and other non-vocational academic staff to take up research immediately after their appointments.

9.1 CONSULTANCY ASSIGNMENTS

The consultancy rules, terms, conditions and the model of revenue sharing between institutions and consultant teachers shall be as per the UGC Consultancy Rules to be provided separately.

10.0 COUNTING OF PAST SERVICES FOR DIRECT RECRUITMENT AND PROMOTION UNDER CAS

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 1 to 5 provided that:

- (a) 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.

- (b) The post is/was in an equivalent grade or of the pre-revised scale of pay as the post of Assistant Professor (Lecturer) Associate Professor (Reader) and Professor.
- (c) The candidate for direct recruitment has applied through proper channel only.
- (d) 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.
- (e) 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. Ad hoc or Temporary service of more than one year duration can be counted provided that:
 - (i) the period of service was of more than one year duration;
 - (ii) the incumbent was appointed on the recommendation of duly constituted Selection Committee; and
 - (iii) the incumbent was selected to the permanent post in continuation to the ad hoc or temporary service in the existing/previous organization.
- (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 services under this clause.

11.0 PERIOD OF PROBATION AND CONFIRMATION

- 11.1** The minimum period of probation shall be one year extendable by a maximum period of one more year in case of unsatisfactory performance.
- 11.2** The confirmation at the end of one year shall be automatic, unless extended for another year by a specific order, before expiry of the first year.
- 11.3** Subject to this Clause 11, it is obligatory on the part of the university/the concerned institution to issue an order of confirmation to the incumbents within 45 days of completion of probationary period after due process of verification of satisfactory performance.
- 11.4** Probation and confirmation rules are applicable only at the initial stage of recruitment, issued from time to time, by Central Government.
- 11.5** All other Central Government rules on probation and confirmation shall be applicable mutatis mutandis.

12.0 CREATION AND FILLING UP OF TEACHING POSTS

12.1 Teaching posts in universities, as far as feasible, may be created in a pyramidal order, that is, for instance, for one post of Professor, there shall be two posts of Associate Professors and four posts of Assistant Professors, per department.

12.2 All the sanctioned/approved posts in the university system shall be filled up on an urgent basis.

13.0 APPOINTMENTS ON CONTRACT BASIS

The teachers should be appointed on contract basis only when it is absolutely necessary and when the student-teacher ratio does not satisfy the laid down norms. In any case, the number of such appointments should not exceed 10% of the total number of faculty positions in a College/University. The qualifications and selection procedure for appointing them should be the same as those applicable to a regularly appointed teacher. The fixed emoluments paid to such contract teachers should not be less than the monthly gross salary of a regularly appointed Assistant Professor. Such appointments should not be made initially for more than one academic session, and the performance of any such entrant teacher should be reviewed for academic performance before reappointing her/him on contract basis for another session. Such appointments on contract basis may also be resorted to when absolutely necessary to fill vacancies arising due to maternity leave, child-care leave, etc.

14.0 TEACHING DAYS

14.1 The Universities/Colleges must adopt at least 180 working days, i.e. there should be a minimum of 30 weeks of actual teaching in a 6-day week. Of the remaining period, 12 weeks may be devoted to admission and examination activities, and non-instructional days for co-curricular, sports, college day, etc., 8 weeks for vacations and 2 weeks may be attributed to various public holidays. If the University adopts a 5 day week pattern, then the number of weeks should be increased correspondingly to ensure equivalent of 30 weeks of actual teaching with a 6 day week.

The above is summarized as follows:

| | Number of weeks: 6 day a week pattern | | Number of weeks: 5 day a week pattern | |
|--|--|---------------------------|--|---------------------------|
| Categorization | University | College | University | College |
| Teaching and Learning Process | 30 (180 days) weeks | 30 (180 days) Weeks | 36 (180 days) weeks | 36 (180 days) weeks |

| | | | | |
|---|-----------|-----------|-----------|-----------|
| Admissions/Examinations preparation for Examination | 12 | 10 | 8 | 8 |
| Vacation | 8 | 10 | 6 | 6 |
| Public Holidays (to increase and adjust teaching days accordingly) | 2 | 2 | 2 | 2 |
| Total | 52 | 52 | 52 | 52 |

14.2 In lieu of curtailment of vacation by 2 weeks, the university teachers may be credited with $\frac{1}{3}^{\text{rd}}$ of the period of earned leave. However, colleges may have an option of a total vacation of 10 weeks in a year and no earned leave except when required to work during the vacations for which, as in the case of University teachers, $\frac{1}{3}$ of the period will be credited as Earned Leave.

15.0 WORKLOAD

15.1 The workload of the teachers in full employment should not be less than 40 hours a week for 30 working weeks (180 teaching days) in an academic year. It should be necessary for the teacher to be available for at least 7 hours daily in the University/College, out of which at least 2 hours for mentoring of students (minimum 15 students per coordinator) for Community Development/Extra Curricular Activities/library consultation in case of Under Graduate Courses and at least 2 hours for research in case of Post Graduate courses, for which necessary space and infrastructure should be provided by the University/College. The minimum direct teaching-learning process hours should be as follows:

Assistant Professor 16hours

Associate Professor and Professor 14 hours

15.2 A relaxation of two hours in the workload may, however, be given to Professors and Associate Professors who are actively involved in extension activities and administration.

16.0 SERVICE AGREEMENT AND FIXING OF SENIORITY

16.1 At the time of recruitment in Universities and Colleges, a service agreement should be executed between the University/College and the teacher concerned and a copy of the

same should be deposited with the Registrar/Principal. Such service agreement shall be duly stamped as per the rates applicable.

16.2. The self-appraisal methodology, as per Clause 6.0.8 and its sub-clauses and Clauses 6.1.0 to 6.4.0 and all the sub-clauses contained therein and as per Table 1 to 5 of Appendix III as per applicability, shall form part of the service agreement/Record.

16.3 Inter-se seniority between the direct recruited and teachers promoted under CAS

The inter-se seniority of a direct recruit shall be determined with reference to the date of joining and for the teachers promoted under CAS with reference to the date of eligibility as indicated in the recommendations of the selection committee of the respective candidates. The rules and regulations of the respective Central/State Government shall apply, for all other matters of seniority.

17.0 CODE OF PROFESSIONAL ETHICS

I. TEACHERS AND THEIR RESPONSIBILITIES:

Whoever adopts teaching as a profession assumes the obligation to conduct himself / herself in accordance with the ideal of the profession. A teacher is constantly under the scrutiny of his students and the society at large. Therefore, every teacher should see that there is no incompatibility between his precepts and practice. The national ideals of education which have already been set forth and which he/she should seek to inculcate among students must be his/her own ideals. The profession further requires that the teachers should be calm, patient and communicative by temperament and amiable in disposition.

Teachers should:

- (i) Adhere to a responsible pattern of conduct and demeanor expected of them by the community;
- (ii) Manage their private affairs in a manner consistent with the dignity of the profession;
- (iii) Seek to make professional growth continuous through study and research;
- (iv) Express free and frank opinion by participation at professional meetings, seminars, conferences etc. towards the contribution of knowledge;
- (v) Maintain active membership of professional organizations and strive to improve education and profession through them;
- (vi) Perform their duties in the form of teaching, tutorial, practical, seminar and research work conscientiously and with dedication;

- (vii) Co-operate and assist in carrying out functions relating to the educational responsibilities of the college and the university such as: assisting in appraising applications for admission, advising and counseling students as well as assisting the conduct of university and college examinations, including supervision, invigilation and evaluation; and
- (viii) Participate in extension, co-curricular and extra-curricular activities including community service.

II. TEACHERS AND THE STUDENTS

Teachers should:

- (i) Respect the right and dignity of the student in expressing his/her opinion;
- (ii) Deal justly and impartially with students regardless of their religion, caste, political, economic, social and physical characteristics;
- (ii) Recognize the difference in aptitude and capabilities among students and strive to meet their individual needs;
- (iv) Encourage students to improve their attainments, develop their personalities and at the same time contribute to community welfare;
- (v) Inculcate among students scientific outlook and respect for physical labour and ideals of democracy, patriotism and peace;
- (vi) Be affectionate to the students and not behave in a vindictive manner towards any of them for any reason;
- (vii) Pay attention to only the attainment of the student in the assessment of merit;
- (viii) Make themselves available to the students even beyond their class hours and help and guide students without any remuneration or reward;
- (ix) Aid students to develop an understanding of our national heritage and national goals; and
- (x) Refrain from inciting students against other students, colleagues or administration.

III. TEACHERS AND COLLEAGUES

Teachers should:

- (i) Treat other members of the profession in the same manner as they themselves wish to be treated;

- (ii) Speak respectfully of other teachers and render assistance for professional betterment;
- (iii) Refrain from lodging unsubstantiated allegations against colleagues to higher authorities; and
- (iv) Refrain from allowing considerations of caste, creed, religion, race or sex in their professional endeavour.

IV. TEACHERS AND AUTHORITIES:

Teachers should:

- (i) Discharge their professional responsibilities according to the existing rules and adhere to procedures and methods consistent with their profession in initiating steps through their own institutional bodies and/or professional organizations for change of any such rule detrimental to the professional interest;
- (ii) Refrain from undertaking any other employment and commitment including private tuitions and coaching classes which are likely to interfere with their professional responsibilities;
- (iii) Co-operate in the formulation of policies of the institution by accepting various offices and discharge responsibilities which such offices may demand;
- (iv) Co-operate through their organizations in the formulation of policies of the other institutions and accept offices;
- (v) Co-operate with the authorities for the betterment of the institutions keeping in view the interest and in conformity with dignity of the profession;
- (vi) Should adhere to the conditions of contract;
- (vii) Give and expect due notice before a change of position is made; and
- (viii) Refrain from availing themselves of leave except on unavoidable grounds and as far as practicable with prior intimation, keeping in view their particular responsibility for completion of academic schedule.

V. TEACHERS AND NON-TEACHING STAFF:

- (i) Teachers should treat the non-teaching staff as colleagues and equal partners in a cooperative undertaking, within every educational institution; and
- (ii) Teachers should help in the function of joint staff-councils covering both teachers and the non-teaching staff.

VI. TEACHERS AND GUARDIANS

Teachers should:

- (i) Try to see through teachers' bodies and organizations, that institutions maintain contact with the guardians, their students, send reports of their performance to the guardians whenever necessary and meet the guardians in meetings convened for the purpose for mutual exchange of ideas and for the benefit of the institution.

VII. TEACHERS AND SOCIETY

Teachers should:

- (i) Recognize that education is a public service and strive to keep the public informed of the educational programmes which are being provided;
- (ii) Work to improve education in the community and strengthen the community's moral and intellectual life ;
- (iii) Be aware of social problems and take part in such activities as would be conducive to the progress of society and hence the country as a whole;
- (iv) Perform the duties of citizenship, participate in community activities and shoulder responsibilities of public offices;
- (v) Refrain from taking part in or subscribing to or assisting in any way activities, which tend to promote feeling of hatred or enmity among different communities, religions or linguistic groups but actively work for National Integration.

18.0 Maintenance of Standards in Higher Education Institutions:

In order to maintain the academic standards in higher education the following recommendations shall be adopted by the respective Universities/Colleges/Institutions:

- i. The process for evaluation for Ph.D shall be uniform in all the universities in accordance with the respective UGC regulations and their amendments from time to time, in this regard. The Universities shall be required to adopt these regulations within six months of their notification.
- ii. There shall be special provision of supernumerary Ph.D seats not exceeding 10% of the total seats available in the department, if there is no vacant seat available with the eligible Supervisors in that department, to the in-service teachers for encouraging the faculty members of colleges and universities for doing Ph.D.
- iii. In order to encourage research and increase country's research output, Universities shall accord permission and provide need based facility for college teachers to supervise Ph.D/M.Phil scholars. Universities shall amend their Statutes and Ordinances accordingly.

- iv. All newly recruited faculty members shall be provided one-time seed money/start up grant/research grant for establishing a basic research/computational facility as per the provisions laid down in these regulations.
- v. Ph.D. shall be made mandatory requirement for recruitment and promotions in accordance with the provisions laid down in these regulations.
- vi. Research clusters shall be created amongst the universities/colleges/research institutions within in the state for sharing research facilities, human resources, skills and infrastructure to ensure optimal utilisation of resources and to create synergies among higher education institutions.
- vii. An induction programme of one month shall be introduced for all newly recruited Assistant Professors in the universities /colleges/institutions ideally before the starting of their teaching work but definitely within one year of the recruitment of the new faculty member. In addition to the Human Resource Development Centers of UGC, Universities/Institutions with Pandit Madan Mohan Malviya National Mission on Teachers and Teaching(PMMMNMTT) scheme shall also organize such induction programmes as per their mandate.
- viii. These induction programmes will be treated at par with the Orientation Programmes already being run by the Human Resource Development Centers of UGC for the purpose of CAS requirements. Universities/Colleges/Institutions shall send the faculty members in a phased manner so that teaching does not suffer.
- ix. All short term and long duration capacity building programmes for teachers/faculty ranging from one week to one month as well as seminars, workshops in different pedagogic and discipline specific areas being conducted by centers such as Schools of Education (SoEs), Teaching Learning Centers (TLCs), Faculty Development Centers (FDCs), Centers for Excellence in Science and Mathematics (CESMEs), Centers for Academic Leadership and Education Management (CALEMs) under PMMMNMTT scheme shall be taken into consideration for fulfilment of the requirements as laid down in Career Advancement Scheme of these regulations.

19.0 PAY SCALES OF PRO-VICE CHANCELLOR / VICE-CHANCELLOR

19.1 PRO-VICE CHANCELLOR

The posts of Pro-Vice-Chancellor shall be in Academic Level 14/Academic Level 15 as the case may be, along with a Special Allowance of Rs. 4,000/- per month.

19.2 VICE-CHANCELLOR

The posts of Vice Chancellor shall carry a fixed basic pay of Rs. 2,10,000/- along with a Special Allowance of Rs. 5,000/- per month. All other eligibilities and facilities for the

Vice-Chancellor as provided in the Act/Statute of the university concerned, shall be applicable besides the pay.

20.0 PAY SCALES OF PRINCIPAL IN COLLEGES

The pay of Principal in College shall be equivalent to the pay of Professor i.e. at level Academic Level 14 with rationalized entry pay of Rs. 1,44,200/-, with the existing special allowance of Rs. 3000/- per month.

21.0 OTHER TERMS AND CONDITIONS

21.1 INCREMENTS

- i** The annual increment is given in the Pay Matrix (Appendix I and II) at 3%, with each cell being higher by 3% over the previous cell in the same level, rounded off to 100. The annual increments to each employee would move up in the same academic level, with an employee moving from the existing cell in the academic level to the immediate next cell in the same academic level.
- ii** There shall be two dates for grant of increment, namely 1st January and 1st July of every year, instead of existing date of 1st July, provided that an employee shall be entitled to only one annual increment on either one of these two dates depending on the date of appointment, promotion or grant of financial up-gradation.
- iii** All issues relating to grant of advance increments to teachers engaged in engineering / technical courses in the university system shall be subject to recommendations of the Committee separately constituted by the Central Government for pay review of teachers in technical education.

21.2 PROMOTION

When an individual gets promotion, his/her new pay on promotion would be fixed in the Pay Matrix as follows:

On promotion, he/she would be given a notional increment in the existing Academic Level of Pay, by moving him to the next higher cell at that level. The pay shown in this cell would now be located in the new Academic level corresponding to the post to which he/she has been promoted. If a cell identical with that pay is available in the new level, that cell shall be the new pay; otherwise the next higher cell in that level shall be the new pay of the employee. If the pay arrived at in this manner is less than the first cell in the new level, then the pay shall be fixed at the first cell of that level.

21.3 ALLOWANCES

- I. Allowances such as Leave Travel Concession, Special Compensatory Allowances, Children's Education Allowance, Transport Allowance, House Rent Allowance, Deputation Allowance, Travelling Allowance, Dearness Allowance, area based Special Compensatory Allowance etc. as applicable to teachers and Library and Physical Education Cadres, shall be at par with that of Central Government employees.**

- II. Medical Benefits: All medical benefits as applicable to teachers and Library and Physical Education Cadres, shall be at par with that of Central Government employees. Further Teachers and Library and Physical Education Cadres may be placed under Central Government Health Scheme or any other such scheme of Central Government/ Health Scheme of respective State Government as the case may be for Central/State Universities/Colleges respectively.**

Appendices

| | |
|---------------------|--|
| Appendix I | Scheme of revision of pay of teachers and equivalent cadres in Universities and colleges following the revision of pay scales of Central Government employees on the recommendations of Seventh Pay Commission (MHRD Notification MHRD letters No. 1-7/2015-U.II(1) dated 02.11.2017) |
| Appendix II | Fitment Tables for fixation of pay of the existing incumbents, who were in position as on 01.01.2016, in various categories of posts indicated in the tables (MHRD Notification MHRD letters No. Corrigendum No. 1-7/2015-U.II(2) dated 08.11.2017) |
| Appendix III | Assessment Criteria and Methodology Table 1 to 3- For University and College Teachers Table 4- For Assistant Librarian, Deputy Librarian, Librarian etc. Table 5- For Assistant Director/Deputy Director/ Director Physical Education and Sports etc. |

Appendix I

Scheme of revision of pay of teachers and equivalent cadres in Universities and colleges following the revision of pay scales of Central Government employees on the recommendations of Seventh Pay Commission

No.1-7/2015-U.II(1)
Government of India
Ministry of Human Resource Development
Department of Higher Education

New Delhi, dated the 2nd November, 2017

To,
The Secretary,
University Grants Commission,
Bahadurshah Zafar Marg,
New Delhi – 110 002.

Subject- Scheme of revision of pay of teachers and equivalent cadres in universities and colleges following the revision of pay scales of Central Government employees on the recommendations of the 7th Central Pay Commission (CPC).

Sir,

I am directed to say that the Government of India have decided, after taking into consideration the recommendations made by the Pay Review Committee (PRC), constituted by the University Grants Commission (UGC), and decision of the UGC taken at the meeting of the Commission held on 22nd February, 2017, to revise the pay scales of teachers in the Higher Educational Institutions under the purview of the UGC. The revision of pay scales of teachers and equivalent academic staff shall be subject to various provisions of the Scheme of revision of pay scales as contained in this letter and Regulations issued by UGC and amendments thereof from time to time in this behalf. The revised pay scales and other provisions of the Scheme are as under:-

1. Designation

There shall be only three designations in respect of teachers in universities and colleges, namely, Assistant Professors, Associate Professors and Professors. Also, there shall be no change in the present designations in respect of Library and Physical Education Personnel at various levels.

2. Revised Pay for teachers and equivalent positions:

(i) Pay Fixation method

The revised pay structure for different categories of teachers and equivalent positions is based on the following:

- The formula followed by the 7th CPC is followed in the academic pay structure, moving from the concept of Pay Band and Academic Grade Pay to that of Academic Levels and Cells.
- The first academic level (corresponding to AGP of Rs.6000) is numbered as academic level 10. Similarly, the other academic levels are 11, 12, 13A, 14 and 15.
- Each cell in an academic level is at 3% higher than the previous cell in that level.
- The Index of Rationalisation (IOR) is 2.67 for present AGP less than Rs.10,000 and 2.72 for the AGP of Rs.10,000 and above.

X. K. Talwar
2/11/17

- e) The entry pay for each level is as follows:

| Level | Academic Grade Pay (Rs.) | Entry Pay (Rs.) |
|-------|--------------------------|-----------------|
| 10 | 6,000 | 21,600 |
| 11 | 7,000 | 25,790 |
| 12 | 8,000 | 29,900 |
| 13A | 9,000 | 49,200 |
| 14 | 10,000 | 53,000 |
| 15 | - | 67,000 |

- f) The Pay Matrix based on the above propositions on Academic Levels, Cells and Entry Pay is at **Annexure-I**.
- g) For fixation of pay of an employee in the Pay Matrix as on 1st January, 2016, the existing pay (Pay in Pay Band plus Academic Grade Pay) in the pre-revised structure as on 31st December, 2015 shall be multiplied by a factor of 2.57. The figure so arrived at is to be located in the Academic Level corresponding to employee's Pay Band and Academic Grade Pay in the new Pay Matrix. If a Cell identical with the figure so arrived at is available in the appropriate Academic Level, that Cell shall be the revised pay; otherwise the next higher cell in that Academic Level shall be the revised pay of the employee. If the figure arrived at in this manner is less than the first cell in that Academic Level, then the pay shall be fixed at the first cell of that Academic Level.

If a situation arises whenever more than two stages are bunched together, one additional increment equal to 3 percent may be given for every two stages bunched, and pay fixed in the subsequent cell in the pay matrix.

(ii) **Revised pay for Teachers in Universities and Colleges**

| Existing pay | Revised pay |
|--|---|
| Assistant Professor (at Rs.6000 AGP in PB Rs.15,600-39,100) | Assistant Professor (at Academic Level 10 with rationalized entry pay of Rs.57,700/-) |
| Assistant Professor (at Rs.7000 AGP in PB Rs.15,600-39,100) | Assistant Professor (at Academic Level 11 with rationalized entry pay of Rs.68,900/-) |
| Assistant Professor (at Rs.8000 AGP in PB Rs.15,600-39,100) | Assistant Professor (at Academic Level 12 with rationalized entry pay of Rs.79,800/-) |
| Associate Professor (at Rs.9000 AGP in PB Rs.37,400-67,000) | Associate Professor (at Academic Level 13A with rationalized entry pay of Rs.1,31,400/-) |
| Professor (at Rs.10000 AGP in PB Rs.37,400-67,000) | Professor (at Academic Level 14 with rationalized entry pay of Rs.1,44,200/-) |
| Professor (HAG Scale/ PB of Rs.67,000-79,000) | Professor (at Academic Level 15 with rationalized entry pay of Rs.1,82,200/-) |

(iii) **Revised pay for Librarians in Universities and Colleges**

| Existing pay | Revised pay |
|---|--|
| Assistant Librarian/ College Librarian (at Rs.6000 AGP in PB Rs.15,600-39,100) | Assistant Librarian/ College Librarian (at Academic Level 10 with rationalized entry pay of Rs.57,700/-) |
| Assistant Librarian (Sr. Scale)/ College Librarian (Sr. Scale) (at Rs.7000 AGP in PB Rs.15,600-39,100) | Assistant Librarian (Sr. Scale)/ College Librarian (Sr. Scale) (at Academic Level 11 with rationalized entry pay of Rs.68,900/-) |
| Deputy Librarian/ Assistant Librarian (Selection Grade)/ College Librarian (Selection Grade) (at Rs.8000 AGP in PB Rs.15,600-39,100) | Deputy Librarian/ Assistant Librarian (Selection Grade)/ College Librarian (Selection Grade) (at Academic Level 12 with rationalized entry pay of Rs.79,800/-) |
| Deputy Librarian/ Assistant Librarian (Selection Grade)/ College Librarian (Selection Grade) (at Rs.9000 AGP in PB Rs.37,400-67,000) | Deputy Librarian/ Assistant Librarian (Selection Grade)/ College Librarian (Selection Grade) (at Academic Level 13A with rationalized entry pay of Rs.1,31,400/-) |
| University Librarian (at Rs.10000 AGP in PB Rs.37,400-67,000) | University Librarian (at Academic Level 14 with rationalized entry pay of Rs.1,44,200/-) |

(iii) **Revised pay for Directors of Physical Education & Sports in Universities and Colleges**

| Existing pay | Revised pay |
|--|--|
| Assistant Director of Physical Education & Sports/ College Director of Physical Education & Sports (at Rs.6000 AGP in PB Rs.15,600-39,100) | Assistant Director of Physical Education & Sports/ College Director of Physical Education & Sports (at Academic Level 10 with rationalized entry pay of Rs.57,700/-) |
| Assistant Director of Physical Education & Sports (Senior Scale)/ College Director of Physical Education & Sports (Senior Scale) (at Rs.7000 AGP in PB Rs.15,600-39,100) | Assistant Director of Physical Education & Sports (Senior Scale)/ College Director of Physical Education & Sports (Senior Scale) (at Academic Level 11 with rationalized entry pay of Rs.68,900/-) |
| Deputy Director of Physical Education & Sports/ Assistant Director of Physical Education & Sports (Selection Grade)/ College Director of Physical Education & Sports (at Rs.8000 AGP in PB Rs.15,600-39,100) | Deputy Director of Physical Education & Sports/ Assistant Director of Physical Education & Sports (Selection Grade)/ College Director of Physical Education & Sports (at Academic Level 12 with rationalized entry pay of Rs.79,800/-) |
| Deputy Director of Physical Education & Sports/ Assistant Director of Physical Education & Sports (Selection Grade)/ College Director of Physical Education & Sports (at Rs.9000 AGP in PB Rs.37,400-67,000) | Deputy Director of Physical Education & Sports/ Assistant Director of Physical Education & Sports (Selection Grade)/ College Director of Physical Education & Sports (at Academic Level 13A with rationalized entry pay of Rs.1,31,400/-) |

| Existing pay | Revised pay |
|--|---|
| University Director of Physical Education & Sports (at Rs.10000 AGP in PB Rs.37,400-67,000) | University Director of Physical Education & Sports (at Academic Level 14 with rationalized entry pay of Rs.1,44,200/-) |

3. Revised pay of Pro-Vice Chancellor and Vice Chancellor of Universities

- (i) Pro-Vice Chancellor: The pay of the Pro Vice Chancellor of a University, presently at existing AGP of Rs.10,000 in PB Rs.37,400-67,000/ HAG scale, shall be fixed at Academic Level 14/ Academic Level 15, as the case may be, with the existing special allowance of Rs.4000/- per month.
- (ii) Vice Chancellor: The pay of the Vice Chancellor shall be fixed at Rs.2,10,000/- (fixed) (Figures obtained by using the IOR of 2.81 on 75,000/- and rounding off the figures to nearest five thousand), with the existing special allowance of Rs.5000/- per month.

4. Revised pay of Principals in Colleges

The pay of Principals in Under Graduate and Post Graduate Colleges shall be:

- (i) Under Graduate Colleges: The pay of Principals shall be equivalent to the pay of Associate Professor i.e. Academic Level 13A with rationalized entry pay of Rs.1,31,400/-, with the existing special allowance of Rs.2000/- per month.
- (ii) Post Graduate Colleges: The pay of Principals shall be equivalent to the pay of Professor i.e. at level Academic Level 14 with rationalized entry pay of Rs.1,44,200/-, with the existing special allowance of Rs.3000/- per month.

Note:

- (i) The existing pay scale of person appointed as Principal shall be protected.
- (ii) Principals would continue to have lien in their main academic post where they would continue to get notional promotions while they are functioning as principals. After completion of their tenure as principals, they would go back to their academic post and draw salary due in such respective academic posts, and would not continue to have the Principals' pay.

7. Date of Implementation

The date of implementation of the above revised pay shall be 1st January, 2016.

8. Incentive increment for higher qualification

The incentive structure is built-in in the pay structure itself wherein those having M.Phil or Ph.D. degree will progress faster under CAS. Therefore, there shall be no incentives in form of advance increments for obtaining the degrees of M.Phil or Ph.D.

K. R. T. J. A. H.
24/1/17

9. Increment

- (i) The annual increment is given in the Pay Matrix at 3%, with each cell being higher by 3% over the previous cell in the same level, rounded off to nearest 100. The annual increments to each employee would move up in the same academic level, with an employee moving from the existing cell in the academic level to the immediate next cell in the same academic level.
- (ii) There shall be two dates for grant of increment namely, 1st January and 1st July of every year, instead of existing date of 1st July, provided that an employee shall be entitled to only one annual increment on either one of these two dates depending on the date of appointment, promotion or grant of financial up-gradation.

10. Promotion

When an individual gets a promotion, his new pay on promotion would be fixed in the Pay Matrix as follows:

On promotion, he would be given a notional increment in his existing Academic Level of Pay, by moving him to the next higher cell at that level. The pay shown in this cell would now be located in the new Academic level corresponding to the post to which he has been promoted. If a cell identical with that pay is available in the new level, that cell shall be the new pay; otherwise the next higher cell in that level shall be the new pay of the employee. If the pay arrived at in this manner is less than the first cell in the new level, then the pay shall be fixed at the first cell of that level.

11. Allowances

The decision on allowances of teachers and other equivalent academic staff of Universities and Colleges will be taken after consultation with the Ministry of Finance. Till a final decision on Allowances is taken after consultation with the Ministry of Finance based on the decision of the Government of India for Central Government employees, all allowances will continue to be paid at existing pay structure, as if the pay had not been revised with effect from 01.01.2016.

12. Superannuation and Reemployment

The existing provisions on superannuation and reemployment of teachers shall continue.

13. Consultancy Assignments:

University Grants Commission shall study the consultancy guidelines prevalent in educational institutions like IITs & IIMs, CSIR and other such institutions, and formulate detailed guidelines for consultancies including revenue sharing mechanism between the institution and the individual(s).

14. Anomalies of the last PRC:

The final decision on anomalies, due to implementation of recommendations of the last Pay Review Committee, will be taken after consultation with the Ministry of Finance.

15. Other recommendations of Pay Review Committee and UGC

The Pay Review Committee (PRC) has recommended certain other measures on methods of recruitment, promotion, New Performance Assessment System, attracting & retaining talent, use of ICT in teaching, etc. These recommendations of PRC shall be considered appropriately by the University Grants Commission and necessary regulations will be issued by the University Grants Commission with the approval of the Central Government within a period of 3 months from the date of the approval/ decision of the Cabinet.

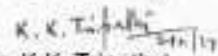
16. Applicability of the Scheme:

- (i) This Scheme shall be applicable to teachers and other equivalent academic staff in all the Central Universities and Colleges there-under and the Institutions Deemed to be Universities whose maintenance expenditure is met by the UGC. The implementation of the revised scales shall be subject to the acceptance of all the conditions mentioned in this letter as well as Regulations to be framed by UGC and amendments thereof in this behalf. Universities implementing this Scheme shall be advised by UGC to amend their relevant statutes and ordinances in line with the UGC Regulations within three months from the date of issue of this letter.
- (ii) This Scheme does not extend to the cadres of Registrar, Finance Officer and Controller of Examinations for which a separate Scheme is being issued separately.
- (iii) This Scheme does not extend to the Accompanists, Coaches, Tutors and Demonstrators. Pay of the said categories of employees shall be fixed in the appropriate relative Level to their existing Pay in each university/ institution corresponding to such fixation in respect of Central Government employees as approved by the Central Government on the basis of the recommendations of 7th Central Pay Commission.
- (iv) This Scheme may be extended to universities, Colleges and other higher educational institutions coming under the purview of State legislatures, provided State Governments wish to adopt and implement the Scheme subject to the following terms and condition:
 - (a) Financial assistance from the Central Government to State Governments opting to revise pay scales of teachers and other equivalent cadre covered under the Scheme shall be limited, by way of reimbursement, to the extent of 50% (fifty percent) of the additional expenditure involved in the implementation of the pay revision, for the universities, colleges and other higher educational institutions funded by the State Government.
 - (b) The State Government opting for revision of pay shall meet the remaining 50% (fifty percent) of the additional expenditure from its own sources.
 - (c) The proposal for reimbursement on account of pay revision in State funded universities, colleges and other higher educational institutions shall be submitted in the prescribed format by the State Governments. The state bills preferred by the State Governments for reimbursement during 2017-18 and 2018-19 would be met to the extent of 50% of additional financial impact during these two years. There would be no central assistance thereafter.

19. Anomalies, if any, in the implementation of this Scheme may be brought to the notice of the Department of Higher Education, Ministry of Human Resource Development, for clarification/ decision of the Central Government.

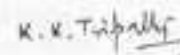
20. This issues with the concurrence of Internal Finance Division vide Dy. No.3738/IFD dated 2nd November, 2017.

Yours faithfully,


(Dr. K.K. Tripathy)
Director

Copy to:

1. Vice Chancellors of all Central Universities/ Institutions Deemed to be Universities fully funded by the Central Government.
2. Principal Secretary to Prime Minister, South Block, Central Secretariat, New Delhi
3. Secretary (Coordination), Cabinet Secretariat, Rashtrapati Bhavan, New Delhi
4. Secretary, Department of Expenditure, North Block, New Delhi
5. Secretary, Department of Personnel & Training, North Block, New Delhi
6. Secretary, Department of Agriculture Research and Education, Krishi Bhavan, New Delhi.
7. Secretary, Ministry of Health and Family Welfare (Medical Education), Nirman Bhavan, New Delhi.
8. Member Secretary, All India Council for Technical Education, New Delhi
9. Chief Secretaries of all State Governments.
10. Web Master, Ministry of Human Resource Development for publication on the website of the Ministry, hosted by the National Informatics Centre.


(Dr. K.K. Tripathy)
Director

Pay Matrix

| Pay Band (Rs.) | 15,600-39,100 | | | 37,400-67,000 | | 67,000-79,000 |
|--------------------------------|---------------|----------|----------|---------------|----------|---------------|
| Grade Pay (Rs.) | 6,000 | 7,000 | 8,000 | 9,000 | 10,000 | 0 |
| Index of Rationalization | 2.67 | 2.67 | 2.67 | 2.67 | 2.72 | 2.72 |
| Entry Pay (Rs.) | 21,600 | 25,790 | 29,900 | 49,200 | 53,000 | 67,000 |
| Academic Level | 10 | 11 | 12 | 13A | 14 | 15 |
| Rationalised Entry Pay (Rs.) 1 | 57,700 | 68,900 | 79,800 | 1,31,400 | 1,44,200 | 1,82,200 |
| 2 | 59,400 | 71,000 | 82,200 | 1,35,300 | 1,48,500 | 1,87,700 |
| 3 | 61,200 | 73,100 | 84,100 | 1,39,400 | 1,53,000 | 1,93,300 |
| 4 | 63,000 | 75,300 | 87,200 | 1,43,600 | 1,57,800 | 1,99,100 |
| 5 | 64,900 | 77,600 | 89,800 | 1,47,900 | 1,62,300 | 2,05,100 |
| 6 | 66,800 | 79,900 | 92,500 | 1,52,300 | 1,67,200 | 2,11,300 |
| 7 | 68,800 | 82,300 | 95,300 | 1,56,900 | 1,72,200 | 2,17,600 |
| 8 | 70,900 | 84,800 | 98,200 | 1,61,600 | 1,77,400 | 2,24,100 |
| 9 | 73,000 | 87,300 | 1,01,100 | 1,66,400 | 1,82,100 | |
| 10 | 75,200 | 89,900 | 1,04,100 | 1,71,400 | 1,88,200 | |
| 11 | 77,500 | 92,600 | 1,07,200 | 1,76,500 | 1,93,800 | |
| 12 | 79,800 | 95,400 | 1,10,400 | 1,81,800 | 1,99,800 | |
| 13 | 82,200 | 98,300 | 1,13,700 | 1,87,300 | 2,05,800 | |
| 14 | 84,700 | 1,01,200 | 1,17,100 | 1,92,900 | 2,11,800 | |
| 15 | 87,200 | 1,04,200 | 1,20,600 | 1,98,700 | 2,18,200 | |
| 16 | 89,800 | 1,07,300 | 1,24,200 | 2,04,100 | | |
| 17 | 92,500 | 1,10,500 | 1,27,900 | 2,10,800 | | |

Dr. A. S. Sankar
14/1/17

| Pay Band (Rs.) | 15,600-39,100 | | | 37,400-67,000 | | 67,000-79,000 |
|----------------|---------------|----------|----------|---------------|--|---------------|
| 18 | 95,300 | 1,13,800 | 1,31,700 | 2,17,100 | | |
| 19 | 98,200 | 1,17,200 | 1,35,700 | | | |
| 20 | 1,01,100 | 1,20,700 | 1,39,800 | | | |
| 21 | 1,04,100 | 1,24,300 | 1,44,000 | | | |
| 22 | 1,07,200 | 1,28,000 | 1,48,300 | | | |
| 23 | 1,10,400 | 1,31,800 | 1,52,700 | | | |
| 24 | 1,13,700 | 1,35,800 | 1,57,300 | | | |
| 25 | 1,17,100 | 1,39,900 | 1,62,000 | | | |
| 26 | 1,20,600 | 1,44,100 | 1,66,900 | | | |
| 27 | 1,24,200 | 1,48,400 | 1,71,900 | | | |
| 28 | 1,27,900 | 1,52,900 | 1,77,100 | | | |
| 29 | 1,31,700 | 1,57,500 | 1,82,400 | | | |
| 30 | 1,35,700 | 1,62,200 | 1,87,900 | | | |
| 31 | 1,39,800 | 1,67,100 | 1,93,500 | | | |
| 32 | 1,44,000 | 1,72,100 | 1,99,300 | | | |
| 33 | 1,48,300 | 1,77,300 | 2,05,300 | | | |
| 34 | 1,52,700 | 1,82,600 | 2,11,500 | | | |
| 35 | 1,57,300 | 1,88,100 | | | | |
| 36 | 1,62,000 | 1,93,700 | | | | |
| 37 | 1,66,900 | 1,99,500 | | | | |
| 38 | 1,71,900 | 2,05,500 | | | | |
| 39 | 1,77,100 | | | | | |
| 40 | 1,82,400 | | | | | |

N. K. T. / 24/11/19

Appendix II

Fitment Tables for fixation of pay of the existing incumbents, who were in position as on 01.01.2016, in various categories of posts indicated in the tables

F.No.1-7/2015-U.II(1)
Government of India
Ministry of Human Resource Development
Department of Higher Education
University-2 Section

Shaastri Bhavan, New Delhi
Dated 3rd November, 2017


Corrigendum

Subject: Scheme of revision of pay of teachers and equivalent cadres in universities and colleges following the revision of pay scales of Central Government employees on the recommendations of the 7th Central Pay Commission (CPC).

In the order of the Government of India in the Ministry of Human Resource Development (Department of Higher Education) no. 1-7/2015-U.II(1) dated 2.11.2017 in the Annexure (Page 9) appended to the said order, figures mentioned in

- (a) Cell Academic level 12, row 3 may be read as "84,700" instead of "84,100"
- (b) Cell Academic level 13A, row 16 may be read as "2,04,700" instead of "2,04,100"
- (c) Cell Academic level 14, row 9 may be read as "1,82,700" instead of "1,82,100"

- 2. The rest of the content of the above order remains the same.


(Dr. K.K. Tripathy) 31/11/17
Director

To,

1. The Secretary, University Grants Commission, Bahadurshah Zafar Marg, New Delhi - 110 002.
2. Vice Chancellors of all Central Universities/ Institutions Deemed to be Universities fully funded by the Central Government.
3. Principal Secretary to Prime Minister, South Block, Central Secretariat, New Delhi
4. Secretary (Coordination), Cabinet Secretariat, Rashtrapati Bhavan, New Delhi
5. Secretary, Department of Expenditure, North Block, New Delhi
6. Secretary, Department of Personnel & Training, North Block, New Delhi
7. Secretary, Department of Agriculture Research and Education, Krishi Bhavan, New Delhi.
8. Secretary, Ministry of Health and Family Welfare (Medical Education), Nirman Bhavan, New Delhi.
9. Member Secretary, All India Council for Technical Education, New Delhi
10. Chief Secretaries of all State Governments.
11. Web Master, Ministry of Human Resource Development for publication on the website of the Ministry, hosted by the National Informatics Centre.

Pay Matrix

| Pay Band (Rs.) | 15,600-39,100 | | | 37,400-67,000 | | 67,000-79,000 |
|--------------------------------|---------------|----------|---------------|-----------------|-----------------|---------------|
| Grade Pay (Rs.) | 6,000 | 7,000 | 8,000 | 9,000 | 10,000 | 0 |
| Index of Rationalization | 2.67 | 2.67 | 2.67 | 2.67 | 2.72 | 2.72 |
| Entry Pay (Rs.) | 21,600 | 25,790 | 29,900 | 49,200 | 53,000 | 67,000 |
| Academic Level | 10 | 11 | 12 | 13A | 14 | 15 |
| Rationalised Entry Pay (Rs.) 1 | 57,700 | 68,900 | 79,800 | 1,31,400 | 1,44,200 | 1,82,200 |
| 2 | 59,400 | 71,000 | 82,200 | 1,35,300 | 1,48,500 | 1,87,700 |
| 3 | 61,200 | 73,100 | 84,700 | 1,39,400 | 1,53,000 | 1,93,300 |
| 4 | 63,000 | 75,300 | 87,200 | 1,43,600 | 1,57,600 | 1,99,100 |
| 5 | 64,900 | 77,600 | 89,800 | 1,47,900 | 1,62,300 | 2,05,100 |
| 6 | 66,800 | 79,900 | 92,500 | 1,52,300 | 1,67,200 | 2,11,300 |
| 7 | 68,800 | 82,300 | 95,300 | 1,56,900 | 1,72,200 | 2,17,600 |
| 8 | 70,900 | 84,800 | 98,200 | 1,61,600 | 1,77,400 | 2,24,100 |
| 9 | 73,000 | 87,300 | 1,01,100 | 1,66,400 | 1,82,700 | |
| 10 | 75,200 | 89,900 | 1,04,100 | 1,71,400 | 1,88,200 | |
| 11 | 77,500 | 92,600 | 1,07,200 | 1,76,500 | 1,93,800 | |
| 12 | 79,800 | 95,400 | 1,10,400 | 1,81,800 | 1,99,600 | |
| 13 | 82,200 | 98,300 | 1,13,700 | 1,87,300 | 2,05,600 | |
| 14 | 84,700 | 1,01,200 | 1,17,100 | 1,92,900 | 2,11,800 | |
| 15 | 87,200 | 1,04,200 | 1,20,600 | 1,98,700 | 2,18,200 | |
| 16 | 89,800 | 1,07,300 | 1,24,200 | 2,04,700 | | |
| 17 | 92,500 | 1,10,500 | 1,27,900 | 2,10,800 | | |

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| Pay Band (Rs.) | 15,600-39,100 | | | 37,400-67,000 | | 67,000-79,000 |
|----------------|---------------|----------|----------|---------------|--|---------------|
| 18 | 95,300 | 1,13,800 | 1,31,700 | 2,17,100 | | |
| 19 | 99,200 | 1,17,200 | 1,35,700 | | | |
| 20 | 1,01,100 | 1,20,700 | 1,39,800 | | | |
| 21 | 1,04,100 | 1,24,300 | 1,44,000 | | | |
| 22 | 1,07,200 | 1,28,000 | 1,48,300 | | | |
| 23 | 1,10,400 | 1,31,800 | 1,52,700 | | | |
| 24 | 1,13,700 | 1,35,800 | 1,57,300 | | | |
| 25 | 1,17,100 | 1,39,900 | 1,62,000 | | | |
| 26 | 1,20,600 | 1,44,100 | 1,66,900 | | | |
| 27 | 1,24,200 | 1,48,400 | 1,71,900 | | | |
| 28 | 1,27,900 | 1,52,900 | 1,77,100 | | | |
| 29 | 1,31,700 | 1,57,500 | 1,82,400 | | | |
| 30 | 1,35,700 | 1,62,200 | 1,87,900 | | | |
| 31 | 1,39,800 | 1,67,100 | 1,93,500 | | | |
| 32 | 1,44,000 | 1,72,100 | 1,99,300 | | | |
| 33 | 1,48,300 | 1,77,300 | 2,05,300 | | | |
| 34 | 1,52,700 | 1,82,600 | 2,11,500 | | | |
| 35 | 1,57,300 | 1,88,100 | | | | |
| 36 | 1,62,000 | 1,93,700 | | | | |
| 37 | 1,66,900 | 1,99,500 | | | | |
| 38 | 1,71,900 | 2,05,500 | | | | |
| 39 | 1,77,100 | | | | | |
| 40 | 1,82,400 | | | | | |

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Appendix III

Table 1

Assessment Criteria and Methodology for University/College Teachers

| S.No. | Activity | Grading Criteria |
|--------------|--|--|
| 1. | Teaching: (Number of classes taught/total classes assigned): 100% (Classes taught includes sessions on tutorials, lab and other teaching related activities) | 80% & above----- Good Below 80% but 70% & above— Satisfactory Less than 70%--- Not satisfactory |
| 2. | Involvement in the University/College students related activities/research activities: <ul style="list-style-type: none"> (a) Administrative responsibilities such as Head, Chairperson/ Dean/ Director/ Co-ordinator, Warden etc. (b) Examination and evaluation duties assigned by the college / university or attending the examination paper evaluation. (c) Student related co-curricular, extension and field based activities such as student clubs, career counselling, study visits, student seminars and other events, cultural, sports, NCC, NSS and community services. (d) Organising seminars/conferences/workshops, other college/university activities. (e) Evidence of actively involved in guiding Ph.D students. (f) Conducting minor or major research project sponsored by national or international agencies. (g) At least one single or joint | Good—Involved in at least 3 activities Satisfactory—1-2 activities Not-satisfactory-Not involved / undertaken any of the activities Note: Number of activities can be within or across the broad categories of activities |

| | | |
|--|---|--|
| | publication in peer reviewed/UGC list of Journals. | |
| <p>Overall Grading:</p> <p>Good: Good in teaching and satisfactory or good in activity at Sl.No.2.</p> <p>Or</p> <p>Satisfactory: Satisfactory in teaching and good or satisfactory in activity at Sl.No.2.</p> <p>Not Satisfactory: If neither good nor satisfactory in overall grading</p> <p>Note: For the purpose of assessing the grading of Activity at Serial No. 1 i.e. Teaching all such periods of duration which have been spent by the teacher on different kinds of paid leaves such as Maternity Leave, Child Care Leave, Study Leave, Medical Leave etc. and Deputation shall be excluded from the grading assessment. The teacher shall be assessed for the remaining period of duration and the same shall be extrapolated for the entire period of assessment to arrive at the grading of the teacher. The teacher on such leaves or deputation as mentioned above shall not be put to any disadvantage due to his/her absence from his/her teaching responsibilities subject to such leaves/deputation was undertaken with the prior approval of the competent authority following all procedures laid down in these regulations and as the acts, statutes and ordinances of the parent institution.</p> | | |

**Table 2 Assessment Criteria and Methodology for University Teachers
(Academic/Research)**

(Assessment must be based on evidence produced by the teacher such as: copy of publications, project sanction letter, utilization and completion certificates issued by the University and acknowledgements for patent filing and approval letters, students' Ph.D. award letter, etc.,)

| Academic/Research Activity | Faculty of Sciences/Engineering/Agriculture/Medical /Veterinary Sciences | Faculty of languages/Humanities/Arts/Social Science /Library/Education/Physical Education/Commerce/Management & other related discipline |
|---|---|---|
| 1. Research Papers Published in Peer Reviewed/UGC listed Journals | 08 per paper | 10 per paper |
| 2. Books/ e-books authored which are published by International publishers National publishers Chapter in Edited Book Editor of Book by International Publisher Editor of Book by National Publisher *e-content (developed in 4 quadrants) per module MOOCs (developed) per module/lecture | 10 08 05 10 08 05 05 | 10 08 05 10 08 05 05 |
| 3. Research Projects Completed: More than 10 lakhs Less than 10 lakhs Ongoing: More than 10 lakhs Less than 10 lakhs Consultancy: | 10 05 05 02 03 | 10 05 05 02 03 |

| | | |
|---|--|--|
| 4. Patents | | |
| International | 10 | 10 |
| National | 07 | 07 |
| *Policy Document | | |
| International | 10 | 10 |
| National | 07 | 07 |
| State | 04 | 04 |
| 5. Research Guidance | | |
| Ph.D. | 10/per degree awarded 05/thesis submitted | 10/per degree awarded 05/per thesis submitted |
| M.Phil./PG dissertation | 02/degree awarded | 02/per degree awarded |
| 6. *Invited lectures / Resource Person /paper presentation | | |
| International (Abroad) | 7 | 7 |
| International (within country) | 5 | 5 |
| National | 3 | 3 |
| State / University | 2 | 2 |

The Research Score for papers would be augmented as follows:

Peer reviewed /UGC listed journals

- | | | | |
|------|--|---|-----------|
| i) | Paper in referred journals without impact factor | - | 5 Points |
| ii) | Paper with impact factor less than 1 | - | 10 Points |
| iii) | Paper with impact factor between 1 and 2 | - | 15 Points |
| iv) | Paper with impact factor between 2 and 5 | - | 20 Points |
| v) | Paper with impact factor between 5 and 10 | - | 25 Points |
| vi) | Paper with impact factor >10 | - | 30 Points |

Joint Publication:

(a) Two authors: 50% of total value of publication for each author

(b) More than two authors: 70% of total value of publication for the First/Principal/Corresponding author and 30% of total value of publication for each of the joint authors.

Joint Projects: Principal Investigator and Co-investigator would get 50% each.

*** Note:**

- Paper presented if part of edited book or proceeding then it can be claimed only once.
- For joint supervision of research students the formula shall be 70/30. First Supervisor shall get 7 marks and co-supervisor 3 marks.
- In development of e-content in 4 quadrants for a complete course/e-book may be assigned points equivalent to authoring a book at national level, contribution to development of e-content modules in complete course/paper/e-book may be awarded points same as that of contributed chapters in edited book and editor of e-content for complete course/paper/e-book may be awarded points same as that for editor of a book by National Publisher.
- Development of various quadrants of complete MOOCs may be given the weightage similar to authoring a book, contribution to development of modules in a complete MOOCs may be awarded points same as contributed chapters in edited book and coordinator of MOOCs for complete course may be awarded points same as that for editor of a book by National Publisher.
- For the purpose of calculating research score of the person, the combined research score from the categories of **Policy Document** and **Invited lectures / Resource Person /paper presentation** shall have an upper capping of 30% of the total research score of the person.
- The research score shall be from the minimum of 3 categories out of 6 categories.

Table: 3 A
Criteria for Short listing of candidates for Interview for the Post of Assistant Professors
in Universities

| S.No. | Academic Record | Score | | |
|-------|--|--------------------|---------------------------|---------------------------|
| 1. | Graduation | 80% and above = 15 | 60% to less than 80% = 13 | 55% to less than 60% = 10 |
| 2. | Post Graduation | 80% and above = 28 | 60% to less than 80% = 25 | 55% to less than 60% = 20 |
| 3. | M.Phil. | 60% and above = 07 | | 55% to less than 60% = 05 |
| 4. | Ph.D. | 30 | | |
| 5. | NET with JRF NET or equivalent | 07 5 | | |
| 6. | Research Publications (2 marks for each research publications published in Peer Reviewed/UGC listed Journals) | 10 | | |
| 7. | Teaching/Post Doctoral Experience (2 marks for one year each)# | 10 | | |

However, if the period of teaching/Post-doctoral experience is less than one year then the marks shall be reduced proportionately.

Note:

- (A) (i) M.Phil + Ph.D Maximum– 30 Marks
(ii) JRF/NET/SET Maximum - 07 Marks
- (B) Number of candidates to be called for interview shall be decided by the concerned universities.
- (C) Academic Score - 80
Research Publications - 10
Teaching Experience - 10
Total : -100
- (D) SET/SLET score shall be valid for appointment in respective State Universities/Colleges/Institutions only

Table: 3 B**Criteria for Short listing of candidates for Interview for the Post of Assistant Professors in Colleges**

| S.No. | Academic Record | Score | | |
|-------|---|--------------------|---------------------------|---------------------------|
| 1. | Graduation | 80% and above = 21 | 60% to less than 80% = 19 | 55% to less than 60% = 16 |
| 2. | Post Graduation | 80% and above = 33 | 60% to less than 80% = 30 | 55% to less than 60% = 25 |
| 3. | M.Phil. | 60% and above = 07 | | 55% to less than 60% = 05 |
| 4. | Ph.D. | 20 | | |
| 5. | NET with JRF NET or equivalent | 10 08 | | |
| 6. | Research Publications (2 marks for each research publications published in Peer Reviewed/UGC listed Journals) | 06 | | |
| 7. | Teaching/Post Doctoral Experience (2 marks for one year each)# | 10 | | |

However, if the period of teaching/Post-doctoral experience is less than one year then the marks shall be reduced proportionately.

Note:

(A) (i) M.Phil + Ph.D Maximum- 20 Marks

(ii) JRF/NET/SET Maximum - 10 Marks

(B) Number of candidates to be called for interview shall be decided by the concerned universities.

(C) Academic Score - 84

Research Publications - 06

Teaching Experience - 10

Total : -100

(D) SET/SLET score shall be valid for appointment in respective State Universities/Colleges/Institutions only

Table 4 Assessment Criteria and Methodology for Librarians

| S.No. | Activity | Grading Criteria |
|-------|---------------------------------|----------------------|
| 1 | Regularity of attending library | 90% and above – Good |

| | | |
|----|--|---|
| | <p>(calculated in terms of percentage of days attended to the total number of days he/she is expected to attend).</p> <p>While attending in the library, the individual is expected to undertake, inter alia, following items of work:</p> <ul style="list-style-type: none"> • Library Resource and Organization and maintenance of books, journals and reports. • Provision of Library reader services such as literature retrieval services to researchers and analysis of report. • Assistance towards updating institutional website | <p>Below 90% but 80% and above-Satisfactory</p> <p>Less than 80% – Not satisfactory</p> |
| 2. | Conduct of seminars/workshops related to library activity or on specific books or genre of books. | <p>Good – 1 National level seminar/ workshop + 1 State/institution level workshop/Seminar</p> <p>Satisfactory – 1 National level seminar/ workshop or 1 state level seminar/ workshop + 1 institution level seminar/ workshop or 4 institution seminar / workshop</p> <p>Unsatisfactory – Not falling in above two categories</p> |
| 3. | <p>If library has a computerized database then OR If library does not have a computerized database</p> | <p>Good – 100% of Physical books and journals in computerized database. Satisfactory – at least 99% of physical books and journals in computerized database.</p> <p>Unsatisfactory – Not falling under good or satisfactory.</p> <p>Good/Satisfactory – Catalogue database made up to date Unsatisfactory - Catalogue database not upto mark. (To be verified in random by the CAS promotion committee)</p> |
| 4. | Checking inventory and extent of missing books | <p>Good ; checked inventory and missing book less than 0.5%</p> <p>Satisfactory - Checked inventory and missing book less than 1%</p> <p>Unsatisfactory - Did not check inventory</p> |

| | | |
|--|--|--|
| | | Or Checked inventory and missing books 1% or more. |
| 5. | <p>Digitisation of books database in institution having no computerized database.</p> <p>Promotion of library network. Systems in place for dissemination of information relating to books and other resources.</p> <p>Assistance in college administration and governance related work including work done during admissions, examinations and extracurricular activities.</p> <p>Design and offer short term courses for users.</p> <p>Publications of at least one research paper in UGC approved journals.</p> | <p>Good : Involved in any two activities</p> <p>Satisfactory : At least one activity</p> <p>Not Satisfactory : Not involved/ Undertaken any of the activities.</p> |
| Overall Grading | <p>Good : Good in Item 1 and satisfactory/good in any two other items. including Item 4.</p> <p>Satisfactory : Satisfactory in Item 1 and satisfactory /good in any other two items including Item 4.</p> <p>Not satisfactory : If neither good nor satisfactory in overall grading.</p> | |
| <p>Note :</p> <p>(1) It is recommended to use ICT technology to monitor the attendance of library staff and compute the criteria of assessment.</p> <p>(2) The Librarian must submit evidence of published paper, participation certificate for refresher or methodology course, successful research guidance from Head of Department of the concerned department, project completion.</p> <p>(3) The system of tracking user grievances and the extent of grievances redressal details may also be made available to the CAS promotion committee.</p> | | |

Table 5 Assessment Criteria and Methodology for Directors of Physical Education and Sports

| S. No. | Activity | Grading Criteria |
|-----------------|--|---|
| 1 | Attendance calculated in terms of percentage of days attended to the total number of days he is expected to attend. | 90 and above-good Above 80 but below 90- satisfactory. Less than 80- not satisfactory. |
| 2. | Organizing intra college competition | Good-Intra college competition in more than 5 disciplines. Satisfactory-Intra college competition in 3-5 disciplines. Unsatisfactory-neither good nor satisfactory. |
| 3. | Institution participating in external competitions | Good-National level competition in at least one discipline plus State/District level. Competition in at least 3 disciplines. Satisfactory- State level competition in at least one discipline plus district level competition in at least 3 disciplines. Or District level competition in at least 5 disciplines. Unsatisfactory- Neither good nor satisfactory. |
| 4. | Up-gradation of sports and physical training infrastructure with scientific and technological inputs. Development and maintenance of playfields and sports and physical Education facilities. | Good/Satisfactory/Not-Satisfactory to be assessed by the Promotion committee. |
| 5. | At least one student of the institution participating in national/state/university(for college levels only)teams. Organizing state/national/inter university/inter college level competition. Being invited for coaching at state/national level. Organizing at least three workshops in a year..publications of at least one research paper in UGC approved journal. Assistance in college administration and governance related work including work done during admissions, examinations and extracurricular college activities. | Good: Involved in any two activities. Satisfactory: 1 activity Not Satisfactory : Not involved/undertaken any of the activities. |
| Overall Grading | Good: Good in Item 1 and satisfactory/good in any two other items. Satisfactory: Satisfactory in Item 1 and satisfactory/good in any other two items. | |

| | |
|--|--|
| | Not Satisfactory: If neither good nor satisfactory in overall grading. |
| <p>Note:</p> <ul style="list-style-type: none"> (ii) It is recommended to use ICT technology to monitor the attendance of sports and physical education and compute the criteria of assessment. (iii) The institution must obtain student feedback. The feed-backs must be shared with the concerned Director of Physical and Education and Sports and also the CAS Promotion committee. (iv) The system of tracking user grievances and the extent of grievance redressal details may also be made available to the CAS promotion committee. | |

The Uttar Pradesh State Universities Act, 1973¹

[President's Act 10 of 1973]²

An Act to amend and consolidate the law relating to certain Universities

[It is hereby enacted as follows :]³

Prefatory Note : Reasons for the Enactment.—With a view to toning up the academic and financial administration of higher education in State of U.P., a comprehensive Bill applicable to all the State Universities (except the Roorkee University and Govind Ballabh Pant Agricultural University), was prepared in the light of the recommendations made by various Commissions and Committees appointed by the Government of India and the State Government and also the views of the Vice-Chancellors and other educationists.

2. The Bill, *inter alia*, provides for the reorganization of the Court, the Executive Council, the Academic Council, the Finance Committee and the Selection Committees for the appointment of teachers in the Universities with a view to making them more effective and compact bodies. It also provides for the constitution of Examination and Admission Committees. The Bill also provides for the appointment of Pro-Vice-Chancellors in certain Universities and a whole-time Finance Officer in place of honorary Treasurer in all Universities.

3. The Bill also contains provisions for the following matters, namely :

- (i) Security of service of teachers of degree colleges.
- (ii) Constitution of Selection Committee for the appointment of Principals and teachers of degree colleges.
- (iii) Introduction of correspondence courses and allowing persons to appear as private candidates.
- (iv) Opening of postgraduate classes in associated colleges of Allahabad and Lucknow Universities with the previous approval of the Chancellor.
- (v) Provision for autonomous colleges and working men's colleges.
- (vi) Provision for gratuity for teachers killed or wounded in incidents arising out of their duties connected with the conduct or examinations.
- (vii) Disqualifications of members of the Executive Council from participation in matters in which their personal interest is involved.
- (viii) Supersession of the Executive Council in case of failure to discharge functions properly.
- (ix) Students' participation in the University administration.
- (x) Penalty for charging capitation fees (whether in the form of donations or otherwise) for admission of students to degree colleges.
- (xi) Regulation of the administration of degree colleges.
- (xii) Barring suits in civil courts in respect of day to day functioning of the Universities.

1. Enacted by the President on 2-9-1973 and amended and re-enacted by U.P. Act 29 of 1974 (1974 LLT-IV-152).

2. Amended and re-enacted by U.P. Act 29 of 1974.

3. *Subs.* for the words "Enacted by the President in the Twenty-fourth year of the Republic of India" by U.P. Act 29 of 1974, S. 3.

imparting tutorial and other supplementary instructions;

- (11) 'hostel of a University' means a unit of residence for students maintained or recognised by the University, other than a hall, and 'hostel of an affiliated or associated college' means a unit of residence for students of that college;
- (12) 'Institute' means an Institute established by the University under Section 44 ;
- (13) 'management' in relation to an affiliated or associated college, means the managing committee or other body charged with managing the affairs of that college and recognised as such by the University;

¹⁵[Provided that in relation to any such college maintained by a Municipal Board or a Nagar Mahapalika, the expression 'management' means the education committee of such Board or Mahapalika as the case may be and the expression 'Head of the Management' means the chairman of such committee.]

Recognition.—Where the Management Committee was recognised under Statute 27-A of the Agra University statutes and the action taken by such committee was approved by the Chancellor and Vice-Chancellor that is sufficient recognition for the purposes of Section 2(13) of the Act. *P.C. Sikand v. Chancellor, Agra University*, 1979 ALJ (NOC) 81.

- (14) 'prescribed' means prescribed by the Statutes ;
- (15) 'principal', in relation to an affiliated, associated or a constituent college, means the head of such college ;
- (16) 'registered graduate' means a graduate of the University registered under the provisions of this Act or under any enactment repealed by this Act ;
- (17) 'Statutes', 'Ordinances' and 'Regulations' means receptively the Statutes, Ordinances and Regulations of the University ;
- ¹⁶[(18) 'Self finance course' means a course with respect to which all financial liabilities shall be borne by the Management of an associated or affiliated college or by a University;
- (19) 'teacher' in relation to the provisions of this Act except Chapter XI-A, means a person employed in a University or in an institute or in a constituent or affiliated or associated college of a University for imparting instructions or guiding or conducting research in any subject or course approved by that University and includes a Principal or Director;]
- (20) 'University' means an existing University or a new University established after the commencement of this Act under Section 4 ;
- (21) 'Working Men's College' means an affiliated or associated college recognised as such in accordance with the provisions of Section 43.

15. *Ins.* by U.P. Act 12 of 1978, S. 2.

16. *Subs.* by U.P. Act 1 of 2004, S. 2 (w.e.f. 11-7-2003).

CHAPTER II THE UNIVERSITIES

3. Incorporation of Universities.—(1) The Chancellor, the Vice-Chancellor and the members of the Executive Council, the Court and the Academic Council for the time being holding office as such in any University shall constitute a body corporate by the name of that University.

(2) Each University shall have perpetual succession and a common seal and shall sue and be sued by its name.

4. Establishment of new Universities and alteration of the areas or names of Universities.—(1) With effect from such date as the State Government may by notification in the Gazette appoint in that behalf, there shall be established a University of Kumaun at Naini Tal and a University of Garhwal ¹⁷[which shall from April 25, 1989 be called the Hemvati Nandan Bahuguna Garhwal University] at Srinagar (District Garhwal) for the areas respectively specified in the Schedule.

¹⁸[(1-A) With effect from such date or dates as the State Government may by notification in the Gazette appoint in this behalf, there shall be established—

(a) a University of Bundelkhand at Jhansi ;

(b) a University of Avadh at Faizabad ¹⁹[which shall be called the Doctor Ram Manohar Lohia University, Faizabad with effect from June 18, 1994, and the Doctor Ram Manohar Lohia Avadh University, Faizabad with effect from July 11, 1995]; [* * *]²⁰

(c) a University of Rohilkhand at Bareilly ²¹[which shall with effect from the date of the commencement of the Uttar Pradesh State Universities (Second Amendment) Act, 1997 be called Mahatma Jyotiba Phule Rohilkhand University, Bareilly];

²²[(d) a University to be known as Purvanchal University at Jaunpur, which shall, with effect from the date of commencement of the Uttar Pradesh State Universities (Amendment) Act, 1999, be called “Vir Bahadur Singh Purvanchal University, Jaunpur]

for the areas respectively specified in the Schedule.

(1-B) in relation to the Universities to be established under sub-section (1-A)—

(a) the State Government shall appoint interim officers of the Universities (other than the Chancellor) and shall constitute interim authorities of such Universities in such manner as it thinks fit ;

²³[(b) the officers appointed and members of the authorities constituted under

17. Ins. by U.P. Act 26 of 1989, S. 2 (w.e.f. 24-4-1989).

18. Ins. by U.P. Act 29 of 1974, S. 6.

19. Subs. by President's Act 4 of 1996, S. 3(a) (w.e.f. 11-7-1995).

20. Omitted by U.P. Act 19 of 1987.

21. Ins. by U.P. Act 18 of 1997, S. 3 (w.e.f. 16-8-1997).

22. Subs. by U.P. Act 11 of 1999, S. 2 (w.e.f. 8-1-1999).

23. Subs. by U.P. Act 12 of 1978, S. 3.

clause (a) shall hold office [* * *]²⁴ until the appointment of officers or the constitution of the authorities in accordance with clause (c)²⁵[or such other earlier date as may be specified by the State Government in this behalf] :

²⁶[Provided that the State Government may, by notification extend the term of the members of such authorities for a period not exceeding one year.]

(c) the State Government shall take steps for the appointment of officers and constitution of authorities of such Universities in accordance with the provisions of this Act, so that the same may be completed before the expiry of the respective terms of the interim officers and members under clause (b).]

(2) With effect from such date as the State Government may, by notification in the Gazette, appoint in that behalf the institution known as Kashi Vidyapith at Varanasi shall be deemed to be a University established under the provisions of this Act ²⁷[which shall be called Mahatma Gandhi Kashi Vidyapith, Varanasi with effect from July 11, 1995].

(3) As from the date appointed under sub-section (2)—

- (i) the society known as the Kashi Vidyapith, Varanasi shall be dissolved, and all property moveable and immovable, and rights, powers and privileges of the society shall be transferred to and vest in the University and shall be applied to the objects and purposes for which the University is established ;
- (ii) all debts, liabilities and obligations of the said society shall be transferred to the University and shall thereafter be discharged and satisfied by it ;
- (iii) all references in any enactment to the said society shall be construed as reference to the University ;
- (iv) any will, deed or other document, whether made or executed before or after the commencement of this Act which contains any request, gift or trust in favour of the said society shall be construed as if the University was therein named instead of such society ;
- (v) subject to the provisions of this Act, every person employed immediately before the said date in the said society shall with effect from that date, become an employee of the University by the same tenure and upon the same conditions of service or conditions as similar thereto as changed circumstances may permit, as he would have held under the said society, if such notification had not been issued.

(4) The State Government may, by notification in the Gazette—

- (a) increase the area of a University ;
- (b) diminish the area of a University ; or

24. Deleted by U.P. Act 19 of 1987.

25. Sub. by U.P. Act 19 of 1987.

26. Ins. by U.P. Act 5 of 1977, S. 2.

27. Ins. by President's Act 4 of 1996, S. 3(b) (w.e.f. 11-7-1995).

(c) alter the name of a University :

Provided that no such notification shall be issued except with the previous approval by resolution, of both the Houses of the State Legislature.

(5) Any notification under this section may contain such provision for the amendment of the Schedule, and the Statutes, Ordinances and Regulations of the University or Universities affected by such notification as may be necessary to give effect to the provisions of the notification, and thereupon the Schedule and such Statutes, Ordinances and Regulations shall stand amended accordingly.

(6) Without prejudice to the generality of the provisions of sub-section (5), any notification under this section may provide for the following matters namely—

- (a) provisions in respect of representation of various interest or classes of persons in the authorities of the University or Universities affected by the said notification ;
- (b) provisions for exercise of option by registered graduates of any then existing University to continue to remain registered graduates of same University or to get registered with a newly-established University so, however, that no person shall be registered graduate of more than one University ;
- (c) such other supplement, incidental and consequential provisions as the State Government may deem necessary.

Explanation.—For the purposes of this section and Section 5 ‘Kashi Vidyapith’ means the institution known as Kashi Vidyapith at Varanasi established and administered by the Society known as Kashi Vidyapith registered under the Societies Registration Act, 1860 (21 of 1860), in respect of which the Nirikshak Sabha of the said Society has passed a resolution on 28th May, 1972 requesting the State Government to take over the entire moveable and immovable properties of the said institution and to convert it into a State University.

5. Territorial exercise of powers.—(1) Save as otherwise provided by or under this Act, the powers conferred on each University (other than the Sampurnanand Sanskrit Vishvavidyalaya and the Kashi Vidyapith) shall be exercisable in respect of the area for the time being specified against it in the Schedule.

(2) The Sampurnanand Sanskrit Vishvavidyalaya may affiliate institutions situated in any part of the territory of India and recognize teachers of, and admit to its examinations candidates from such territory or abroad :

Provided that the Vishvavidyalaya shall not—

- (a) affiliate an institution outside Uttar Pradesh ; or
- (b) recognize any teacher employed in an institution situated outside Uttar Pradesh and maintained by any Government ;

except upon the recommendation of the Government concerned.

(3) Nothing in this Act relating to affiliation or recognition of colleges shall apply to the Kashi Vidyapith ;

(4) Notwithstanding anything contained in sub-section (1), the powers conferred on the ²⁸[²⁹Chhatrapati] Shahu Ji Maharaj University, Kanpur] in respect of institution and research in the Ayurvedic and Unani systems of medicine and advancement and dissemination of knowledge thereof shall be exercisable throughout Uttar Pradesh.

³⁰[(5) Notwithstanding anything contained in sub-section (1) the homoeopathic educational or instructional institutions throughout Uttar Pradesh may be affiliated to the ³¹[Doctor Bhimrao Ambedkar University, Agra or [Chhatrapati]²⁹ Shahu Ji Maharaj University, Kanpur].]

³²[(6) Notwithstanding anything contained in sub-section (1) or sub-section (1) of Section 37, the institutions established or proposed to be established for imparting education or instruction in Western Medical Science as defined in the Indian Medical Degrees Act, 1916, engineering technology or management anywhere in Uttar Pradesh may, subject to such directions as may be issued by the State Government in this behalf, be affiliated to any University.]

6. University open to all classes and creed.—The University shall be open to all persons irrespective of class or creed, but nothing in this section shall be deemed to require the University to admit to any course of study a larger number of students than may be determined by the Ordinances :

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for admission of students belonging to ³³[the Scheduled Castes, the Scheduled Tribes or Other Backward Classes of citizens].

7. Powers and duties of the University.—The University shall have the following powers and duties, namely—

- (1) to provide for instruction in such branches of learning as the University may think fit, and to make provision for research and for the advancement and dissemination of knowledge ;
- (2) to admit any college to the privileges of affiliation or recognition or to enlarge the privileges of any college already affiliated or recognised, as the case may be, or to withdraw or curtail any such privilege and to guide and control the work of affiliated and associated colleges ;
- (3) to institute degrees, diplomas and other academic distinctions ;
- (4) to hold examinations for, and to grant and confer degrees, diplomas and other academic distinctions to and on persons, who—
 - (a) have pursued a course of study in the University, a constituent college or an affiliated college, or associated college ; or

28. Subs. by President's Act 4 of 1996, S. 4(a) (w.e.f. 23-9-1995).

29. Subs. for "Shri" by U.P. Act 12 of 1997, S. 3.

30. Ins. by U.P. Act 14 of 1977, S. 9.

31. Subs. by President's Act 4 of 1996, S. 4(b) (w.e.f. 23-9-1995).

32. Ins. by President's Act 4 of 1996, S. 4(c) (w.e.f. 25-8-1995).

33. Subs. by U.P. Act 20 of 1994, S. 4 (w.e.f. 15-7-1994).

- (b) have carried on research in the University or in an institution recognised in that behalf by the University or independently, under conditions laid down in the Statutes and the Ordinances ; or
 - (c) have pursued a course of study by correspondence whether residing within the area of the University or not, and have been registered by the University, subject to such conditions as may be laid down in the Statutes and Ordinances as external candidates ; or
 - (d) are teachers or other employees in the University or in an Institute or in a constituent or affiliated or associated college or in any other educational institutions under conditions laid down in the Statutes and the Ordinances or are inspecting officers permanently employed in the Department of Education of the State Government, and have carried on private studies under conditions laid down in the Statutes and the Ordinances ; or
 - (e) are women residing within the area of the University and have carried on private studies under conditions laid down in the Statutes and Ordinances ; or
 - (f) are blind and are residing within the area of the University and have carried on private studies under conditions laid down in the Statutes and the Ordinances ;
- (5) to hold examinations for and to grant the degree of Bachelor of Arts or Commerce or Master of Arts or Commerce to persons residing within the area of the University who have carried on private studies under conditions laid down in the Statutes and the Ordinances ;
 - (6) to confer honorary degree or other academic distinction in the manner and under conditions laid down in the Statutes ;
 - (7) to grant such diplomas to, and to provide such lectures and instructions for persons, not being students of the University, as the University may determine ;
 - (8) to co-operate or collaborate with other Universities and authorities in such manner and for such purposes as the University may determine ;
 - (9) to institute teaching posts required by the University and to appoint persons to such posts ;
 - (10) to recognize teachers for giving instruction in halls ;
 - (11) to lay down the conditions of affiliation or recognition of colleges and to satisfy itself by periodical inspection and otherwise that those conditions are satisfied ;
 - (12) to institute and award scholarships, fellowships (including travelling fellowship), studentships and prizes in accordance with the Statutes and the Ordinances ;
 - (13) to institute and maintain halls and hostels and to recognize places of residence for students of the University, the Institutes or the constituent or associated colleges affiliated ; or
 - (14) to demand and receive such fees and other charges as may be fixed by the Ordinances ;

- (15) to supervise and control the residence and to regulate the discipline of students of the University, the Institute and the constituent or affiliated or associated colleges and to make arrangements for promoting their health ;
- (16) to create administrative, ministerial and other necessary posts and to make appointments thereto ; and
- (17) to do all such acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

³⁴[7-A. **Additional powers and duties of certain University.**—Upon being authorised by the State Government by notification under the Uttar Pradesh Homoeopathic Medicine Act, 1951, ³⁵[Doctor Bhimrao Ambedkar University, Agra or [Chhatrapati]³⁶ Shahu Ji Maharaj University, Kanpur], as the case may be, shall—

- (a) hold examinations for and grant diplomas in Homoeopathy ;
- (b) take over the functions of holding of examinations for courses prescribed by the Board of Homoeopathic Medicine constituted under the said Act and granting diplomas and shall exercise and perform all the powers and functions of such Board under the said Act with respect to holding of such examinations and granting of diplomas.]

CHAPTER III

INSPECTION AND INQUIRY

8. Visitation.—(1) The State Government shall have the right to cause an inspection to be made by such person or persons as it may direct, of the University or any constituent college or any Institute maintained by the University, including its buildings, libraries, laboratories, workshops and equipment and also of the examinations, teaching and other work conducted or done by the University or such colleges or Institute or to cause an inquiry to be made in the like manner in respect of any matter connected with the administration and finances of the University or such college or such Institute.

(2) Where the State Government decides to cause an inspection or inquiry to be made under sub-section (1), it shall inform the University of the same through the Registrar, and any person nominated by the Executive Council may be present at such inspection or inquiry as representative of the University and he shall have the right to be heard as such :

Provided that no legal practitioner shall appear, plead or act on behalf of the University at such inspection or inquiry.

(3) The person or persons appointed to inspect or inquire under sub-section (1) shall have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908, for the purpose of taking evidence on oath and enforcing the attendance of witnesses and compelling production of documents and material

34. Ins. by U.P. Act 14 of 1977, S. 10.

35. Subs. by President's Act 4 of 1996, S. 5 (w.e.f. 23-9-1995).

36. Subs. for "Shri" by U.P. Act 12 of 1997, S. 3.

'(6) A meeting of the Executive Council shall be held at least once every two months' ;

- (b) in Section 21, in sub-section (1), after the words 'subject to the provisions of this Act', the words 'and subject also to the control of the Chancellor' shall be deemed inserted ;
- (c) in Section 24, in sub-section (2), the words 'and shall upon a requisition in writing signed by not less than one-fourth of the total membership of the Court' shall be deemed omitted.

(12) A fresh Executive Council shall be constituted in accordance with the provisions of Section 20 with effect from the expiration of the period of operation of an order under sub-section (8).

(13) Any Statute, Ordinance, Regulation or other rules made during the period of operation of an order under sub-section (8), in accordance with the provisions of this Act, as deemed modified by virtue of the provisions of sub-section (11) shall, notwithstanding the expiration of such period, continue in force until amended, repealed or rescinded in accordance with the provisions of this Act.

CHAPTER IV

OFFICERS OF THE UNIVERSITY

9. Officers of the University.—The following shall be the officers of the University—

- (a) the Chancellor ;
- (b) in the case of Sampurnanand Sanskrit Vishvavidyalaya only, the Pro-Chancellor ;
- (c) the Vice-Chancellor ;
- (d) in the case of Universities referred to in sub-section (1) of Section 14, the pro-Vice-Chancellor ;
- (e) the Finance officer ;
- (f) the Registrar ;
- ³⁸[(ff) the Controller of Examinations, if any, appointed ;]
- (g) the Deans of the Faculties ;
- (h) the Dean of Students Welfare ;
- (i) such other officers as may be declared by the Statutes to be the officers of the University.

10. The Chancellor.—(1) The Governor shall be the Chancellor of the University. He shall, by virtue of his office, be the Head of the University and the President of the Court and shall, when present, preside at meeting of the Court and at any convocation of the University.

(2) Every proposal for the conferment of an honorary degree shall be subject to the confirmation of the Chancellor.

38. Ins. by U.P. Act 14 of 1995, S. 2 (w.e.f. 25-2-1995).

(3) It shall be the duty of the Vice-Chancellor to furnish such information or records relating to the administration of the affairs of the University as the Chancellor may call for.

(4) The Chancellor shall have such other powers as may be conferred on him by or under this Act or the Statutes.

11. Pro-Chancellor.—(1) Maharaja Vibhuti Narain Singh of Varanasi shall continue to be the Pro-Chancellor for life of the Sampurnanand Sanskrit Vishvavidyalaya.

(2) The Pro-Chancellor shall, in the absence of the Chancellor, preside at meetings of the Court and at any convocation of the Vishvavidyalaya.

(3) The Pro-Chancellor shall have such other powers as may be conferred upon him by or under this Act or the Statutes.

12. The Vice-Chancellor.—(1) The Vice-Chancellor shall be whole-time salaried officer of the University and shall be appointed by the Chancellor except as provided by sub-section (5) or sub-section (10) from amongst the persons whose names are submitted to him by the Committee constituted in accordance with the provisions of sub-section (2).

(2) The Committee referred to in sub-section (1) shall consist of the following members, namely—

- (a) one person (not being a person connected with the University, an Institute, a constituent college, an associated or affiliated college or a hall or hostel) to be elected by the Executive Council ³⁹[at least three months before the date on which a vacancy in the office of the Vice-Chancellor is due to occur by reason of expiry of his term];
- (b) one person who is or has been a Judge of the High Court of Judicature at Allahabad including the Chief Justice thereof nominated by the said Chief Justice; and
- (c) one person to be nominated by the Chancellor who shall also be the convenor of the Committee:

⁴⁰[Provided that where the Executive Council fails to elect any person in accordance with clause (a), then the Chancellor shall nominate in addition to the person nominated by him under clause (c), one person in lieu of the representative of the Executive Council.]

(3) The Committee, shall, as far as may be, at least sixty days before the date on which a vacancy in the office of the Vice-Chancellor is due to occur by reason of expiry of term or resignation under sub-section (7), and also whenever so required and before such date as may be specified by the Chancellor; submit to the Chancellor the names of not less than three and not more than five persons suitable to hold the office of the Vice-Chancellor. The Committee shall, while submitting the names, also forward to the Chancellor a concise statement showing the academic

39. Ins. by U.P. Act 5 of 1977, S. 4.

40. Ins. by U.P. Act 5 of 1977, S. 4.

qualifications and other distinctions of each of the persons so recommended, but shall not indicate any order of preference.

(4) Where the Chancellor does not consider any one or more of persons recommended by the Committee to be suitable for appointment as Vice-Chancellor or if one or more of the persons recommended is or are not available for appointment and the choice of the Chancellor is restricted to less than three persons, he may require the Committee to submit a list of fresh names in accordance with sub-section (3).

(5) If the Committee in the case referred to in sub-section (3) or sub-section (4) fails or is unable to suggest any names within the time specified by the Chancellor,⁴¹[or if the Chancellor does not consider any one or more of the fresh names recommended by the Committee to be suitable for appointment as Vice-Chancellor] another Committee consisting of three persons of academic eminence shall be constituted by the Chancellor which shall submit the names in accordance with sub-section (3).

(6) No act or proceeding of the Committee shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

(7) The Vice-Chancellor shall hold office for a term of three years from the date on which he enters upon his office :

Provided that the Vice-Chancellor may by writing under his hand addressed to the Chancellor resign his office, and shall cease to hold his office on the acceptance by the Chancellor of such resignation.

(8) Subject to the provisions of this Act, the emoluments and other conditions of service of the Vice-Chancellor shall be such as may be determined by the State Government by general or special order in that behalf.

(9) The Vice-Chancellor shall not be entitled to the benefit of any pension, insurance or provident fund constituted under Section 33 :

⁴²[Provided that when any teacher or other employee of any University or any affiliated or associated college is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the provident fund to which he is a subscriber and the contribution of the University shall be limited to what it had been contributing immediately before his appointment as Vice-Chancellor.]

(10) In any of the following circumstances (of the existence of which the Chancellor shall be the sole judge), the Chancellor may appoint any suitable person to the office of Vice-Chancellor for a term not exceeding six months as he may specify—

- (a) where a vacancy in the office of Vice-Chancellor occurs or is likely to occur by reason of leave or any other cause, not being resignation or expiry of term of which a report shall forthwith be made by the Registrar to the Chancellor ;

41. Ins. by U.P. Act 5 of 1977, S. 4 and shall be deemed always to have been inserted.

42. Ins. by U.P. Act 21 of 1975, S. 3 and shall be deemed always to have been inserted.

(b) where a vacancy in the office of Vice-Chancellor occurs and it cannot be conveniently and expeditiously filled in accordance with the provisions of sub-sections (1) to (5) ;

(c) any other emergency :

Provided that the Chancellor may, from time to time, extend the term of appointment of any person to the office of Vice-Chancellor under this sub-section, so however, that the total term of such appointment (including the term fixed in the original order) does not exceed one year.

(11) Until a Vice-Chancellor appointed under sub-section (1) or sub-section (5) or sub-section (10) assumes office, the Pro-Vice-Chancellor, if any, or where there is no Pro-Vice-Chancellor, the seniormost Professor of the University in the case of the University of Gorakhpur and any University mentioned in or specified under Section 38, or the seniormost Principal of an affiliated college in the case of any other University shall discharge the duties of the Vice-Chancellor as well.

⁴³[(12) If in the opinion of the Chancellor, the Vice-Chancellor wilfully omits or refuses to carry out the provisions of this Act or abuses the powers vested in him, or if it otherwise appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interest of the University, the Chancellor may, after making such inquiry as he deems proper, by order, remove the Vice-Chancellor.

(13) During the pendency or in contemplation, of any inquiry referred to in sub-section (12) the Chancellor may order that till further orders—

(a) such Vice-Chancellor shall refrain from performing the functions of the office of Vice-Chancellor, but shall continue to get the emoluments to which he was otherwise entitled under sub-section (8);

(b) the functions of the office of the Vice-Chancellor shall be performed by the person specified in the order.]

13. Powers and duties of the Vice-Chancellor.—(1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall—

(a) exercise general supervision and control over the affairs of the University including the constituent colleges and the Institutes maintained by the University and its affiliated and associated colleges ;

(b) give effect to the decisions of the authorities of the University ;

(c) in the absence of the Chancellor, preside at meetings of the Court and at any convocation of the University ;

(d) be responsible for the maintenance of discipline in the University ;

⁴⁴[(e) be responsible for holding and conducting the University examinations properly and at due times and for ensuring that the results of such examinations are published expeditiously and that the academic session of the University starts and ends on proper dates.]

(2) He shall be an *ex officio* member and Chairman of the Executive Council, Academic Council and the Finance Committee.

43. Ins. by U.P. Act 20 of 1994, S. 5 (w.e.f. 15-7-1994).

44. Ins. by U.P. Act 5 of 1977, S. 5.

(3) He shall have the right to speak in and otherwise to take part in the meeting of any other authority or body of the University but shall not by virtue of this sub-section be entitled to vote.

(4) It shall be the duty of the Vice-Chancellor to ensure the faithful observance of the provisions of this Act, the Statutes and the Ordinance and he shall, without prejudice to the powers of the Chancellor ⁴⁵[under Sections 10 and 68] possess all such powers as may be necessary in that behalf.

(5) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Executive Council, the Court, the Academic Council and the Finance Committee :

Provided that he may delegate this power to any other officer of the University.

(6) Where any matter ⁴⁶[other than the appointment of teacher of the University] is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officer or the authority or other body of the University empowered by or under this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit and shall forthwith report the action taken by him to the Chancellor and also to the officer, authority, or other body who or which in the ordinary course would have dealt with the matter :

Provided that no such action shall be taken by the Vice-Chancellor without the previous approval of the Chancellor, if it would involve a deviation from the provisions of the Statutes or the Ordinances :

Provided further that if the officers, authority or other body is of opinion that such action ought not to have been taken, it may refer the matter to the Chancellor who may either confirm the action taken by the Vice-Chancellor or annul the same or modify it in such manner, as he thinks fit and thereupon, it shall cease to have effect or, as the case may be, take effect in the modified form, so however, that such annulment or modification shall be without prejudice to the validity of anything previously done by or under the order of the Vice-Chancellor :

Provided also that any person in the service of University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section, shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon, the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

(7) Nothing in sub-section (6) shall be deemed to empower the Vice-Chancellor to incur any expenditure not duly authorised and provided for in the budget.

(8) Where the exercise of the power by the Vice-Chancellor under sub-section (6) involves the appointment of an officer [* * *]⁴⁷, such appointment shall terminate on appointment being made in the prescribed manner or on the expiration of a period of six months from the date of the order of the Vice-Chancellor, whichever is earlier.

45. Subs. by U.P. Act 29 of 1974, S. 7.

46. Ins. by U.P. Act 1 of 1992, S. 2 (w.e.f. 22-11-1991).

47. The words "or a teacher of the University" omitted by U.P. Act 1 of 1992, S. 2 (w.e.f. 22-11-1991).

(9) The Vice-Chancellor shall exercise such other powers as may be laid down by the Statutes and the Ordinances.

Powers of Vice-Chancellor.—The Vice-Chancellor cannot exercise the power of the State Government under Section 8(2) to suspend the management of an affiliated college under Section 13(6). *Committee of Management v. Vice-Chancellor of Meerut University*, 1987 All 374 (FB). Overruling *Committee of Management v. Vice-Chancellor, Meerut University*, AIR 1983 All 128.

The Vice-Chancellor has the power to appoint an Administrator under Section 13(1)(a) of the Act in exercise of his emergency powers. The question as to whether the power has been exercised validly by the Vice-Chancellor has to be considered on its own merits. *Digamber Jain High School Association v. Chancellor, Meerut University*, 1983 ALJ 1255; *Committee of Management v. Vice-Chancellor, Meerut University*, AIR 1983 All 128.

The power conferred by Section 13(1) and (6) can be exercised by the V.C. only in urgent cases needing immediate action. *Deep Kumar v. Allahabad University*, 1984 Lab IC 918 : 1984 UPLBEC 293; *Committee of Management v. Vice-Chancellor, Meerut University*, AIR 1983 128 (DB). The essence of sub-section (6) is the existence of urgency requiring immediate action where the action could not be dealt with by the authority concerned. *Amrit Chand v. University of Allahabad*, 1986 ALJ 1485. See also *Rahmatullah v. Chancellor of Bundelkhand University*, 1984 ALJ 1119.

Entrance test prescribed by resolution for admission to Degree Course quashed as no urgency shown. *Amrit Chand v. University of Allahabad*, 1986 ALJ 1485.

The transfer of a teacher from constituent college to another does not involve any change of employers or alteration in the terms and conditions of service of the teacher. *Hanuman Prasad v. Vice-Chancellor*, 1984 ALJ 637.

Acceptance of resignation by the Vice-Chancellor in anticipation of Executive Council's approval without 3 months' notice as provided under Rules is improper and without jurisdiction. *Rahmatullah v. Chancellor*, 1984 ALJ 1119.

14. The Pro-Vice-Chancellor.—(1) This section applies only to the Universities of Lucknow, Allahabad and Gorakhpur and to any other University specified in that behalf by the State Government by notification in the Gazette⁴⁸.

(2) The Vice-Chancellor, if he considers necessary, may appoint a Pro-Vice-Chancellor from amongst the Professors of the University.

(3) The Pro-Vice-Chancellor appointed under sub-section (2) shall discharge his duties in addition to his duties as a Professor.

(4) The Pro-Vice-Chancellor shall hold office at the pleasure of the Vice-Chancellor.

(5) The Pro-Vice-Chancellor shall get an honorarium of rupees three hundred per month.

(6) The Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters, as may be specified by the Vice-Chancellor in this behalf from time to time and shall preside over the meetings of the University in the absence of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned or delegated to him by the Vice-Chancellor.

15. The Finance Officer.—(1) There shall be a Finance Officer for the University, who shall be appointed by the State Government by a notification published in the Official Gazette, and his remuneration and allowances shall be paid by the University.

48. See notification on p. 96, below

(2) The Finance Officer shall be responsible for presenting the budget (annual estimates) and the statement of accounts to the Executive Council and also for drawing and disbursing funds on behalf of the University.

(3) He shall have the right to speak in and otherwise to take part in the proceedings of the Executive Council but shall not be entitled to vote.

(4) The Finance Officer shall have the duty—

- (a) to ensure that no expenditure, not authorised in the budget, is incurred by the University (otherwise than by way of investment) ;
- (b) to disallow any proposed expenditure which may contravene the provisions of this Act or the terms of any Statutes or Ordinances ;
- (c) to ensure that no other financial irregularity is committed and to take steps to set right any irregularities pointed out during audit ;
- (d) to ensure that the property and investments of the University are duly preserved and managed.

(5) The Finance Officer shall have access to and may require the production of such records and documents of the University and the furnishing of such information pertaining to its affairs as in his opinion may be necessary for the discharge of his duties.

(6) All contracts shall be entered into and signed by the Finance Officer on behalf of the University.

(7) Other powers and functions of the Finance Officer shall be such as may be prescribed.

16. The Registrar.—(1) The Registrar shall be a wholetime Officer of the University.

(2) The Registrar shall be appointed in accordance with, and his conditions of service shall be governed by, rules made under Section 17.

(3) The Registrar shall have the power to authenticate records on behalf of the University.

(4) The Registrar shall be responsible for the due custody of the records and the common seal of the University. He shall be *ex officio* Secretary of the Executive Council, the Court, [the Academic Council and the Admissions Committee]⁴⁹ and of every Selection Committee for appointment of teachers of the University, and shall be bound to place before these authorities all such information as may be necessary for transaction of their business. He shall also perform such other duties as may be prescribed by the Statutes and Ordinances or required, from time to time, by the Executive Council or the Vice-Chancellor but he shall not, by virtue of this sub-section be entitled to vote.

[* * *]⁵⁰

49. Subs. by U.P. Act 14 of 1995, S. 3 (w.e.f. 25-2-1995).

50. Omitted by U.P. Act 14 of 1995, S. 3 (w.e.f. 25-2-1995).

(6) The Registrar shall not be offered nor shall he accept any remuneration for any work in the University save such as may be provided for by rules made under Section 17.

⁵¹[16-A. **The Controller of Examination.**—(1) This section applies only to the Universities of Lucknow, Allahabad, Gorakhpur and Kanpur and to any other University specified in that behalf by the State Government by notification in the Official Gazette.

(2) The Controller of Examinations shall be a whole time officer of the University.

(3) The Controller of Examinations shall be appointed by the State Government by a notification published in the Official Gazette and his remuneration and allowances shall be paid by the University.

(4) The Controller of Examinations shall be responsible for the due custody of the records pertaining to his work. He shall be *ex officio* Secretary of the Examinations Committee of the University and shall be bound to place before such Committee all such information as may be necessary for transaction of its business. He shall also perform such other duties as may be prescribed by the Statutes and Ordinances as required, from time to time, by the Executive Council or the Vice-Chancellor but he shall not, by virtue of this sub-section, be entitled to vote. He may require, from any office or institute of the University, the production of such return or the furnishing of such information as may be necessary for the discharge of his duties.

(5) The Controller of Examinations shall have administrative control over the employees working under him and have, in this regard all the powers of the Registrar.

(6) Subject to the Superintendence of the Examinations Committee the Controller of Examinations shall conduct the Examinations and make all other arrangements therefor and be responsible for the due execution of all processes connected therewith.

(7) The Controller of Examinations shall not be offered nor shall he accept any remuneration for any work in the University, except in accordance with the order of the State Government.

(8) While the Controller of Examinations is for any reason is unable to act or the office of Controller of Examinations is vacant, all the duties of the office shall be performed by such person as may be appointed by the Vice-Chancellor, until the Controller of Examinations resumes his duties or, as the case may be, the vacancy is filled.]

⁵²[16-B. **Duties of Registrar with respect to examinations in certain Universities.**—In the Universities to which the provisions of Section 16-A do not apply, the duties of the Controller of Examinations shall be discharged by the Registrar and with respect to such Universities the Registrar shall be deemed to be the Controller of Examinations for the purposes of this Act.]

51. Ins. by U.P. Act 14 of 1995, S. 4 (w.e.f. 25-2-1995).

52. Ins. by U.P. Act 14 of 1995, S. 4 (w.e.f. 25-2-1995).

17. Centralisation of services of Registrars, Deputy Registrars and Assistant Registrars.—(1) The State Government shall by rules made by notification in the Official Gazette, provide for the creation of a separate service of Registrars, Deputy Registrars and Assistant Registrars, common to all the Universities and regulate the recruitment to and conditions of service of persons appointed to any such service :

⁵³[Provided that any rules made under this sub-section may be made retrospectively to a date not earlier than October 31, 1975.]

(2) When any such service is created, the persons then serving on ⁵⁴[the administrative posts of Registrars, Deputy Registrars, and Assistant Registrars] if confirmed before May 14, 1973 shall be absorbed in the service finally, and other persons serving on the said posts may, if found suitable, be absorbed in such service either provisionally or finally, and if, in the latter case, any person is not absorbed finally, then his services shall be deemed to have been terminated on payment of one month's salary as compensation.

(3) Where any person referred in sub-section (2) is absorbed in the service, the conditions of service applicable to him shall not be less advantageous than those applicable to him before his absorption, except that he shall be liable to transfer from one University to another :

⁵⁵[Provided that such absorption in the service shall not operate as a bar against holding or continuing to hold any disciplinary proceeding against a member of the service in respect of any act committed before the date of such absorption.]

(4) All rules made under this section shall, as soon as may be after they are made, be laid before each House of the State Legislature, while it is in session for a total period of not less than thirty days extending in its one session or more than one successive sessions and shall unless some later date is appointed, take effect from the date of their publication in the Gazette subject to such modifications or annulments as the two Houses of the Legislature may during the said period agree to make, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

18. Other Officers.—The powers of officers of the University other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, the [Finance Officer, the Registrar and the Controller of Examinations, if any appointed,]⁵⁶ shall be such as may be laid down by the Statutes and the Ordinances.

⁵⁷[CHAPTER IV-A

CO-ORDINATION COUNCIL AND CENTRAL BOARD OF STUDIES

18-A. Co-ordination Council.—(1) There shall be a Co-ordination Council which shall consist of the Chancellor as its Chairman, and the following other members, namely :—

53. Ins. by U.P. Act 5 of 1977, S. 6.

54. Subs. by U.P. Act 29 of 1974, S. 8.

55. Ins. by U.P. Act 5 of 1977, S. 6 and to be deemed to have always been inserted.

56. Subs. by U.P. Act 14 of 1995, S. 5 (w.e.f. 25-2-1995).

57. Chapter IV-A ins. by President's Act 4 of 1996, S. 6 (w.e.f. 11-7-1995).

- (i) the Vice-Chancellors of the Universities;
- (ii) the Chairman of the Uttar Pradesh State Council of Higher Education;
- (iii) the Secretary to the State Government in the Judicial Department;
- (iv) the Secretary to the State Government in the Finance Department;
- (v) the Secretary to the Governor;
- (vi) the Secretary to the State Government in the Higher Education Department who shall be *ex officio* of the Co-ordination Council.

(2) Subject to the recommendations of, or guidelines issued by, the University Grants Commission, the powers and functions of the Co-ordination Council shall be as follows, namely :—

- (a) to recommend common courses of study for a Bachelor's Degree;
- (b) to recommend in respect of the constitution of a Central Board of Studies for the foundation course or for each subject or group of subjects;
- (c) to recommend ways and means of cooperation in academic programmes amongst the Universities;
- (d) to consider and recommend matters of common interest to the Universities.

(3) The Co-ordination Council shall meet at Lucknow or at such other place and at such intervals as the Chancellor may determine.

18-B. Central Board of Studies.—(1) There shall be Central Board of Studies for the foundation course or such other subjects or group of subjects as the Chancellor may, on the recommendation of the Co-ordination Council, by order, direct.

(2) The Central Board of Studies for the foundation course shall consist of—

- (i) one teacher from each University not below the rank of a Reader or a Principal of an affiliated or associated college, nominated by the Vice-Chancellor; and
- (ii) five educationists who are on the Eminent Professors' lists of the University Grants Commission nominated by the Chancellor on the recommendation of the Co-ordination Council.

(3) The Central Board of Studies for other subjects or group of subjects shall consist of—

- (i) the Convenor, Board of Studies of each University in respect of the subject or group of subjects for which the Central Board of Studies is to be constituted:

Provided that if a University does not have a Board of Studies in the subject or group of subjects, the Vice-Chancellor may nominate any teacher not below the rank of a Reader in the University or a Principal of an affiliated or associated college;

- (ii) one Head of the Department in an affiliated or associated college nominated by the Chancellor, teaching the subject up to the postgraduate level;

- (iii) one Head of Department in an affiliated or associated college nominated by the Chancellor, teaching the subject up to the degree level;
- (iv) three experts on the subject who are on the Eminent Professors' list of the University Grants Commission, nominated by the Chancellor on the recommendation of the Co-ordination Council; and
- (v) two other experts on the subject from outside the State nominated by the Chancellor.

(4) The Chancellor shall nominate the Chairman of the Central Board of Studies,—

- (i) for foundation course from amongst the members referred to in clause (i) of sub-section (2); and
- (ii) for other subject or group of subjects, from amongst the members referred to in clauses (i) and (ii) of sub-section (3).

(5) The constitution of the Central Board of Studies and the nomination of the Chairman and the members thereon, other than ex officio members, shall be notified by the State Government.

(6) The term of the Central Board of Studies shall be three years from the date of notification referred to in sub-section (5) and the term of the Chairman and the members shall be coterminous with it :

Provided that the term of office of a member nominated to fill a casual vacancy shall be for the remainder of his predecessor's term.

(7) Subject to the recommendations of, or guidelines issued by, the University Grants Commission, the functions of the Central Board of Studies shall be as follows, namely :—

- (a) subject to the recommendations of the Co-ordination Council and the approval of the Chancellor, to prescribe the courses of study and examinations, and the academic calendar, and to recommend text-books and other books for under-graduate level;
- (b) to consider and report on any matter referred it by the Co-ordination Council, or the Chancellor; and
- (c) to perform such other functions consistent with this Act within such time as the Chancellor may, by an order in writing, require it to perform.

(8) In carrying out its functions, the Central Board of Studies may consult such experts also who are not its members.

(9) The recommendations of the Central Board of Studies approved by the Chancellor shall come into force in respect of all Universities in the State with effect from the date as may be specified by the Chancellor.

(10) The Chancellor may at any time suspend, modify or amend any decision of the Central Board of Studies on the ground that it does not fulfil the objectives set out in this section and may direct such Board to consider the matter afresh.

18-C. Secretarial assistance.—The Uttar Pradesh State Council of Higher Education constituted under the Uttar Pradesh State Council of Higher Education

Act, 1995, shall provide secretarial assistance to the Co-ordination Council and the Central Boards of Studies.]

CHAPTER V

AUTHORITIES OF THE UNIVERSITY

19. Authorities of the University.—The following shall be the authorities of the University—

- (a) the Executive Council ;
- (b) the Court ;
- (c) the Academic Council ;
- (d) the Finance Committee ;
- (e) the Boards of Faculties ;
- (f) the Selection Committees for appointment of teachers of the University ;
- (g) the Admissions Committee ;
- (h) the Examinations Committee ; and
- (i) such other authorities as may be declared by the Statutes to be authorities of the University.

20. Constitution of the Executive Council.—(1) The Executive Council shall consist of—

- (a) the Vice-Chancellor, who shall be the Chairman thereof ;
- (b) the Pro-Vice-Chancellor, if any ;
- (c) the Deans of two Faculties, by rotation in the manner prescribed ;

^{57a}[(cc) two members, from amongst the Professors or Readers belonging to the Scheduled Castes or Scheduled Tribes and two members from amongst the Professors or Readers belonging to other backward classes of citizen;]

⁵⁸[(d) in the case of Universities of Kumaun and Bundelkhand and the Doctor Bhimrao Ambedkar University, Agra, the Chhatrapati Shahu Ji Maharaj University, Kanpur, the Hemvati Nandan Bahuguna Garhwal University, the Chaudhary Charan Singh University, Meerut, the Doctor Ram Manohar Lohia Avadh University, Faizabad and the Mahatma Jyotiba Phule Rohilkhand University, Bareilly,—

- (i) one Professor other than the Pro-Vice-Chancellor or a Dean referred to in clause (c) above, one Reader and one Lecturer of the University to be selected in the manner prescribed;
- (ii) three Principals and two other teachers of affiliated colleges, to be selected in the manner prescribed ;

and in the case of any other University notified under sub-section (1) of Section 37, four Principals and four other teachers of affiliated colleges to be selected in the manner prescribed ;

^{57a} Ins. by U.P. Act 1 of 2004, S. 3 (w.e.f. 11-7-2003).

⁵⁸ Subs. for cl. (d) by U.P. Act 20 of 1999, S. 2.

(dd) in the case of the Deen Dayal Upadhaya Gorakhpur University, Gorakhpur,—

- (i) one Professor other than the Pro-Vice-Chancellor or a Dean referred to in clause (c) above, one Reader and one Lecturer of the University to be selected in the manner prescribed ;
 - (ii) one representative of Maharana Pratap Shiksha Parishad, Gorakhpur to be elected by the said parishad from amongst its members ;
 - (iii) three Principals and two other teachers of affiliated colleges, to be selected in the manner prescribed ;]
- (e) in the case of University mentioned in or notified under sub-section (1) Section 38—
- (i) two Professors [other than the Pro-Vice-Chancellor or a Dean referred to in clause (c) above], two Readers and two Lecturers of the University, to be selected in the manner prescribed ;
 - (ii) one Principal of an associated college to be selected in the manner prescribed ;
- (f) four persons to be elected by members of the Court from among such of them as are not enrolled as students of or in the service of the University or an Institute or of a constituent college or an affiliated or associated college or hall or hostel ;
- (g) four persons of academic eminence to be nominated by the Chancellor ;
- ⁵⁹[(h) one person, from amongst the reputed industrialists who have made valuable contribution in the field of higher education to be nominated by the State Government:]

⁶⁰[Provided that one of the persons so nominated shall be a person who is or has been a Judge of the Supreme Court or High Court.]

⁶¹[(2) The term of office of members mentioned in—

- (i) clauses (c), ^{61a}[(cc),] (d) and (e) of sub-section (1) shall be one year ;
- (ii) clause (f) of sub-section (1) shall be three years ; and
- (iii) [clause (g) or clause (h)]⁶² of sub-section (1) shall be two years.]

(3) No person shall be a member of the Executive Council under clause (f) or clause (g) [or clause (h)]⁶³ of sub-section (1) for more than two consecutive terms.

(4) Notwithstanding anything in sub-section (1), no person shall be elected or nominated as a member of the Executive Council unless he is a graduate.

59. Ins. by U.P. Act 14 of 1995, S. 6 (w.e.f. 25-2-1995).

60. Ins. by U.P. Act 9 of 1988, S. 2 (w.e.f. 15-1-1988). In this regard S. 4 of U.P. Act 9 of 1988 (w.e.f. 15-1-1988) provides :

“4. *Certain existing members of the Executive Council to cease.*—With effect from the commencement of this section a person nominated as a member of the Executive Council under clause (g) of sub-section (1) of Section 20 of the principal Act before such commencement shall cease to be a member of such Executive Council.”.

61. Subs. by U.P. Act 10 of 1982 (w.e.f. 8-7-1981).

61a. Ins. by U.P. Act 1 of 2004, S. 3 (w.e.f. 11-7-2003).

62. Subs. by U.P. Act 14 of 1995, S. 6 (w.e.f. 25-2-1995).

63. Ins. by U.P. Act 14 of 1995, S. 6 (w.e.f. 25-2-1995).

(5) A person shall be disqualified for being chosen as, and for being, a member of the Executive Council if he or his relative accepts any remuneration for any work in or for the University or any contract for the supply of goods to or for the execution of any work for the University :

Provided that nothing in this sub-section shall apply to the acceptance of any remuneration by a teacher as such or for any duties performed in connection with an examination conducted by the University or for any duties as Superintendent or Warden of a training unit or any hall or hostel or proctor or tutor for any duties of a similar nature in relation to the University.

Explanation.—In this section 'relative' means the relations defined in Section 6 of the Companies Act, 1956 and includes the wife's (or husband's) brother, wife's (or husband's) father, wife's (or husband's) sister, brother's son and brother's daughter.

21. Powers and duties of Executive Council.—(1) The Executive Council shall be the principal executive body of the University and subject to the provisions of this Act, have the following powers, namely—

- (i) to hold and control the property and funds of the University ;
- (ii) to acquire or transfer any movable or immovable property on behalf of the University ;
- (iii) to make, amend or repeal Statutes and Ordinances ;
- (iv) to administer any funds placed at the disposal of the University for specific purposes ;
- (v) to prepare the budget of the University ;
- (vi) to award scholarship, fellowships, bursaries, medals and other rewards in accordance with the Statutes and Ordinances ;
- (vii) to appoint officers, teachers and other employees of the University and to define their duties and the conditions of their service, and to provide for the filling of temporary casual vacancies in their posts ;
- (viii) ⁶⁴[* * *] to fix the fees, emoluments and travelling and other allowances of the examiners ;
- (ix) ⁶⁵[Subject to the provisions of Section 37] to admit any college to the privileges of affiliation or recognition or enlarge the privileges of any college already affiliated, recognised or withdraw or curtail any such privilege ;
- (x) to arrange for and direct the inspection of Institutes, affiliated, associated or constituent colleges, halls, hostels and other places of residence of students ;
- (xi) to direct the form and use of the common seal of the University ;
- (xii) to regulate and enforce discipline among members of the teaching, administrative and other staff of the University in accordance with the

64. Omitted by U.P. Act 5 of 1977, S. 8.

65. Ins. by U.P. Act 5 of 1977, S. 8.

Statutes and the Ordinances ;

- (xiii) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University, and for that purpose, to appoint such agents as it may think fit ;
- (xiv) to invest any money belonging to the University (including any income from trust and endowed property) in such stocks, funds, shares or securities as it shall from time to time think fit or in the purchase of immovable property in India, with the like power of varying such investment from time to time ;
- (xv) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University ;
- (xvi) to enter into, vary, carry out, and cancel contracts on behalf of the University ;
- (xvii) to regulate and determine all other matters concerning the University as well as Institutes, constituent, affiliated and associated colleges in accordance with this Act, the Statutes and the Ordinances.

(2) No immovable property of the University shall, except with the prior sanction of the State Government, be transferred (except by way of letting from month to month in the ordinary course of management) by the Executive Council by way of mortgage, sale, exchange, gift or otherwise nor shall any money be borrowed, or advance taken on the security thereof except as a condition of receipt of any grant-in-aid of the University from the State Government, or, with the previous sanction of the State Government, from any other person.

(3) No expenditure in respect of which approval of the State Government is required by this Act or the Statutes or Ordinances shall be incurred except with such approval previously obtained, and no post shall be created either in the University or in any Institute or constituent college maintained by the University except with the prior approval of the State Government ⁶⁶[or except in accordance with any general or special order of the State Government].

⁶⁷[(3-A) The Executive Council may, with the prior approval of the University Grants Commission and the State Government create supernumerary post of teacher of the University with a view to enabling a teacher who is for the time being holding a responsible position of national importance in India or abroad in educational administration or other similar assignments, to retain his lien and seniority as such teacher and also to continue to earn increments in his pay scale during the period of his assignment and to contribute towards provident fund and earn retirement benefits, if any, in accordance with the Statutes :

Provided that no salary shall be payable to such teacher by the University for the period of such assignment.]

(4) The pay and other allowances to various categories of the employees of the University or of any Institute or constituent college or affiliated or associated college shall be such as may be approved by the State Government.

66. Ins. by U.P. Act 21 of 1975, S. 4.

67. Ins. by U.P. Act 5 of 1977, S. 8.

(5) The Executive Council shall not exceed the limits of recurring and non-recurring expenditure to be incurred in each financial year fixed by the Finance Committee.

(6) The Executive Council shall not take any action in regard to the number, qualifications and emoluments of teachers, and the fees payable to examiners, except after considering the advice of the Academic Council and the Boards of Faculties concerned.

(7) The Executive Council shall give due consideration to every resolution of the Court, and take such action thereon as it shall deem fit and report to the Court, the action taken or, as the case may be, the reasons for non-acceptance of the resolution.

(8) The Executive Council may, subject to any conditions laid down in the Statutes, delegate such of its powers as it deems fit to an officer or any other authority of the University, or to a Committee appointed by it.

22. The Court.—(1) The Court shall consist of the following members, namely—

Class I—*Ex officio Members*

- (i) the Chancellor ;
- (ii) the members of the Executive Council ;
- (iii) the Finance Officer ;

Class II—*Life Members*

- (iv) in the case of an existing University, every person who was a life member of the Court or Senate immediately before the commencement of this Act;

Class III—*Representatives of teachers, etc.*

- (v) all heads of departments of the University and of constituent colleges maintained by it ;
- (vi) the Deans of Faculties of Medicine and Engineering, if they are not members of the Executive Council ;
- (vii) two representatives of provosts and wardens of hostels and halls of the University and of its constituent colleges and Institutes to be selected by rotation in the manner prescribed ;
- (viii) all Principals of constituent colleges maintained by the State Government;
- (ix) fifteen teachers to be selected in the manner prescribed ;
- (x) two representatives of the managements of the affiliated or associated colleges to be selected by rotation in the manner prescribed ;

Class IV—*Registered Graduates*

- (xi) fifteen representatives of registered graduates to be elected, by registered graduates of such standing as may be prescribed from amongst such of them as are not in the service of the University or of an Institute or of a constituent college or in the service or connected with the management of affiliated college, associated college, hall or hostel ;

Class V—Representation of Students

- (xii) one student from each of the Faculties, who having secured the highest marks in that Faculty at the preceding degree examination of any University is pursuing a course of study for a postgraduate degree or a law or a medical or engineering degree in the University (including an affiliated or associated college) ;

Class VI—Nominees of Chancellor

- (xiii) ⁶⁸[* * *]

Class VII—Representatives of the State Legislature

- (xiv) two members of the Legislative Council to be elected by it ;
 (xv) five members of the Legislative Assembly to be elected by it.

(2) The term of office of members of each class, except Classes I, II and V, mentioned in sub-section (1) shall be three years and the term of the members of the said class V shall be one year.

23. Powers and duties of the Court.—The Court shall be an advisory body subject to the provisions of this Act, it shall have the following powers and functions, namely—

- (a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University ;
- (b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report thereon ;
- (c) to advise the Chancellor in respect of any matter which may be referred to it for advice ; and
- (d) to perform such other duties and exercise such other functions as may be assigned to it by this Act or the Statutes or by the Chancellor.

24. Meeting of the Court.—(1) The Court shall meet once a year on a date to be fixed by the Vice-Chancellor and such meeting shall be called the annual meeting of the Court.

(2) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than one-fourth of the total membership of the Court, convene a special meeting of the Court.

25. Academic Council.—(1) The Academic Council shall be the principal academic body of the University and subject to the provisions of this Act, the Statutes and the Ordinances—

- (a) shall have the control and general regulation of, and be responsible for the maintenance of standard of instruction, education and research carried on or imparted in the University ;
- (b) may advise the Executive Council on all academic matters including matters relating to examinations conducted by the University ; and

68. Omitted by U.P. Act 29 of 1974, S. 10.

(c) shall have such powers and duties as may be conferred or imposed upon it by the Statutes.

(2) The Academic Council shall consist of the following members, namely—

- (i) the Vice-Chancellor ;
- (ii) the Deans of all Faculties, if any ;
- (iii) all Heads of Departments of the University and where there is no department in a subject in the University, the seniormost teacher from affiliated colleges representing that subject on the Faculty concerned ;
- (iv) all Professors of the University who are not Heads of Departments ;
- (v) the Principals of constituent colleges and the Directors of Institutes, if any ;
- (vi) two Professors, from each constituent college, if any, by rotation in order of seniority to be determined in the manner prescribed ;
- (vii) three Principals of affiliated or associated colleges to be selected by rotation in the manner prescribed ;
- (viii) fifteen teachers to be selected in the manner prescribed ;
- (ix) the Dean of Students Welfare ;
- (x) the Librarian of the University ; and
- (xi) five persons of academic eminence to be co-opted in the manner prescribed:

^{68a}[Provided that if there is no member belonging to the Scheduled Castes or Scheduled Tribes or the other backward classes of citizen in the Academic Council constituted under this sub-section, the Vice-Chancellor may nominate two members belonging to the Scheduled Castes or Scheduled Tribes and two members belonging to other backward classes or citizen from amongst the teachers of the University by rotation in the manner prescribed.]

(3) Subject to the provisions of Section [65]⁶⁹ the term of office of members other than *ex officio* members shall be such as may be prescribed.

26. The Finance Committee.—(1) The Finance Committee shall consist of—

- (a) the Vice-Chancellor ;
- ⁷⁰[(aa) the Secretary to the State Government in the Higher Education Department;
- (aaa) the Secretary to the State Government in the Finance Department;]
- (b) the Pro-Vice-Chancellor, if any ;
- (c) the Registrar ;
- [(cc) the Controller of Examinations;]⁷¹
- (d) one person, not being a member of the Executive Council or the Academic Council or a person in the service of the University or an Institute or of a constituent college, or a member of the Managing Committee of any affiliated or associated college, or a person in the service of such college, to be elected by the Executive Council ; and
- (e) the Finance Officer who shall also be the Secretary of the Committee.

68a. Ins. by U.P. Act 1 of 2004, S. 4 (w.e.f. 11-7-2003).

69. Subs. for '60' by U.P. Act No. 5 of 1977, S. 9.

70. Ins. by President's Act 4 of 1996, S. 8(a) (w.e.f. 11-7-1995).

71. Ins. by U.P. Act 14 of 1995, S. 7 (w.e.f. 25-2-1995).

⁷²[(1-A) A member referred to in clause (aa) or clause (aaa) of sub-section (1) may, instead of attending any meeting of the Finance Committee himself, depute an officer not below the rank of a Joint Secretary to the State Government and an officer so deputed shall also have the right to vote.]

(2) The Finance Committee shall advise the Executive Council on matters relating to the administration of property and funds of the University. It shall, having regard to the income and resources of the University, fix limits for the total recurring and non-recurring expenditure for the ensuing financial year and may, for any special reasons, revise during the financial year the limits of expenditure so fixed and the limits so fixed shall be binding on the Executive Council.

(3) The Finance Committee shall have such other powers and duties as may be conferred or imposed on it by this Act or the Statutes.

⁷³[(4) Unless a proposal having financial implication has been recommended by the Finance Committee, the Executive Council shall not take a decision thereon, and if the Executive Council disagrees with the recommendations of the Finance Committee, it shall refer the proposal back to the Finance Committee with reasons for the disagreement and if the Executive Council again disagrees with the recommendation of the Finance Committee the matter shall be referred to the Chancellor whose decision thereon shall be final.]

27. The Faculties.—(1) The University shall have such Faculties as may be prescribed.

(2) Each Faculty shall comprise such departments of teaching as may be prescribed and each department shall have such subjects of study as may be assigned to it by the Ordinance.

(3) There shall be a Board of each Faculty, the constitution (including the term of office of its members) and powers and duties of which shall be such as may be prescribed.

(4) There shall be a Dean of each Faculty who shall be chosen from amongst the Professors by rotation in order of seniority and shall hold office for three years :

⁷⁴[Provided that in the case of a Medical, Engineering, Ayurvedic or Fine Arts College, the Principal of such college shall be the *ex officio* Dean of Medical, Engineering, Ayurvedic or Fine Arts Faculty, as the case may be:]

Provided further that where there is more than one such college, the Deanship of each such Faculty shall rotate amongst the Principals of such colleges :

⁷⁵[Provided also that if there is no Professor in the Faculty, the office of Dean shall be held by Readers, and if there are no Readers, then by other teachers in that Faculty, by rotation in order of seniority.]

(5) The Dean shall be the Chairman of the Board of Faculty and be responsible for—

(a) the organization and conduct of the teaching and research work of departments comprised in the Faculty ; and

⁷² Ins. by President's Act 4 of 1996, S. 8(b) (w.e.f. 11-7-1995).

⁷³ Ins. by President's Act 4 of 1996, S. 8(c) (w.e.f. 11-7-1995).

⁷⁴ Subs. by U.P. Act 29 of 1974, S. 11.

⁷⁵ Subs. by U.P. Act 5 of 1977, S. 10.

- (b) the due observance of the Statutes, Ordinances and Regulations relating to the Faculty.

⁷⁶[(6) In each Department of teaching in the University, there shall be a Head of the Department whose appointment shall be regulated by Statutes :

Provided that every person holding the office of Head of Department immediately before the date of commencement of this sub-section shall, subject to the provisions of this Act and the Statutes, continue to hold office on the same terms and conditions as he held immediately before the said date.]

(7) The Head of Department shall be responsible to the Dean for the organisation of teaching in the department and have such other powers and duties as may be provided in the Ordinances.

(8) There shall be constituted in accordance with the provisions of the Ordinances, Boards of Studies in respect of different subjects of study and more than one subject may be assigned to one Board of Studies.

28. Admissions Committee.—(1) There shall be an Admissions Committee of the University, the constitution of which shall be such as may be provided for in the Ordinances.

(2) The Admissions Committee shall have the power to appoint such number of sub-committees as it thinks fit.

(3) Subject to the superintendence of the Academic Council and to the provisions of sub-section (5), the Admissions Committee shall lay down the principles or norms governing the policy of admission not various courses of studies in the University and may also nominate a person or a sub-committee as the admitting authority in respect of any course of study in an Institute or a constituent college maintained by the University.

(4) Subject to the provisions of sub-section (5) the Committee may issue any direction as respects criteria or methods of admissions ⁷⁷[(including the number of students to be admitted)] to constituent colleges maintained by the State Government and affiliated or associated colleges, and such directions shall be binding on such colleges.

⁷⁸[(5) Notwithstanding anything contained in any other provision of this Act,—

- (a) reservation of seats for admission in any course of study in University, Institute, constituent college, affiliated college or associated college for the students belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes of citizens may be made and regulated by such orders as the State Government may, by notification, make in that behalf :

Provided that reservation under this clause shall not exceed fifty per cent of the total number of seats in any course of study :

76. Subs. by U.P. Act 29 of 1974, S. 11.

77. Ins. by U.P. Act 21 of 1975, S. 5.

78. Subs. by U.P. Act 20 of 1994, S. 6 (w.e.f. 15-7-1994).

Provided further that reservation under this clause shall not apply in the case of an institution established and administered by minorities referred to in clause (1) of Article 30 of the Constitution :

Provided also that the reservation under this clause shall not apply to the category of Other Backward Classes of citizens specified in Schedule II to the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994,—

- (b) admission to medical and engineering colleges and to courses of instruction for degrees in education and Ayurvedic or Unani systems of medicine (including the number of students to be admitted), shall subject to clause (a), be regulated by such orders (which if necessary may be with retrospective effect, but not effective prior to January 1, 1979) as the State Government may by notification, make in that behalf :

Provided that no order regulating admission under this clause shall be inconsistent with the rights of minorities in the matter of establishing and administering educational institutions of their choice;

- (c) in making an order under clause (a), the State Government may direct that any person who wilfully acts in a manner intended to contravene, or defeat the purposes of the order shall be punishable with imprisonment for a term not exceeding three months or with fine not exceeding one thousand rupees, or with both, as may be specified in the order.

(5-A) Every order made under clause (a) of sub-section (5) shall be laid, as soon as may be, before both Houses of the State Legislature and the provisions of sub-section (1) of Section 23-A of the Uttar Pradesh General Clauses Act, 1904 shall apply as they apply in respect of rules made by the State Government under any Uttar Pradesh Act.]

(6) No student admitted to any college in contravention of the provisions of this section shall be permitted to take up any examination conducted by the University, and the Vice-Chancellor shall have the power to cancel any admission made in such contravention.

Sub-section (3).—Clause 1 of the Ordinances authorising Head of the Departments to make admission to M.B.A. Class is not inconsistent with Section 28(3) of the Act. *Pradip Tripathi v. University of Allahabad*, 1981 ALJ 355.

Sub-section (5) mandatory.—Sub-section (5) is mandatory. *Sukhpal Singh Sharma v. Vice-Chancellor, Gorakhpur University*, 1982 ALJ 1021.

Postgraduate Course in Medical Colleges.—Government order dated 3-12-1980 laying down policy and procedure to be followed in admission in postgraduate course in medical colleges is consistent with tenor and spirit of Rules framed by the Medical Council of India under Section 33 of Medical Council Act, 1956 and is binding. *Krishna Priya Ganguly v. University of Lucknow*, (1984) 1 SCC 307.

In view of Government Order dated 27-12-1977 regularising admissions to postgraduate degree course of medical college, the appointment as House Officer, Resident, Demonstrator, Register, etc., has to be made from amongst those who have been admitted to the postgraduate degree courses of medical college purely on the basis of merit. Thus, where the candidate who did his MBBS from outside the State but irregularly selected to M.D. Course in Allahabad Medical College can also claim the job of Resident. *Shashi Singhal v. State*, 1978 ALJ 762.

The State Government is competent to prescribe qualification for admission to post-degree course of medical college. *Young Doctors' Association v. State*, 1983 ALJ 889.

Pre-medical test—Multiple choice objective test.—Where answer given by the candidate is wrong he is not entitled to benefit of marks thereon even if the key answer is also found to be wrong. Where, however, the candidate's answer is correct and the key answer is wrong, the candidate must get full marks assigned to that answer. *Abhijit Sen v. State of U.P.*, (1984) 2 SCC 319.

Article 14 of Constitution.—Admission made bona fide in consonance with Rules and Order on the basis of merits depending on marks obtained in M.B.B.S. course is not open to interference by the High Court on ground of violation of Article 14. *Krishna Priya Ganguly v. University of Lucknow*, (1984) 1 SCC 307.

Number of Students.—Admission Committee is competent to prescribe number of students to be admitted in each session. *Ramesh v. Vice-Chancellor*, 1985 ALJ 290.

Discontinuance of study.—There is complete bar to readmission of a student who discontinued his studies in earlier session. He cannot claim vested right of admission. However, he can seek fresh admission. *Kamal Singh v. Vice-Chancellor, Allahabad University*, 1986 ALJ 135.

Admission Quota.—Where quota for admission to M.D. course was fixed for internal and external candidates, eligibility of external candidates should not be compared with the internal candidates already selected against their quota. *G.P. Tewari v. State of U.P.*, 1984 ALJ 151.

29. Examinations Committee.—(1) There shall be an Examinations Committee in the University, the constitution of which shall be as may be provided for in the Ordinances.

(2) Except as provided in sub-section (2) of Section 42, the Committee shall supervise generally all examinations of the University, including moderation and tabulation, and perform the following other functions, namely—

- (a) to appoint examiners and moderators and, if necessary, to remove them ;
- (b) to review from time to time the results of University examinations and submission of reports thereon to the Academic Council ;
- (c) to make recommendations to the Academic Council for the improvement of the examination system ;
- (d) to scrutinise the list of examiners proposed by the Board of Studies, finalise the same and declare the result of the University.

(3) The Examinations Committee may appoint such number of sub-committees as it thinks fit, and in particular may delegate to any one or more persons or sub-committees the power to deal with and decide cases relating to the use of unfair means by the examinees.

⁷⁹[(4) Notwithstanding anything contained in this Act, it shall be lawful for an Examinations Committee or, as the case may be, for a sub-committee or any person to whom the Examinations Committee has delegated its power in this behalf under sub-section (3), to debar an examinee from future examinations of the University, if in its or his opinion, such examinee is guilty of using unfair means at any such examination.]

Use of unfair means.—Proceedings pertaining to use of unfair means are quasi-judicial proceedings. *Sharad Kumar v. Kanpur University*, 1987 ALJ 465.

A personal hearing to the candidate against whom action is proposed to be taken by the Examination committee is not necessary. *Sanjeev Misra v. University of Allahabad*, 1985 ALJ 376 ; *Triambak Pati Tripathi v. Board of High School and Intermediate Education, U.P.*, AIR 1973 All 1.

A notice issued to the student found using unfair means alleging that "you were found using/attempting to use unfair means at the examination" is not vague. *Sanjeev Misra v. University of Allahabad*, 1985 ALJ 376.

79. Ins. by U.P. Act 5 of 1977, S. 11.

Procedure for deduction of marks for copying should be fair, just and reasonable. *Madhulika Mathur v. Gorakhpur University*, 1984 ALJ 618 (FB).

Where examination itself is cancelled, a student cannot be punished for using unfair means. *Shri Prakash v. Vice-Chancellor*, 1983 ALJ 690.

Where the result of a student of B.Sc. Part I was withheld for using unfair means but he managed to take admission and appeared in B.Sc. Part II examination and when he failed in one of papers he was not allowed for supplementary examination, it was held that no estoppel could be pleaded against the university. *Israr Ahmad v. Gorakhpur University*, 1982 ALJ 1089.

The Examination Committee has no jurisdiction to debar a candidate from appearing at future examination in exercise of power under Section 29(3). *Agra University v. Ashok Kumar*, 1976 ALJ 183.

Appointment of examiner.—Jurisdiction to recommend and appoint examiner vests in Board of Studies, Faculty, Academic Council and Executive Council have no such jurisdiction. In the absence of Examination Committee, the V.C. has authority to make appointments of examiners. *N.D. Tahiliani v. R.P. Misra*, 1987 ALJ 860.

30. Other Authorities.—(1) The constitution, powers and duties of other authorities of the University shall be such as may be prescribed.

CHAPTER VI

APPOINTMENT AND CONDITIONS OF SERVICE OF TEACHERS AND OFFICERS

31. Appointment of Teachers.—(1) Subject to the provisions of this Act, the teachers of the University and the teachers of an affiliated or associated college (other than a college maintained exclusively by the State Government ⁸⁰[* * *]) shall be appointed by the Executive Council or the Management of the affiliated or associated college, as the case may be, on the recommendation of a Selection Committee in the manner hereinafter provided. ⁸¹[The Selection Committee shall meet as often as necessary.]

(2) The appointment of every such teacher, Director and Principal not being an appointment under sub-section (3), shall in the first instance be on probation for one year which may be extended for a period not exceeding one year :

Provided that no order of termination of service during or on the expiry of the period of probation shall be passed—

- (a) in the case of a teacher of the University, except by order of the Executive Council made after considering the report of the Vice-Chancellor and (unless the teacher is himself the Head of the Department), the Head of the Department concerned;
- (b) in the case of Principal of an affiliated or associated college, except by order of the Management; and
- (c) in the case of any other teacher of an affiliated or associated college, except by order of the Management made after considering the report of the Principal and (unless such teacher is the seniormost teacher of the subject), also of the seniormost teacher of the subject :

80. Words "or by a local authority" omitted by U.P. Act 12 of 1978, S. 10 and wherever occurring in Chapter VI.

81. Ins. by U.P. Act 1 of 1992, S. 3 (w.e.f. 22-11-1991).

⁸²[Provided further that no such order of termination shall be passed except after notice to the teacher concerned giving him an opportunity of explanation in respect of the grounds on which his services are proposed to be terminated:

Provided also that if a notice is given before the expiry of the period of probation or the extended period of probation, as the case may be, the period of probation shall stand extended until the final order of the Executive Council under clause (a) of the first proviso or, as the case may be, until the approval of the Vice-Chancellor under Section 35 is communicated to the teacher concerned.]

(3) (a) In the case of teacher of the University other than a Professor, the Vice-Chancellor in consultation with the Dean of the Faculty and the Head of the Department concerned and an expert nominated by the Chancellor in that behalf and in the case of a teacher of an affiliated or associated college, the Management in consultation with an expert nominated by the Vice-Chancellor in that behalf may make officiating appointment in a vacancy caused by the grant of leave to an incumbent for a period not exceeding ten months without reference to the Selection Committee, but shall not fill any other vacancy or post likely to last for more than six months without such reference.

⁸³[(b) Where before or after the commencement of this Act, any teacher is appointed (after reference to a Selection Committee) to a temporary post likely to last for more than six months, and such post is subsequently converted into a permanent post or to a permanent post in a vacancy caused by the grant of leave to an incumbent for a period exceeding ten months and such post subsequently becomes permanently vacant or any post of same cadre and grade is newly created or falls vacant in the same department, then unless the Executive Council or the Management, as the case may be, decides to terminate his services after giving an opportunity to show cause, it may appoint such teacher in a substantive capacity to that post without reference to a Selection Committee :

Provided that this clause shall not apply unless the teacher concerned holds the prescribed qualifications for the post at the time of such substantive appointment, and he has served continuously, for a period of not less than one year after his appointment made after reference to a Selection Committee :

Provided further that appointment in a substantive capacity under this clause of a teacher who had served, before such appointment, continuously for a period of less than two years, shall be on probation for one year which may be extended for a period not exceeding one year, and the provisions of sub-section (2) shall apply accordingly.]

⁸⁴[(c) Any teacher of the University who was appointed as Lecturer/part time Lecturer on or before December 31, 1997 without reference to the Selection Committee by way of a short term or part time arrangement in accordance with the provisions for the time being in force for such appointment, may be given substantive appointment by the Executive Council, if any substantive vacancy of the same cadre and grade in the same department is available if such teacher—

82. *Ins.* by U.P. Act 5 of 1977, S. 12.

83. *Subs.* by U.P. Act 5 of 1977, S. 12.

84. *Subs.* by U.P. Act 23 of 2004, S. 2 (w.e.f. 20-5-2004).

- (i) is serving as such on December 31, 1997 continuously since such initial appointment by way of short term/part time arrangement;
- ^{84a}[(ii) possessed the qualifications required for regular appointment to the post under the provisions of the relevant Statutes in force on the date of the substantive appointment;
- (iii) has been found suitable for regular appointment by the Executive Council.

A teacher appointed by way of short term/part time arrangement as aforesaid who does not get a substantive appointment under this clause shall cease to hold such post on such date as the Executive Council may specify.]

(4) (a) The Selection Committee for the appointment of a teacher of the University (other than the Director of an Institute and the Principal of a constituent college), shall consist of—

- (i) the Vice-Chancellor who shall be the Chairman thereof,
- (ii) the Head of the Department concerned :

Provided that the Head of the Department shall not sit in the Selection Committee, when he is himself a candidate for appointment or when the post concerned is of a higher rank than his substantive post and in that event his office shall be filled by the Professor in the Department and if there is no Professor by the Dean of the Faculty :

⁸⁵[Provided further that where the Chancellor is satisfied that in the special circumstances of the case, a Selection Committee cannot be constituted in accordance with the preceding proviso, he may direct the constitution of the Selection Committee in such manner as he thinks fit.]

- (iii) in the case of a Professor or Reader, three experts, and in any other case, two experts be nominated by the Chancellor;
- (iv) in the case of appointment of teachers in a department of a constituent medical college upgraded under any scheme sanctioned by the Central Government, one nominee each of the Central Government and the State Government;
- (v) in the case of appointment of teachers of an Institute or constituent college, the Director of the Institute or the Principal of the constituent college, as the case may be.

(b) The Selection Committee for the appointment of the Director of an Institute or the Principal of a constituent college shall consist of—

- (i) the Vice-Chancellor, who shall be the Chairman thereof;
- (ii) two experts to be nominated by the Chancellor.

(c) The Selection Committee for the appointment of the Principal of an affiliated or an associated college (other than a college maintained exclusively by the State Government ⁸⁶[* * *]) shall consist of—

^{84a}. Sub-clause (ii) came into force, w.e.f. 7-6-2004.

⁸⁵. Ins. by U.P. Act 5 of 1977, S. 12.

⁸⁶. Words "or by a local authority" omitted by U.P. Act 12 of 1978, S. 10.

- (i) the Head of the Management, or a member of the Management nominated by him who shall be the Chairman;
- ⁸⁷[(ii) one of the Deans or Professors of those Faculties which comprise subjects taught in the college, to be nominated by the Vice-Chancellor;]
- (iii) one member of the Management nominated by the Management; and
- (iv) two experts to be nominated by the Vice-Chancellor :

Provided that in the case of appointment of the Principal of an affiliated college, the Dean of Faculty shall not sit in the Selection Committee, if he is himself a teacher of that college :

Provided further that in the case of colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution of India, the experts shall be nominated by the Management from out of a panel of five experts by the Management suggested and approved by the Vice-Chancellor.

⁸⁸[Provided also that in the case of colleges referred to in the preceding proviso, the Dean or Professor who shall be the member of the Selection Committee under sub-clause (ii) shall also be nominated by the Management from out of a panel of five Deans or Professors suggested by the Management and approved by the Vice-Chancellor, and if the requisite number of such Deans or Professors is not so available, the panel may include the names of Principals of affiliated or associated colleges.]

(d) The Selection Committee for the appointment of other teachers of an affiliated or associated college (other than a college maintained exclusively by the State Government [* * *])⁸⁹ shall consist of—

- (i) the Head of the Management or a member of the Management nominated by him who shall be the Chairman;
- (ii) the Principal of the college and another teacher of the college nominated by the Principal;
- (iii) two experts to be nominated by the Vice-Chancellor :

⁹⁰[Provided that in the case of a college where there is no Principal or other teacher available for being a member of the Selection Committee under sub-clause (ii), the remaining members referred to in this clause shall constitute such Selection Committee:]

Provided further that in the case of colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution of India, the experts shall be nominated by the Management from out of a panel of five experts suggested by the Management and approved by the Vice-Chancellor.

(5) (a) A panel of six or more experts in each subject of study shall be drawn up by the Chancellor after consulting the corresponding Faculty in Indian Universities or such academic bodies or research institutions in or outside Uttar Pradesh as the

87. Ins. by U.P. Act 12 of 1978.

88. Proviso inserted by U.P. Act 5 of 1977, S. 12.

89. Words "or by a local authority" omitted by U.P. Act 12 of 1978, S. 10.

90. Ins. by U.P. Act 29 of 1974, S. 12 and shall be deemed always to have been inserted.

Chancellor may consider necessary. Every expert to be nominated by the Chancellor under sub-section (4) shall be a person whose name is borne on such panel.

(b) The Board of each Faculty shall maintain a standing panel of sixteen or more experts in each subject of study, and every expert to be nominated by the Vice-Chancellor under sub-section (4) shall be a person whose name is borne on the panel.

(c) A panel referred to in clause (a) or clause (b) shall be revised after every three years.

Explanation I.—For the purposes of this sub-section, a branch of subject in which a separate course of study is prescribed for a postgraduate degree or for Part I or Part II thereof shall be deemed to be a separate subject of study.

Explanation II.—Where the post of teacher to be selected is common to more than one subject of study, the expert may belong to either of such subjects of study.

⁹¹[(d) The Chancellor or the Vice-Chancellor, as the case may be, may intimate in a specified order, a larger number of names of experts than required under sub-section (4) for serving as his nominees on the Selection Committee. In such case, on any person whose name appears higher in the specified order not being available for a meeting of the Selection Committee, a person whose name appears nearest lower in the specified order shall be requested to serve on the Committee.]

(6) No recommendation made by a Selection Committee referred to in sub-section (4) shall be considered to be valid unless one of the experts had agreed to such selection.

(7) Subject to the provisions of sub-section (6), the majority of the total membership of any Selection Committee shall form the quorum of such Committee :

⁹²[Provided that in the case of a Professor or a Reader, the persons present to form the quorum must include at least two experts.]

⁹³[(7-A) It shall be open to the Selection Committee to recommend one or more but not more than three names for each post.]

(8) (a) In the case of appointment of a teacher of the University, if the Executive Council does not agree with the recommendation made by the Selection Committee, the Executive Council shall refer the matter to the Chancellor along with the reasons of such disagreement, and his decision shall be final :

⁹⁴[Provided that if the Executive Council does not take a decision on the recommendations of the Selection Committee within a period of four months from the date of the meeting of such Committee, then also the matter shall stand referred to the Chancellor, and his decision shall be final.]

⁹⁵[(aa) Where the failure of the Executive Council to take a decision within the period specified in the proviso to clause (a) is not attributable to any fault of the Executive Council, the Chancellor may require the Executive Council to take a

91. Ins. by U.P. Act 29, 1974, S. 12.

92. Ins. by U.P. Act 4 of 1995, S. 2 (w.e.f. 17-12-1994).

93. Ins. by U.P. Act 29 of 1974, S. 12 and shall be deemed always to have been inserted.

94. Ins. by U.P. Act 5 of 1977, S. 12.

95. Ins. by U.P. Act 4 of 1995, S. 2 (w.e.f. 17-12-1994).

decision within such time as the Chancellor may, from time to time, allow and may direct the Vice-Chancellor to call a meeting of the Executive Council for the purpose :

Provided that—

- (i) if the Executive Council does not agree with the recommendations made by the Selection Committee, the Executive Council shall refer the matter to the Chancellor along with the reasons of such disagreement and his decision shall be final;
- (ii) if the Executive Council does not take a decision within the time allowed by the Chancellor, the Chancellor shall decide the matter and his decision shall be final.]

(b) In the case of appointment of a teacher of an affiliated or associated college, if the Management does not agree with the recommendation made by the Selection Committee, the Management shall refer the matter to the Vice-Chancellor along with the reasons of such disagreement, and his decision shall be final :

Provided that in the case of appointment of a teacher of an affiliated or associated college, established and administered by a minority referred to in clause (1) of Article 30 of the Constitution of India, if the Management does not agree with the recommendation made by a Selection Committee, the Management shall have the right to appoint another Selection Committee and the decision of that Committee shall be final.

(9) The disqualification of members of Selection Committee for appointment of teachers of the University and the Principals and other teachers of such affiliated or associated colleges on the ground of interest for participating in the deliberations of such Committees and other matters relating to appointment of such Principals and teachers shall be prescribed by the Statutes.

(10) No selection for any appointment under this section shall be made except after advertisement of the vacancy in at least three issues of two newspapers having adequate circulation in Uttar Pradesh.

⁹⁶[(11) (a) No teacher recommended by the Selection Committee shall be appointed by the Management of an affiliated or associated college (other than a college maintained exclusively by the State Government) unless prior approval of the Vice-Chancellor has been obtained.

(b) The Management shall, as soon as possible, after the meeting of the Selection Committee, submit the recommendations of the Committee, along with other relevant documents to the Vice-Chancellor for approval.

(c) The Vice-Chancellor, if he is satisfied that the candidate recommended by the Selection Committee does not possess the minimum qualifications or experience prescribed, or that the procedure laid down in the Act for the selection of the teacher has not been followed, shall convey to the Management his disapproval :

Provided that if the Vice-Chancellor does not convey his disapproval within a period of one month from the date of receipt of the documents referred to in clause

96. Subs. by U.P. Act 5 of 1977, S. 12.

(b), or does not send to the Management any intimation in connection therewith, he shall be deemed to have approved of the proposal.

(12) Notwithstanding anything contained in this section, the Executive Council, with the prior approval of the Chancellor, or the Management with the prior approval of the Vice-Chancellor, may appoint on deputation on the post of a teacher any government servant who possesses the qualifications prescribed for the post.]

⁹⁷(13) [* * *]

⁹⁸[**31-A. Personal promotion to Teachers of University.**—(1) Notwithstanding anything to the contrary contained in any other provision of this Act, ⁹⁹[a Lecturer in the University appointed under Section 31, or a Reader in the University appointed under Section 31 or promoted under this Section], who has put in such length of service and possesses such qualifications, as may be prescribed, may be given personal promotion, respectively to the post of Reader or Professor.

(2) Such personal promotion shall be given on the recommendation of the Selection Committee, constituted under clause (a) of sub-section (4) of Section 31, in such manner and subject to such conditions as may be prescribed.

(3) Nothing contained in this section shall affect the posts of the teachers of the University to be filled by direct appointment in accordance with the provisions of Section 31.]

Recommendation of Selection Committee.—The Vice-Chancellor is under a mandatory duty to consider the recommendation of the Selection Committee in the matter of appointment of teacher. He cannot delegate his function to Executive Committee. *A.N. Vishnoi v. Chancellor*, 1981 ALJ 23.

Where the Executive Council disagreed with the recommendation of Selection Committee and the matter is referred to the Chancellor, disregard the recommendations of Selection Committee by the Chancellor could not be restricted only to the existence of circumstances mentioned in Section 68. *Mathura Prasad v. Chancellor*, 1984 ALJ 21.

The Executive Council can agree with the recommendation of the Selection Committee wholly or in part only. *Mathura Prasad v. Chancellor*, 1984 ALJ 21.

Candidate appearing before the Selection Committee without any objection as to its validity cannot turn round and challenge its validity when the Committee recommended against him. *Rajendra v. Civil Judge*, 1980 ALJ 1115.

In the matter of appointment of teachers the recommendation of the Selection Committee does carry weight and may not be lightly brushed aside, but the Act does not make it conclusive. *Mathura Prasad v. Chancellor*, 1984 ALJ 21.

Appointment of principal.—If the management disagrees with the recommendation of the Selection Committee on question of appointment of Principal, the Vice-Chancellor must apply his mind to the grounds raised by the management before exercising his powers under Section 31(8)(b). The Committee cannot withhold its recommendation in favour of a particular candidate on ground of his claim in higher start of salary. *Rajendra v. Civil Judge*, 1980 ALJ 1115.

For appointment of Principal of a composite college viz. having both degree as well as postgraduate classes the Master's degree should be in a subject which is taught both in the degree classes as well as in the postgraduate classes. *P.S. Malik v. Chancellor*, 1982 ALJ 774.

Section 31(3)(b) is not applicable to a case of appointment of a teacher to a temporary post likely to last for more than six months. *Pramod Kumar v. Vice-Chancellor*, 1981 ALJ 853.

⁹⁷ Sub-sec. (13) omitted by U.P. Act No. 10 of 1983 (w.e.f. 18-7-1981).

⁹⁸ Ins. by U.P. Act 9 of 1985 (w.e.f. 10-10-1984).

⁹⁹ Subs. by President's Act 4 of 1996, S. 9 (w.e.f. 11-7-1995).

Reference to Vice-Chancellor.—The reference to the Chancellor would be competent only if the Executive Council does not agree with the recommendation of the Selection Committee. The Executive Council has to refer the matter along with the reasons for such disagreement. *Devendra Dutta Tewari v. Chancellor*, 1978 ALJ 844.

Direction by the Chancellor to appoint candidates selected only for temporary post against permanent posts and fresh selection out of available candidates for temporary posts is not beyond the jurisdiction of the Chancellor. *Nirmala Nautiyal v. Chancellor*, 1984 ALJ 882.

The Chancellor while exercising jurisdiction under Section 31(8)(a) exercises powers of a quasi-judicial nature and the matter should be disposed of by a speaking order and he should observe principles of natural justice. *L.N. Mathur v. Chancellor*, 1985 ALJ 650 (FB). Overruling *Prabha Gupta v. Lucknow University*, 1981 Lawyers' Law Times (Services) 51.

Relaxation under Statute 11.01.—The relaxation which is permissible under Para 2 of Statute 11.01 is not available to a candidate who does not possess Masters' degree in the subject concerned. *Ram Yatra Shukla v. Chancellor*, 1982 ALJ 826.

Probationer.—A probationer is not entitled to hearing before his services are terminated during or on the expiry of the period of probation. Second proviso added by U.P. Act 5 of 1977 is not retrospective. *P.C. Bagla v. Vice-Chancellor*, 1980 ALJ 785 : 1980 Lab IC 853 (FB). Overruling *Vidya Niwas Misra v. University of Gorakhpur*, AIR 1967 All 426.

Clause (10).—Clause (10) of Section 31 is mandatory. *R.C. Gupta v. Chancellor*, 1982 ALJ 899.

The second part of sub-section (10) which lays down the manner of publication of the advertisement is directory in nature. *Arun Kumar Shukla v. Chancellor*, 1984 ALJ 427.

[31-AA. Promotion to the Post of Associate Professor and Professor.—(1) Notwithstanding anything contained in any other provision of this Act, an Assistant Professor substantively appointed in the Faculty of Medicine or Dental Sciences of the University of Lucknow or an Associate Professor, substantively appointed, or promoted under this section, in the said Faculties of the said University, who has put in such length of service and possesses such qualifications as may be prescribed, may be given personnel promotion respectively to the post of Associate Professor or Professor.

(2) The promotion under sub-section (1) shall be given on the recommendation of the Selection Committee, constituted under clause (a) of sub-section (4) of Section 31, in such manner and subject to such conditions as may be prescribed.

Explanation.—With regard to the Faculty of Medicine or Dental Sciences of the University of Lucknow, the word "Reader" referred to in clause (a) of sub-section (4) of Section 31 shall be construed as "Associate Professor."]

²[(3) Notwithstanding anything contained in sub-section (1) or sub-section (2) or in any other provisions of this Act, every person who was promoted to the post of Associate Professor or Professor in a Faculty referred to in sub-section (1) in accordance with the order No. 842/15-10-97-11(7)/96, dated April 11, 1997 issued by the State Government and is continuing in service as such on the date of the commencement of the Uttar Pradesh State Universities (Third Amendment) Act, 1999 shall be deemed to have been promoted to such post under sub-section (1) from the date of such promotion.]

1. Ins. by U.P. Act 9 of 1998, S. 2 (w.e.f. 19-9-1997).

2. Ins. by U.P. Act 21 of 1999, S. 2.

³[31-B. Special provision with regard to appointment.—(1) Notwithstanding anything to the contrary contained in any other provision of this Act or in the Uttar Pradesh Higher Education Services Commission Act, 1980, appointment to the post of principal or teacher of the Motilal Nehru Regional Engineering College, Allahabad shall be made in accordance with the rules and bye-laws of the Motilal Nehru Regional Engineering College Society, Allahabad.

(2) All appointments made before the commencement of the Uttar Pradesh State Universities (Amendment) Act, 1998 in accordance with the provisions of sub-section (1) shall be deemed to have been made under the said sub-section as if the provisions of the said sub-section were in force at all material times.”]

32. Contract of appointment of teachers of the University.—(1) Except as otherwise provided by Statutes, no salaried officer and teacher of the University shall be appointed except under a written contract which shall be consistent with the provisions of this Act, the Statutes and Ordinances.

(2) The original contract shall be lodged with the Registrar and a copy thereof shall be furnished to the officer or teacher concerned.

(3) In the case of an officer or teacher employed before the commencement of this Act, all contracts in force, immediately before such commencement, shall, to the extent of any inconsistency with the provisions of this Act or the Statutes or the Ordinances be deemed to have been modified by the said provisions.

(4) Notwithstanding anything contained in any contract or other instrument, teachers of any constituent medical college shall not have right of private practice, except to such extent, if any, and subject to such conditions and restrictions as the State Government may, by general or special order specify.

33. Pensions, Provident Fund, etc.—The University and every affiliated or associated college shall constitute, for the benefit of its officers, teachers and other employees, in such manner and subject to such conditions ⁴[as may be specified by general or special order by the State Government] such pension, insurance or provident fund, as it may deem fit including a fund from which such teachers or their heirs, as the case may be, shall be paid pension or gratuity in the event of their incurring disability, wound or death in connection with the discharge of their duties as Superintendent of a Centre or invigilator as defined in Uttar Pradesh Universities (Provisions regarding Conduct of Examinations) Act, 1965.

34. Limits of additional remunerative work permissible to teachers.—(1) The conditions regarding payment of remuneration to the teachers of the University or for an affiliated or an associated college for any duties performed in connection with any examination conducted by an Indian University or any body other than Public Service Commission ⁵[* * *] shall be such as may be prescribed.

(2) No teacher of the University or of an affiliated or associated college shall at any time, hold more than one remunerative office carrying duties other than teaching or duties connected with any examination.

3. Ins. by U.P. Act 9 of 1998, S. 3 (w.e.f. 12-2-1998).

4. Subs. by U.P. Act No. 21 of 1975, S. 6.

5. Words “and the holding of remunerative offices by them” omitted by U.P. Act 29 of 1974, S. 13.

Explanation.—The words 'remunerative offices' include the offices of Warden or Superintendent of a Hall or Hostel, Proctor, Games Superintendent, Librarian, and any office in the National Cadet Corps, National Sports Organisation, National Social Service Scheme and University Employment Exchange.

35. Conditions of service of teachers of affiliated or associated colleges other than those maintained by Government or local authority.—(1) Every teacher in an affiliated or associated college (other than a college maintained exclusively by the State Government) ⁶[* * *] shall be appointed under a written contract which shall contain such terms and conditions as may be prescribed. The contract shall be lodged with the University and a copy thereof shall be given to the teacher concerned, and another copy thereof shall be retained by the college concerned.

(2) Every decision of the Management of such college to dismiss or remove a teacher or to reduce him in rank or to punish him in any other manner shall before it is communicated to him, be reported to the Vice-Chancellor and shall not take effect unless it has been approved by the Vice-Chancellor:

Provided that in the case of colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution of India, the decision of the management dismissing removing or reducing in rank or punishing in any other manner any teacher shall not require the approval of the Vice-Chancellor, but, shall be reported to him and unless he is satisfied that the procedure prescribed in this behalf has been followed, the decision shall not be given effect to.

(3) The provisions of sub-section (2) shall also apply to any decision to terminate the services of a teacher, whether by way of punishment or otherwise but shall not apply to any termination of service on the expiry of the period for which the teacher was appointed :

Provided that in the case of colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution of India, the decision of the Management terminating the service of any teacher shall not require the approval of the Vice-Chancellor, but shall be reported to him and unless he is satisfied that the procedure prescribed in this behalf has been followed, the decision shall not be given effect to.

(4) Nothing in sub-section (2) shall be deemed to apply to an order of suspension pending inquiry, but any such order may be stayed, revoked or modified by the Vice-chancellor :

Provided that in the case of colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution of India, such order may be stayed, revoked or modified by the Vice-Chancellor only if the conditions prescribed for such suspension are not satisfied.

(5) Other conditions of service of teachers of such colleges shall be such as may be prescribed.

Where dismissal order is passed by the College management, the approval order of Vice-Chancellor need not be speaking order. *P.C. Sikand v. Chancellor*, 1979 ALJ (NOC) 81.

6. Words "or by a local authority" omitted by U.P. Act 12 of 1978, S. 10.

36. Tribunal of Arbitration.—(1) Any dispute arising out of a contract of appointment referred to in Section 32 or Section 33 shall be referred to a Tribunal of Arbitration which shall consist of the following members, namely—

- (a) in the case of an officer or teacher of the University, one member nominated by the Executive Council, one member nominated by the officer or teacher concerned and one member (who shall act as convener) nominated by the Chancellor;
- (b) in the case of a teacher of an affiliated or associated college, one member nominated by the management of the college, one member nominated by the teacher concerned, and one member (who shall act as convener) nominated by the Vice-Chancellor :

Provided that in the case of colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution of India, the Convener shall be selected by the nominees of the management and the teacher concerned out of a panel of five persons suggested by the management and approved by the Vice-Chancellor :

Provided further that in the event of their failure to appoint the Convener within the time prescribed, the Vice-Chancellor shall nominate a Convener out of the panel.

(2) If for any reason, a vacancy occurs in the office of a member of the Tribunal, the appropriate person or body concerned shall nominate another person in accordance with provisions of sub-section (1) to fill the vacancy and the proceedings may be continued before the Tribunal from the stage at which the vacancy is filled.

(3) The decision of the Tribunal shall be final and binding on the parties and shall not be questioned in any court.

(4) The Tribunal of Arbitration shall have the power—

- (i) to regulate its own procedure;
- (ii) to order re-instatement of the officer or teacher concerned; and
- (iii) to award salary to the officer or teacher concerned, after deducting therefrom such income which such officer or teacher might have otherwise derived during his suspension, removal, dismissal or termination from service.

(5) Nothing contained in any law for the time being in force relating to arbitration shall apply to an arbitration under this section.

(6) No suit or proceedings shall lie in any court in respect of any matter which is required by sub-section (1) to be referred to the Tribunal of Arbitration :

Provided that every decision of the Tribunal referred to in sub-section (3) shall be executable by the lowest court having territorial jurisdiction, as if it were a decree of that court.

CHAPTER VII

AFFILIATION AND RECOGNITION

37. Affiliated Colleges.—(1) This section shall apply to the Universities of Agra, Gorakhpur, Kanpur and Meerut and such other Universities (not being the Universities of Lucknow and Allahabad) as the State Government may, by notification in the Gazette, specify.

(2) The Executive Council may, with the previous sanction of the Chancellor, admit any college which fulfils such conditions of affiliation, as may be prescribed, to the privileges of affiliation or enlarge the privileges of any college already affiliated or subject to the provisions of sub-section (8), withdraw or curtail any such privilege:

⁷[Provided that if in the opinion of the Chancellor, a college substantially fulfils the conditions of affiliation, the Chancellor may sanction grant of affiliation to that college or enlarge the privileges thereof in specific subjects for one term of a course of study on such terms and conditions as he may deem fit:

Provided further that unless all the prescribed conditions of affiliation are fulfilled by a college, it shall not admit any student in the first year of the course of study for which affiliation is granted under the foregoing proviso after one year from the date of commencement of such affiliation.]

(3) It shall be lawful for an affiliated college to make arrangement with any other affiliated college situated in the same local area, or with the University, for cooperation in the work of teaching or research.

(4) Except as provided by this Act, the management of an affiliated college shall be free to manage and control the affairs of the college and be responsible for its maintenance and upkeep, and its Principal shall be responsible for the discipline of its students and for the superintendence and control over its staff.

(5) Every affiliated college shall furnish such reports, returns and other particulars as the Executive Council or the Vice-Chancellor may call for.

(6) The Executive Council shall cause every affiliated college to be inspected from time to time at intervals not exceeding five years by one or more persons authorised by it in that behalf, and a report of the inspection shall be made to the Executive Council.

(7) The Executive Council may direct an affiliated college so inspected to take such action as may appear to it to be necessary within such period as may be specified.

(8) The privileges of affiliation of a college which fails to comply with any direction of the Executive Council under sub-section (7) or to fulfil the conditions of affiliation may, after obtaining a report from the Management of the college and with the previous sanction of the Chancellor, be withdrawn or curtailed by the Executive Council in accordance with the provisions of the Statutes.

⁸[(9) Notwithstanding anything contained in sub-sections (2) and (8), if the Management of an affiliated college has failed to fulfil the conditions of affiliation, the Chancellor may, after obtaining a report from the Management and the Vice-Chancellor, withdraw or curtail the privileges of affiliation.]

^{8a}[(10) Notwithstanding anything to the contrary contained in any other provisions of this Act, a college, which has already been given affiliation to a University before the commencement of the Uttar Pradesh State Universities (Amendment) Act, 2003 in specific subjects for a specified period shall be entitled to continue the course of study for which admissions have already taken place but it shall not admit any student in the first year of such course of study without obtaining affiliation under sub-sections (2).]

38. Associated Colleges.—(1) This section shall apply to the Universities of Lucknow and Allahabad and such other Universities (not being the Universities of Agra, Gorakhpur, Kanpur or Meerut or the Sampurnanand Sanskrit Vishwavidyalaya) as the State Government may, by notification in the Gazette, specify.

7. Ins. by U.P. Act 1 of 2004, S. 5 (w.e.f. 11-7-2003).

8. Ins. by U.P. Act 5 of 1977, S. 13.

8a. Ins. by U.P. Act 1 of 2004, S. 5 (w.e.f. 11-7-2003).

(2) Associated colleges shall be such as may be named by the Statutes.

(3) It shall be lawful for an associated college to make arrangements with any other associated college or colleges or with the University for cooperation in the work of teaching.

(4) The conditions of recognition of an associated college shall be prescribed by the Statutes or imposed by the Executive Council, but no associated college shall except with the previous approval of the Chancellor, be authorised to impart instruction for post-graduate degrees :

Provided that if an associated college is refused recognition for imparting instruction for post-graduate degrees, such college may, with the approval of the Chancellor, be granted affiliation by any University referred to in Section 37, anything in Section 5 notwithstanding, and thereupon, such college shall cease to be an associated college.

(5) Except as provided by this Act, the Management of an associated college shall be free to manage and control the affairs of the college and be responsible for its maintenance and upkeep. The Principal of every such college shall be responsible for the discipline of its students and for the superintendence and control over its staff.

(6) The Executive Council shall cause every associated college to be inspected from time to time at intervals not exceeding three years by one or more persons authorised by it in this behalf and a report of the inspection shall be made to the Executive Council.

(7) The recognition of an associated college may, with the previous sanction of the Chancellor, be withdrawn by the Executive Council, if it is satisfied after considering any explanation furnished by the management, that it has ceased to fulfil the conditions of its recognition or that it persists in making default in the performance of its duties under this Act or in the removal of any defect in its work pointed out by the Executive Council.

⁹[(8) Notwithstanding anything in this section or in Section 5, any associated college situated within the area of any University to which this section applies, may, subject to such directions, as may be issued by the State Government in this behalf, be admitted to the privileges of affiliation by any University to which Section 37 applies.]

39. Disqualification for membership of Management.—A person shall be disqualified for being chosen as, and for being, a member of the Management of an affiliated or associated college (other than a college maintained exclusively by the State Government or by local authority), if he or his relative accepts any remuneration for any work in or for such college or any contract for the supply of goods to or for the execution of any work for such college :

Provided that nothing in this section shall apply to the acceptance of any remuneration by a teacher as such or for any duties performed in connection with an examination conducted by the college or for any duties as Superintendent or Warden of a training unit or of a hall or hostel of the college or as a proctor or tutor or for any duties, of a similar nature in relation to the college.

Explanation.—The term 'relative' shall have the meaning assigned to it in the Explanation to Section 20.

Relative.—The word "relative" as used in Section 39 only refers to relatives of the persons i.e. persons who are related by blood or marriage to the person who is said to be disqualified. It has the same meaning as assigned to it in the Explanation to Section 20. *Raj Kishore v. Kishan Shiksha Samiti*, 1978 ALJ 1007.

Relative of a teacher who accepts remuneration from an affiliated college in U.P. is disqualified for being elected as a member of the Management of that college. Such disqualification would also apply to

9. Subs. by U.P. Act 19 of 1987.

relative of the teacher who had been appointed on remuneration prior to coming into force of the Act. *Executive Committee, Meerut University v. Vice-Chancellor*, (1983) 2 SCC 397. Overruling 1982 U.P. LBEC 148, approving 1981 UPLT (NOC) 187.

The Chairman of a cooperative society which supplied goods to a college is not disqualified for being a member of the Management Committee of the said college. *Raj Kishore v. Kishan Shiksha Samiti*, 1978 ALJ 1007.

40. Inspection, etc., of Affiliated and Associated Colleges.—(1) The State Government shall have the right to cause an inspection to be made by such person or persons as it may direct, of any affiliated or associated college, including buildings, laboratories and equipments thereof and also of the examinations, teaching and other work conducted or done by it, or cause an inquiry to be made in respect of any matter connected with the administration and finances of such college.

(2) Where the State Government decides to cause an inspection or inquiry to be made under sub-section (1), it shall inform the Management of the same and a representative appointed by the Management and where the Management fails to appoint a representative, the Principal of the college may be present at such inspection or inquiry and shall have the right to be heard on behalf of the Management but no legal practitioner shall appear, plead or act on behalf of the college at such inspection or inquiry.

(3) The person or persons appointed to inspect or inquire under sub-section (1) shall have all the powers of a civil court while trying a suit under the Code of the Civil Procedure, 1908, for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and compelling production of documents and material objects, and shall be deemed to be a civil court within the meaning of Sections 480 and 482 of the Code of Criminal Procedure, 1898¹⁰ and any proceedings before him or them shall be deemed to be judicial proceedings within the meaning of Sections 193 and 228 of the Indian Penal Code.

(4) The State Government may communicate to the Management, the result of such inspection or inquiry and may issue direction as to the action to be taken and the Management shall forthwith comply with such directions.

(5) The State Government shall inform the Vice-Chancellor about any communication made by it to the Management under sub-section (4).

(6) The State Government may, at any time, call for any information from the Management or Principal of an affiliated or associated college in connection with such inspection or inquiry.

41. Constituent colleges.—(1) Constituent colleges shall be such as may be named by the Statutes.

(2) The Principal of a constituent college shall be responsible for the discipline of the students enrolled in the college and shall have general control over the ministerial and inferior staff allotted to the college. He shall exercise such other powers as may be prescribed by the Statutes.

42. Autonomous college.—(1) The University may grant in the manner prescribed, to an affiliated or associated college which satisfies the conditions

10. See now CrPC, 1973 (2 of 1974).

prescribed in that behalf, the privileges of varying, for the students receiving instruction in such college, the courses of study prescribed by the University, and holding examination in the courses so varied.

(2) The extent to which the courses may be varied and the manner of holding the examination conducted by such college shall be determined in each case by the University.

(3) Such a college shall be declared in the manner prescribed as an autonomous college.

43. Working Men's colleges.—The University may, under such conditions as may be prescribed, recognize, an affiliated or associated college as a 'Working Men's College' for the purpose of providing courses for degrees to persons, otherwise eligible for admission to such courses, who may be, unable to be enrolled as whole-time students by reasons of being engaged in business, trade, agriculture or industry or employed in any other form of service.

(2) The courses for such students shall extend over a period which shall not be less than one and a half time the duration prescribed for such courses for other students.

(3) Each such course shall be organized separately.

44. Institutes.—The University may establish one or more Institutes to organize and conduct teaching and research in any subject.

CHAPTER VIII

ADMISSIONS AND EXAMINATIONS

45. Admission of Students.—(1) No student shall be eligible for admission to the course of study for a degree unless—

(a) he has passed—

(i) the Intermediate Examination of the Board of High School and Intermediate Education, Uttar Pradesh, or of any University or Board incorporated by any law for the time being in force; or

(ii) any examination, or any degree conferred by any other University, being an examination or degree recognized by the University as equivalent to the Intermediate Examination or to a degree of the University; and

(b) he possesses such further qualifications, if any, as may be specified in the Ordinances :

Provided that the University may prescribe by Ordinances any lower qualifications for admission to a degree in Fine Arts.

(2) The conditions under which students may be admitted to the diploma courses of the University shall be prescribed by the Ordinances.

(3) The University shall have the power to recognize (for the purposes of admission to a course of study for a degree), as equivalent to its own degree, any degree conferred by any other University or, as equivalent to the Intermediate

Examination of any Indian University, any examination conducted by any other authority.

(4) Any student whose work or conduct is unsatisfactory may be removed from the University or an Institute or a constituent college or an affiliated or associated college in accordance with the provisions of the Ordinances.

A student can voluntarily give up his studentship. The studentship may also come to an end by abandonment. *Dinesh Kumar v. Principal M.L.N. Medical College*, 1986 ALJ 428.

Sub-section (4) is not exhaustive. *Dinesh Kumar v. Principal M.L.N. Medical College*, 1986 ALJ 428.

46. Bar of charging any donation, etc., for admission to a college.—No person connected with the management of an affiliated or associated college and no Principal or other teacher or other employee thereof shall directly or indirectly take or receive or cause to be taken or received any contribution, donation, fees or any other payment of any sort, either in cash or in kind, except the fees at the rates laid down in the Ordinances, from or on behalf of any pupil ¹¹[as a condition for granting him admission to or permitting him after such admission to continue in such college].

¹²[**46-A. Contribution and donations to Colleges.**—Where a contribution or donation, either in cash or in kind is taken or received by any affiliated or associated college maintained exclusively by the State Government or a local authority, the contribution or donation so received shall be utilised only for the purpose for which it was given to it and in the case of a college maintained exclusively by the State Government any cash contribution or donation shall be credited to the personal ledger account of such institution which shall be operated in accordance with the general or special orders of the State Government.]

47. Halls, hostels and delegacy of the University.—(1) This section shall apply to the University of Lucknow, Allahabad, Gorakhpur and such other University the State Government may by notification specify.

(2) The halls and hostels of the University shall be—

- (a) those maintained by the University and named in the Statutes;
- (b) those recognised by the Executive Council on such general or special conditions as may be provided by the Ordinances.

(3) The warden and other staff of the halls and hostels shall be appointed in the manner provided by the Ordinances.

(4) The Executive Council shall have power to suspend or withdraw the recognition of a hall or hostel which is not maintained in accordance with the conditions referred to in clause (b) of sub-section (2) :

Provided that no such action shall be taken without giving to the management of such hall or hostel an opportunity of making a representative against the proposed action.

11. Subs. by U.P. Act 5 of 1977, S. 14.

12. Ins. by U.P. Act 5 of 1977, S. 15.

(5) There shall be a Delegacy to supervise the arrangements relating to the residence, health and welfare of students of the University not residing in or under the care of any constituent college or hall. The constitution, power and duties of the Delegacy shall be prescribed by the Statutes.

48. Examinations.—Subject to the provisions of this Act and the Statutes, the Examinations Committee shall direct the arrangements for the conduct of examinations.

CHAPTER IX

STATUTES, ORDINANCES AND REGULATIONS

49. Statutes.—Subject to the provisions of this Act, the Statutes may provide for any matter relating to the University and shall in particular, provide for—

- (a) the constitution, power and duties of the authorities of the University;
- (b) the election, appointment and term of office of the members of the authorities of the University, including the continuance in office of the first members, and the filling in of vacancies in their membership and all other matters relating to these authorities for which it may be necessary to provide;
- (c) the powers and duties of the officers of the University;
- ¹³[(d) the classification and recruitment (including minimum qualifications and experience) of Principals and other teachers of the University and of affiliated and associated colleges, the maintenance by them of their annual academic progress report, the rules of conduct to be observed by them and their emoluments and other conditions of service (including provisions relating to compulsory retirement);
- (e) the recruitment (including minimum qualifications and experience) and their emoluments and other conditions of service (including provisions relating to compulsory retirement) of persons appointed to other posts under the University;]
- (f) the constitution of a pension or provident fund or the establishment of an insurance-scheme for the benefit of officers, teachers and other employees of the University;
- (g) the institution of degrees and diplomas;
- (h) the conferment of honorary degrees;
- (i) the withdrawal of degrees and diplomas, certificates and other academic distinctions;
- (j) the establishment, amalgamation, abolition and reorganisation of Faculties;
- (k) the establishment of departments of teaching in the Faculties;
- (l) the establishment, abolition and reorganisation of halls and hostels maintained by the University;

13. Subs. by U.P. Act 5 of 1977, S. 16 and shall be deemed always to have been substituted.

- (m) the conditions under which colleges and other institutions may be admitted to the privileges of affiliation or recognition by the University and the conditions under which any such privilege may be withdrawn;
- (n) the recognition of the Management of any affiliated or associated college;
- ¹⁴[(o) the number, minimum qualifications and experience, the emoluments and other conditions of service, including the age of retirement and provisions relating to compulsory retirement of salaried employees (not being teachers) of the University or an affiliated or associated college, and the preparation and maintenance of record of their service;]
- (p) the institution of scholarships, fellowships, studentships, medals and prizes;
- (q) the qualifications, conditions and manner of registration of graduates and the maintenance of a register of registered graduates;
- (r) the holding of convocation, if any; and
- (s) all other matters which by this Act are to be or may be provided for by the Statutes.

Statute 11.02 as amended by Allahabad University.—A candidate who has secured at least a second division in his entire academic career must be held to possess a good academic record. *D.C. Pandey v. Chancellor, Allahabad University*, 1983 ALJ 152.

Agra University Statute—Statute 30(3).—Where application for review of dismissal order was not made, no question of holding subsequent meeting for confirmation of resolution would arise. *P.C. Sikand v. Chancellor*, 1979 ALJ (NOC) 81.

Meerut University Statute—Statute 13.34.—Statute 13.34 does not apply to a dispute between office bearers of the Managing Committee of a College. It applies only to disputes between two managements. *Digamber Jain High School Association v. Chancellor*, 1983 All LJ 1255.

50. Statutes how made.—The First Statutes of the University shall be made by the State Government by notification in the Gazette and in the case of any existing University, for so long as the First Statutes are not so made, the Statutes as in force immediately before the commencement of this Act, insofar as they are not inconsistent with the provisions of this Act, shall, subject to such adaptations and modifications whether by way of repeal, amendment or addition as may be necessary or expedient, as the State Government may, by notification in the Gazette provide, continue in force, and any such adaptation or modification shall not be called in question.

¹⁵[(1-A) The State Government may by notification in the Gazette amend whether by way of addition, substitution or omission, the First Statutes at any time ¹⁶[up to December 31 1990]¹⁷ and any such amendment may be retrospective to a date not earlier than the date of such commencement.]

14. *Subs.* by U.P. Act 5 of 1977, S. 16.

15. *Ins.* by U.P. Act 29 of 1974, S. 15.

16. *Subs.* by U.P. Act 5 of 1977, S. 17 and U.P. Act 12 of 1978, S. 4.

17. '1978' *subs.* by '1981' (w.e.f. 1-1-1979) by U.P. Act 15 of 1980. '1981' *subs.* by '1982' (w.e.f. 29-12-1981) by U.P. Act 25 of 1982; '1982' *subs.* by '1984' (w.e.f. 1-1-1983) by U.P. Act 6 of 1983; '1984' *subs.* by '1985' (w.e.f. 31-12-1984) by U.P. Act 9 of 1985; '1985' *subs.* by '1987' by U.P. Act 15 of 1986 and shall be deemed always to have been substituted; "1987" *subs.* by "1990" by U.P. Act 9 of 1988, S. 3 (w.e.f. 1-1-1988).

¹⁸[(1-B) Until the First Statutes of the Purvanchal University are made under this section, the Statutes of the University of Gorakhpur, as in force immediately before the establishment of the said University shall apply to it subject to such adaptations and modifications as the State Government may, by notification, provide.]

¹⁹(2) The Executive Council may, at any time [after December 31, 1990]²⁰, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1) or sub-section (1-A).]

(3) The Executive Council shall not propose the draft of any Statute affecting the status, power or constitution of any authority of the University until such authority has been given an opportunity of expressing its opinion upon the proposal and any opinion so expressed shall be in writing and shall be submitted to the Chancellor.

(4) Every new Statute or addition to a Statute or any amendment or repeal of Statute shall be submitted to the Chancellor who may assent to it or withhold his assent therefrom or remit it to the Executive Council for further consideration.

(5) A Statute passed by the Executive Council shall have effect from the date it is assented to by the Chancellor or from such later date as may be specified by him.

²¹[²²(6) Notwithstanding anything contained in the foregoing sub-section the State Government may in order to implement any decision taken by it in the interest of learning, teaching or research or for the benefit of teachers, students or other staff or on the basis of any suggestion or recommendation of the University Grants Commission or the State or National Education Policy with regard to the qualifications of the teachers, require the Executive Council to make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) or sub-section (1-A) within a specified time and if the Executive Council fails to comply with such requirement the State Government may, with the assent of the Chancellor, make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) or sub-section (1-A).]

(7) The Executive Council shall have no power to amend or repeal the Statutes made by the State Government under sub-section (6) or to make new or additional Statutes inconsistent with such Statutes.]

The selections which were held on 1st of August, 1975 would be governed by the first statutes which came into force from 1st August, 1975 and the candidates selected on that date will have to fulfil the qualifications laid down in those statutes. The subsequent amendment did not at all affect their position. *Dr (Miss) Raj Kumari Sharma v. Chancellor, Meerut University*, 1978 ALJ 831.

Clause (8) does not refer to any university other than the University of Meerut or to any affiliated college other than college affiliated to Meerut University. *Ram Avtar v. Meerut University*, 1986 ALJ 205.

18. Ins. by U.P. Act 19 of 1987.

19. Subs. by U.P. Act 29 of 1974, S. 15.

20. '1978' subs. by '1981' w.e.f. 1-1-1979 by U.P. Act No. 15 of 1980. '1981' subs. by '1982' w.e.f. 29-12-1981 by U.P. Act No. 25 of 1982; '1982' subs. by '1984' w.e.f. 1-1-1983 by U.P. Act 6 of 1983; '1984' subs. by 1985 (w.e.f. 31-12-1984) by U.P. Act 9 of 1985; '1985' subs. by '1987' by U.P. Act 15 of 1986; '1987' subs. by '1990' by U.P. Act 9 of 1988, S. 3 (w.e.f. 1-1-1988).

21. Ins. by U.P. Act 4 of 1995, S. 3 (w.e.f. 17-12-1994).

22. Subs. by U.P. Act 9 of 1998, S. 4 (w.e.f. 19-9-1997).

Statute 25.04.—Appeal under Statute 25.04 against an order setting aside appointment of a Lab-bearer is incompetent. *Nambardar Singh v. Director of Education*, 1985 ALJ 920.

Order of approval of appointment of Lab-bearer alleged to have been obtained by fraud can be reviewed by the approving Authority. *Ibid.*

Provision in Clause 4 of the First Statute as to the superannuation age is not violative of Article 16. *Kishori Lal v. State of U.P.*, 1978 ALJ 271.

The U.P. Universities Statutes, 1975 read the Ordinances of Sampurnanand Sanskrit Vishwavidyalaya, Varanasi prescribes preferential qualifications for selection of Professors of Education for Sampurnanand Vishwavidyalaya. Such qualification may be relaxed by the Selection Committee. *Devendra Dutta Tewari v. Chancellor*, 1978 ALJ 844.

51. Ordinances.—(1) Subject to the provisions of this Act and the Statutes the Ordinances may provide for any matter which by this Act or the Statutes is to be or may be provided for by the Ordinances.

(2) Without prejudice to the generality of the provisions of sub-section (1), the Ordinance shall provide for the following matters, namely—

- (a) the admission of students to the University and their enrolment and continuance as such;
- (b) the courses of study to be laid down for all degrees, diplomas and other academic distinctions of the University;
- (c) the conditions under which students shall be admitted to the examinations, degrees and diplomas of the University and shall be eligible for the award of such degrees and diplomas;
- (d) the conditions of the award of scholarships, fellowships, studentships, bursaries, medals and prizes;
- (e) the conditions of residence of students at the University and the management of halls and hostels maintained by the University;
- (f) the recognition and management of halls and hostels not maintained by the University;
- (g) the maintenance of discipline among the students of the University;
- (h) all matters relating to correspondence courses and private candidates;
- ²³[(i) the formation of parent-teachers association];
- (j) the fees which may be charged by the University or by an affiliated or associated college for any purpose;
- (k) the conditions subject to which persons may be recognised as qualified to give instructions in halls and hostels;
- (l) the conditions and mode of appointment and the duties of examining bodies, examiners, moderators, invigilators and tabulators;
- (m) the conduct of examinations;
- (n) the remuneration and allowances including travelling any daily allowances to be paid to persons employed on the business of the University;

23. Subs. by U.P. Act 5 of 1977, S. 18.

- (o) all other matters which by this Act or the Statutes are to be or may be provided for by the Ordinances.

Power vested in the academic body to frame Ordinances prescribing courses of study can be repeatedly exercised under the General Clauses Act. *Avadesh Kumar v. Agra University*, 1981 ALJ 237.

Implementation of new curriculum as recommended by Medical Council in 1977 with effect from December 1980 but not prior thereto does not offend Article 14 of the Constitution. *Avadesh Kumar v. Agra University*, 1981 ALJ 237.

52. Ordinance how made.—(1) The first Ordinances of each existing University shall be the Ordinances as in force immediately before the commencement of this Act insofar as they are not inconsistent with the provisions of this Act :

Provided that for the purpose of bringing the provisions of any such Ordinances into accord with the provisions of this Act and the Statutes, the Chancellor may by order make such adaptations and modifications of the Ordinances whether by way of repeal, amendment or addition as may be necessary or expedient and, provide that the ordinances shall as from such date as may be specified in the order have effect subject to the adaptations and modifications so made and any such adaptation or modification shall not be called in question.

(2) The First Ordinances of the Universities of Kumaun and Garhwal and of any other University to be established after the commencement of this Act shall be made by the State Government by notification in the Gazette.

²⁴[(2-A) Until the First Ordinances of the Purvanchal University are made under sub-section (2), the Ordinances of the University of Gorakhpur, as in force immediately before the establishment of the said University, shall apply to it subject to such adaptations and modifications as the State Government may, by notification, provide.]

(3) Save as otherwise provided in this section, the Executive Council may, from time to time, make new or additional Ordinances or may amend or repeal the Ordinances referred to in sub-sections (1) and (2) :

Provided that no Ordinance shall be made—

- (a) affecting the admission of students, or prescribing examinations to be recognized as equivalent to the University examinations or the further qualifications mentioned in sub-section (1) of Section 45 for admission to the degree courses of the University, unless a draft of the same has been proposed by the Academic Council; or
- (b) effecting the conditions and mode of appointment and duties of examiners and the conduct or standard of examinations or any course of study except in accordance with a proposal of the Faculty or Faculties concerned and unless a draft of such Ordinance has been proposed by the Academic Council; or
- (c) effecting the number, qualifications and emoluments of teachers of the University or the income or expenditure of the University, unless a draft of the same has been approved by the State Government.

24. Ins. by U.P. Act 19 of 1987.

(4) The Executive Council shall not have power to amend any draft proposed by the Academic Council under sub-section (3) but may reject it or return to the Academic Council for reconsideration either in whole or in part together with any amendments which the Executive Council may suggest.

(5) All Ordinances made by the Executive Council shall have effect from such date as it may direct and shall be submitted as soon as may be to the Chancellor.

(6) The Chancellor may, at any time signify to the Executive Council his disallowance of such Ordinances other than those referred to in clause (c) of the proviso to sub-section (3) and from the date of receipt by the Executive Council of intimation of such disallowance, such Ordinances shall become void.

(7) The Chancellor may direct that the operation of any Ordinance other than those referred to in clause (c) of the proviso to sub-section (3) shall be suspended until he has an opportunity of exercising his power of disallowance. An order of suspension under this sub-section shall cease to have effect on the expiration of one month from the date of such order.

The validity of an Ordinance passed by the Executive Council providing for revaluation cannot be attacked on the ground that principles of natural justice were violated. *Jitendra Pratap v. Registrar*, 1985 ALJ 590.

Where the Executive Council abolished the revaluation system from the examination of 1984 contrary to the recommendation of Academic Council, which sought abolition from the examination of 1983, held, the Executive Council travelled beyond its powers. *Jitendra Pratap v. Registrar*, 1985 ALJ 590.

Discontinuance of revaluation scheme only in Engineering Faculty and not in other Faculties is not violative of Article 14. *Jitendra Pratap v. Registrar*, 1985 ALJ 590.

The Executive Council passing the Ordinance has power to give them retrospective effect. *Ram Bilas v. University of Allahabad*, 1982 ALJ 1132.

53. Regulations.—(1) Subject to the provisions of this Act, the Statutes and the Ordinances, an authority or other body of the University may make Regulations—

- (a) laying down the procedure to be followed at its meeting and the number of members required to form the quorum;
- (b) providing for all matters which by this Act, the Statutes or the Ordinances are to be provided by Regulations; and
- (c) providing for any other matter solely concerning such authority or body and not provided for by this Act, the Statutes and the Ordinances.

(2) The Regulations made by any authority or other body of the University shall provide for the giving of notice to its members of the dates of meetings and the business to be transacted thereat and for the keeping of record of the proceedings of such meetings.

(3) The Executive Council may direct any authority or other body of the University other than the Court to cancel or to amend in such form as may be specified in the direction, any Regulation made by such authority or body and such authority or body shall thereupon cancel or amend the Regulation accordingly :

Provided that any authority or other body of the University, if dissatisfied with any such direction may appeal to the Chancellor who may after obtaining the views of the Executive Council pass such orders as he thinks fit.

(4) The Academic Council may subject to the provisions of the Ordinances, make Regulations providing for the course of study for any examination, degree or diploma of the University only after the Board of Faculty concerned has proposed a draft of the same.

(5) The Academic Council shall not have power to amend or reject any draft proposed by the Board of Faculty under sub-section (4), but may return it to the Board for further consideration together with its own suggestions.

CHAPTER X

ANNUAL REPORTS AND ACCOUNTS

54. Annual Report.—(1) The Annual Report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court a month before its annual meeting and the Court shall consider it in its annual meeting.

(2) The Court may, by resolution make recommendations on such report and communicate the same to the Executive Council which may take such action thereon as it thinks fit.

55. Accounts and audit.—(1) The annual accounts and balance-sheet of the University shall be prepared under the direction of the Executive Council and all money accruing to or received by the University from whatever source and all amounts disbursed or paid shall be entered in the accounts maintained by the University.

(2) A copy of the annual accounts and the balance-sheet shall be submitted to the State Government which shall cause the same to be audited.

(3) The annual accounts and the balance-sheet audited shall be printed and copies thereof shall, together with copies of the audit report be submitted by the Executive Council, to the Court and the State Government.

(4) The Executive Council shall also prepare, before such date as may be prescribed, the budget for the ensuing year.

(5) Every item of new expenditure above such amount as may be prescribed which it is proposed to include in the budget shall be referred by the Executive Council to the Finance Committee which may make recommendations thereon.

(6) The Executive Council shall, after considering the recommendations if any, of the Finance Committee approve the budget finally.

(7) The annual accounts, the balance-sheet and the audit report shall be considered by the Court at its annual meeting and the Court may, by resolution, make recommendations with reference thereto and communicate the same to the Executive Council.

(8) It shall not be lawful for the Vice-Chancellor or the Executive Council to incur any expenditure—

(a) either not sanctioned in the budget, or in the case of funds granted to the

University, subsequent to the sanction of the budget, by the State Government or the Government of India or the University Grants Commission or any international organisation or Foundation, save in accordance with the terms of such grant :

Provided that notwithstanding anything in sub-section (7) of Section 13, the Vice-Chancellor may, in the case of fire, flood, excessive rainfall or other sudden or, unforeseen circumstances, incur non-recurring expenditure not exceeding rupees five thousand not sanctioned in the budget and he shall immediately inform the State Government in respect of all such expenditure;

- (b) on any litigation in opposition to ²⁵[any order of the Chancellor or of the State Government purporting to be made under this Act].

²⁶[**55-A. Surcharge.**—(1) An officer specified in any of the clauses (c) to (i) of Section 9 shall be liable to surcharge for the loss, waste or misapplication of any money or property of the University, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct.

(2) The procedure of surcharge and the manner of recovery of the amount involved in such loss, waste or misapplication shall be such as may be prescribed.]

CHAPTER XI

REGULATION OF DEGREE COLLEGES

56. Definitions.—In this Chapter, unless the context otherwise requires—

- (a) 'property', in relation to an affiliated or associated college, includes all property, movable and immovable, belonging to or endowed wholly or partly for the benefit of the college, including lands, buildings (including hostels), works, library, laboratory, instruments, equipment, furniture, stationery, stores, automobiles and other vehicles, if any, and other things pertaining to the college, cash on hand, cash at bank, investments, and book debts and all other rights and interests arising out of such property as may be in the ownership, possession, power or control of the college and all books of account, registers, and all other documents of whatever nature relating thereto, and shall also be deemed to include all subsisting borrowings, liabilities and obligations of whatever kind of the college;
- (b) 'salary' means the aggregate of the emoluments including dearness or any other allowance for the time being payable to a teacher or other employee after making permissible deductions.

57. Power of the State Government to issue notice.—If the State Government receives information in respect of any affiliated or associated college (other than a college maintained exclusively by the State Government or a local authority)—

- (i) that its Management has persistently committed wilful default in paying the salary of the teachers or other employees of the college by the

25. Subs. by U.P. Act 12 of 1978, S. 5.

26. Ins. by U.P. Act 12 of 1978, S. 6.

twentieth day of the month next following the month in respect of which or any part of which it is payable; or

- (ii) that its Management has failed to appoint teaching staff possessing such qualifications as are necessary for the purpose of ensuring the maintenance of academic standards in relation to the college or has appointed or retained in service any teacher in contravention of the Statute or Ordinances ^{26a}[or has failed to comply with the orders of the Director of Education (Higher Education) made on the basis of the recommendation of the Uttar Pradesh Higher Education Services Commission under the Uttar Pradesh Higher Education Services Commission Act, 1980,] or
- (iii) that any dispute with respect to the right claimed by different persons to be lawful office-bearers of its Management has affected the smooth and orderly administration of the college; or
- (iv) that its Management has persistently failed to provide the college with such adequate and proper accommodation, library, furniture, stationery, laboratory, equipment, and other facilities, as are necessary for efficient administration of the college; or
- (v) that its Management has substantially diverted, misapplied or misappropriated the property of the college to the detriment of the college;

it may call upon the Management to show cause why an order under Section 58 should not be made :

Provided that where it is in dispute as to who are the office-bearers of the Management, such notice shall be issued to all persons claiming to be so.

Action under Sections 57 and 58 against a Management Committee cannot be taken for faults of previous committee. *Committee of Management v. D.A.V. Degree College*, 1985 ALJ 1136.

Where the college which made default in payment of salaries of its teachers was receiving grant from State Government and was affiliated college of Kanpur University, it was held that the State Government was liable to pay salaries of the teachers. *Board of Trustees v. State of U.P.*, 1982 ALJ 698.

The word "persistent" used in clauses (i) and (iv) of Section 57 connotes something more than once. *Board of Trustees v. State of U.P.*, 1982 ALJ 698.

For supersession of Managing Committee on ground of diversion of funds both ingredients, namely, that there had been a diversion and it was to the detriment of college must exist. *Nathimal Ramsai Mal Edward Coronation College Association v. State of U.P.*, 1979 ALJ 1103.

Suspension of a Principal by the Management Committee in contemplation of disciplinary proceedings against him is not a good ground for action under Sections 57 and 58 of the Act. *Committee of Management v. D.A.V. Degree College*, 1985 ALJ 1136.

State Government should record reasons for suspension of Management Committee. *Ch. C.R. College v. Meerut University*, 1976 ALJ 680.

Mere pendency of a suit challenging validity of the election of office-bearers could not be a ground for issuing suspension order pending enquiry. *Ch. C.R. College v. Meerut University*, 1976 ALJ 680.

The word "information" in Section 57 indicates that State Government can act on any information received by it and it need not be only after it gets the college inspected as provided under Section 40 of the Act. *Board of Trustees v. State of U.P.*, 1982 ALJ 698.

58. Authorised Controller.—(1) If the State Government after considering the explanation, if any, submitted by the Management under Section 57 is satisfied

26a. Ins. by U.P. Act 9 of 1998, S. 5 (w.e.f 19-9-1997).

that any ground mentioned in that section exists, it may, by order, authorise any person (hereinafter referred to as the Authorised Controller) to take over, for such period not exceeding two years as may be specified, the Management of the college and its property to the exclusion of the Management and whenever the Authorised Controller so takes over the Management, he shall, subject only to such restrictions as State Government may impose, have in relation to the Management of the college and its property all such powers and authority as the Management would have if the college and its property were not taken over under this sub-section :

Provided that if the State Government is of opinion that it is expedient so to do in order to continue to secure the proper Management of the college and its property, it may, from time to time, extend the operation of the order for such period, not exceeding one year at a time, as it may specify, so however, that the total period of operation of the order, including the period specified in the initial order under this sub-section does not exceed ²⁷[five years] :

²⁸[Provided further that if at the expiration of the said period of five years, there is no lawfully constituted Management of the college the Authorised Controller shall continue to function as such, until the State Government is satisfied that the Management has been lawfully constituted :

Provided also that the State Government may, at any time, revoke an order made under this sub-section.]

(2) Where the State Government while issuing a notice under Section 57 is of opinion, for reasons to be recorded, that immediate action is necessary in the interest of the college, it may suspend the Management, which shall thereupon cease to function, and make such arrangement as it thinks proper for managing the affairs of the college and its property till further proceedings are completed :

Provided that no such order shall remain in force for more than six months from the date of actual taking over the Management in pursuance of such order :

Provided further that in computation of the said period of six months, the time during which the operation of the order was suspended by any order of the High Court passed in exercise of jurisdiction under Article 226 of the Constitution or any period during which the Management failed to show cause in pursuance of the notice under Section 57, shall be excluded.

(3) Nothing in sub-section (1), shall be construed to confer on the Authorised Controller the power to transfer any immovable property belonging to college (except by way of letting from month to month in the ordinary course of management or to create any charge thereon) except as a condition of receipt of any grant-in-aid of the college from the State Government or the Government of India.

(4) Any order made under this section shall have effect notwithstanding anything inconsistent therewith contained in any other enactment or in any instrument relating to the management and control of the college or its property :

Provided that the property of the college and any income therefrom shall continue to be applied for the purposes of the college as provided in any such instrument.

27. 'Four years' substituted by 'five years' (w.e.f. 25-6-1982) by U.P. Act 4 of 1983.

28. Subs. by U.P. Act 4 of 1983 (w.e.f. 25-6-1982).

twentieth day of the month next following the month in respect of which or any part of which it is payable; or

- (ii) that its Management has failed to appoint teaching staff possessing such qualifications as are necessary for the purpose of ensuring the maintenance of academic standards in relation to the college or has appointed or retained in service any teacher in contravention of the Statute or Ordinances ^{26a}[or has failed to comply with the orders of the Director of Education (Higher Education) made on the basis of the recommendation of the Uttar Pradesh Higher Education Services Commission under the Uttar Pradesh Higher Education Services Commission Act, 1980,] or
- (iii) that any dispute with respect to the right claimed by different persons to be lawful office-bearers of its Management has affected the smooth and orderly administration of the college; or
- (iv) that its Management has persistently failed to provide the college with such adequate and proper accommodation, library, furniture, stationery, laboratory, equipment, and other facilities, as are necessary for efficient administration of the college; or
- (v) that its Management has substantially diverted, misapplied or misappropriated the property of the college to the detriment of the college;

it may call upon the Management to show cause why an order under Section 58 should not be made :

Provided that where it is in dispute as to who are the office-bearers of the Management, such notice shall be issued to all persons claiming to be so.

Action under Sections 57 and 58 against a Management Committee cannot be taken for faults of previous committee. *Committee of Management v. D.A.V. Degree College*, 1985 ALJ 1136.

Where the college which made default in payment of salaries of its teachers was receiving grant from State Government and was affiliated college of Kanpur University, it was held that the State Government was liable to pay salaries of the teachers. *Board of Trustees v. State of U.P.*, 1982 ALJ 698.

The word "persistent" used in clauses (i) and (iv) of Section 57 connotes something more than once. *Board of Trustees v. State of U.P.*, 1982 ALJ 698.

For supersession of Managing Committee on ground of diversion of funds both ingredients, namely, that there had been a diversion and it was to the detriment of college must exist. *Nathimal Ramsai Mal Edward Coronation College Association v. State of U.P.*, 1979 ALJ 1103.

Suspension of a Principal by the Management Committee in contemplation of disciplinary proceedings against him is not a good ground for action under Sections 57 and 58 of the Act. *Committee of Management v. D.A.V. Degree College*, 1985 ALJ 1136.

State Government should record reasons for suspension of Management Committee. *Ch. C.R. College v. Meerut University*, 1976 ALJ 680.

Mere pendency of a suit challenging validity of the election of office-bearers could not be a ground for issuing suspension order pending enquiry. *Ch. C.R. College v. Meerut University*, 1976 ALJ 680.

The word "information" in Section 57 indicates that State Government can act on any information received by it and it need not be only after it gets the college inspected as provided under Section 40 of the Act. *Board of Trustees v. State of U.P.*, 1982 ALJ 698.

58. Authorised Controller.—(1) If the State Government after considering the explanation, if any, submitted by the Management under Section 57 is satisfied

26a. Ins. by U.P. Act 9 of 1998, S. 5 (w.e.f 19-9-1997).

that any ground mentioned in that section exists, it may, by order, authorise any person (hereinafter referred to as the Authorised Controller) to take over, for such period not exceeding two years as may be specified, the Management of the college and its property to the exclusion of the Management and whenever the Authorised Controller so takes over the Management, he shall, subject only to such restrictions as State Government may impose, have in relation to the Management of the college and its property all such powers and authority as the Management would have if the college and its property were not taken over under this sub-section :

Provided that if the State Government is of opinion that it is expedient so to do in order to continue to secure the proper Management of the college and its property, it may, from time to time, extend the operation of the order for such period, not exceeding one year at a time, as it may specify, so however, that the total period of operation of the order, including the period specified in the initial order under this sub-section does not exceed ²⁷[five years] :

²⁸[Provided further that if at the expiration of the said period of five years, there is no lawfully constituted Management of the college the Authorised Controller shall continue to function as such, until the State Government is satisfied that the Management has been lawfully constituted :

Provided also that the State Government may, at any time, revoke an order made under this sub-section.]

(2) Where the State Government while issuing a notice under Section 57 is of opinion, for reasons to be recorded, that immediate action is necessary in the interest of the college, it may suspend the Management, which shall thereupon cease to function, and make such arrangement as it thinks proper for managing the affairs of the college and its property till further proceedings are completed :

Provided that no such order shall remain in force for more than six months from the date of actual taking over the Management in pursuance of such order :

Provided further that in computation of the said period of six months, the time during which the operation of the order was suspended by any order of the High Court passed in exercise of jurisdiction under Article 226 of the Constitution or any period during which the Management failed to show cause in pursuance of the notice under Section 57, shall be excluded.

(3) Nothing in sub-section (1), shall be construed to confer on the Authorised Controller the power to transfer any immovable property belonging to college (except by way of letting from month to month in the ordinary course of management or to create any charge thereon) except as a condition of receipt of any grant-in-aid of the college from the State Government or the Government of India.

(4) Any order made under this section shall have effect notwithstanding anything inconsistent therewith contained in any other enactment or in any instrument relating to the management and control of the college or its property :

Provided that the property of the college and any income therefrom shall continue to be applied for the purposes of the college as provided in any such instrument.

27. 'Four years' substituted by 'five years' (w.e.f. 25-6-1982) by U.P. Act 4 of 1983.

28. Subs. by U.P. Act 4 of 1983 (w.e.f. 25-6-1982).

(5) The Director of Education (Higher Education) may give to the Authorised Controller such directions as he may deem necessary for the proper management of the college or its property, and the Authorised Controller shall carry out those directions.

Where the inspection report of the Deputy Director was not furnished or disclosed to the college management, the order of appointment of Authorised Controller was not sustainable. *Board of Trustees v. State of U.P.*, 1982 ALJ 698.

Extension of the term of the Authorised Controller on the ground that the Management had, during the period the Authorised Controller was in charge of the property of college, failed to remove certain defects is not valid. *Committee of Management v. State of U.P.*, 1982 ALJ 1403.

Order suspending committee of Management without giving opportunity of hearing is not illegal. *Swami Devanand Snatak Mahavidyalaya v. State of U.P.*, 1979 ALJ (NOC) 23.

For passing an order taking over management of a private college and appointment of an Authorised Controller, the Vice-Chancellor is not required to give opportunity to the Managing Committee to rectify the defects. *Nathimal Ramsai Mal Edward Coronation College Association v. State of U.P.*, 1979 ALJ 1103.

59. Clause 58 not applied to minority colleges.—Nothing contained in Section 58, shall apply to a college established and administered by a minority referred to in clause (1) of Article 30 of the Constitution of India.

60. Duty to deliver possession to the Authorised Controller.—(1) Where an order has been passed under Section 58 in respect of a college, every person in whose possession or custody or under whose control any property of the college may be, shall deliver the property to the Authorised Controller forthwith.

(2) Any person who on the date of such order has in his possession or under his control any books or other documents relating to the college or to its property shall be liable to account for the said books and other documents to the Authorised Controller and shall deliver them up to him or to such person as the Authorised Controller may specify in this behalf.

(3) The Authorised Controller may apply to Collector for delivery of possession and control over the college or its property or any part thereof, and the Collector may take all necessary steps for securing possession to the Authorised Controller of such college or property, and in particular, may use or cause to be used such force as may be necessary.

²⁹[CHAPTER XI-A

PAYMENT OF SALARY TO TEACHERS AND OTHER EMPLOYEES OF DEGREE COLLEGES

60-A. Definitions.—In this Chapter, unless the context otherwise requires—

- (i) 'College' means any college affiliated to or recognised by any University in accordance with the provision of this Act or the Statutes made thereunder and for the time being receiving maintenance grant from the State Government (but does not include a college maintained exclusively by the State Government or a ³⁰[Nagar Mahapalika];

29. Chapter XI-A ins. by U.P. Act 21 of 1975, S. 9.

30. Words "local authority" subs. by "Nagar Mahapalika" by U.P. Act 15 of 1980 (w.e.f. 26-9-1979).

- (ii) 'Deputy Director' means the Regional Deputy Director of Education and includes any other officer authorised by the State Government to perform all or any of the functions of the Deputy Director under this Chapter;
- (iii) 'employee', in relation to a college, means a non-teaching employee of such college :
 - (a) in respect of whose employment maintenance grant was being paid by the State Government during the financial year 1974-75; or
 - (b) who was appointed to a post with the permission of the Director of Education (Higher Education);
- (iv) 'maintenance grant' means such grant-in-aid of a college as the State Government by general or special order in that behalf directs to be treated as maintenance grant appropriate to the level of that college;
- (v) 'salary' shall have the meaning assigned to it, in clause (b) of Section 56;
- (vi) 'teacher', in relation to a college, means a teacher in respect of whose employment maintenance grant was being paid by the State Government during the financial year 1974-75, or who is employed with the approval of the Vice-Chancellor of the University concerned—
 - (a) to a post created, before April 1, 1975, with the permission of the Vice-Chancellor concerned; or
 - (b) to a post created, after March 31, 1975, with the permission of the Director of Education (Higher Education).

In fixing salary of a lecturer whose temporary service as well as regular appointment has been approved by the V.C. his temporary service also has to be counted. *Ram Anugrah v. Director of Education*, 1986 ALJ 1138.

60-B. Payment of salary within time and without unauthorised deductions.—(1) Notwithstanding any contract to the contrary, the salary of a teacher or other employee of any college in respect of any period after the 31st day of March, 1975, shall be paid to him before the expiry of the 20th day or such earlier day as the State Government may, by general or the month in behalf, appoint, of the month next following special order in that respect of which or any part of which it is payable.

(2) The salary shall be paid without deductions of any kind except those authorised by this Act, the Statutes or the Ordinances, or by any other law for the time being in force.

60-C. Power to inspect.—(1) The Deputy Director may at any time, for the purposes of this Chapter, inspect or cause to be inspected any college or call for such information and records (including registers, books of account and vouchers) from its management with regard to the payment of salaries to its teachers or employees or give to its management any direction for the observance of such canons of financial propriety (including any direction for retrenchment of any teacher or employee or for prohibition of any wasteful expenditure) as he thinks fit.

(2) Every direction for retrenchment under sub-section (1) shall be issued after obtaining the prior approval of the Director of Education (Higher Education) and shall specify a future date on which such retrenchment shall become operative.

(3) Where any direction for retrenchment is issued in accordance with sub-sections (1) and (2), the teacher or the employee concerned shall, with effect from the date specified in such direction, cease to be a teacher or employee of the college for the purposes of the maintenance grant payable under this Chapter.

³¹[60-CC. **Supernumerary post of teachers.**—The Vice-Chancellor may with the prior approval of the State Government create any supernumerary post with a view to enabling a teacher who is for the time being holding responsible position of a national importance in India or abroad in educational administration or other similar assignment to retain his lien and seniority as such teacher and also to continue to earn increments in his pay scale during the period of his assignment and to contribute towards provident fund and earn retirement benefits, if any, in accordance with the Statutes :

Provided that no salary shall be payable to such teacher by the college for the period of such assignment.]

60-D. Procedure for payment of salary in case of certain colleges.—(1) The management of every college shall for the purposes of disbursement of salaries to its teachers and employees open in a scheduled bank or a co-operative bank or post office, a separate account (hereinafter in this Chapter called 'Salary Payment Account') to be operated jointly by a representative of the management and by the Deputy Director or such other officer as may be authorised by the Deputy Director in that behalf :

Provided that after the Salary Payment Account is opened, the Deputy Director may, if he is, subject to any rules made under Section 60-H satisfied that it is expedient in the public interest so to do, instruct the bank that the account shall be operated by the representative of the management alone, and may at any time revoke such instruction :

Provided further that in the case referred to in sub-section (3), or where in any other case after giving to the Management an opportunity of showing cause, the Deputy Director is of opinion that it is necessary or expedient so to do, the Deputy Director may instruct the bank that the Salary Payment Account shall be operated only by himself, or by such other officer as may be authorised by him in that behalf and may at any time revoke such instruction.

(2) The State Government may, from time to time, require by general or special order that the Management of a college shall deposit in the Salary Payment Account, such portion of the amount received from students as fees and also such portion, if any, of the income received from any property, movable or immovable belonging to or endowed wholly or partly for the benefit of the college, and by such date, as may be specified in that order, and thereupon, the Management shall be bound to comply with such direction.

(3) Where the Deputy Director is of opinion that the Management has failed to deposit the fees in accordance with the provisions of sub-section (2) or the orders issued thereunder, the Deputy Director may, by order, prohibit the Management from realising any fees from the students and thereupon, the Deputy Director may

31. Ins. by U.P. Act 5 of 1977, S. 19.

realise the fees (either through the teachers of the college or in such other manner as he thinks fit) directly from the students and shall deposit the fees so recovered in the Salary Payment Account.

(4) The State Government shall also pay into the Salary Payment Account such amount as maintenance grant, which, after taking into consideration the amounts deposited under sub-sections (2) and (3), is necessary for making payment in accordance with sub-section (5).

(5) No money credited to the Salary Payment Account shall be applied for any purpose except the following, namely—

- (a) for payment of salary to the teachers and other employees of the college falling due for any period after March 31, 1975;
- (b) for crediting the Management's contribution, if any to the provident fund accounts of teachers and employees of the college concerned.

(6) The salary of a teacher or employees shall be paid by transfer of the amount from the Salary Payment Account to his account, if any, in the same bank, or if he has no account in that bank, then by cheque.

60-E. Liability in respect of Salary.—^{31a}(1) The State Government shall be liable for payment of salaries against such posts of teachers and employees of every such college that was taken in grant-in-aid list by the State Government on or after March 31, 1975:

Provided firstly that the Director of Higher Education or an officer authorized by him to sanction grant-in-aid to the college has paid the salary against such posts within one year after the college was taken in grant-in-aid list:

Provided secondly that the posts in a grant-in-aid college which were created after the college was taken in grant-in-aid list with the permission of the Director, Higher Education or by the State Government and were duly filled with the approval of the Director of Higher Education or an officer authorized by him after March 31, 1975:

Provided thirdly that the State Government shall not be liable for payment of salaries of teachers and employees of a college where permission to create posts was granted by the Director of Higher Education or by the State Government on the condition that the management of the respective college shall bear the liability of payment of salary against the posts so created:

Provided fourthly that the colleges in which affiliation for certain number of subjects of undergraduate and post-graduate courses has been accorded by the Chancellor under self-financing scheme, the State Government shall not be liable to pay salary of teachers and employees appointed in connection with imparting instruction in such course.]

(2) The State Government may recover any amount in respect of which any liability is incurred by it under sub-section (1) by attachment of the income from the property belonging to or vested in the college as if that amount were an arrear of land revenue due from such college.

(3) Nothing in this section shall be deemed to derogate from the liability of the college for any such dues to the teacher or employee.

60-F. Punishment, penalties and procedure.—(1) If any default is committed in complying with any direction under Section 60-C, or with the provisions of Section 60-B or Section 60-D, every person who at the time the default was committed was manager or any other person vested with the authority to manage and conduct the affairs of the college shall, unless he proves that the default was committed without his

31a. Subs. by U.P. Act 1 of 2004, S. 6 (w.e.f. 11-7-2003).

knowledge or that he exercised all due diligence to prevent the commission of the default, be punishable, in the case of a default in complying with the provisions of Section 60-B with fine which may extend to one thousand rupees, and in the case of any other default with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

(2) No court shall take cognizance of any offence punishable under this section except with the previous sanction of the Deputy Director.

(3) Every offence under this section shall be cognizable, but no police officer below the rank of a Deputy Superintendent shall investigate any such offence without the order of a Magistrate of the first class or make arrest therefor without a warrant.

(4) No court below the rank of a Magistrate of the first class shall take cognizance of an offence under this section.

60-G. Finality of orders.—No order made or direction given by the State Government, the Director of Education (Higher Education), the Deputy Director or other officer in exercise of any power conferred by or under this Chapter shall be called in question in any court.

60-H. Rule-making power.—(1) The State Government may by notification in the Gazette, make rules for carrying out the purposes of this Chapter.

(2) All rules made under this Chapter shall, as soon as may be after they are made, be laid before each House of the State Legislature while it is in session for a total period of thirty days comprised in its one session or more than one successive sessions and shall, unless some later date is appointed, take effect from the date of their publication in the Official Gazette, subject to such modifications or annulments as the two Houses of Legislature may during the said period agree to make, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.]

CHAPTER XII

PENALTIES AND PROCEDURE

61. Penalties.—(1) Whoever contravenes the provisions of Section 46 shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees or both.

(2) Any person who—

- (a) having in his possession, custody or control any property of a college in respect of which an order has been made under Section 58 wrongfully withholds such property from the Authorised Controller appointed under that section or from any person authorised by him in that behalf; or
- (b) wrongfully obtains possession of any property of such college; or
- (c) wilfully withholds or fails to furnish the Authorised Controller or any person specified by him as required by sub-section (2) of Section 60 any books or other documents which may be in his possession, custody or control; or
- (d) wilfully obstructs any person from duly carrying out all or any of the provisions of this Act;

shall, on conviction be punished with imprisonment for a term which may extend to one year, or with fine or with both :

Provided that the Court trying any offence under clause (a) or clause (b) of this sub-section may at the time of convicting the accused person, order him to deliver up or refund within a time to be fixed by the Court any property wrongfully withheld or wrongfully obtained or any books or other documents wilfully withheld.

62. Cognizance by Courts.—No court shall take cognizance of an offence punishable under Section 61 except with the previous sanction of the Director of Education (Higher Education).

63. Offences by registered societies.—(1) If the person committing the offence under Section 61 is a society registered under the Societies Registration Act, 1860, the society as well as every person in charge of and responsible to the society for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where any offence under this Act has been committed by a registered society and it is proved that the offence has been committed with the consent or connivance of, or that the commission of offence is attributable to any neglect on the part of any member of the society, such member shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

CHAPTER XIII

MISCELLANEOUS

64. Manner of appointment of officers and members of authorities.—(1) Except as expressly provided by this Act or the Statutes, officers of the University and members of authorities of the University shall so far as may be, be chosen by methods other than election.

(2) Where a provision is made in this Act or the Statutes for any appointment by rotation or according to seniority or other qualifications the manner of rotation and determination of seniority and other qualifications shall be such as may be prescribed.

(3) Where a provision for an election is made in this Act, such election shall be conducted according to the system of proportional representation by means of the single transferable vote, and where provision for an election is made in the Statutes it shall be held in such manner as the Statutes may provide.

(4) Except as expressly provided by this Act, no officer or employee of the University shall be eligible to seek election to any authority or other body of the University.

65. Filling of casual vacancies.—(1) Any casual vacancy among the members, other than *ex officio* members, of any authority or body of the University shall be filled in the same manner in which the members whose vacancy is to be filled up was chosen, and the person filling the vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

(2) A person, who is a member of any authority of the University as a representative of another body, whether of the University or outside, shall retain his seat on such authority for so long as he continues to be the representative of such body [* * *]³².

The member of the Executive Council retains his seat even after expiry of 3 years till his successor is appointed. *Sunit Vyas v. Vice-Chancellor, Allahabad*, 1986 ALJ 1383.

32. Words "and thereafter till his successor is duly appointed" omitted by U.P. Act 9 of 1998, S. 6 (w.e.f. 19-9-1997).

66. Proceeding not to be invalidated by vacancies, etc.—No act or proceeding, of any authority or body or committee of the University shall be invalid merely by reason of—

- (a) any vacancy or defect in the constitution thereof, or
- (b) some person having taken part in the proceedings who was not entitled to do so, or
- (c) any defect in the election, nomination or appointment of a person acting as member thereof, or
- (d) any irregularity in its procedure not affecting the merits of the case.

Readmission to a student who discontinued his studies in earlier session is illegal which cannot be cured under Section 66. *Kamal Singh v. Vice-Chancellor, Allahabad University*, 1986 ALJ 135.

Incomplete quorum does not invalidate decision taken by Board of Studies on merits. *N.D. Tahiliani v. R.P. Misra*, 1987 ALJ 860.

^{32a}**[66-A.** The State Government may issue such directions from time to time to a University on policy matters, not inconsistent with the provisions of this Act as it may deem necessary such direction shall be complied with by the University.]

67. Removal from membership of the University.—The Court may, by a two-third majority of the members present and voting remove any person from membership of any authority or other body of the University upon the ground that such person has been convicted of an offence which, in the opinion of the Court, is an offence involving moral turpitude or upon the ground that he has been guilty of scandalous conduct or had behaved in a manner unbecoming of a member of the University and may upon the same grounds withdraw from any person any degree, or certificate conferred or granted by the University.

68. Reference to the Chancellor.—If any question arises whether any person has been duly elected or appointed as, or is entitled to be, member of any authority or other body of the University, or whether any decision of any authority or officer of the University ³³[(including any question as to the validity of a Statute, Ordinance or Regulation, not being a Statute or Ordinance made or approved by the State Government or by the Chancellor)] is in conformity with this Act or the Statutes or the Ordinance made thereunder, the matter shall be referred to the Chancellor and the decision of the Chancellor thereon shall be final :

Provided that no reference under this section shall be made—

- (a) more than three months after the date when the question could have been raised for the first time;
- (b) by any person other than an authority or officer of the University or a person aggrieved :

Provided further that the Chancellor may in exceptional circumstances—

- (a) act *suo motu* or entertain a reference after the expiry of the period mentioned in the preceding proviso;
- (b) where the matter referred relates to a dispute about the election, and the eligibility of the person so elected is in doubt, pass such orders of stay as he thinks just and expedient;

32a. Ins. by U.P. Act 1 of 2004, S. 7 (w.e.f. 21-1-2003).

33. Ins. by U.P. Act 21 of 1975, S. 10.

(c) ³⁴[* * *]

Civil suit against recommendations made by Selection Committee or an order passed by the Vice-Chancellor or Chancellor is not maintainable. *Rajendra v. Civil Judge*, 1980 ALJ 1115.

For the appointment to the post of a reader in Sampurnanand Sanskrit University, it is mandatory to have a doctorate in the subject of study concerned. *Paras Nath v. Chancellor*, 1982 ALJ 961.

Where there is unanimity of opinion on first choice of a candidate between the Selection Committee and the Management Committee the Chancellor has no jurisdiction to interfere with such decision. *Kamal Kanti v. Chancellor*, 1985 ALJ NOC 6.

Writ against the decision of Examination Committee without availing remedy under Section 68 is not maintainable. *Atul Goel v. Registrar*, 1985 ALJ 968.

Recommendation of the Selection Committee under Section 3 is a "decision" within the meaning of Section 68. Hence representation against such recommendation is maintainable. *Mathura Prasad Singh v. Chancellor*, 1984 ALJ 21.

Representation against appointment of teachers can be filed by a candidate for the post in question. *P.S. Malik v. Chancellor*, 1982 ALJ 774.

The Chancellor acts quasi-judicially when passing an order under Section 68. An order relating to disputed claim of seniority passed without hearing the affected party is illegal. *Ganga Sharan v. Chancellor*, 1978 ALJ 92.

³⁵[68-A. Power of Vice-Chancellor to enforce his order against Management.—(1) Where a decision of the Management of an affiliated or associated college to dismiss, remove or to reduce a teacher in rank or to punish him in any other manner or to terminate his services, has not been approved by the Vice-Chancellor or where an order of suspension of such teacher has been stayed, revoked or modified by the Vice-Chancellor in accordance with the provisions of this Act or of an Act repealed by Section 74, and the management has committed default in paying the salary of such teacher which became due to him in consequence of the Vice-Chancellor's order, the Vice-Chancellor may pass an order, requiring the management to pay the amount of salary as may be specified in the order and during the period of suspension, may also require the management to pay the suspension allowance at the rate of one-half of the salary payable, if the said amount has not been paid.

(2) In any such case as is referred to in sub-section (1), the Vice-Chancellor may also order reinstatement of the teacher concerned subject to such terms and the conditions as he thinks fit.

(3) The amount of salary or suspension allowance required to be paid under an order of the Vice-Chancellor under sub-section (1) shall on a certificate issued by him to the effect, be recoverable by the Collector as arrears of land revenue.

(4) Every order of the Vice-Chancellor under sub-section (2) shall be executable by the lowest civil court having territorial jurisdiction, as if it were a decree of that court.

(5) No suit shall lie against any management or teacher in respect of any matter for which a relief can be granted by the Vice-Chancellor under this section.]

34. Omitted by U.P. Act 5 of 1977, S. 20.

35. Ins. by U.P. Act 5 of 1977, S. 21.

³⁶[69. **Bar of suit.**—No suit or other legal proceedings shall lie against the State Government or the Director of Education (Higher Education) or the Deputy Director (as defined in Section 60-A) or the Authorised Controller or the University or any officer, authority or body thereof in respect of anything done or purported or intended to be done in pursuance of the Act or the rules or the Statutes or the Ordinances made thereunder.]

70. Mode of proof of University record.—(1) A copy of any receipt, application, notice, order, proceeding, or resolution of any authority or committee of the University or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceedings, resolution or document or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein recorded where the original thereof would, if produced, have been admissible in evidence.

(2) No officer or servant of the University shall in any proceeding to which the University is not a party, be required to produce any document, register or other record of the University the contents of which can be proved under sub-section (1) but a certified copy, or to appear as a witness to prove the matters and transactions recorded therein unless by order of the court made for special cause.

CHAPTER XIV

TRANSITORY PROVISION

71. Continuation of existing Officers of the University.—Subject to the provisions of this Act, every person holding office as an officer of an existing University on the date immediately before the commencement of this Act shall continue to hold office on the same terms and conditions until the expiration of his term of office.

72. Constitution of authorities.—³⁷[(1) Every authority of an existing University shall, as soon as may be after the commencement of this Act, be constituted in accordance with the provisions of this Act, and every person holding office as member of such authority immediately before the commencement of this Act shall, on the date of such commencement, cease to be such member.]

(2) Until any authority of the University is constituted under sub-section (1), the State Government may, by order direct from time to time by whom and in what manner the powers, duties and functions exercisable or dischargeable under this Act by any authority of University shall be exercised or discharged :

Provided that no such direction shall be issued after December 31, ³⁸[[1981]]³⁹.

(3) The Administrative Committees and the Academic Committees constituted, in pursuance of sub-section (2) of Section 67 of the Uttar Pradesh State Universities

36. Subs. by U.P. Act 21 of 1975, S. 11.

37. Subs. by U.P. Act 21 of 1975, S. 12.

38. Subs. by U.P. Act 5 of 1977, S. 22 and U.P. Act 12 of 1978, S. 7.

39. '1978' substituted by '1981' w.e.f. January 1, 1979 by U.P. Act 15 of 1980.

Ordinance, 1973, shall, on 15th September 1973, stand dissolved except as respect things done or omitted to be done by such Committees before that date, but nothing in this sub-section shall be deemed to preclude the State Government from taking, as from that date, such action under sub-section (2) as it thinks fit.

⁴⁰[72-A. **Transitory provisions regarding Kashi Vidyapith.**—Notwithstanding anything contained in this Act—

- (a) every person holding office as an officer (other than the Chancellor) of the Kashi Vidyapith on the date immediately before its establishment as a University shall continue to hold office as such on the same terms and conditions except as respect tenure as he held on the said date until fresh appointments are made under clause (b);
- (b) as soon as may be after the commencement of this section, the State Government may appoint interim officers of the said University (other than the Chancellor) and shall constitute interim authorities of the said University in such manner as it thinks fit, upon which the corresponding officers referred to in clause (a) shall cease to hold office and the corresponding authorities, shall stand dissolved forthwith;
- ⁴¹[(c) the officers appointed and the members of the authorities constituted under clause (b) shall hold office up to [December 31, 1981]⁴², or until the appointment of the officers or the constitution of the authorities in accordance with clause (d) whichever be earlier;
- (d) the State Government shall take steps for the appointment of officers and constitution of authorities of the said University in accordance with the provisions of this Act, so that the same may be completed before the expiry of the respective terms of the interim officers and members under clause (c).]

⁴³[72-B. **Transitory provision on change of name of Garhwal University.**—With effect from April 25, 1989 any reference to the University of Garhwal in this Act or any rules, statutes, ordinances, statutory instruments, or any other law for the time being in force or in any documents or proceedings shall be construed as a reference to the Hemvati Nandan Bahuguna Garhwal University.]

⁴⁴[72-C. **Transitory provisions on change of name of University of Meerut.**—With effect from January 17, 1994 any reference to the University of Meerut in this Act, or any rules, statutes, Ordinances, statutory instruments or any other law for the time being in force or in any document or proceedings shall be construed as a reference to the Chaudhary Charan Singh University, Meerut.]

⁴⁵[72-D. **Transitory provisions on the change of name of the University of Avadh.**—[(1)]⁴⁶ With effect from June 18, 1994 any reference to the University of

40. *Ins.* by U.P. Act 29 of 1974, S. 16.

41. *Subs.* by U.P. Act 12 of 1978, S. 8.

42. '1978' *subs.* by '1981' (w.e.f. 1-1-1979) by U.P. Act No. 15 of 1980.

43. *Ins.* by U.P. Act 26 of 1989, S. 3 (w.e.f. 24-4-1989).

44. *Ins.* by U.P. Act 5 of 1994, S. 3 (w.e.f. 17-1-1994).

45. *Ins.* by U.P. Act 20 of 1994, S. 7 (w.e.f. 18-6-1994).

46. *Renumbered* by President's Act 4 of 1996, S. 10 (w.e.f. 11-7-1995).

Avadh in this Act or any rules, statutes, Ordinances, statutory instruments or any other law for the time being in force or in any document or proceedings shall be construed as a reference to the Dr Ram Manohar Lohia University, Faizabad.]

⁴⁷[(2) With effect from July 11, 1995 any reference to the University of Avadh, or to the Doctor Ram Manohar Lohia University, Faizabad, in this Act or any rules, statutes, Ordinance, statutory instruments or any other law for the time being in force or in any document or proceedings shall be construed as a reference to the Doctor Ram Manohar Lohia Avadh University, Faizabad.]

⁴⁸[**72-E. Transitory provision on the name of the Kashi Vidyapith.**—With effect from July 11, 1995 any reference to the Kashi Vidyapith in this Act or any rules, statutes, Ordinance, statutory instruments or any other law for the time being in force or in any document or proceedings shall be construed as a reference to the Mahatma Gandhi Kashi Vidyapith, Varanasi.]

⁴⁹[**72-F. Transitory provision on the name of the Universities of Agra and Kanpur.**—[1]⁵⁰ With effect from September 24, 1995 any reference to the University of Agra and Kanpur University in this Act or any rules, statutes, Ordinance, statutory instruments or any other law for the time being in force in any document or proceedings shall be construed as a reference to Doctor Bhimrao Ambedkar University, Agra and Shri Shahu Ji Maharaj University, Kanpur respectively.]

⁵¹[(2) With effect from the date of commencement of the Uttar Pradesh State Universities (Amendment) Act, 1997, any reference to the Kanpur University, or to Shri Shahu ji Maharaj University, Kanpur in this Act or any rules, Statutes, Ordinance, statutory instruments or any other law for the time being in force or in any document or proceedings shall be construed as a reference to Chhatrapati Shahu ji Maharaj University, Kanpur.]

⁵²[**72-G. Transitory provisions on the change of names of University of Gorakhpur and University of Rohilkhand.**—With effect from the date of the commencement of the Uttar Pradesh State Universities (Second Amendment) Act, 1997 any reference to the University of Gorakhpur and the University of Rohilkhand in this Act, or any rules, Statutes, Ordinances, statutory instruments, or any other law for the time being in force or in any document or proceedings shall be construed as a reference to Deen Dayal Upadhyaya, Gorakhpur University, Gorakhpur and Mahatma Jyotiba Phule Rohilkhand University, Bareilly respectively.]

⁵³[**72-H. Transitory provision of change of name of the purvanchal University.**—With effect from the date of commencement of the Uttar Pradesh State Universities (Amendment) Act, 1999 any reference to the Purvanchal University in this Act or any rules, Statutes, Ordinances, statutory instruments, or any other law for the time being in force or in any document or proceeding shall be construed as a reference to Vir Bahadur Singh Purvanchal University, Jaunpur.]

47. Ins. by President's Act 4 of 1996, S. 10 (w.e.f. 11-7-1995).

48. Ins. by President's Act 4 of 1996, S. 11(a) (w.e.f. 11-7-1995).

49. Ins. by President's Act 4 of 1996, S. 11(b) (w.e.f. 23-9-1995).

50. Ins. by U.P. Act 12 of 1997, S. 4.

51. Ins. by U.P. Act 12 of 1997, S. 4.

52. Ins. by U.P. Act 18 of 1997, S. 4.

53. Ins. by U.P. Act 11 of 1999, S. 3 (w.e.f. 8-1-1999).

73. Power to remove difficulties.—(1) The State Government may, for the purpose of removing any difficulty, particularly in relation to the transition from the provisions of the enactments repealed by Section 74 to the provisions of this Act, by order published in the Official Gazette direct that the provisions of this Act, shall during such period as may be specified in the order, have effect subject to such adaptations whether by way of modification, addition or omission as it may deem to be necessary or expedient :

Provided that no such order shall be made ⁵⁴[after December 31, [1982]⁵⁵].

(2) Every order made under sub-section (1) shall be laid before both the Houses of the State Legislature.

(3) No order under sub-section (1) shall be called in question in any court on the ground that no difficulty as is referred to in sub-section (1) existed or required to be removed.

74. Repeal of certain enactments.—(1) The following enactments are hereby repealed, with effect from the respective dates on which this Act is brought into force in relation to the existing University concerned, namely—

- (a) the Lucknow University Act, 1920;
- (b) the Allahabad University Act, 1921;
- (c) the Agra University Act, 1926;
- (d) the Gorakhpur University Act, 1956;
- (e) the Varanaseya Sanskrit Vishwavidyalaya Act, 1956; and
- (f) the Kanpur and Meerut Universities Act, 1965.

⁵⁶(2) Notwithstanding such repeal—

- (a) all appointments made, orders issued, degrees or diplomas conferred or certificates issued, privileges granted or other things done (including registration of graduates) under any such enactment, shall be deemed to have been respectively made, issued, conferred, granted or done under the corresponding provisions of this Act, and except as otherwise provided by or under this Act continue in force unless and until they are superseded by any order made under this Act :
- (b) all proceedings of Selection Committee which took place before the commencement of this Act and all actions by the Management or by the Executive Council, as the case may be, in respect of the recommendation of such Selection Committees, where no orders of appointment on the basis thereof were passed before the commencement of this Act, shall, notwithstanding that the procedure for selection has been modified by this Act, be deemed to have been valid but further proceeding in connection with such pending selections shall be taken in accordance with the

54. Subs. by U.P. Act No. 5 of 1977, S. 24 and U.P. Act 12 of 1978, S. 9.

55. '1978' subs. by '1981' w.e.f. 1-1-1979 by U.P. Act 15 of 1980; '1981' subs. by '1982' (w.e.f. 29-12-1981) by U.P. Act 25 of 1982.

56. Subs. by U.P. Act 21 of 1975, S. 13 and be deemed always to have been substituted.

provisions of this Act and be continued from the stage where they stood immediately before such commencement.]

(3) Notwithstanding anything in sub-sections (1) and (2), or in any other provisions of this Act—

- (a) ⁵⁷[* * *];
- (b) ⁵⁸[* * *];
- (c) where any institution has applied for affiliation to the University of Agra in accordance with the provisions of the Agra University Act, 1926, before June 18, 1973 and such application was pending on the said date, and the place where the institution is situated lies under this Act outside area of the University of Agra, such application may be disposed of by the competent authorities of the University of Agra as if the institution would be affiliated to that University, and upon the grant of such application by the Chancellor, the institution would stand affiliated to the University within whose territorial jurisdiction as specified in Section 5, the institution would lie;
- (d) until fresh panels of experts are drawn up under sub-section (5) of Section 31, the Chancellor or the Vice-Chancellor, as the case may be, may nominate experts to a Selection Committee under that section from out of the panels in existence immediately before the commencement of this Act:
⁵⁹[Provided that the provisions of Explanations I and II to the said sub-section (5) shall apply also to the panels of experts referred to in this clause and to nominations made from such panels under this clause;]
- (e) until a Finance Officer is appointed in a University, the functions of the Finance Officer under this Act shall be performed by a Dean of Faculty nominated by the Chancellor in that behalf;
- (f) until rules are made under Section 17, any vacancy in a post of Registrar, Deputy Registrar or Assistant Registrar may be filled on a provisional basis by the Chancellor, in the case of the post of Registrar and by the Vice-Chancellor in the case of the post of Deputy Registrar or Assistant Registrar;
- ⁶⁰[(g) every student of the Kashi Naresh Government Degree College, Gyanpur, or the Government Degree College, Jakhni, situate in district Varanasi, or the Government Degree College, Rishikesh, situate in district Dehra Dun, who—
 - (1) immediately before the commencement of Uttar Pradesh State Universities Ordinance, 1973, was studying for a degree of the University of Agra; or
 - (2) was admitted as a student of any of the said colleges during the academic year 1973-74 for a degree of the said University; or

57. Omitted by U.P. Act 29 of 1974, S. 17.

58. Omitted by U.P. Act 5 of 1977, S. 25.

59. Ins. by U.P. Act 21 of 1975, S. 13 and shall be deemed always to have been inserted.

60. Ins. by U.P. Act 29 of 1974, S. 17.

- (3) is eligible to appear at any degree examination of the said University in the year 1974 or in the year 1975 ⁶¹[or in the year 1976] as an ex-student;

shall be permitted to complete his course in accordance with the syllabus of the University of Agra, and necessary arrangements for the instruction and examination of such students shall be made by the University of Agra and on the results of such examination, the degree may be conferred by that very University;

- (h) until the Faculties are constituted in the Universities referred to in sub-section (1) or sub-section (1-A) of Section 4, the Selection Committee referred to in clause (c), of sub-section (4) of Section 31 shall consist of the following members, namely—

- (1) the Head of the Management or a member of the Management nominated by him, who shall be the Chairman;
- (2) one member of the Management nominated by the Management; and
- (3) three experts to be nominated by the Vice-Chancellor;

- ⁶²[(i) every person residing within the area of the University of Gorakhpur who was permitted by the Agra University to appear in B.A. Part I or M.A. Part I Examination of 1974 from the Kashi Naresh Government Degree College, Gyanpur, Varanasi Centre and who, on the result of the examination, has been declared successful, shall be permitted by the University of Agra to appear in the B.A. Part II or M.A. Part II Examination, as the case may be, of the said University from the Kashi Naresh Government Degree College, Gyanpur, Varanasi Centre, during the academic years 1974-75 and 1975-76 and on that results of such examination the degree may be conferred by that very University, and such examination shall be deemed to be valid :

- (j) any person residing within the area of the University of Allahabad or the University of Lucknow may be permitted by the University of Kanpur (hereinafter in this clause referred to as the said University) to appear in an examination referred to in clause (5) of Section 7, and on the result of such examination a degree may be conferred by the said University notwithstanding that such person was not residing within the area of the said University.]

75. Amendment of U.P. Act XXIV of 1965.—In Section 3 of the Uttar Pradesh Universities (Provisions regarding Conduct of Examinations) Act, 1965, for the words 'two months' the words 'six months' shall be substituted.

76. Repeal and Savings.—(1) The Uttar Pradesh State Universities Ordinance, 1973 (U.P. Ordinance 1 of 1973), is hereby repealed.

(2) Notwithstanding any such repeal, anything done or any action taken under the said Ordinance shall, subject to the provisions of sub-section (3) of Section 72, be deemed to have been done or taken under this Act as if this Act had commenced on the 18th day of June, 1973.

61. Ins. by U.P. Act 21 of 1975, S. 13.

62. Ins. by U.P. Act 5 of 1977, S. 25 and shall be deemed always to have been inserted.

THE SCHEDULE

(See Section 5)

| Serial No. | Name of the University | Areas within which the University shall exercise jurisdiction |
|------------|--|--|
| 1 | 2 | 3 |
| 1. | The University of Lucknow | Area within a radius of sixteen kilometres from the Convocation Hall of the University. |
| 2. | The University of Allahabad | Area within a radius of sixteen kilometres from the Convocation Hall of the University. |
| 63[3. | 64[Doctor Bhimrao Ambedkar University, Agra] | |
| | (i) until the establishment of the University of Rohilkhand | Districts of Agra, Aligarh, Bareilly, Bijnor, Badaun, Etah, Mainpuri, Mathura, Moradabad, Pilibhit, Rampur and Shahjahanpur. |
| | (ii) upon the establishment of the University of Rohilkhand. | Districts of Agra, Aligarh, Etah, Mainpuri and Mathura. |
| 65[4. | 66[Deen Dayal Upadhyaya, Gorakhpur University, Gorakhpur— | |
| | (i) until the establishment of the Purvanchal University | Districts of Azamgarh, Ballia, Basti, Deoria, Ghazipur, Gorakhpur, Jaunpur, Mirzapur and Varanasi. |
| | (ii) upon the establishment of the Purvanchal University. | Districts of Basti, Deoria and Gorakhpur.] |
| 67[5. | 68, 69[Chhatrapati] Shahu Ji Maharaj University, Kanpur] | |
| | (i) until the establishment of the Universities of Bundelkhand and Avadh. | Districts of Allahabad, Banda, Bara Banki, Etawah, Farrukhabad, Fatehpur, Hamirpur, Hardoi, Jalaun, Jhansi, Kanpur, Lakhimpur-Kheri, Lalitpur, Lucknow, Rae Bareilly, Sitapur and Unnao, excepting the area which lies within the limits of the Universities of Allahabad and Lucknow. |
| | (ii) upon the establishment of the University of Avadh, but until the establishment of the University of Bundelkhand | Districts of Allahabad, Banda, Etawah, Farrukhabad, Fatehpur, Hamirpur, Hardoi, Jalaun, Jhansi, Kanpur, Lakhimpur-Kheri, Lalitpur, Lucknow, Rae Bareilly, Sitapur, and Unnao, excepting the area which lies within the limits of the Universities of Allahabad and Lucknow. |

63. Entries 3 to 11 subs. by Act 29 of 1974, S. 18.

64. Subs. by President's Act 4 of 1996, S. 12(a) (w.e.f. 23-9-1995).

65. Subs. by U.P. Act 19 of 1987.

66. Subs. by U.P. Act 18 of 1997, S. 5.

67. Subs. by U.P. Act 21 of 1975, S. 14.

68. Subs. by President's Act 4 of 1996, S. 12(a) (w.e.f. 23-9-1995).

69. Subs. for "Shri" by U.P. Act 12 of 1997, S. 5.

- (iii) upon the establishment of the University of Avadh and also the University of Bundelkhand.
6. [Chaudhary Charan Singh University, Meerut]⁷⁰ Districts of Bulandshahr, Meerut, Muzaffarnagar and Saharanpur.
7. The University of Kumaun Districts of Almora, Naini Tal and Pithoragarh.
8. [Hemvati Nandan Bahuguna Garhwal University]⁷¹ Districts of Chamoli, Dehra Dun, Garhwal, Tehri-Garhwal and Uttar Kashi.
9. The University of Bundelkhand Districts of Banda, Hamirpur, Jalaun, Jhansi and Lalitpur.
10. [Doctor Ram Manohar Lohia Avadh University, Faizabad]⁷² Districts of Bahraich, Bara Banki, Faizabad, Gonda, Pratapgarh and Sultanpur.
11. ⁷³[Mahatma Jyotiba Phule Rohilkhand University, Bareilly Districts of Budaun, Bareilly, Bijnor, Moradabad, Pilibhit, Rampur and Shahjahanpur.]
- ⁷⁴[12. ⁷⁵[Vir Bahadur Singh Purvanchal University, Jaunpur.] Districts of Azamgarh, Ballia, Ghazipur, Jaunpur, Mirzapur and Varanasi.]

70. Subs. by U.P. Act 5 of 1994, S. 4 (w.e.f. 17-1-1994).

71. Subs. by U.P. Act 26 of 1989, S. 4 (w.e.f. 24-4-1989).

72. Subs. by President's Act 4 of 1996 S. 12(b) (w.e.f. 11-7-1995).

73. Subs. by U.P. Act 18 of 1997, S. 5.

74. Ins. by U.P. Act 19 of 1987.

75. Subs. by U.P. Act 11 of 1999, S. 4 (w.e.f. 8-1-1999).

**Deen Dayal Upadhyay Gorakhpur University,
Gorakhpur Ordinance**

Compiled by :
SRI R. N. SINGH
Registrar
University of Gorakhpur

Printed by : EUREKA PRINTING WORKS ■ GORAKHPUR

**FIRST STATUTES
UNIVERSITY OF GORAKHPUR**

(Amended upto date)



Approved by :
GOVERNMENT OF U. P. LUCKNOW
SHIKSHA 10 ANUBHAG
No. 187/xv-10-77-4 (39)-75
dated January 12, 1977

SEPTEMBER, 1995

Price :

FIRST STATUTE OF GORAKHPUR UNIVERSITY

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of Notification No. 187/15-10-77-4(39)-75, dated January 12, 1977:

No. 187/XV-10-77-4(39)-75

Dated Lucknow, January 12, 1977.

In exercise of the powers conferred by sub-section (1) of Section 50 of the Uttar Pradesh State Universities Act, 1973, as amended and re-enacted by the Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974, the Governor is pleased to make the following First Statutes for the University of Gorakhpur.

First Statutes of the University of Gorakhpur

CHAPTER I PRELIMINARY

1.01. (1) These Statutes may be called the Gorakhpur University First Statutes, 1977.

(2) They shall come into force on January 26, 1977.

1.02. (1) All existing Statutes and all such ordinances of the University, as are inconsistent with these Statutes, are to the extent of such inconsistency, hereby rescinded and shall forthwith cease to have effect except as respects things done or omitted to be done before the commencement of these Statutes.

(2) The Uttar Pradesh State Universities First Statutes (Age of Superannuation Scales of Pay and Qualifications of Teachers), 1975 issued with Government notification No. 4546/XV-10-75, dated July 25, 1975, as amended by Government Notification No. 7251/XV-10-75-60 (115)-73, dated October 20, 1975 shall, in relation to the University

(2)

Gorakhpur stand repealed with effect from the date of such commencement.

1.03. In these Statutes, unless the context otherwise requires- **Section 50 (1)**

- (a) 'Act' means the Uttar Pradesh State Universities Act, 1973, as re-enacted by the Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974 and amended from time to time.
- (b) 'Clause' means a clause of the Statute in which that expression occurs.
- (c) 'Section' means a section of the Act.
- (d) 'University' means the University of Gorakhpur and
- (e) Words and expression used in the Act but not defined in these statutes shall have the meaning assigned to them in the Act.

1.04. In these statutes, all references to the age of a teacher, shall be construed to be references to the date of birth of the teacher concerned as mentioned in his High School certificate or that of any other examination recognised as equivalent thereto. **Section 49 & 50**

CHAPTER II OFFICERS AND OTHER FUNCTIONARIES OF THE UNIVERSITY The Chancellor

2.01. (1) The Chancellor may, while considering any matter referred to him under Section 68, call for such documents or information from the University or parties concerned, as he may deem necessary and may, in any other case, call for any documents or information from the University. **Section 10(4) & 49 (C)**

(2) Where the Chancellor calls for any documents or information from the University under clause (1), it shall

(3)

be the duty of the Registrar to ensure that such documents or information are promptly supplied to him.

(3) If in the opinion of the Chancellor, the Vice Chancellor wilfully omits or refuses to carry out the provisions of this Act or abuses the powers vested in him and if it appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interests of the University, the Chancellor may, after making such enquiry as he deems proper, by order, remove the Vice-Chancellor.

(4) The Chancellor shall have power to suspend the Vice-Chancellor during the pendency or in contemplation of any inquiry referred to in clause (3).

The Vice-Chancellor

Section 13 (9) & 49 (C)

2.02. The Vice-Chancellor shall have power to call for such documents and information from an affiliated college in respects of any matter connected with teaching, examination, research, finance or any matter affecting the discipline or efficiency of teaching in the college, as he thinks fit.

Finance Officer

Section 9 (e)

2.03. When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness, absence or any other cause unable to perform the duties of his office, the duties of the office shall be performed by one of the Deans of the Faculties nominated by the Vice-Chancellor and if for any reason the same is not feasible, then by the Registrar or by such officer as may be nominated by the Vice-Chancellor.

Sections 15(7) & 40(c)

2.04. The Finance Officer

- (a) shall exercise general supervision over the funds of the University;

(4)

- (b) may advise it in any financial matter either *suo moto* or on his advise being sought;
- (c) shall keep a constant watch on the state of the cash and bank balances and on the state of investments;
- (d) shall collect the incomes, disburse the payments and maintain the accounts of the University;
- (e) shall ensure that the registers of building, land, furniture and equipment are maintained up-to-date and that stock checking of equipment and other consumable materials is conducted regularly in the University;
- (f) shall probe into any unauthorised expenditure and other financial irregularities and suggest to the competent authority, disciplinary action against persons at fault;
- (g) may call for any information or return from any department or unit of the University that he may consider necessary for the performance of his duties;
- (h) shall arrange for the conduct of continuous internal audit of the accounts of the University, and shall pre-audit such bill as may be required in accordance with any standing orders in that behalf;
- (i) shall perform such other functions in respect of financial matters as may be assigned to him by the Executive Council or the Vice-Chancellor;
- (j) shall, subject to the provisions of the Act and Statutes, exercise disciplinary control in terms of clauses (2) and (3) of Statute 2.06 over all the employees in the Audit and Account Section of the University below the rank of the Assistant Registrar (Accounts) and shall supervise the work of the Deputy/Assistant Registrar (Accounts and the Accounts Officer).

Sections
13(9)
15(7) &
49(c)

Ss. 13(9),
16(4) 21(i)
(vii), 21(8),
49(c) & (e)

(5)

2.05. If any difference of opinion arises between the Vice-Chancellor and the Finance Officer on any matter concerning the performance of the functions of the Finance Officer, the question shall be referred to the State Government whose decision shall be final and binding on both the officers.

The Registrar

2.06. (1) Subject to the provisions of the Act and the Statutes, the Registrar shall have disciplinary control over all employees of the University, other than the following namely-

- (a) officers of the University;
- (b) teachers of the University, whether in relation to their work as teacher or while holding any remunerative office or in any other capacity, such as examiner or invigilator;
- (c) the Librarian;
- (d) other employees referred to in Section 17;
- (e) employees in the University in the Accounts and Audit Section.

(2) The Power to taken disciplinary action under clause (1) shall include the power to order dismissal, removal, reduction in rank, reversion, termination or compulsory retirement of an employee referred to in the said clause. and shall also include the power to suspend such employee pending inquiry, if any.

(3) No order shall be made under clause (2) except after an inquiry in which the employee has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges and where it is proposed after such inquiry, to impose on him any such penalty, until he has been given a reasonable opportunity, of making representation on the penalty proposed, but only on the basis of the evidence adduced during such inquiry:

(6)

Provided that this clause shall not apply in the following cases, notwithstanding that the order is based on any charge (including a charge of misconduct or inefficiency), if such order does not disclose on its face that it was passed on such basis-

- (a) An order of reversion of an officiating promotee to his substantive rank.
- (b) An order of termination of service of a temporary employee.
- (c) An order of compulsory retirement of an employee after he attains the age of fifty years.
- (d) An order of suspension.

2.07. An employee of the University aggrieved by an order referred to in Statute 2.06 may prefer an appeal (through the Registrar) to the Disciplinary Committee constituted under Statute 3.10 within fifteen days from the date of service of such order on him. The decision of the Committee on such appeal shall be final. **Sections 21 & 49**

2.08. Subject to the provisions of the Act, it shall be the duty of the Registrar- **Section 16**

- (a) to be the custodian of all the properties of the University unless otherwise provided for by the Executive Council;
- (b) to issue all notices convening meetings of the various authorities referred to in Section 16(4) with the approval of the competent authority concerned and to keep the minutes of all such meetings;
- (c) to conduct the official correspondence of the Court, the Executive Council and the Academic Council;
- (d) to exercise all such powers as may be necessary or expedient for carrying into effect the orders of the Chancellor, Vice-Chancellor or various authorities or bodies of the University of which

(7)

he acts as secretary;

- (e) to represent the University in suits or proceedings by or against the University sign powers of attorney and verify pleadings.

Deans of Faculties

Sections 27(4) & 49(b)

2.09. (1) If a casual vacancy occurs in the office of the Dean of a Faculty, the senior most Professor, and where no Professor is available in that Faculty, the senior most Reader in the Faculty shall perform the duties of the Dean.

(2) No person shall continue to be a Dean after he has ceased to hold the post by virtue of which he came to hold the office of Dean.

Ss. 27 (4), 64 (2) & 74 (3) (b)

2.10 (1) Except in the case of Medical and Engineering & Technology or except a Faculty where there is only one Professor, a teacher who on the date of commencement of these Statutes has-

- (a) held the office of Dean for a period of three years or more, shall be deemed to have had his turn and the teacher next eligible in order of seniority shall assume office as Dean with effect from the commencement of these Statutes;
- (b) not completed three years as Dean shall continue to hold the office of Dean till the completion of the period of three years and on such completion the teacher next eligible in order of seniority shall assume office as Dean.

(2) For the purpose of computing the period during which a teacher has held the office of Dean-

- (a) any period during which such teacher was prevented from entering upon or continuing in the office of Dean by an order of any Officer of the University or of any court, shall be excluded;

(10)

- (ix) so conducting themselves in proper pursuit of academic studies as to maintain the traditions of the University.

(2) The Dean of Students Welfare may communicate with the guardian of a student in respect of any matter requiring his assistance when necessary.

2.17. The Dean of Students Welfare shall exercise general control over the Superintendent or Assistant Superintendent of Physical Education if any and the University Medical Officer. He shall perform such other duties as may be assigned to him by the Executive Council or the Vice-Chancellor.

2.18. The Vice-Chancellor may consult the Dean of Students Welfare before taking any action against a student on disciplinary grounds.

2.19. The Dean of Student Welfare may be paid such honorarium out of the funds of the University as the Vice-Chancellor may fix with prior approval of the State Government.

Head of Department

2.20. The senior-most teacher in each department of teaching in the University shall be the Head of that Department.

The Librarian

2.21. (1) The University may, with the prior approval of State Government appoint a whole time librarian. The Librarian shall be appointed by the Executive Council on the recommendation of a selection Committee, consisting of the following namely:

- (a) the Vice-Chancellor
- (b) two experts in Library Science to be nominated by the Chancellor;

(2) Until the Librarian appointed under clause (1)

(11)

assumes charge of his office the Executive Council may appoint an Honorary Librarian from amongst the Professors of the University for such terms as it thinks fit.

2.22. The qualifications of the Librarian shall be such as may be provided for in the Ordinances.

2.23. The emoluments of the Librarian shall be such as may be approved by the State Government.

2.24. It shall be the duty of the Librarian to maintain the Library of the University and to organise its service in the manner most conducive to the interest of the teaching and research.

2.25. The Librarian shall be under the disciplinary control of the Vice-Chancellor.

Provided that he shall have a right of appeal to the Executive Council against any order of the Vice-Chancellor passed in the disciplinary proceedings against him.

The Proctor

2.26. The Proctor shall be appointed from amongst the teachers of the University by the Executive Council on the recommendation of the Vice-Chancellor. The Proctor shall assist the Vice-Chancellor in the exercise of his disciplinary authority in respect of students of the University and shall also exercise such power and perform such duties in respect of discipline as may be assigned to him by the Vice-Chancellor in this behalf.

2.27. The Proctor shall be assigned by Assistant Proctors whose number shall be fixed by the Executive Council from time to time.

2.28. The Assistant Proctors shall be appointed by the Vice-Chancellor in consultation with the Proctor.

2.29. The Proctor and the Assistant Proctors shall hold office for one year and shall be eligible for re-appointment.

Section
49 (e)

Section
49 (c)

Section
49(c)

Section
49 (c)

Section
18 & 49
(c)

Section
49 (c)

Section
49 (c)

Section 49
(c) & 49
(e)

(12)

Provided that for so long as his successor is not appointed every Proctor or Assistant Proctor shall continue in office:

Provided further that the Executive Council may, on the recommendation of the Vice-Chancellor, remove the Proctor before the expiry of the said period:

Provided also that the Vice-Chancellor may remove an Assistant Proctor before the expiry of the said period.

2.30. The Proctor and the Assistant Proctors may be paid such honorarium out of the funds of the University, as may be fixed by the Vice-Chancellor with prior approval of the State Government. Section 49 (c) & 49 (e)

CHAPTER II-A

OTHER OFFICERS OF THE UNIVERSITY

2.01-A. The members of the Executive Council shall be the officers of the University. Section 9 (i)

CHAPTER III

THE EXECUTIVE COUNCIL

3.01. The Deans of Faculties who shall be members of the Executive Council under Section 20(1)(c) shall be chosen in the order in which the names of various Faculties are enumerated in Statute 7.01. Section 20 (1) (c)

3.02. Representation of Professors, Readers and Lecturers of the University under clause (i) of Section 20 (1) shall be as follows-- Section 20 (1) (c)

- (a) one Professor to be selected by rotation in order of seniority;
- (b) one Reader to be selected by rotation in order of seniority;

(13)

- (c) one Lecturer to be selected by rotation in order of seniority;

Section 20 (1) (c) 3.03. Three Principals and two teachers of affiliated Colleges who shall be a member of the Executive Council under clause (ii) of Section 20 (1) (d) shall be selected by rotation in order of seniority as Principal. As such Principal or teachers as the case may be.

Section 20 (1) (c) 3.04. Persons elected under clause (f) of Section 20 (1) shall cease to be members of the Executive Council on their subsequently becoming students of or accepting service in the University, an Institute, a constituent college, an affiliated college, a hall or a hostel.

Section 49 (a) & (b) 3.05. No person shall be or continue to be a member of the Executive Council in more than one capacity, and, whenever a person so becomes a member of the Executive Council in more than one capacity, he shall within two weeks thereof choose the capacity in which he desires to be member of the Executive Council and shall vacate the other seat.

Where he does not so choose, the seat held by him earlier in point of time shall be deemed to have been vacated with effect from the date of expiry of the aforesaid period of two weeks.

Section 21 (8) 3.06. The Executive Council may, by resolution passed by a majority of its total membership delegate such of its powers as it deems fit to an officer or authority of the University subject to such conditions as may be specified in the resolution.

Sections 20 & 49 (b) 3.07. The meetings of the Executive Council shall be called under the directions of the Vice-Chancellor.

Sections 20 & 49 (b) 3.08. The Executive Council shall obtain the opinion of the Finance Officer before considering any proposal involving financial implications.

(14)

CHAPTER IV

THE COURT

Representation of teachers, etc.

4.01. Two provosts and wardens of the hostels and halls of the University and its constituent Colleges and Institutes if any who shall be members of the Court under clause (vii) of Section 22 (I), shall be selected by rotation on the basis of longest continuous service as such provosts or wardens. **Section 22 (I) (vii)**

4.02. (i) Fifteen teachers who shall be members of the Court under clause (ix) of Section 22 (i), shall be selected in the following manner: **Section 22 (I) (ix)**

- (a) three Professors of the University;
- (b) two Readers of the University;
- (c) two Lecturers of the University;
- (d) the Dean of the Students Welfare;
- (e) three Principals of Affiliated Colleges;
- (f) four other Teachers of Affiliated Colleges;

(2) The above Professors, Readers, Lecturers, Principals and other teachers shall be selected in order of seniority as Professors, Readers, Lecturers, Principals or other teachers as the case may be.

4.03. Two representatives of the Management of affiliated colleges who shall be members of the Court under clause (x) of Section 22 (1), shall be nominated by the Vice-Chancellor by rotation. **Ss. 22 (1) (x) & 64 (3)**

The management represented shall be free to send to any meeting of the Court any of its members (including President).

Registration of Graduates and their representation in Court

4.04. The Registrar shall maintain in his Office a Register of Registered Graduates, hereinafter in this Chapter

(15)

called the Register

Sections 16

(4) & 49

(q)

4.05. The Register shall contain the following particulars:

- (a) The name and addresses of the registered graduates;
- (b) The year of their graduation;
- (c) The name of the University or the college from which they graduated.
- (d) The date on which the name of the graduate was entered in the Register.
- (e) Such other details as the Executive Council may from time to time direct.

Section 49

(q)

4.06. Every graduate of the University from the date of the convocation at which the degree by virtue of which he is to be registered was conferred or would have been conferred on him if he were present there at shall, on an application in the form approved by the Executive Council and on payment of fee of rupees fifty-one be entitled to have his name registered in the Register. The application shall be made by the graduate himself, and may either be delivered to the Registrar personally or sent by registered post. If two or more applications are received in the same cover, they shall be rejected.

Section 49

(q)

4.07. On receipt of the application, the Registrar shall, if he finds that the graduate is duly qualified and the prescribed fee has been paid, enter the name of the applicant in the Register.

Section 49

(q)

4.08. A registered graduate whose name has been borne on the Register for one year or more on June 30, preceeding the date of notification for the election shall be entitled to vote at the election of the representative of registered graduates.

(16)

4.09. A registered graduate shall be eligible to seek election under clause (xi) of Section 22 (1), if his name has been borne on the Register for at least three years on June 30, preceeding the date of election.

Sections 22
(1) (xi) &
49 (a)

4.10. A representative of registered graduates elected under clause (xi) of Section 22 (1) shall cease to be a member on entering the service of the University or of an Institute constituent college, an affiliated college, a hostel, a hall or being connected with the management of an affiliated college, a hall or hostel or on becoming a student, and the seat so vacated shall be filled up by the person available who secured the next highest votes at the time of the previous election for the residue of his term.

Sections 22
(1) (xi) &
49 (a)

Note: The names of the Registered Graduates who are dead shall be struck off.

4.11. A registered graduate, who is already a member of the Court in another capacity, may seek election as a representative of registered graduates, and on his being so elected, the provisions of statute 3.05 shall *mutatis mutandis* apply.

Section 22
(1) (xi)
(xii)

4.12. The election of the registered graduate under this Chapter shall be held in accordance with the system of proportional representation by means of single transferable votes as laid down in Appendix A.

Sections 22
(1) (xi)

4.13. The term of the members of the Court shall commence from the date of the first meeting of the Court.

Sections 22
(2) & 49
(b)

CHAPTER V ACADEMIC COUNCIL

5.01. Two professors from each constituent college maintained by the State Government who shall be member of the Academic Council under clause (vi) of Section 25 (2) shall be selected in order of seniority as Professor in that College.

Sections 25
(2) (vi)

(17)

5.02. Three Principals of affiliated colleges of the University, who shall be members of the Academic Council under clause (vii) of Section 25 (2) shall be selected in order of seniority as Principal of such college.

5.03. Fifteen teachers who shall be members of the Academic Council under clause (viii) of Section 25 (2) shall be selected in the following manner:

- (a) Four Readers of the University by rotation in order of seniority;
- (b) Four Lecturers of University by rotation in order of seniority;
- (c) Seven teachers of the affiliated colleges (not being Principals) by rotation in order of seniority.

Note-- (1) Not more than one Reader and not more than one Lecturer, from the same Faculty, and not more than two teachers from the same affiliated college shall be members under the Statute.

Note-- (2) In the event of more than one Reader and one Lecturer from the same Faculty and more than two teachers of the same college being entitled to be members of the Academic Council under this Statute, the senior most Reader and Lecturer and two senior-most teachers, as the case may be, shall be members of the Academic Council. Readers, Lecturers and teachers so passed over shall have their turn in rotation next time.

5.04. Five persons of academic eminence who shall be members of the Academic Council under clause (xi) of Section 25 (2) shall be co-opted by the members mentioned under clause (i) to (x), who shall be called to a meeting by the Registrar, from amongst persons who are not employees of the University, a constituent college, an Institute, an affiliated college, a hall or hostel.

5.05. Members under clauses (vi), (vii), (viii) and (xi) of Section 25 (2), shall hold office for a period of three years.

(18)

5.06. Subject to the provisions of the Act, these Statutes and the Ordinances the Academic Council shall have the following powers, namely-

- (i) to scrutinize and make its recommendations on proposals submitted by the Boards of Studies through the Faculties in regard to the courses of study and to recommend principles and criteria on which examiners and the inspectors may be appointed, for the consideration of the Executive Council;
- (ii) to report on any matter referred or entrusted to it by the Court or the Executive Council;
- (iii) to advise the Executive Council in regard to the recognition of the diplomas and degrees of other Universities and institutions and in regard to their equivalence with the diplomas and degrees of the University or the Inter-mediate Examination conducted by the Board of High School and Intermediate Education, Uttar Pradesh;
- (iv) to advise the Executive Council in regard to the qualifications required to be possessed by persons imparting instruction in particular subjects for the various degrees and diplomas of the University; and
- (v) to perform in relation to academic matters all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of the Act, the Statutes and Ordinances.

5.07. The meetings of the Academic Council shall be called under the direction of the Vice-Chancellor.

Section 25
(I) (c)

(19)

CHAPTER VI

THE FINANCE COMMITTEE

Section 49
(b)

6.01. The term of membership of the person referred to in clause (d) of Section 26 (1), shall be one year, provided that he shall continue in office till the election of his successor. No such member shall hold office successively for more than three terms.

Sections 26
(3) & 49
(a)

6.02. Items of new expenditure not already included in the financial estimates, shall be referred to the Finance Committee:

- (i) In the case of non-recurring expenditure, if it involves an expenditure of ten thousand rupees or above; and
- (ii) In the case of recurring expenditure if it involves an expenditure of three thousand rupees or above;

Provided that it shall not be permissible for any officer or authority of the University to treat an item which has been split into several parts falling under a budget head as several items of smaller amount and withhold it from the Finance Committee.

Sections 26
(3) & 49
(a)

6.03. The Finance Committee shall, on or before such date as may be provided for in this behalf by the Ordinance consider all items of expenditure referred to it under Statute 6.02, or Statute 6.04, and shall make and communicate to the Executive Council as soon as may be, its recommendations thereon.

Sections 26
(3) & 49

6.04. If the Executive Council, at any time after the consideration of the annual financial estimates (i.e. the budget) proposes any revision thereof involving recurring or non-recurring expenditure of the amounts referred to in Statute 6.02, the Executive Council shall refer the proposal to the Finance Committee.

(20)

6.05. The annual accounts and the financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and thereafter submitted to the Executive Council for approval. Sections 26 (1) & 49 (a)

6.06. A member of the Finance Committee shall have the right to record a minute of dissent, if he does not agree with any decision of the Finance Committee. Sections 26 (3) & 49 (a)

6.07. The Finance Committee shall meet at least twice every year to examine the accounts and to scrutinizing proposals for expenditure. Sections 26 (4) & 49 (a)

6.08. The meetings of the Finance Committee shall be convened under the directions of the Vice-Chancellor and all notices for convening such meetings shall be issued by the Finance Officer, who shall keep the minutes of all such meetings. Sections 15 (7) & 49 (c)

CHAPTER VII THE FACULTY

7.01. The University shall have the following Faculties, namely: Section 27 (1)

- (a) Faculty of Agriculture.
- (b) Faculty of Arts.
- (c) Faculty of Commerce.
- (d) Faculty of Engineering and Technology.
- (e) Faculty of Law.
- (f) Faculty of Medicine.
- (g) Faculty of Science.
- (h) Faculty of Education.

Notes— (1) The regional College of Engineering and Technology, Gorakhpur shall constitute the Faculty of Engineering and Technology.

(21)

(2) The Baba Raghava Das Medical College, Gorakhpur shall constitute the Faculty of Medicine.

Faculty of Agriculture

Section 27 (3) 7.02. The Board of Faculty of Agriculture shall be constituted as follows:

(i) The Dean of Faculty who shall be the Chairman.

(ii) All Heads of Departments and Professors of subjects taught in the Faculty:

Provided that till such time the Post-graduate teaching starts in the Faculty, all Professors-Heads of University, Departments of Botany, Zoology, Chemistry and Economics will be its members. As soon as a Professor is appointed in a subject assigned to the Faculty, the University Professor of allied subject will cease to be a member of Faculty.

(iii) All Principals of affiliated Colleges as are teachers of subjects assigned to Faculty. In case, the number of such Principals is less than two, two principals of such colleges teaching agriculture by rotation in order of seniority for a period of one year.

(iv) One teacher, of the University other than Professor or Head of the Department from each department in the Faculty by rotation in order of seniority for a period of one year.

(v) One teacher, engaged in B.Sc. (Ag.) teaching from each of the colleges affiliated to this University by rotation in order of seniority for a period of one year.

(vi) Three teachers of the subjects not assigned to the Faculty, but having in the opinion of the Academic Council an important bearing on the subject so assigned as may be nominated by the Academic Council, one of who shall be a

(22)

teacher teaching statistics.

- (vii) Such other persons not exceeding five in number and not in the service of the University, in affiliated college or a Hall, as may be nominated by the Academic Council on account of their expert knowledge in the subject assigned to the Faculty.

7.03. The following shall be the departments comprised in the Faculty of Agriculture-- Section 27 (3)

- (1) Agricultural Botany.
- (2) Agricultural Chemistry.
- (3) Agricultural Zoology and Entomology.
- (4) Agricultural Economics.
- (5) Agricultural Extension.
- (6) Horticultural.
- (7) Plant Pathology.
- (8) Animal Husbandary and Dairying.
- (9) Soil Conservation.
- (10) Agricultural Engineering.
- (11) Agronomy.

Faculty of Arts

7.04. The Board of the Faculty of Arts shall be constituted as follows: Section 27 (3)

- (i) The Dean of the Faculty of Arts shall be the Chairman.
- (ii) All Heads of Departments and Professors of subjects taught in the Faculty.
- (iii) One Reader and one Lecturer, not being Head of Department from each Department of teaching assigned to the Faculty, by rotation every year in order of seniority.
- (iv) Such Principals of affiliated Colleges as are teachers of subjects assigned to the Faculty.

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- (v) Three teachers other than Principal of affiliated College in the Faculty, in order of seniority for a period of one year:

Provided that no two teachers of professing the same subject shall belong to the same College, if there is more than one College recognised for the teaching of the subject. A teacher so passed over shall have his turn in rotation next time.

- (vi) The senior-most teacher of each branch of a subject of study assigned to the Faculty in which an independent course is prescribed for a post-graduate degree or for Part I or Part II of the examination for such degree, unless such branch of the subject is professed by any member under any other head.

- (vii) Such number of persons not exceeding five as or not in the service of the University, an affiliated College, a Constituent College or a Hall who may be nominated by the Academic Council on account of their expert knowledge in subjects assigned to the Faculty.

Section 27 (2) 7.05. The following shall be the departments comprised in the Faculty of Arts:-

- (1) Sanskrit and Prakrit Languages.
- (2) Hindi and Modern Indian Languages.
- (3) Arabic, Persian and Urdu.
- (4) English and Modern European Languages.
- (5) Philosophy.
- (6) Psychology.
- (7) Education.
- (8) Economics including Rural Economics.
- (9) Political Science.
- (10) Anthropology.

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- (11) Ancient History, Archaeology and Culture.
- (12) Medieval and Modern History.
- (13) Sociology.
- (14) Geography.
- (15) Fine Art and Music.

Faculty of Commerce

7.06. The Board of the Faculty of Commerce shall be constituted as follows:-- Section 27 (3)

- (i) The Dean of the Faculty of Commerce shall be Chairman.
- (ii) All Heads of Departments and Professors of subjects taught in the Faculty.
- (iii) Two Readers and one Lecturer, not being Heads of Department of each Department of teaching, assigned to the Faculty by rotation every year in order of seniority.
- (iv) One Principal of an affiliated college as is a teacher of subject assigned to the Faculty by rotation in order of seniority for a period of three years-
- (v) Two other teachers of affiliated colleges, who are teachers of subjects assigned to the Faculty by rotation in order of seniority for a period of three years.
- (vi) Such teachers of the University not exceeding two, of subjects not assigned to the Faculty of Commerce, but having in the opinion of the Academic Council an important bearing on subjects so assigned as may be nominated to the Faculty by the Academic Council.
- (vii) Such number of persons not exceeding five as are not in the service of the University, an affiliated College, a Constituent College or a Hall who may be nominated by the Academic

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Council on account of their possessing expert knowledge in the subjects assigned to the Faculty.

7.07. The following shall be the departments comprised in the Faculty of Commerce.

- (1) Commerce
- (2) Economics

Faculty of Engineering and Technology

7.08. The Board of Faculty of Engineering and Technology shall be constituted as follows:

- Section 27 (3)
- (i) The Dean of the Faculty who shall be the Chairman.
 - (ii) All Heads of the Departments and all Professors of the subjects taught in the Faculty.
 - (iii) The Heads of the Physics, the Mathematics, and the Chemistry Department in the University.
 - (iv) One Assistant Professor (Reader) and one Lecturer from each Department in the Faculty rotation in order of seniority for a period of one year.
 - (v) Two teachers of the Humanities of the University, of subjects not assigned to the Faculty but having in the opinion of the Academic Council an important bearing on the subjects so assigned as may be nominated by the Academic Council by rotation in order of seniority for a period of one year.
 - (vi) Four other persons of whom two shall be teacher in Engineering and Technology subjects in other Universities and two non-teachers possessing expert knowledge in Engineering and Technology to be nominated by the Academic Council.

Section 27 (3) 7.09. The following shall be the departments comprised in the Faculty of Engineering and Technology:

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- (1) Mechanical Engineering.
- (2) Electrical.
- (3) Civil Engineering.
- (4) Applied Sciences.

Faculty of Law

7.10. The Board of the Faculty of Law shall be constituted as follows: Section 27 (3)

- (i) The Dean of Faculty who shall be the Chairman.
- (ii) The Heads of the Department and all Professors in the Faculty.
- (iii) Such teachers of the University, not exceeding two of the following subjects not assigned to the Faculty of Law, namely, Political Science, Constitutional History and Commerce.
- (iv) Two Readers and three Lecturers, not being Head of Department by rotation every year in order of seniority.
- (v) Eight persons of who four shall be teachers of the other Universities established in Uttar Pradesh and four non-teachers appointed by the Academic Council for their possessing expert knowledge in Law.
- (vi) The Legal Remembrancer to Government of Uttar Pradesh or any other person nominated by him.

7.11. The following shall be the department comprised in the Faculty of Law: Section 27 (3)

- (1) Law.

Faculty of Medicine

7.12. The Board of the Faculty of Medicine shall be constituted as follows: Section 27 (3)

- (i) The Dean of Faculty, who shall be the Chairman.

(27)

- (ii) All Heads of Department and Professors in Baba Raghava Das Medical College, Gorakhpur.
- (iii) One Reader, not being Head of Department from each department of teaching assigned to the Faculty of Medicine, by rotation in order of seniority;
- (iv) Six Lecturers, not being Heads of Departments by rotation for one year in order of seniority: Provided that not more than one Lecturer from any Department shall be a member under this Head at the same time.
- (v) The senior-most teacher of each branch of a subject of study comprised in the Faculty in which a separate course is prescribed for a postgraduate degree or for Part I or Part II of the examination for such degree in case such branch of the subject is not represented by a member under any of the foregoing Heads.

7.13. The following shall be the departments comprised in the Faculty of Medicine:

- (1) Anatomy.
- (2) Physiology.
- (3) Bio-Chemistry.
- (4) Pharmacology and Therapeutics.
- (5) Pathology and Micro-biology.
- (6) Forensic Medicine.
- (7) Social and Preventive Medicine.
- (8) Medicine.
- (9) Surgery.
- (10) Ophthalmology.
- (11) Obstetrics and Gynaecology.
- (12) Radiology.
- (13) Tuberculosis.

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- (14) Dentistry.
- (15) Orthopaedic Surgery.
- (16) Oto-Rhino Laryngology.
- (17) Anaesthesiology.
- (18) Paediatrics.
- (19) Psychiatric.
- (20) Dermatology, Venereology and Leprosy.
- (21) Cardiology.

Faculty of Science

7.14. The Board of the Faculty of Science shall be constituted as follows:

- (i) The Dean of the Faculty, who shall be Chairman.
- (ii) All Heads of Departments and Professors of subjects taught in the Faculty.
- (iii) One Reader and one Lecturer, not being Head of Department from each Department of teaching assigned to the Faculty by rotation every year in order of seniority.
- (iv) Such Principals of affiliated colleges as are teachers of subjects assigned to the Faculty.
- (v) Three teachers, other than Principals of affiliated colleges in the Faculty in order of seniority for a period of one year:
Provided that no two teachers professing the same subject shall belong to the same college where there is more than one college recognised for the teaching of the subject. The teachers so passed over shall have their turn in rotation next time.
- (vi) The senior-most teacher of each branch of subject of study assigned to the Faculty in which an independent course is prescribed for post-graduate degree or for Part I or Part II of

**Section 27
(2)**

**Section 27
(3) and 49
(b)**

**Section 27
(3)**

(29)

the examination for such degree, unless such branch of the subject is professed by any of the members under any other head.

- (vii) Persons not exceeding five, and not in service of the University, an Affiliated College, a constituent College, or a Hall having expert knowledge on the subject assigned to the Faculty, to be nominated by the Academic Council.

7.15. The following shall be the Departments comprised in the Faculty of Science:

- (1) Physics
- (2) Chemistry
- (3) Botany
- (4) Zoology
- (5) Geology
- (6) Mathematics and Statistics
- (7) Defence Studies
- (8) Home Science

7.16. (1) Save as otherwise provided in this Chapter members of the Board of Faculty other than *ex-officio* members, shall hold office for a period of three years.

(2) The meetings of the Board of Faculty shall be convened under the directions of its Chairman.

7.17. Subject to the provisions of the Act, the Board of each Faculty shall have the following powers namely--

- (i) to make recommendations to the Academic Council regarding the courses of study, after consulting the Boards of studies concerned;
- (ii) to make recommendation to the Academic Council regarding the teaching and research work of the University in the subjects assigned to the Faculty;
- (iii) to consider and make recommendations to the

(30)

Academic Council on any question, pertaining to its sphere of work which may appear to it necessary and on any matter referred to it by the Academic Council.

7.15-A. Faculty of Education-- The Board of the Faculty of Education shall be constituted as follows:

(i) The Dean of the Faculty, who shall be the Chairman.

(ii) All Professors of the subjects taught in the Faculty.

(iii) Two teachers of the University from amongst those teaching the following subjects though not assigned to the Faculty of Education by rotation in order of seniority for a period of one year:

- (1) Psychology,
- (2) Philosophy,
- (3) Geography,
- (4) Fine Arts.

(iv) One Reader and two Lecturers of the subjects assigned to the Faculty, by rotation in order of seniority for a period of one year.

(v) Three teachers of affiliated colleges, including the Principals teaching the subjects assigned to the Faculty by rotation in order of seniority for a period of one year.

Provided that not more than one teacher from the same affiliated College shall be a member under this clause at the same time.

(vi) Regional Deputy Director of Education, U.P. Gorakhpur (ex-officio).

(vii) Three persons possessing expert knowledge of the subjects assigned to the faculty, though not in the service of the University, affiliated

Section 27
(3)

Section 27
(2)

7.15-B. The following shall be the Department comprised in the faculty of Education:

- (1) Education.

CHAPTER VIII

OTHER AUTHORITIES AND BODIES OF THE UNIVERSITY

Section 19
(1)

8.01. The Delegacy is declared to be an authority of the University in addition to the authorities referred to in clauses (a) to (h) of section 19.

Section 47
(i)

8.02. The Delegacy shall consist of the following:

- (i) The Vice-Chancellor who shall be the Chairman.
- (ii) The Vice-Chairman of the Delegacy.
- (iii) The Secretary of the Delegacy.
- (iv) The Treasurer of the Delegacy.
- (v) The Presidents of the Delegacy Centres.
- (vi) One resident of each centre nominated by the Vice-Chancellor on consideration of his personal influence in the locality and his interest in the well-being of the students.
- (vii) The Dean of Students Welfare.
- (viii) The Senior Medical Officer of the University.
- (ix) The Proctor.
- (x) The President of the Athletic Association.
- (xi) One representative of the Executive Committee of the Gorakhpur University Student Union.

Section 47
(5)

8.03. The Vice-Chairman of the Delegacy shall be appointed by the Executive Council for a period of three

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years on such term and conditions as may be laid down in the ordinances. He shall be a teacher of the University of at least 15 years standing (not being a Head of Department, Provost of a Hall or a Warden of a Hostel). He shall not be eligible for re-appointment as Vice-Chairman after he has served as Vice-Chairman for two consecutive terms.

8.04. The area within the limits of the Gorakhpur Nagar Palika in which students of the University reside shall be divided into circles, in each of which, so far as possible, there shall be a delegacy centre with arrangements for light reading, indoor games and such out-door games as are feasible. The division of delegacy into centres and alteration in limits thereof shall be made by the Executive Council. Section 47 (5)

8.05. The Executive Council shall appoint a Treasurer, a Secretary and a President in each delegacy centre from amongst the teachers of the University. Section 21 (1) (vii) and 47 (5)

8.06. The delegacy shall look after the residence, health and welfare of all students of the University residing within the limits. Section 47 (5)

8.07. The delegacy shall take the measures it deems necessary to promote the welfare of students of the University who are not residing in or attached to a College or Hall and shall, in particular-- Section 47 (5)

- (i) maintain a complete register of such students of the University together with the address at which they reside and whether they reside with parents or guardians or not; Section 47 (5)
- (ii) maintain or approve suitable places of residence for such students;
- (iii) provide for such students literary facilities;
- (iv) provide or arrange facilities to such students for physical exercise in or outside the University Campus;
- (v) maintain a health service for such students.

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Section 47 (5)

8.08. The Delegacy shall submit the account of items or income and expenditure at the end of each financial year to the Executive Council. It shall also submit an estimate of its income and expenditure for the coming financial year to the Executive Council by the end of August each year to enable the Executive Council to provide necessary funds.

Section 47 (5)

8.09. The Delegacy shall charge such fees as may be prescribed by Ordinances for the Welfare and supervision of students and for regulating its affairs.

Disciplinary Committee

Section 49

8.10. (1) The Executive Council shall constitute, for such terms as it thinks fit, a Disciplinary Committee in the University which shall consist of the Vice-Chancellor and two other persons nominated by it:

Provided that if the Executive Council considers it expedient, it may constitute more than one such Committees to consider different case or classes or cases.

(2) No teacher against whom any case involving disciplinary action is pending shall serve as a member of the Disciplinary committee dealing with the case.

(3) The Executive Council may at any stage transfer any case from one Disciplinary Committee to another Disciplinary Committee.

Section 49

8.11. (1) The functions of the Disciplinary Committee shall be as follows--

- (a) to decide any appeal preferred by an employee of the University under Statute 2.07;
- (b) to hold inquiry into cases involving disciplinary action against a teacher or the Librarian of the University;
- (c) to recommend suspension of any employee referred to in sub-clause (b) above pending or in contemplation of inquiry against such

(34)

employees;

- (d) to exercise such other powers and perform such other functions as may, from time to time, be entrusted to it by the Executive Council.

(2) In case of difference of opinion among members of the Committee, the decision of the majority shall prevail.

(3) The decision or the report of the Disciplinary Committee shall be laid before Executive Council as early as possible to enable the Executive Council to take its decision in the matter.

Departmental Committees

8.12. There shall be a Departmental Committee in each Department of teaching in the University to assist the Head of the Department appointed under Statute 2.20.

8.13. The Departmental Committee shall consist of:-

- (i) The Head of Department, who shall be Chairman.
- (ii) All Professors in the Department, and if there is no Professor, then all Readers in the Department.
- (iii) In a department which has Professors as well as Readers then two Readers by rotation according to seniority for a period of three years.
- (iv) In a Department which has Readers as well as lecturers then one lecturer and in a department which has no Readers, then two lecturers by rotation according to seniority for a period of three years;

Provided that for any matter specifically concerning any subject or speciality, the senior-most teacher of that subject or speciality, if not already included in the foregoing heads shall, be specially invited for that matter.

8.14. The following shall be the functions of the Departmental Committee:-

(35)

- (i) to make recommendations regarding distribution of teaching work amongst the teachers of the department.

- (ii) to make suggestions regarding co-ordination of the research and other activities in the department;

- (iii) to make recommendations regarding appointment of staff in the Department for which the Head of Department is the appointing authority;

- (iv) to consider matters of general and academic interest to the Department.

8.15. The Committee shall meet at least once in a quarter. The minutes of its meeting shall be submitted to the Vice-Chancellor.

Examination Committee

8.16. The Examinations Committee may, on the recommendation of the person or persons or the sub-committee referred to in sub-section (3) of section 29, debar an examinee from appearing in any future examination or examinations if in the opinion of the committee, such examinee was guilty of misbehaviour or using of the unfair means at any examination conducted by the University.

CHAPTER IX

BOARDS

9.01. The University may in addition to the Boards of Faculties and the Boards of Studies, have the following Boards, namely:-

- (a) Board of Students Welfare.
- (b) The Board of Co-ordination.
- (c) The Women's Advisory Board.
- (d) The Board of Health, Residence and Discipline.
- (e) The Board of Social Works.

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- (f) The University Athletic Association.
- (g) The Board of Extra-Mural Activities.

9.02. The powers, functions and the constitution of the Boards mentioned in Statute 9.01 shall be such as may be laid down in the Ordinances: Section 49 & 51

Provided that the Ordinances relating to the Board of Students Welfare referred to in clause (a) of the said statute shall provide for the representation of the students also and term of such student representatives shall be one year.

9.03. For so long as the new Boards are not constituted in accordance with Statute 9.01 the Boards mentioned in Statute 9.01 and existing on the date immediately before the commencement of these Statutes shall continue to function. Section 49 & 51

CHAPTER X CLASSIFICATION OF TEACHERS

10.01. There shall be following classes of teachers of the University: Sections 1 and 49 (d)

- (1) Professors.
- (2) Readers.
- (3) Lecturers.

10.02. Teachers of the University shall be appointed in the subjects on whole-time basis in the scales of pay approved by the State Government: Sections 1 and 49 (d)

Provided that part-time lecturers may be appointed in subjects in which in the opinion of the Academic Council such lecturers are required in the interest of teaching or for other reasons. Such part-time lecturers may receive salary ordinary not exceeding one-half of the initial salary of the scale for the post to which they are appointed. Persons working as Research Fellows or as Research Assistants

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may be called upon to act as part-time lecturers.

Sections 31 and 59 (d) 10.03. The Executive Council may on the recommendations of the academic Council, appoint--

(1) Professors of academic eminence and outstanding merit on special contract in accordance with Ordinances in that behalf;

(2) Honorary Emeritus Professors who shall--

- (a) deliver lectures on special subjects;
- (b) guide research;
- (c) be entitled to present in meetings of the Board of Faculty concerned and to take part in its discussions but will not have the right of vote;
- (d) be provided with facilities for study and research in the libraries and laboratories of University as far as possible; and
- (e) be entitled to attend all Convocations:

Provided that a person shall not merely by virtue of holding the post of Professor in Department as an Honorary Emeritus Professor, be eligible to hold any office in the University or in any Authority or Body thereof.

Section 21 (xvii), 1 and 49 10.04. Instructors or Teaching Research Assistants may be appointed by the Executive Council on such terms and conditions as may be provided for in the Ordinances.

10.05. (a) The Principal and other teachers of affiliated colleges shall be employed on whole-time basis in the scales of pay approved by the State Government.

(b) Subject to the provisions of clause (iv) of Statute 21.02 the proportion of part-time teachers shall not exceed at any time one-fourth of the strength of the full time teaching staff in the department concerned;

Provided that where the number of teachers in a

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department is less than four, the appointment of one part-time teachers may be permitted by the Vice-Chancellor.

"Provided further that the proportion of part-time teachers in the law Department may be one-half of the strength of the full-time teaching staff in the department."

10.06. No part-time teacher in an affiliated college shall hold any other office in that college.

Section 49
(c)

CHAPTER XI

PART I

* Revised Qualifications and Appointment of Teachers in the University

11.01. (1) In the case of Faculties of Arts except the department of Fine Art and Music and the Faculty of Commerce and Science the minimum qualifications for the post of a lecturer in the University shall be Master's degree or an equivalent Degree of a Foreign University in the relevant subject with at least 55 per cent marks or its equivalent grade and consistently good academic record.

(2) In the case of Faculty of Education, the minimum qualifications for the post of a lecturer in the University shall be Master's degree or an equivalent degree of a Foreign University in Education (that is a M.Ed. degree) with at least 55 per cent marks or its equivalent grade and consistently good academic record.

(3) In the case of Faculty of Law the minimum qualifications for the post of a lecturer in the University shall be a degree of Master of Laws or an equivalent degree of a Foreign University with at least 55 per cent marks or its equivalent grade and consistently good academic record.

(4) In the case of Department of Fine Arts and Music

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in the Faculty of Arts the following shall be the minimum qualification for the post of a lecturer in the University, namely:

Either

Master's degree or an equivalent degree or diploma recognised by the the University in the relevant subject with at least 55 per cent marks or its equivalent grade and consistently good academic record.

A traditional or a professional artist with highly commendable professional achievement in the subject

(5) For the purposes of this Statute:

(a) A candidate (other than a candidate for Lecturership in the Faculties of Education and Law) having obtained either 55 per cent marks in Bachelor's degree examination and second class in Intermediate examination, or 50 per cent marks in each of the two examinations separately is said to have consistently good academic record;

(b) A candidate for Lecturership in the Faculty of Education having obtained either 55 per cent marks in B.Ed. degree examination and second class in any other Bachelor's degree examination, or 50 per cent marks in each of the two examinations separately, is said to have consistently good academic record;

(c) A candidate for Lecturership in the Faculty of Law having obtained either 55 per cent marks in LL.B. degree examination and second class in any other Bachelor's degree examination and second class in any other Bachelor's degree examination or 50 per cent marks in each of the two examinations separately is said to have consistently good academic record."

* By 42nd Amendment dated 12.10.88

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(6) For appointment to the post of Lecturer only those candidates shall be eligible who, besides fulfilling the minimum academic qualifications prescribed for the post of lecturer, have qualified in a comprehensive test, if any, to be conducted as per scheme of University Grants Commission.

"Provided that a candidate

(1) Who has passed University Grants Commission or Council of Scientific and Industrial Research or Junior Research Fellowship Examination; or

(2) who has been awarded Ph.D. Degree upto December 31, 1993; or

(3) who has submitted thesis for Ph.D. Degree upto December 31, 1993; or

(4) who has been awarded M. Phil Degree upto December 31, 1992; or

shall not be required to qualify in such a comprehensive test".

11.02. In the case of the Faculties of Arts (except the department of Fine Art & Music), Commerce, Science Education and Law the following shall be the minimum qualifications for the post of Reader and Professor--

(1) a Reader in the University, namely:

(I) Good academic record with a doctorate degree or equivalent published work; and active engagement in research or innovation in teaching methods or production of teaching material and

(II) Five Years experience of teaching or research including at least three years as Lecturer or an equivalent position:

Provided that the requirement contained in clause (II) may be relaxed in the case of a candidate

* Inserted by Notification No. 210/15-10-95 (14) 93 dated 13.10.1995.

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who, in the opinion of the Selection Committee, has outstanding research work to his credit.

(2) a Professor in the University, namely:

Either--

eminent scholarship with published work of high quality and active engagement in research and ten years experience of teaching or research and experience of guiding research at doctorate level:

OR

Outstanding scholarship with established reputation for significant contribution to knowledge.

(2) In the case of the Department of Fine Arts and Music in the Faculty of Arts, the following shall be the minimum qualifications for the post of a Reader in the University, namely--

Either--

(a) consistently good academic record with first or high second class Master's degree, or and equivalent degree or diploma recognised by the University; and

(b) two years research or professional experience or creative work and achievement in his field of specialisation or a combined research and professional experience of three years in the field as an artist of outstanding talent.

or--

a traditional or a professional artist with highly commendable professional achievement in the subject concerned; and

(c) five years teaching experience of degree or Post graduate class in the subject.

11.03. No selection of teacher made between August 1, 1975 and October 20, 1975 on the basis of the U.P.

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State University First Statutes (Age of Superannuation, Scales of Pay and Qualification of Teachers) 1975 referred to in clause (2) of Statute 1.02 as they stood before their amendment by Notification No. 7251/XV-10-75-60 (115)-73 dated October 20, 1975, shall be affected by these Statutes.

11.04. The advertisement of vacancy referred to in Section 31 (10) shall ordinarily allow to the candidates at least three weeks time, from the date of the issue of news papers in which advertisements is published. Sections 31 (a) & 49 (d)

11.05. (a) Meetings of the Selection Committee for appointment of teachers in the University shall be convened under the orders of the Vice-Chancellor. Sections 31 & 49 (d)

(b) The Selection Committee shall not consider the name of a person for appointment as teacher of the University unless he applies for it.

Provided that in the case of appointment of a Professor, the Committee may, with the approval of the Vice-Chancellor, consider the names of persons who have not applied.

(c) A member of the Selection Committee shall withdraw from a meeting of the Committee or of the Executive Council, as the case may be, if the question of appointment of any of the relatives (as defined in the Explanation to Section 20) of such member is being or is likely to be considered at such meeting.

11.06. (a) In the Selection Committee recommends more than one candidate for appointment, it may in its discretion arrange their names in order of preference. Where the Committee decides to arrange the members in order of preference, it shall be deemed to have signified that in the event of the first being not available, the second may be appointed, and in the event of the second also being not available, the third may be appointed, and so on. Sections 31 & 49 (d)

(b) The Selection Committee may recommend that no

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suitable candidate for appointment is available. In such a case, the post shall be re-advertised.

Section 49 (b) 11.07. The recommendations of the Selection Committee and proceedings of the Executive Council pertaining thereto shall be treated as strictly confidential.

Sections 21(i) (xvii), 31 & 49(d) 11.08. If the work and conduct of a teacher appointed under Section 31(2):

- (i) is considered satisfactory, the Executive Council may at the end of period of probation (including the extended period, if any) confirm the teacher;
- (ii) is not considered satisfactory, the Executive Council may terminate the services of the teacher in accordance with the provisions of Section 31 during or on the expiry of the period of probation (including the extended period, if any).

Sections 30 & 49 (d) 11.09. The Selection Committee shall meet at the Headquarters of the University.

Sections 31 & 49 (d) 11.10. Members of the Selection Committee shall be given not less than fifteen days notice of the meeting reckoned from the date of despatch of such notice. The notice shall be served either personally or by registered post.

Sections 31 & 49 (d) 11.11. At least fifteen days notice reckoned from the date of despatch shall be given to the candidates prior to the meeting of the Selection Committee. The Notice shall be served either personally or by registered post.

Sections 31 & 49 (e) 11.12. The travelling and daily allowances of the members of the Selection Committee shall be paid by the University at the rates prescribed by Ordinances.

11.12-A. In very special circumstances and on the recommendation of the Selection Committee the Executive Council may allow, up to five advance increments at the time of initial appointment, to such teachers as possess

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exceptionally high academic attainment and experience. If in any case it is necessary to give more than five advance increments, prior approval of the State Government shall be obtained before making the appointment.

11.12-B. (1) Notwithstanding anything to the contrary contained in Statute 11.02, or in any other Statute the following categories of teachers of the University shall be eligible for personal promotion to the post of Readers or Professors, as the case may be:

Reader's Post :

- (i) Lecturers who are Ph.D. and have put in at least 13 years full time continuous service, as such.
- (ii) Lecturers, who are not Ph.D. but have put in at least 16 years full time continuous service as such.

Professor's Post :

Readers who have put in at least 10 years full time continuous service as such.

Explanation-- Reader shall mean a teacher who has worked as Reader in a University.

(2) The service, referred to in clause (1), must have been rendered on a approved post:

- (i) In permanent, temporary or adhoc capacity;
- (ii) In this University or in any other University, Post-graduate or undergraduate College, Institute, so however that at least five years permanent service must have been rendered in this University after regular selection through the Selection Committee constituted under clause (a) of sub-section (4) of Section 31 of the Act.

(3) The teacher of the University who is eligible for personal promotion shall submit a self Assessment Report in the proforma given in Appendix E. containing information Added by the Gorakhpur University (19 Amendment) First Statutes, 1995 in force from February, 1995.

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relating to his satisfactory work, to the Registrar.

Explanation-- Satisfactory work shall mean the work done with reference to the work expected from teacher of the University under University Regulations, Statutes or Ordinances.

(4) The Selection Committee, constituted under clause (a) of sub-section (4) of Section 31 of the Act, shall consider the Self Assessment Report, Service Record (including Character Roll) and such other relevant records as may be placed before, or as considered necessary, by it. The meeting of the Selection Committee for considering cases of personal promotion shall be held at least once every year.

(5) The Selection Committee shall submit its recommendation to the Executive Council and the Executive Council shall, subject to the provisions of clause (6), grant personal promotion on the basis of such recommendation.

(6) The benefit of personal promotion shall be available to Lecturers for promotion to the post of Reader or Reader so appointed by promotion shall not be entitled to personal promotion on the post of the Professor.

Personal promotion on the post of Reader or Professor, if the case may be, shall take effect from the date of taking charge of the said post.

(8) As a result of personal promotion, there shall be no reduction in the work load of the teacher of the University.

(9) In case a teacher of the University is not found eligible for personal promotion he may offer himself again for such promotion after two years and he shall be considered for promotion along with the teachers of the University who have since become eligible.

(10) In case the Selection Committee does not find a teacher of the University suitable for personal promotion, it shall state the reasons.

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(11) (i) The Post of Reader or Professor, to which personal promotion is made, shall be deemed to be temporary addition to the cadre of Professor or Reader, as the case may be, and the post shall stand abolished on the incumbent ceasing to occupy it.

(ii) On the Reader ceasing to occupy the post of Professor to which he was given personal promotion, new appointment, if any, shall be made on the post of Reader and similarly on the Lecturer ceasing to occupy the post of Reader, new appointment, if any, shall be made on the post of Lecturer.

PART II

* Qualifications and Appointment of Teachers in Affiliated Colleges

11.13. (1) In the case of any college affiliated with University the minimum qualification for the post of lecturer in the Faculties of Arts (Except department of Fine Arts and Music) and the Faculty of Agriculture, Commerce and Science shall be Master's degree or an equivalent degree of a Foreign University in the relevant subject with at least 55 per cent marks or its equivalent grade and consistently good academic record.

(2) In the case of any college affiliated with University the minimum qualifications for the post of lecturer in the Faculty of Education shall be Master's degree or an equivalent degree of a Foreign University in Education (that is M.Ed. degree) with at least 55 per cent marks or its equivalent grade and consistently good academic record.

(3) In the case of any college affiliated with University the minimum qualifications for the post of lecturer in the Faculty of Law shall be a degree of Master of Law or an equivalent degree of a Foreign University

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with at least 55 per cent marks or its equivalent grade and consistently good academic record.

(4) In the case of any college affiliated with the University, the following shall be the minimum qualifications for the post of lecturer in the Faculty of Fine Arts, And Music namely:

Either

Master's degree or an equivalent degree or diploma recognised by the University in the relevant subject with at least 55 per cent marks or its equivalent grade and consistently good academic record.

OR

a traditional or a professional artist with highly commendable professional achievement in the subject concerned.

(5) For purposes of this Statute, the expression "consistently good academic record" in relation to the Faculty of Education or Faculty of Law or other Faculties, shall have the same meaning as given to it in sub-clause (b) or sub-clause (c) of clause (5) of Statute 11.01, as the case may be.

(6) For appointment to the post of lecturer only those candidates shall be eligible who, besides fulfilling the minimum academic qualifications prescribed for the post of lecturer, have qualified in a comprehensive test, if any, to be conducted as per scheme of University Grants Commission.

Provided that a candidate :

(1) Who has passed University Grants Commission Council of Scientific and Industrial Research or Junior Research Fellowship Examination; or

(2) who has been awarded Ph.D. Degree upto November 31, 1993; or

* Amended by 42nd amendment dated 12.10.1988

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(3) who has submitted thesis for Ph.D. Degree up to December 31, 1993; or

(4) who has been awarded M. Phil Degree up to December 31, 1992; or shall not be required to qualify in such comprehensive test".

(7) Where confirmed teacher of affiliated college having at least five years teaching experience, who fulfill the qualifications prescribed in the Statutes or Ordinances of the university at the time of his initial appointment to the post of Lecturer in that College, is a candidate for the post of Lecturer in any other affiliated college or is at retrenchment from the College where he served, a candidate for the post of Lecturer in the same or any other affiliated college the qualifications laid down in Statutes shall not insisted upon his respect.

11.13-A. In the case of any college, affiliated with University, the following shall be the minimum qualifications for the post of Principal for a:

(i) Degree College-- (a) a consistently good academic record (that is to say, the over all record of all assessments throughout the academic career of a candidate) with first or high second class (that is to say with an aggregate more than 54 percent marks) Master's degree, or equivalent degree of a foreign University.

(b) a doctorate degree Deleted by Notification 210/XU-X-95-15914/93 dated 13-1-95 with 7 years experience of teaching degree classes.

Provided that if a candidate possess 12 years or more experience of teaching degree classes or 7 years or more experience of teaching post-graduate classes or if he has been a confirmed Principal of four years or

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standing of any Degree College, the Selection Committee may relax the requirement of doctorate degree:

Provided further that if the selection committee is of the view that the research work of a candidate as evident either for his thesis or from his published work is of a very high standard it may relax any of the qualifications prescribed in sub-clause (a).

(2) Post-graduate College-- (a) a consistently good academic record (that is to say, the overall record of all assessments throughout the academic career of a candidate) with first or high second class (that is to say, with an aggregate or more than 54 per cent marks) Master's degree, or an equivalent degree of a foreign University, and

(b) a doctorate degree Deleted by with 7 year's experience of teaching post-graduate or 5 years experience of Principalship of a degree college:

Provided that if a candidate possesses 10 years experience of teaching post-graduate classes or 20 years or more experience of teaching degree classes or 7 years' experience of Principalship of a Degree College or if he is or has been a confirmed Principal of five years or more standing of any Post-graduate College the Selection Committee may relax the requirement of doctorate degree:

Provided further that if the Selection Committee is of the view that the research work of a candidate as evident either from his thesis or from his published work is of a very high standard it may relax any of the qualifications prescribed in sub-clause (a).

11.14. The provisions of Statutes 11.03 to 11.12 (except Statute 11.08) shall *mutatis mutandis* apply in case of appointment of Principals and teachers of affiliated Colleges as they apply to the teachers of the University.

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11.15. The travelling and daily allowances of the Sections 31 members of the Selection Committee for the appointment & 49 (e) of Principals and teachers of affiliated colleges shall be borne by the college concerned.

(a) The travelling and daily allowances of the members of the Selection Committee for the appointment of Principals and teachers of affiliated colleges shall be borne by the college concerned.

(b) A candidate desiring to be appointed as a teacher in a college shall be required to submit a certificate from the college concerned to the effect that he has been employed as a teacher in a college for a period of not less than two years.

(c) Provided that if a candidate possesses 10 years or more of teaching experience in a college or in a school, he may be appointed as a teacher in a college without the certificate mentioned in (b) above.

(d) Provided further that if the Selection Committee is of the opinion that the research work of a candidate is of a high standard it may relax any of the requirements prescribed in sub-clause (a).

11.14. The provisions of Statute 11.03 shall apply to the appointment of Principals and teachers of affiliated colleges as they apply to the appointment of the University.

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**CHAPTER XII
 CONSTITUENT COLLEGES**

12.01. The Baba Raghava Das Medical College, Gorakhpur maintained by the Government shall be constituent college of the University.

**CHAPTER XIII
 AFFILIATION OF NEW COLLEGES**

13.01. Each affiliated college shall observe the rules laid down by the university regarding the admission of students of affiliated colleges and residence and discipline of students in affiliated colleges.

13.02. Every application for recognition of a College as affiliated College shall be made so as to reach the Registrar not less than 12 months before the commencement of the session in respect of which the recognition is sought:

Provided that the Chancellor may in special circumstances reduce the said period in the interest of higher education to such extent as he may deem necessary:

13.03. Every application for recognition of a college shall be accompanied by a Bank Draft payable to the University, for sum of Rs. 2,000 which will be non-refundable.

13.04. Before an application for recognition is placed before the Executive Council, the Vice-Chancellor must be satisfied with regard to the following particulars, namely:

- (a) that the provisions of Statutes 13.05, 13.06 and 13.07 have been complied with;
- (b) that the institution satisfied the demand for higher education in the locality;
- (c) that the Management concerned has provided or has adequate financial resources to provide

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for:

- (i) suitable and sufficient building;
- (ii) adequate library, furniture, stationery, equipment and laboratory facilities;
- (iii) two hectares of land (excluding covered area);
- (iv) facilities for health and recreation of the students;
- (v) payment of salary and other allowances to the employees of the college for at least three years.

13.05. The constitution of the Management of every college shall provided that :

- (a) the principal of the College shall be ex-officio member of the Management;
- (b) twenty-five percent of the members of Management, are teachers (including Principal);
- (c) the teachers (excluding the Principal) referred to in clause (b) are such members for a period of one year by rotation in order of seniority;
- (cc) one member of the Management shall be from the non-teaching class III employees of the college selected for a period of one year by rotation in order of seniority;
- (d) subject to the provisions of clause (c) no members of the Management shall be re-elected to each other within the meaning of Explanation of Section 20;
- (e) no change in the said constitution shall be made except with the prior permission of the Vice-Chancellor;
- (f) if any question arises whether any person has been duly chosen as, or is entitled to

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member or office-bearer of the Management or whether the Management is legally constituted the decision of the Vice-Chancellor shall be final.

- (g) the college is prepared to place before any person or persons authorised by the Vice-Chancellor or before the Panel of Inspectors appointed by the University all original documents pertaining to income and expenditure of the college including the accounts of the Society/Trust/Board/Parent body under which it may be operating;
- (h) the income from the Endowment Funds referred to in Statutes, 13.06 shall be available for the maintenances of the College.

13.06. (1) For every college (other than a college exclusively maintained by the State Government or by a local authority), there shall be a separate endowment fund which shall be pledged with the Registrar of the University concerned and which shall not be alienated so long as the college continues to exist, of the value of:

- (i) Rs. 2.5 lakhs in the case of college applying for recognition - Arts;
- (ii) Rs. 2.5 lakhs in the case of a college applying for recognition in - Commerce;
- (iii) Rs. 2.5 lakhs in the case of a college applying for recognition in - Education;
- (iv) Rs. 2.5 lakhs in the case of a college applying for recognition in - Law;
- (v) Rs. 3 lakhs in the case of a college applying for recognition in - Science;
- (vi) Rs. 3 lakhs in the case of a college applying for recognition in - Agriculture to be provided exclusively for degree classes.

(2) If the college wants recognition up to post graduate

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standard, additional endowment Fund of the value of Rs. 20,000 per subject in the case of Arts, Commerce, Education or Law and Rs. 30,000 per subject in the case of Science Agriculture shall have to be provided for.

(3) Such Endowment Funds shall be invested in Fixed Deposit Accounts of a Schedule Bank or in such other manner as the University may direct.

13.07. A college seeking recognition in any course requiring laboratory work shall further satisfy the University that-

- (a) separate laboratories are Provided in each branch of Science and that each of them is suitably equipped; and
- (b) sufficient and suitable apparatus and equipment are provided for the carrying of experimental work.

13.08. If the Vice-Chancellor is satisfied with regard to matters in the preceding Statutes, the application shall be placed before the Executive Council which shall appoint a Panel of Inspectors to inspect the college and make a detailed report on all relevant matters. The Panel so appointed shall include the Regional Deputy Director of Education in the case of a Boy's or co-educational college and the Regional Inspectress in the case of a Girls' college.

13.09. Ordinarily all inspection shall be completed within 4 months of the receipt of an application for recognition. No application for recognition shall be granted by the Executive Council unless it is satisfied about the financial soundness and of the available resources of the college proposed to be recognised on the report of the Panel of INSPECTORS. The process of grant or refusal of application should ordinarily be completed before 15th May of the year in which it is proposed to start the classes.

13.10. Where the recognition to a college is granted subject to certain conditions, the college shall not admit or

Sections

(4) & 49
(m)

Sections

(4) & 49
(m)

Section

(4) & 49
(m)

Section

(4) & 49
(m)

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register students unless the Vice-Chancellor after inspection has issued a certificate that the conditions imposed by the University have been duly fulfilled. If there are practical difficulties for the Vice-Chancellor to inspect the college personally, he may nominate a qualified person or persons to inspect the college concerned.

Affiliation of Affiliated Colleges for New-Degree or Additional Subjects

13.11. Every application from an affiliated college for starting courses of instructions for a new degree or in new subjects shall be made so as to reach Registrar before the 15th of August of the session in which it is proposed to start such courses.

13.12. Each college applying for recognition for a new degree or for a new subject, shall remit with its application a sum of Rs. 200 for each subject with a minimum of Rs. 400 and a maximum of Rs. 1,000 which will be non-refundable.

13.13. No application for Affiliation in a new subject shall be considered unless the Registrar gives a certificate in writing that the conditions of affiliation and or previous affiliation have been fulfilled in total.

13.14. If the Vice-Chancellor is satisfied in regard to the need for such affiliation and if the college has fulfilled and continues to fulfill conditions of previous recognitions, the application shall be placed before the Executive Council which shall appoint a Panel of Inspectors and the provision of Statute 13.08 shall apply.

13.15. Ordinarily, all inspections, referred to in Statute 13.14 shall be completed by the end of October, to enable the Executive Council of the University to scrutinise the reports of inspections well in time.

13.16. Restrictions imposed by Statute 13.10 shall apply to an affiliated college applying for affiliation for

new degrees or additional subject.

13.17. Every affiliated college shall strictly observe the rules laid down by the University regarding admission to college, residence and discipline of subjects. Sections (4) & 49 (m)

13.18. Every affiliated college shall make available to the University of its buildings, libraries and laboratories with their equipments and appurtenances and also the services as such of its teaching and other staff as may be necessary for the purposes of conducting the University examinations. Sections (4) & 49 (m)

13.19. Every affiliated college shall have on its staff teachers having such qualifications who shall be given such grades of pay, and be governed by such other conditions of services as may be laid down from time to time in the Ordinances or in orders of the State Government in that behalf. Sections (4) & 49 (m)

Provided that no ordinances relating to grades of pay and qualifications shall be made without the prior approval of the State Government.

13.20. When the office of Principal of an affiliated college falls vacant, the Management may appoint any teacher to officiate as Principal for a period of three months or until the appointment of a regular Principal, whichever is earlier. If on or before the expiry of the period of three months, any regular Principal is not appointed, or such a Principal does not assume office, the senior-most teacher in the college shall officiate as Principal of such college until a regular Principal is appointed. Section (4) & 49 (m)

13.21. Every affiliated college shall observe the conditions set out in Statutes 13.04 to 13.07. Sections 38 (4) & 49

Provided that in the case of a college affiliated before the commencement of these Statutes, the Vice-Chancellor may require Management of such college to fulfill and observe such of the conditions set out in Statutes 13.04, 13.06 and 13.07 which the Vice Chancellor considers

reasonable:

Provided further that if the management of such college fails to comply with requirements issued under the preceding proviso within the time specified by the Vice-Chancellor the Vice-Chancellor may take steps for the withdrawal of the affiliation in accordance with Statutes 13.28 to 13.32

13.22. Every affiliated college shall be 15th August every year submit to the Registrar a certificate from the Principal that the conditions laid down for affiliation have continued to be fulfilled.

13.23. Every affiliated college shall maintain the registers required for affiliated colleges and shall from time to time furnish to the Registrar returns in such forms as may be required by the University.

13.24. (1) Where the Executive Council or the Vice-Chancellor causes any affiliated college to be inspected it or he may communicate to the college the result of such inspection together with its or his views thereon and direct the Management regarding the action to be taken.

(2) Where the Management of an affiliated college does not take action to the satisfaction of the Executive Council, the Council may, after considering any explanation furnished or representation made by the management issue such direction as it may think fit, and the Management shall comply with such direction, failing which the Executive Council may proceed to take action under or in accordance with Statute 13.31.

13.25. Information regarding all posts in the teaching staff of the college that fall vacant temporarily or permanent shall be communicated to the Registrar within 15 days of the falling vacant.

13.26. The number of students in a class or section in affiliated college shall not, except with previous permission of the Vice-Chancellor, exceed 60 for purposes of lectures

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in the class room but in the no case, shall be exceed 80.

13.27. Before a new section in any class is opened by any College, full information regarding additional staff required (together with their qualifications and salaries, timetable for the new section, accommodation available and provision for additional equipment and Library facilities) is sent to the University and prior permission of the Vice-Chancellor is obtained.

Sections
(4) & 49
(m)

Withdrawal of Affiliation

13.28. Continuance of affiliation shall depend on continued fulfilment of conditions laid down by the University.

Sections
(4) 38 (7) 38
& 49 (m) 38 (&
49 (m)

13.29. An affiliated college shall be deemed to have been disaffiliated if it fails to send up any candidate for an examination conducted by the University for three successive years.

Sections
(4) 38 (7)
& 49 (m)

13.30. Executive Council may direct a college not to admit students to a particular class if the conditions laid down for starting the classes have in the opinion of the Executive Council been disregarded by the college concerned. The classes may, however, be reestrated with the prior permission of the Executive Council when the conditions are fulfilled to the satisfaction of the Executive Council.

Sections
(4) 38 (7)
& 49 (m)

13.31. If a college disregards the requirements of the University regarding the fulfilment of the conditions of affiliation and fails to fulfil the conditions in spite of notice issued by the University, the Executive Council may with the previous sanction of the Chancellor, suspend the recognition till the conditions are fulfilled to the satisfaction of the Executive Council.

Section
(4) 38 (7)
& 49 (m)

13.32. (1) The Executive Council may, with the prior sanction of the Chancellor, deprive an affiliated college of the privileges of affiliation either wholly or for any degree or subject, if it fails to comply with the directions

Section
(4) 38 (7)
& 49 (m)

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of the Executive Council or to fulfil the conditions of affiliation or for gross mismanagement, or if for any other reason the Executive Council is of opinion that the college should be deprived of such recognition.

(2) If the salaries of the staff are not paid regularly, or if the teachers are not paid their salaries to which they were entitled under the Statutes or the Ordinances, the college concern would be liable to withdrawal of affiliation within the meaning of this Statute.

13.33. The Executive Council shall, before taking any action the preceeding Statutes call upon to take within a specified period such action as may be appear to it to be necessary in respect of any of the matters referred to in the conditions of affiliation etc.

13.34. Whenever there is a dispute regarding the management of an affiliated college, persons found by the Vice-Chancellor to be in actual possession and control of the college properties may, for purposes of the Act and these Statutes be recognised to constitute the Management of such college until a court of competent jurisdiction orders otherwise:

Provided that the Vice-Chancellor shall before making an order under this Statute, afford an opportunity to the rival claimants to make written representations.

Explanation- In determining the question as who is actual possession and control of the college properties Vice-Chancellor shall have reagard to the control over funds of the Institution and over the actual administration receipt of the Income from the property of the Institution and to other relevant circumstance which might have bearing on the question to be determined.

Finance, Audit and Accounts

13.35. (a) The Management of each affiliated college

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shall be assisted by a Finance Committee which shall consist of:

- (i) the President or the Secretary of the management who shall be the Chairman;
- (ii) two other members elected by the Management from amongst themselves;
- (iii) the Principal (Ex-officio);
- (iv) the seniormost teacher member of the Management (Ex-officio).

(b) The Principal of the College shall be the Secretary of the Finance Committee and be entitled to convene its meeting.

13.36. The Finance Committee shall prepare the annual budget of the college (except of the Students Funds) which shall be placed before the Management for their consideration and approval. Section 49

13.37. New expenditure, not already included in the budget of the college shall not be incurred without references to the Finance Committee. Section 49

13.38. The recurring expenditure provided for in the budget shall be controlled by the Principal subject to any specific directions that may be given by the Finance Committee. Section 49

13.39. All Students' Fund shall be administered by the Principal assisted by the different committees such as Games and Sport Committee, Magazine Committee, Reading Room Committee, etc. which shall include representatives of students of the college concerned. Section 49

13.40. Accounts of the Students Funds shall be audited by a qualified auditor appointed by the Management not from amongst its members. The audit fees will be a legitimate charge on the Students' Funds of the college. The audit reports shall be placed before the Management. Section 49

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13.41. The Students' Funds and the fee income from the Hostels shall not be transferred to other fund and no loan shall be taken from these funds for any purpose whatsoever.

13.42. The Provisions of the Statutes relating to the affiliated college shall not apply to the Madan Mohan Malaviya Engineering College, Gorakhpur in so far as they are inconsistent with the memorandum of Association.

CHAPTER XIV

CONFERMENT AND WITHDRAWAL OF DEGREES AND DIPLOMAS

14.01. (a) The Degree of Doctor of letters (D.Litt.) or Mahamahopadhyaya, Honoris Causa may be conferred upon such persons as have contributed substantially to the advancement of Literature, Philosophy, Arts, Music, Painting or any other subject assigned to the faculty of Arts, or for conspicuous services rendered by them to the cause of education.

(b) The degree of Doctor of Science (D.Sc.) Honoris Causa, may be conferred upon such persons as have contributed substantially to the advancement of any branch of science or technology or to planning organising or developing scientific and technological institutions in the country.

(c) The degree of Doctor of Laws (LL.D.) Honoris Causa may be conferred upon persons, who are distinguished lawyers, judges, jurist, statesmen or have noteworthy contribution to the public good.

14.02. The Executive Council may, *suo moto* or on the recommendation of the Academic Council by a resolution passed by a majority of its total membership and also of not less than two-third of the members present and voting submit a proposal for conferment of honorary degree to the

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Chancellor for confirmation under Section 10(2):

Provide that no such proposal shall be submitted in respect of a person who is a member of any authority or body of the University.

14.03. Before taking any action under Section 67 for the withdrawal of any degree, diploma or certificate conferred or granted by the University, the person concerned shall be given an opportunity to explain the charges against him. The charges framed against him shall be communicated by the Registrar by registered post and the person concerned shall be required to submit his explanation within a period of not less than fifteen days of the receipt of charges. Sections (1) & 67

14.04. Every proposal for the withdrawal of an honorary degree shall require previous sanction of the Chancellor. Sections (1) & 6

14.05. (a) An Institute may be recognised by the Executive Council as an institution where research may be carried on in the fulfilment of the requirements of section 7 (4) (b) of the Act after it has been recommended by the Academic Council with the concurrence of the Board of the Faculty concerned. The recognition so granted may be withdrawn by the Executive Council on the recommendation of the Academic Council made with the concurrence of the Board of the Faculty concerned.

(b) The Management of the Institute so recognised shall vest in:-

(i) A Committee of Management or other equivalent body, appointed by the person or the body maintaining the Institute, the constitution of which shall be reported to the Executive council, or

(ii) A Director appointed by the person or the body maintaining the Institute.

(c) Research work in a recognised Institute may be guided by the Director and other teachers of the Institute who may be recognised as supervisors or advisers for the

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D.Litt. or D.Sc. or LL.D. or D.Phil. degree of the University.

(d) The Director and other teachers of the Institute, if they so agree, may deliver a course of advance lectures to research students of the university with the consent of the Head of the Department concerned.

(e) Any person having requisite qualifications desirous carrying on research work at the Institute for research degrees of the University shall make an application to the Registrar through the Director of the Institute. The applications so received shall be placed before the Research Degree Committee of the University constituted under Ordinances and, if approved by the Committee, the applicant shall be permitted to start work on payment of such fees as may be prescribed by the Ordinances.

(f) Any specific grant or donation received for any Institute shall be earmarked for the Institute and spent on the Institute. No part of the grant of a corresponding department of teaching in the University shall be spent for any Institute.

CHAPTER XV CONVOCATION

on 49 15.01. (1) A Convocation for conferring its degrees, Diplomas and other academic distinctions may be held by the University not more than once in a year on such date and at such time as the Executive Council may appoint.

(2) A special convocation may be held by the University with the prior approval of the Chancellor.

(3) The Convocation shall consist of the persons specified in sub-section (1) of Section 3 as constituting the body corporate of the University.

n 49 15.02. A local convocation may be held at each affiliated college on such date and such time as the Principal

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may with the prior approval of the Vice-Chancellor in writing appoint.

15.03. Combined convocation may be held two or more colleges in the manner prescribed in Statute 15.02. Section (r)

15.04. To procedure to be observed at the convocations referred to in this Chapter and other matters connected therewith shall be such as may be laid down in the Ordinances. Section (r)

15.05. Where the University, or any affiliated college does not find it convenient to hold the convocation in accordance with Statute 15.01 to Statute 15.04, the degrees, diploma and other academic distinctions may be despatched to the candidates concerned by registered post. Section (r)

CHAPTER XVI

PART I

CONDITIONS OF SERVICE OF TEACHERS OF UNIVERSITY

16.01. Except in the case of an appointment referred to in Statute 10.03 (1) or appointment under section 31(3) in a vacancy caused by the grant of leave to a teacher for a period not exceeding 10 months or of an appointment under section 13(6), teachers of the University shall be appointed on a written contract in the form set out in Appendix 'B'. Section (d)

16.02. A teacher of the University shall at all times maintain absolute integrity and devotion to duty and shall observe the code of conduct as set out in Appendix C, which shall form part of the agreement to be signed by the teacher at the time of appointment. Section (d)

16.03. A breach of any of the provisions of the Code of Conduct as set out in Appendix C shall be deemed to be a misconduct within the meaning of Statute 16.04(1). Section (d)

Section 49

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16.04. A teacher of the University may be dismissed or removed or his services terminated on one or more of the following grounds:

- (a) wilful neglect of duty;
- (b) misconduct;
- (c) breach of any of the terms of contract of service;
- (d) dishonesty connected with University Examination;
- (e) scandalous conduct or conviction for an offence involving moral turpitude;
- (f) physical or mental unfitness;
- (g) incompetence;
- (h) abolition of the post.

(2) Except as provided by Section 31 (2), not less than three months' notice (or where notice is given after the month of October then three months' notice or notice ending with the close of the session, whichever is longer) shall be given on either side for terminating the contract, or in lieu of such notice, salary for three months (or such longer period as aforesaid) shall be paid:

Provided that where the University dismisses or removes or terminates the services of a teacher of the University under clause (1), or when the teacher terminates the contract for breach of any of its terms by the University, no such notice shall be necessary:

Provided further that the parties will be free to waive the condition of notice in whole or in part by mutual agreement.

16.05. The original contract of appointment referred to in Section 32 shall be lodged with the Registrar for registration within three months of the date of appointment.

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16.06. (1) No order dismissing removing or terminating the services of a teacher of the University on any ground mentioned in clause (1) of statute 16.04 (except in the case of a conviction for an offence involving moral turpitude or of abolition of post), shall be passed unless a charge has been framed against the teacher and communicated to him with a statement of the grounds on which it is proposed to take action and he has been given adequate opportunity-

- (i) of submitting a written statement of his defence;
- (ii) of being heard in person, if he so chooses; and
- (iii) of calling and examining such witnesses in his defence as he may wish.

Provided that the Executive Council or an officer authorised by it to conduct the enquiry may, for sufficient reasons to be recorded in writing refuse to call any witness.

(2) The Executive Council may, at any time ordinarily within two months from the date of the Inquiry Officer's report pass a resolution dismissing or removing the teacher concerned from service or terminating his services mentioning the ground of such dismissal, removal or termination.

(3) The resolution shall forthwith be communicated to the teacher concerned.

(4) The Executive Council may, instead of dismissing removing or terminating the services of the teacher, pass a resolution inflicting a lesser punishment by reducing the pay of the teacher for a specified period not exceeding three years and or by stopping increments of his salary for a specified period or may deprive the teacher of his pay during the period of his suspension, if any.

16.07. (1) The Disciplinary Committee referred to in Statute 8.10 may recommend the suspension of a teacher during the pendency or in contemplation of an inquiry into charges against him, on the grounds mentioned in sub-clauses (a) to (e) of clause (1) of Statute 16.04. The order of suspension if passed in contemplation of an inquiry shall

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base at the end of four weeks of its operation unless the teachers has in the meantime been communicated the charge charges on which the inquiry was contemplated.

(2) A teacher of the University shall be deemed to have been placed under suspension:

- (a) with effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding 48 hours and is not forthwith dismissed or removed consequent to such conviction;
- (b) in any other case, for the duration of his detention if he is detained in custody, whether the detention is for any criminal charge or other wise.

Explanation:- The period of 48 hours referred to in clause (a) of this clause, shall be computed from the commencement of the imprisonment after the conviction for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

(3) Where the order of dismissal or removal from service of a teacher of University is set aside or declared void in consequence of any proceedings under Act or these Statutes or otherwise, and the appropriate officer, authority or body of the University decides to hold a further inquiry against him, then if the teacher was under suspension immediately before such dismissal or removal, the suspension order shall be deemed to have continued in force from the date of the original order or dismissal or removal.

(d) During the period of his suspension, the teacher of the University shall be entitled to get subsistence allowance in accordance with the provisions of Chapter VIII of Part II of the U.P. Government's Financial Hand Book, Volume I (as amended from time to time) which shall *mutatis mutandis* apply.

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16.08. In computing the maximum period for purposes of clause (2) of Statute 16.06 or clause (1) of Statute 16.07 the period during which a stay order from any court of law in operation, shall be excluded. Sections (xvii) & Section 49 (d) 1)

16.09. No teacher of the University shall draw for any duties performed in connection with any examination referred to in Sections 34(1), in any calendar year, any remunerations in excess of one sixth of the aggregate of his salary in that calendar year or three thousand rupees, which ever is less. Section (i)

16.10. Notwithstanding anything contained in these Statutes- Section (d)

- (i) a teacher of the University who is a member of Parliament or State Legislature shall not through out the term of his membership hold any administrative or remunerative office in the University.
- (ii) if a teacher of the University is holding any administrative or remunerative office in the University from before the date of his election or nomination as a Member of Parliament or the State Legislature, then he shall cease, to hold such office with effect from the date of such election or nomination or with effect from commencement of these Statutes, whichever is later;
- (iii) a teacher of the University who is elected, or nominated to Parliament or the State Legislature, shall not be required to resign or to take leave from the University for the duration of his membership or, except as provided by Statute 16.11 for attending the meeting of any House or Committee thereof;

Explanation- The membership of any authority or body of the University or the Deanship of a faculty or the Principalship of any college shall not be deemed to be an

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administrative office for the purposes of this Statute.

16.11. The Executive Council shall fix a minimum number of days during which such teacher shall be available in the University for his academic duties:

Provided that where a teacher of the University is not so available because of the sessions of the Parliament or the State Legislature, he shall be treated on such leave, as may be due to him, and if no leave is due, then on leave without pay.

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PART II
LEAVE RULES FOR TEACHERS OF THE UNIVERSITY

16.12. Leave shall be of the following categories:

- (a) casual leave
- (b) privilege leave
- (c) sick leave
- (d) duty leave
- (e) long term leave
- (f) extraordinary leave
- (g) maternity leave.

16.13. Casual leave shall be on full pay for not more than seven days in a month or 14 days in a session and shall not accumulate. It will not ordinarily be combined with holidays, but in special circumstances the Vice Chancellor may waive this condition for reasons to be recorded in writing.

16.14. Privilege leave shall be on full pay for ten working days in a session may accumulate upto 60 working days.

16.15. Sick leave shall be on the difference between the current rate of pay and the total cost of the leave arrangements, if any, with a minimum of half pay, for one month in a session and shall not accumulate.

16.16. Duty leave up to 15 working days shall be on full pay for attending meetings of any of the University bodies, *ad-hoc* Committees and Conferences of which a teacher may be ex-officio member or to which he may have been nominated by the University and for conducting examination of the University.

16.17. Long term leave, which shall be on half pay for one month in a session, and may accumulate upto twelve months, may be granted for reasons such as prolonged illness,

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urgent affairs, approved studies or preparatory to retirement:

Provided that in case of prolonged illness, the leave may, at the discretion of the Executive Council, be on full pay for a period not exceeding six months. Such leave can be granted only after five years of continuous service except in the case of prolonged illness:

Provided further that such teachers as are selected for "Teacher Fellowship" by the University Grants Commission for training or study in a foreign country under other scheme sponsored by the Commission, may be granted leave on full pay for the duration of such fellowship training or study on such terms and conditions as may be notified by the State Government.

16.18. Extraordinary leave shall be without pay. It may be granted for such reasons as the Executive Council may deem fit for a period not exceeding three years annually but may be extended for a period not exceeding 10 years under special circumstances except in the circumstances mentioned in Statute 16.10.

Explanation (1)- A teacher who holds a permanent post or who being permanent on a lower post has been promoted to a higher post for more than three years, shall be entitled to the concurrence of the State Government, before he is granted extraordinary leave sanctioned for undertaking higher scientific and technical studies towards increment in the time scale.

(2) Subject to the concurrence of the State Government, a teacher who holds a temporary post and has been sanctioned such leave shall, on return from such leave be entitled to get his pay fixed in accordance with Fundamental 27 of the Financial Hand Book, Volume II to IV at the stage in the time scale as he would have got had he proceeded on such leave provided that the study for which such leave was sanctioned was in the public interest.

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16.19. Maternity leave on full pay to female teacher for a period which may extend up to three months from the date of its commencement or to six weeks from the date of confinement, whichever is earlier: (d) Section

Provided that such leave shall not be granted for more than three times in the entire service of the teacher.

16.20. Leave cannot be claimed as a matter of right if the exigencies of the occasion demand, the sanctioning authority may refuse leave of any kind and may even cancel the leave already granted. (d) Section

16.21. Sick leave or long term leave on account of prolonged illness can be granted on the production of a medical certificate from a registered medical practitioner. In a case of such leave exceeding 14 days the Vice Chancellor shall be competent to call for a second certificate of a Registered Medical Practitioner approved by him. (d) Section

16.22. The authority competent to grant leave will be the Vice-Chancellor except in the case of long term leave and extraordinary leave, which will be granted by the Executive Council. (d) Section

16.22-A. A teacher who has been in service of the University from before the date of enforcement of these Statutes shall have the right to opt whether he shall continue to be governed by the old leave rules in force prior to the said date or shall be governed by the new rules. Such option shall be exercised by September 30, 1977. The option once exercised shall be final.

PART III

AGE OF SUPERANNUATION

16.23. In this part, the expression 'new scale of pay' means the scale of pay admissible to a teacher in accordance with the G.O. No. Shiksha XI-9045/XV-(7)-73 dated December 28, 1974 as amended from time to time. (d) Section

(73)

16.24. (1) Subject to the provisions of Statutes 16.25 and 16.26, the age of superannuation of a teacher of the University governed by the new scale of pay shall be sixty years.

(2) The age of superannuation of a teacher of the University not governed by the new scale of pay shall be subject to Statute 16.25, be sixty years.

(3) No extension in service beyond the age of superannuation shall be granted to any teacher after the date of commencement of these Statutes.

Provided that a teacher whose date of superannuation does not fall on June 30 shall continue in service till the end of the academic session, that is, June 30 following, and will be treated as on re-employment from the date immediately following his superannuation till June 30, following:

Provided further that such physically and mentally fit teachers shall be re-appointed for a further period of two years, after June 30 following the date of their superannuation, as were imprisoned for taking part in freedom struggle or 1942 and are getting freedom fighters pension;

**Provided also that the teachers who were re-appointed in accordance with the second proviso as it existed prior to the commencement of the Gorakhpur University (Twenty-nine Amendment) First Statute, 1988 and a period of one year has not elapsed after the expiry of the period of their re-employment, may be considered for re-appointment for a further period of one year.:

***Provided also that a teacher, who is treated to be on re-employment from the date immediately following. The date of his superannuation till June 30 following will be entitled to pay and other benefits admissible to government employed of equal status.

* Amended by 37th amendment dated 16.12.87

** Added by 29th amendment dated 22.6.1988

*** Added by 38th amendment dated 30.12.1987

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16.25. Every teacher of the University who on August 1, 1975 was serving on extension beyond the age of superannuation specified in Statute 16.24 and such extension was granted before the said date, shall retire on the expiry of the period of extension in accordance with the provisions of the Statutes and Ordinances in force on the said date but such teacher shall not be entitled to avail the new scales of pay.

16.26. The date of retirement of a teacher of the University shall be the date immediately preceding the 60th birthday of such teacher.

Section 32

Section 49

Section 49

(75)

PART IV OTHER PROVISIONS

16.27. Any contract of appointment between a teacher and University entered into before the commencement of these Statutes shall be subject to the provisions of the Statutes contained in the Chapter, and shall be deemed to be modified in accordance with the provisions of this Chapter and in accordance with the terms contained in the form set out in Appendix 'B' read with Appendix 'C'.

16.28. A teacher of the University dismissed on any of the grounds mentioned in clause (b), clause (c), clause (d) or clause (e) of Statute 16.04 (1) shall not be re-employed in any University or in any college affiliated or associated with any such University in any capacity.

16.29. (1) Every teacher of the University shall prepare, in duplicate his Annual Academic Progress Report in Form 1. The original Report shall be lodged with the Vice-Chancellor and the copy thereof shall be retained by the teacher himself.

(2) The original Report shall before being lodged with the Vice-Chancellor be countersigned in the case of teachers other than the Head of a Department by the Head of the Department concerned.

(3) The report in respect of an academic session shall be lodged by the end of July following the said session, or within one month from the close of the session whichever is later.

16.30. Every teacher of the University shall be bound to comply the directions of the officers and authorities of the University in connection with the examinations conducted by the University.

16.31. Where under the provisions of the Act or these Statutes or the Ordinances, a teacher is required to be served with any notice and such teacher is not in station,

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the notice may be sent to him by registered post at his last known address.

CHAPTER XVII PART I CONDITIONS OF SERVICES OF TEACHERS OF AFFILIATED COLLEGES

17.01. The provisions of this Chapter shall not apply to the teachers of any college exclusively maintained by the State Government or local authority. Section (e)

17.02. Except in the case of an appointment under Section 31(3) in a vacancy caused by the grant of leave to a teacher for a period not exceeding 10 months, teachers of an affiliated college shall be appointed on a written contract in the Form set out in Appendix 'D'. Section (e)

17.03. (1) A teacher of an affiliated college shall at all times maintain absolute integrity and devotion to duty and shall observe the Code of Conduct as set out in Appendix 'C' which shall form part of an agreement to be signed by the teacher at the time of appointment. Section (e)

(2) A breach of any of the provisions of the Code of Conduct as set out in Appendix 'C' shall be deemed to be a misconduct with in the meaning of Statute 17.04 (1)

17.04. (1) A teacher of an affiliated college (other than a Principal) may be dismissed or removed or his services terminated on one or more of the following grounds: Section (e)

- (a) wilful neglect of duty;
- (b) misconduct, including disobedience to the orders of the Principal;
- (c) breach of any of the terms of contract of service;
- (d) dishonesty connected with the University or College examination.

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- (e) scandalous conduct or conviction for an offence involving moral turpitude;
- (f) physical or mental unfitness;
- (g) incompetence;
- (h) abolition of the post with the prior approval of the Vice-Chancellor.

(2) A Principal of an affiliated college may be dismissed or removed, or his services terminated on grounds mentioned in clause (1) or on the grounds of continued mismanagement of the college.

(3) Except as provided by clause (4), not less than three months notice (or where notice is given after the month of October, then three months' notice or notice ending with the close of the session whichever is longer) shall be given on either side for terminating the contract, or in lieu of such notice, salary for three months (or longer period as aforesaid) shall be paid:

Provided that where the Management dismisses or removes or terminates the service of a teacher, under clause (1) or clause (2) or when the teacher terminates the contract for breach of any of its terms by the Management, no such notice shall be necessary:

Provided further that the parties will be free to waive the condition of notice, in whole or in part by mutual agreement.

(4) In the case of any other teacher appointed in a temporary or officiating capacity his services shall be terminable, by one month notice or on payment of salary in lieu thereof, on either side.

17.05. The original contract of appointment of a Principal or other teacher shall be lodged with the University for registration with three months of the date of appointment.

17.06. (1) No order dismissing, removing or terminating the services of a teacher on any ground mentioned in

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clause (1) or (2) of Statute 17.04 (except in the case of a conviction for an offence involving moral turpitude or of abolition of post) shall be passed unless a charge has been framed against the teacher and communicated to him with a statement of the grounds on which it is proposed to take action and he has been given adequate opportunity-

- (i) of submitting a written statement of his defence.
- (ii) of being heard in person, if he so chooses; and
- (iii) of calling and examining such witness in his defence as he may wish.

Provided that the Management or the officer authorised by it to conduct the inquiry may, for sufficient reasons to be recorded in writing refuse to call any witness.

(2) The management may, at any time ordinarily within two months from the date of the Inquiry Officer's report pass a resolution dismissing or removing the teacher concerned from service, or terminating his services mentioning the grounds of such dismissal, removal or termination.

(3) The resolution shall forthwith be communicated to the teacher concerned and also be reported to the Vice-Chancellor for approval and shall not be operative unless so approved by the Vice-Chancellor.

(4) The Management may, instead of dismissing or removing or terminating the services of the teacher, pass a resolution inflicting a lesser punishment by reducing the pay of the teacher for a specified period or by stopping increments of his salary for a specified period not exceeding three years and or may deprive the teacher of his pay during the period, if any, of his suspension. The resolution by the Management inflicting such punishment shall be reported to the Vice-Chancellor and shall be operative only when and to the extent approved by the Vice-Chancellor.

17.07. The Management shall have the power to suspend a teacher during the pendency or in contemplation of an inquiry into charge against him; on the grounds

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mentioned in sub-clauses (a) to (e) of clause (1) of Statute 17.04 in an emergency, (in the case of a teacher other than Principal) this power may be exercised by the principal in anticipation of the approval of the Management. The Principal shall immediately report such case to the Management. The order of suspension if passed in contemplation of an inquiry, shall cease at the end of four weeks of its operation, unless the teacher has in the meantime been communicated the charge or charges on which the inquiry was contemplated.

Section 49 17.08. In computing the maximum period for purposes of clause (2) of Statute 17.06 and Statute 17.0-7 any period during which a stay order from any court of law is in operation shall be excluded.

Section 49 17.09. No teacher of an affiliated college shall draw for any duties performed in connection with any examination referred to in Section 34 (1), in any calendar year, any remuneration in excess of one-sixth of the aggregate of his salary in that calendar year or three thousand rupees, whichever is less.

Section 49 17.10. Notwithstanding anything contained in these Statutes-

- (i) a teacher of an affiliated college who is a member of Parliament or State Legislature shall not, throughout the term of his membership hold any administrative or remunerative office in the college or in the University with which such college is associated:
- (ii) if a teacher of an affiliated college is holding any administrative or remunerative office in the college or in the University to which such college is associated, from before the date of his election or nomination as a Member of the Parliament or the State Legislature, then he shall cease to hold such office with effect from the date of such election or nomination or with effect from the commencement of these Statutes

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- (iii) whichever is later,
a teacher of an affiliated college who is elected or nominated to the Parliament or the State Legislature shall not be required to resign or to take leave from such college for the duration of his membership or, except as provided by Statute 17.11 for attending the meetings of any House of Committee thereof.

Explanation- The membership of any authority or body of the University or the Deanship of a Faculty or the Principalship of any college shall not be deemed to be an administrative office for the purposes of this Statute.

17.11. The management of an affiliated college shall with prior approval of the Vice-Chancellor, fix a minimum number of days during which such teacher shall be available in the college for his academic duties:

Provided that where a teacher of the college is not so available because of the sessions of the Parliament or the State Legislature, he shall be treated on such leave as may be due to him, and if no leave is due then on leave without pay.

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PART II

LEAVE RULES FOR TEACHERS OF AFFILIATED COLLEGES

Section 49

17.12. The provisions of Statutes 16.12 to 16.22-A relating to the Leave Rules of teachers of the University shall be applicable to the teachers of an affiliated college with the substitution of the words "Management" and "Principal" for the words "Executive Council" and "Vice-Chancellor" respectively.

PART III

AGE OF SUPERANNUATION

Section 49

17.13. (1) The provisions of Statutes 16.23 to 16.26 relating to the superannuation of the teachers of the University shall *mutatis mutandis* apply to the teacher of an affiliated college.

(2) Notwithstanding anything contained in clause (1) where the 60th birthday of a teacher of an affiliated college fell between July 1, 1975 and August 1, 1975 and such teacher was serving such college on the date of commencement of these Statutes with the consent of the Vice-Chancellor, then such teacher shall be deemed to have been granted extension upto June 30, 1976.

PART IV

OTHER PROVISIONS

Section 49

17.14. Any contract of appointment between a Principal or other teacher of an affiliated college and the Management entered into before the commencement of these Statutes shall be subject to the provisions of the Statute Continued in this Chapter, and shall be deemed to be modified in accordance with the provisions of this Chapter and in accordance with the terms contained in the form set out in

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Appendix 'd' read with Appendix 'C'

17.15. A teacher of an affiliated college dismissed on and of the grounds mentioned in clause (b), clause (c), clause (d) or clauses (e) of Statute 17.04 (1) shall not be re-employed in any University or in any college affiliated to or affiliated with such University in any capacity. Sections 3 & 49 (e)

17.16. The provisions of clauses (2) to (4) of the Statute 16.07, Statute 16.29, 16.30 and 16.31 shall *mutatis mutandis* apply to every teacher of an affiliated college with the following modification, namely:

- (a) In clauses (2) to (4) of Statute 16.06 for the words "Vice-Chancellor", and "Executive Council", the words "Management" and "Vice-Chancellor" shall be substituted;
- (b) In Statute 16.29, for the words "Vice-Chancellor" and "Head of the Department", the words "Principal" and the "Senior most lecturer in the Department" shall respectively be substituted.

CHAPTER XVIII

PART I

SENIORITY OF THE TEACHERS OF UNIVERSITY

18.01. The Statutes contained in this Chapter shall not affect the *inter-se* seniority of teachers employed in the University from before the commencement of these Statutes. Section 49 (d) & (e)

18.02. It shall be the duty of the Registrar to prepare and maintain, in respect of each category of teachers of the University, a complete and up to date seniority list in accordance with the provisions hereinafter appearing. (d)

18.03. The seniority among Deans of the Faculties shall be determined by the length of the total period of (d)

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service they have put in as Deans of the Faculties:

Provided that when two more Deans have held the said office for equal length of time, the Dean who is senior in age shall be considered to be senior for the purposes of this chapter.

Section 38 (d) 18.04. The seniority among Heads of Departments shall be determined by the length of the total period of service they have put in as Heads of Department;

Provided that when two or more Heads of Department have held the said office for equal length of time, the Heads of Department who is senior in age shall be considered to be senior for the purposes of this Chapter.

Section 49 (d) 18.05. The following rules shall be followed in determining the seniority of teachers of the University:

- (a) A Professor shall be deemed senior to every Reader, and a Reader shall be deemed senior to every Lecturer;
- (b) In the same cadre, *inter-se* seniority of teachers, appointed by personal promotion or by direct recruitment, shall be determined according to length of continuous service in such cadre.

Provided that where more than one appointments have been made by direct recruitment at the same time and an order of preference or merit was indicated by the selection committee or by the Executive Council, as the case may be, the *inter-se* seniority of persons so appointed shall be governed by the order so indicated;

Provided further that where more than one appointments have been made by promotion at the same time, the *inter-se* seniority of the teachers so appointed shall be the same as it was in the post held by them at the time of Promotion."

- (c) When any teacher holding substantive post in any University (other than the University of Gorakhpur) or in any constituent college or in

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any Institute whether in the State of Uttar Pradesh or outside Uttar Pradesh, is appointed whether before or after August 1, 1981 to a post of corresponding rank or grade in the University the period of service rendered by such teacher in that grade or rank in such University be added to his length of service;

- (d) When any teacher holding substantive post in any college affiliated to or associated with any University is appointed whether before or after the commencement of these statutes as a Lecturer in the University, then one half of the period of substantive service rendered by such teacher in such college shall be added to his length of service;

- (e) Service against and administrative appointment in any University or institution shall not count for the purposes of seniority.

Explanation- In this Chapter, the expression "administrative appointment" means an appointment made under sub-section (6) of Section 13.

- (f) Continuous service in a temporary post to which a teacher is appointed after reference to a Selection Committee, if followed by his appointment in a substantive capacity to that post under section 31 (3) (b) shall count towards seniority.

18.06. Where more than one teacher are entitled to count the same length of continuous service in the cadre to which they belong, the relative seniority of such teachers shall be determined as below:

- (i) in the case of Professor, the length of substantive services as Reader shall be taken into consideration;
- (ii) in the case of Readers whose length of substantive service as Lecturer shall be taken into

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consideration;

- (iii) in the case of Professor, whose length of service as Readers is also identical the length of service as Lecturer shall be taken into consideration.

18.07. Where more than one teachers are entitled to count the same length of continuous service and their relative seniority cannot be determined in accordance with any of the foregoing provisions, then the seniority of such teachers shall be determined on the basis of seniority in age.

18.08. (1) Notwithstanding anything contained in any other Statute, if the Executive Council:

- (a) agrees with the recommendation of the Selection Committee, and approves two or more persons for appointment as teachers in the same Department it shall, while recording such approval, determine the order of merit of such teachers;
- (b) does not agree with the recommendations of the Selection Committee and refers the matter to the Chancellor under Section 31 (8) (a), the Chancellor shall, in cases where appointment of two or more teachers in the same Department is involved, determine the order of merit of such teachers at the time of deciding such reference;

(2) The order of merit in which two or more teachers are placed under clause (1), shall be communicated to the teachers concerned before their appointment.

18.09. (1) The Vice-Chancellor shall from time to time constitute one or more seniority committees consisting of himself as Chairman and two Deans of Faculties to be nominated by the Chancellor:

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Provided that the Dean of the Faculty to which the teachers, (whose seniority is in dispute) belong shall not be a member of the relative Seniority Committee.

(2) Every dispute about the seniority of a teacher of the University shall be referred to the Seniority Committee which shall decide the same giving reasons for the decision.

(3) Any teacher aggrieved with the decision of the Seniority Committee may prefer an appeal to the Executive Council within sixty days from the date of communication of such decision to the teacher concerned. If the Executive Council disagrees with the Committee, it shall give reasons for such disagreement.

PART II

SENIORITY OF PRINCIPALS AND TEACHERS OF AFFILIATED COLLEGES

18.10. The following rules shall be followed in determining the seniority of Principals and other teachers of affiliated colleges:

- (a) the Principal shall be deemed senior to other teachers in the college;
- (b) the Principal of a post-graduate college shall be deemed senior to the Principal of a Degree College;
- (c) the Seniority of Principals and teachers of the affiliated college shall be determined by the length of continuous service from the date of appointment in substantive capacity;
- (d) service in each capacity (for example, as Principal or as a teacher), shall be counted from the date of taking charge pursuant to substantive appointment;
- (e) service in a substantive capacity in another University or another degree or post-graduate

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college whether affiliated to or associated with the University or another University established by law shall added to his length of service.

18.11. Where more than one teacher are entitled to count the same length of continuous service, the relative seniority of such teachers shall be determined as follows:

- (i) in the case of Principals, the length of substantive service as a Lecturer shall be taken into consideration;
- (ii) in the case of Lecturers, the seniority in age shall be taken into consideration.

18.12. Where the seniority of a person as Principal is to be determined for the purpose of representation or appointment as such on a University authority, the length of service only as Principal shall be taken into account.

18.13. (1) When two or more persons are appointed as teachers in the same department or in the same subject, their relative seniority shall be determined in order of preference or merit in which their names were recommended by the Selection Committee.

(2) If the seniority of two or more teachers has been determined under clause (1), the same shall be communicated to the teachers concerned before their appointment.

18.14. All disputes regarding seniority of teachers (other than the Principal), shall be decided by the Principal of the College who shall give reasons for the decision. Any teacher aggrieved with the decision of the Principal may prefer an appeal to the Vice-Chancellor within 60 days from the date of communication of such decision to the teacher concerned. If the Vice-Chancellor disagrees from the Principal, he shall give reasons for such disagreement.

18.15. All disputes regarding seniority of Principals of affiliated college shall be decided by the Vice-Chancellor who shall be reason for the decision any principal give aggrieved with the decision of Vice-Chancellor

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may prefer an appeal to the Executive Council within sixty days from the date of communication of such decision to the Principal concerned. If the Executive Council disagrees from the Vice-Chancellor it shall give reasons for such disagreement.

18.16. The provisions of Statutes 18.01, 18.02, 18.05 and 18.08 shall *mutatis mutandis* apply to the teachers and Principal of affiliated colleges as they apply to the teachers of the University.

CHAPTER XIX HOSTELS

19.01. The hostel maintained by the University are:

- (1) Nath Chandravat Hostel
- (2) Gautam Budh Hostel
- (3) Kabeer Hostel
- (4) Girls Hostel
- (5) New Boys Hostel

CHAPTER XX AUTONOMOUS COLLEGE

20.01. The Management of an affiliated college desirous of obtaining the privileges of an Autonomous College shall apply to the Registrar specifying clearly-

- (a) The variations proposed in or from the course of study prescribed by the University including the institution of a course in subject not provided for by the University and the substitution of a course for the one prescribed by the University;
- (b) the manner in which the college proposes to hold examination in the courses so varied;
- (c) the details of its finances and assets, the strength and qualifications of its teaching staff,

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the facilities available, for the advanced research work, and the advanced research work already done, if any.

Section 42

20.02. No application under Statute 20.01 shall be entertained unless the college satisfies the following conditions:

- (a) It has well established departments of teaching at least two Faculties giving instruction upto the postqualified teaching staff.
- (b) It has or likely to have an adequate and well qualified teaching staff.
- (c) The Principal is a teacher or scholar of outstanding merit and possesses administrative experience.
- (d) It possess adequate and satisfactory buildings for all tutional purposes and for housing the Library, Reading Rooms, the Laboratories and land for future expansion.
- (e) It has a good library and has or is likely to have provision for its regular development.
- (f) It has well equipped Laboratories, if necessary, for the subjects taught therein, and has or is likely to have adequate provision for new acquisitions and replacements.
- (g) The Management possesses adequate resources for meeting the extra expenditure involved in the college on attaining the status of an Autonomous college.

Section 42

20.03. Every application under Statute 20.01 shall be accompanied by a Bank Draft payable to the University for a sum of Rs. 2,000 which shall be non-refundable.

20.04. (1) Every application under statute 20.01 shall be referred to a Standing Committee of each of the Faculties concerned for scrutiny.

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(2) The Standing Committee for each of the Faculties concerned shall consist of the following members:

- (a) The Dean of the Faculty (Convener);
- (b) A representative each of the corresponding Faculty selected by the Executive Council from any two of the Universities established by law in Uttar Pradesh.

(3) If the reports of the Committees are favourable the Executive Council shall appoint a Board of Inspectors (not exceeding six members) to inspect the college and report on its suitability for being declared as an Autonomous College.

(4) The Board of Inspectors shall include the Vice Chancellor as the Convener, and the Director of Education (Higher Education) and such other specialists of the subjects as members as the Executive Council may think fit to appoint.

20.05. The reports of the Board of Inspectors shall be considered by the Board of the Faculty concerned as well as by the Academic Council, and shall be laid before the Executive Council together with the views of these bodies.

20.06. (1) After considering the recommendation of the Board of Inspectors and the reports of the two bodies, referred to in Statute 20.05, if the Executive Council is of opinion that the college is entitled to the privileges mentioned in Section 42, it shall submit its proposal to the Chancellor.

(2) On receipt of the proposal and other connected papers under clause (1) and after making such enquiry as he may consider necessary the Chancellor may approve the proposal or reject it:

Provide that before approving any such proposal the Chancellor may consult the University Grants Commission established under the University Grants Commission Act, 1956.

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Section 42

20.07. After the recommendation of the Executive Council has been approved by the Chancellor under Statute 20.06, the Executive Council shall declare the college as an Autonomous College and shall specify the matters in respect of which and the extent to which the college may exercise the privileges of an Autonomous College.

Section 42

20.08. (1) Subject to the provisions of Section 42, an Autonomous College shall be entitled-

- (a) to frame the courses in the subjects covered by its privileges;
- (b) to appoint persons qualified to be appointed as internal or external examiners in such subjects;
- (c) to hold examinations and to make such changes in the method of examination and teaching as in the opinion are conducive to the maintenance of the standard of education.

(2) The Boards of Faculties concerned, the Academic Council and Examination Committee may consider the action taken by the Autonomous College under clause (1), and may suggest any change if necessary.

20.09. (1) The results of the Autonomous College shall be declared and Published by the University which shall mention the name of the college which has presented the results for declaration and publication.

(2) Every Autonomous College shall furnish such reports returns and other information as the Executive Council may, from time to time, require to enable it to judge the efficiency of such college.

(3) The University shall continue to exercise general supervision over an Autonomous College and to confer degrees on the students of the college passing any examination qualifying for any degree of the University.

Section 42

20.10. The Executive Council may, at any time, get an Autonomous College inspected by a Board of Inspectors.

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and if, after pursuing the report of such inspection, it is of opinion that the college has failed to maintain the requisite standard, or to possess the requisites, resources or that in the interest of education, it is necessary to withdraw the privileges conferred by Section 42 the Executive Council may with the prior approval of the Chancellor, withdraw such privileges and thereupon the college concerned shall revert to the position of an associated college.

20.11. (a) For the proper planning and conduct of its work, every Autonomous College shall have an Academic Council and a Faculty Board in respect of the subjects comprised in each Faculty.

(b) The Academic Council shall be composed of all the Heads of Departments ex-officio and two other teachers each subject taught for a post-graduate degree and one teacher of each subject taught for the first degree with the Principal as Chairman. The teacher shall be members of the Council by rotation in order of seniority for three years at a time, provided that no teacher of less than four years' standing shall be member.

(c) The Academic Council shall review the academic work of the college at quarterly meeting and all proposals regarding courses, examination etc. made by the college shall pass through the said Council.

(d) The Faculty Board shall consist of all teachers of the subjects comprised in the Faculty, of three years' standing as teacher of degree classes. The Faculty Board shall meet at regular intervals (once a month if possible) to consider academic questions and advise the Principal. Proposals regarding courses, examination, etc. shall either originate in or be considered by these Faculty Boards.

20.12. Subject to the provisions of Section 42 (2) and Section 43 of this Chapter, the courses of study and other conditions relating to an Autonomous College shall be such as may be laid down in the Ordinances.

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CHAPTER XXI

WORKING MEN'S COLLEGE

21.01. (1) The Management of an affiliated college, desirous of obtaining the privileges of a Working Men's College shall apply to the Registrar indicating the demand for such a college in the locality and specifying the degree for which recognition is sought.

(2) A college will not be recognised as a Working Men's College in the Faculties of Science, Law and Medicine.

21.02. No application under Statute 21.01 shall be entertained unless the college satisfies the following conditions:

- (i) That there is a reasonable demand for such a college in the locality and the management possesses adequate resources for meeting the extra expenditure involved towards the maintenance and running of such a college.
- (ii) That the privilege of admission to the Working Men's College shall be restricted to such persons only as are unable to be enrolled as whole-time students by reasons of being engaged in business, trade, agriculture or industry or employed in other form of service.
- (iii) That the college shall hold classes at such hours of the day as generally suits the convenience of the students and do not coincide with the usual business hours.
- (iv) That the staff of the Working Men's College shall be separate and, as far as may be, they shall be employed on the whole-time basis. The college may, however at its option, employ part-timeteachers also, provided that their number does not exceed one-half of the total number of teachers. The whole-time employees to the college shall be entitled to the scales of pay as

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are admissible to the employees of the associated colleges. The pay of part-time teacher shall however be fixed by the management in each individual case and such pay shall be fixed after taking into consideration the number of periods that such teacher shall be required to take per week as compared to the full-time teachers, but in no case this will exceed two-thirds of the minimum of the time scale to which he would have been entitled had been appointed on a whole-time basis. The appointment of teachers shall be subject to the provisions of Chapter VI of the Act.

- (v) That the College is prepared to observe the Statutes Ordinances and Regulations framed by the University for such a college.

21.03. (1) Every application under Statute 21 shall be accompanied by a Bank Draft payable to the University for a sum of Rs. 2,000 which shall be non-refundable.

(2) The application alongwith necessary papers shall reach the Registrar before 15th of August of the session preceding the one from which the recognition is sought.

21.04. (1) Every such application shall be placed before the Executive Council, and if the application is entertained, the Executive Council shall appoint a Board of Inspectors to inspect the college and report on its suitability for being recognised as a Working Men's College and the conditions on which such recognition should be granted.

(2) The report of the Board of the Inspectors shall be considered by the Board of Faculty concerned as well as by the Academic Council, and shall be laid before the Executive Council together with the views of these bodies.

21.05. Subject to the provisions of the Act and Statutes, the Executive Council may, after considering the report of the Board of Inspectors, the Board of the Faculty

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concerned and the Academic Council, recognise any associated college as a Working Men's College with the prior approval of the Chancellor.

21.06. Subject to the provisions of Section 43 (2) the courses of study and other conditions relating to a Working Men's College shall be such as may be laid down in the Ordinances.

21.07. The provisions of clauses (2) and (3) of Statute 20.09 and Statute 20.10 shall *mutatis mutandis* apply to a Working Men's College also.

CHAPTER XXII MISCELLANEOUS

22.01. The University may institute and award scholarships, fellowships (including travelling fellowships) studentships, medals and prizes in accordance with the provisions laid down in the Ordinances.

22.02. All elections to an authority or body of the University according to the system of proportional representation by means of single transferable vote shall be held in the manner laid down in Appendix A.

22.03. Subject to the provisions of Section 7, the University may allow any person to appear as a private candidate at any examination conducted by the University provided that--

- (a) such person fulfils the requirements laid down in Ordinances; and
- (b) such examination does not relate to a subject or course of study in which practical examination is a part of the curriculum.

22.04. The provisions of Statutes 22.03 shall *mutatis mutandis* apply corresponding courses.

22.05. Notwithstanding any thing contained in these

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Statutes or ordinances of the University:

- (i) No admission shall be made after August in an academic year;
 - (ii) All examinations conducted by the University shall be completed by April 30; and
 - (iii) Results shall be declared by June 15.
- Provided that for the academic session of 1987 all examinations of the University may be completed by June 15, 1987, and all results may be declared by July 31, 1987 and admission for the session 1987-88 may be completed by September 15, 1987.

**22.06. With a view to improving his result a candidate may be allowed to appear in one subject in part of the under graduate examination and in one part of the B.Ed. or any one year of the LL.B. or any part of the graduate examination in next regular examination of the University.

CHAPTER XXIII QUALIFICATIONS AND CONDITIONS SERVICE OF NON-TEACHING STAFF OF THE AFFILIATED COLLEGE

23.00. In this chapter, unless to context requires the expressions defined in the succeeding shall be construed accordingly.

23.01. 'Class four' means a post carrying a pay lower than a pay scale of a Routine clerk and the expression 'Class four' employee and 'Class four' staff shall be construed accordingly.

23.02. 'College' means a college affiliated

* Added by 35th amendment dated 8.7.1987.
** Substituted by 40th amendments dated June 20, 1988.

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University in accordance with the provisions of the Act or the Statutes of the University but does not include a college maintained exclusively by the State Government or a Local authority.

23.03. 'Employee' means a salaried employee not being a teacher of a college and its grammatical variations and cognate expressions shall be construed accordingly.

23.03-A. 'Armed Forces of the Union' means the Navy, Military or Air Forces of the Union and includes the Armed Forces of the former Indian States.

23.03-B. 'Disables ex-service man' means who while serving of the 'Armed Forces of the Union' was disabled in the course of operation against the enemy or in disturbed areas.

23.03-C. 'Ex-service man' means a person who had served in any rank (whether as a combatant or non-combatant) in the Armed Forces of the Union for a continuous period of not less than six months, and-

- (i) has been released (otherwise than by way of dismissal or discharge on account of misconduct or inefficiency) or has been transferred to the reserve pending such release, or
- (ii) has to serve for not more than six months for completing the period of service requisite for becoming entitled to be so released or transferred to the reserve.

23.04. Words and expressions used but not defined in the Statute shall have the respective meaning assigned to them in the Act.

24.01. Subject to the provisions of these Statutes the appointing to the posts of class three employee shall be made by the management of the college and appointment to the posts of class four employees shall be made by the principal.

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24.02. The appointing authority referred to in Statute 24.01 shall have the power to take disciplinary action and award punishment against the class of employee of which he is appointing authority.

24.03. Every decision of the appointing authority referred to in Statute 24.02 shall, before it is communicated to the employee, be reported to the District Inspector of Schools and shall not take effect unless it has been approved by him in writing.

Provided that nothing in this clause shall apply to the termination of service of the expiry of the period for which the employee was appointed:

Provided further that nothing in the clause shall apply to an order of suspension pending enquiry, but any such order may be stayed, revoked or modified by the District Inspector of Schools.

24.04. An appeal against the order of the District Inspector of Schools under Statute 24.03 shall lie to the Regional Deputy Director of Education.

25.01. Appointment to the post of Librarian, Librarian, Physical Education Instructor, Pharmacist, Head Clerk (or any other post either in the pay scale of a post higher than that of, Routine Clerk or other posts mentioned in Statutes 25.02 or Statute 25.03) shall be made by direct recruitment on the recommendation of the Selection Committee constituted in the manner prescribed in Statute 25.06 after advertisement of the vacancy in newspapers:

Provided that the post of Librarian shall be filled by promotion from the post of Deputy Librarian if the holder of the later post possesses the prescribed qualifications for the post of a Librarian."

25.02. Appointment to the post of Assistant Librarian shall be made by promotion according to seniority subject to the following conditions:

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and fitness from amongst Routine clerks.

25.03. Appointment to the post of Head Clerk-cum-Accountant, Head Clerk, Office Superintendent and Bursar shall be made by promotion according to seniority, subject to suitability and fitness from amongst the existing staff. Appointments on the post of Head Clerk-cum-Accountant, Head Clerk, Office Superintendent and Bursar may be made by direct recruitment on the basis of selection after advertisement of the vacancy in newspapers.

25.04. Appointment of employees shall be subject to the approval of the Director of Education (Higher Education), or an officer authorised by him in this behalf. If the approving authority does not within two months from receiving the proposal for approval intimate its disapproval or does not send any intimation in respect of such proposal to the appointing authority the approving authority shall be deemed to have approved the appointment.

25.05. Appointment of permanent posts shall be made on probation for one year. The period of probation may be extended if the candidate's work is not found to be satisfactory provided that the total period of probation shall not exceed three years. The extended period of probation shall not count for increment.

25.06. (1) (a) The Selection Committee for appointment to the post of Librarian, Deputy Librarian or Physical Education Instructor shall consist of:

- (i) the Head of Management or a member of the Management nominated by him, who shall be the Chairman;
- (ii) the Principal of the College;
- (iii) one officer to be nominated by the Director of Education (Higher Education).

(b) The Selection Committee for the appointment to the post of Assistant Librarian shall be constituted in the manner prescribed in Statute 25.03 either by direct recruitment or by promotion shall

consist of-

- (i) the Head of the Management or a member of the Management nominated by him who shall be the Chairman;
- (ii) the Principal of the College;
- (iii) the District Inspector of Schools;
- (iv) the District Employment Officer or an officer authorised by him in this behalf.

(2) For the purposes of direct recruitment, to the posts referred to in Statutes 25.01 and 25.03 the vacancy shall be advertised in at least two newspapers having adequate circulation in Uttar Pradesh and names of suitable candidate, shall also be obtained from the concerned District Employment Officer.

(3) Names of candidates for appointment to a posts in class four shall be obtained from the concerned District Employment Officer. In the event of non-availability of suitable candidate in such manner the post may be advertised.

(4) No employee shall be eligible for payment of salary from the Salary Payment Account unless the permission, as contemplated by sub-clause (b) of clause (iii) of Section 60-A of the Act has been accorded.

(5) If the Management does not agree with the recommendation of the Selection Committee, it shall refer the matter to the approving authority alongwith reasons of its disagreement, and the decision of the said authority shall be final.

26.00. Reservation shall be made for scheduled caste, scheduled tribes candidates for appointment to the posts referred to in Statute 28.01. The percentage of such reservation shall be equal to the percentage prescribed for appointment in Government service.

26.01. Ten percent of the vacancies in Class III services and posts and five percent of the vacancies in

University in accordance with the provisions of the Act or the Statutes of the University but does not include a college maintained exclusively by the State Government or a Local authority.

23.03. 'Employee' means a salaried employee not being a teacher of a college and its grammatical variations and cognate expressions shall be construed accordingly.

23.03-A. Armed Forces of the Union means the Naval, Military or Air Forces of the Union and includes the Armed Forces of the former Indian States.

23.03-B. 'Disables ex-service man' means who while serving of the 'Armed Forces of the Union' was disabled in the course of operation against the enemy or in disturbed areas.

23.03-C. 'Ex-service man' means a person who had served in any rank (whether as a combatant or non-combatant) in the Armed Forces of the Union for a continuous period of not less than six months, and-

- (i) has been released (otherwise than by way of dismissal or discharge on account of misconduct or inefficiency) or has been transferred to the reserve pending such release, or
- (ii) has to serve for not more than six months for completing the period of service requisite for becoming entitled to be so released or transferred to the reserve.

23.04. Words and expressions used but not defined in the Statute shall have the respective meaning assigned to them in the Act.

24.01. Subject to the provisions of these Statutes the appointing to the posts of class three employee shall be made by the management of the college and appointment to the posts of class four employees shall be made by the Principal.

24.02. The appointing authority referred to in Statute 24.01 shall have the power to take disciplinary action and award punishment against the class of employee of which he is appointing authority.

24.03.* Every decision of the appointing authority referred to in Statute 24.02 shall, before it is communicated to the employee, be reported to the District Inspector of Schools and shall not take effect unless it has been approved by him in writing:

Provided that nothing in this clause shall apply to any termination of service of the expiry of the period for which the employee was appointed:

Provided further that nothing in the clause shall apply to an order of suspension pending enquiry, but any such order may be stayed, revoked or modified by the District Inspector of Schools.

24.04. An appeal against the order of the District Inspector of Schools under Statute 24.03 shall lie to the Regional Deputy Director of Education.

25.01. Appointment to the post of Librarian, Deputy Librarian, Physical Education Instructor, Pharmacist, Routine Clerk (or any other post either in the pay scale of, or in a pay scale higher than that of, Routine Clerk other than the posts mentioned in Statutes 25.02 or Statute 25.03) shall be made by direct recruitment on the recommendation of a Selection Committee constituted in the manner provided in Statute 25.06 after advertisement of the vacancy in the newspapers:

Provided that the post of Librarian shall be filled by promotion from the post of Deputy Librarian if the incumbent of the later post possesses the prescribed minimum qualifications for the post of a Librarian."

25.02. Appointment to the post of Assistant shall be made by promotion according to seniority subject to suitability

and fitness from amongst Routine clerks.

25.03. Appointment to the post of Head Clerk-cum-Accountant, Head Clerk, Office Superintendent and Bursar shall be made by promotion according to seniority, subject to suitability and fitness from amongst the existing staff, appointments on the post of Head Clerk-cum-Accountant, Head Clerk, Office Superintendent and Bursar may be made by direct recruitment on the basis of selection after advertisement of the vacancy in newspapers.

25.04. Appointment of employees shall be subject to the approval of the Director of Education (Higher Education), or an officer authorised by him in this behalf. If the approving authority does not within two months from receiving the proposal for approval intimate its disapproval or does not send any intimation in respect of such proposal to the appointing authority the approving authority shall be deemed to have approved the appointment.

25.05. Appointment of permanent posts shall be made on probation for one year. The period of probation may be extended if the candidate's work is not found to be satisfactory provided that the total period of probation shall not exceed three years. The extended period of probation shall not count for increment.

25.06. (1) (a) The Selection Committee for appointment to the post of Librarian, Deputy Librarian or Physical Training Instructor shall consist of :

- (i) the Head of Management or a member of the Management nominated by him, who shall be the Chairman;
- (ii) the Principal of the College;
- (iii) one officer to be nominated by the Director of Education (Higher Education).

(b) The Selection Committee for the appointment to the remaining posts referred to in Statute 25.01 or Statute 25.03 either by direct recruitment or by promotion shall

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consist of-

- (i) the Head of the Management or a member of the Management nominated by him who shall be the Chairman.
- (ii) the Principal of the College;
- (iii) the District Inspector of Schools;
- (iv) the District Employment Officer or an officer authorised by him in this behalf.

(2) For the purposes of direct recruitment, to the posts referred to in Statutes 25.01 and 25.03 the vacancy shall be advertised in at least two newspapers having adequate circulation in Uttar Pradesh and names of suitable candidate, shall also be obtained from the concerned District Employment Officer.

(3) Names of candidates for appointment to a posts in class four shall be obtained from the concerned District Employment Officer. In the event of non-availability of suitable candidate in such manner the post may be advertised.

(4) No employee shall be eligible for payment of salary from the Salary Payment Account unless the permission, as contemplated by sub-clause (b) of clause (iii) of Section 60-A of the Act has been accorde.

(5) If the Management does not agree with the recommendation of the Selection Committee, it shall refer the matter to the approving authority alongwith reasons of its disagreement, and the decision of the said authority shall be final.

26.00. Reservation shall be made for scheduled caste, scheduled tribes candidates for appointment to the posts referred to in Statute 28.01. The percentage of such reservation shall be equal to the percentage prescribed for appointment in Government service.

26.01. Ten percent of the vacancies in Class III services and posts and five percent of the vacancies in

Reservation

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Class IV services and posts, including temporary vacancies which are likely to be made permanent or to continue for a period of more than one year, to be filled by direct recruitment in any year, shall be reserved for being filled by exservicemen.

Provided that the vacancies so reserved shall be utilised first for the appointment of disabled ex-servicement so long as the duties of the post to be so filled are not such as the disabled ex-servicemen are incapable of performing due to their disability; and if any such vacancies still remain unfilled, the same shall then be utilised for appointment of other ex-servicemen.

Nationality 27.00. A candidate for employment in a college must be--

- (a) a citizen of India, or
- (b) a Tibetan refugee who came over to India before January, 1962 with the intention of permanently settling in India, or
- (c) a person of Indian origin who has migrated from Pakistan, Burma, Ceylon and East African Countries of Kenya, Uganda and United Republic of Tanzania formerly Tanjanyika and Zanzibar) with the intention of permanently settling in India;

Provided that a candidate belonging to category (b) or category (c) must be a person in whose favour a certificate of eligibility has been issued by the State Government:

Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of Police, Intelligence Branch, U.P.

Educational 28.01. For appointment in a college to the posts qualification specified below, the minimum qualification shall be noted against each category:

- (i) Clerical Staff-- For the post of routine clerk, assistant, head clerk-cum-accountant and head

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clerk. Intermediate or an examination recognized by the State Government as equivalent thereto.

Provided that in the case of head-clerk-cum-accountant and head clerk experience on the post of routine clerk assistant in a post graduate or degree or intermediate college for a period of at least ten years shall be necessary.

Provided further that -

- (i) The minimum qualification for appointment of an ex-serviceman to reserved vacancies in Class III services and post shall be Intermediate wherever the qualification prescribed in the Statute is a degree of a University, and High School or any other qualification recognised as equivalent thereto wherever the qualification prescribed in this Statute is Intermediate, and there shall be no relaxation where the prescribed qualification is High School or a qualification equivalent thereto.
- (ii) for Class IV services and posts no educational qualification shall be required for ex-servicemen otherwise considered suitable, in the reserved vacancies in such services and posts.
- (iii) **Laboratory Assistant-** For the post of laboratory assistant, Intermediate or an examination recognized by the State Government as equivalent thereto in subject with which laboratory is concerned, or High School or an examination recognized by the State Government as equivalent thereto, with at least five years experience as laboratory bearer in the laboratory of the subject concerned.
- (iv) (a) **Librarian (a) and (b) Category-** Master's degree together with a degree in library science and three years experience.
- (b) **Librarian 'C' Category-** A Bachelor's

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degree together with a degree in library science and two year's experience.

- (c) **Deputy Librarian 'A' and 'B' Category-** A Bachelor degree together with a degree in library science and two years experience.
- (d) **Deputy Librarian 'C' Category-** A Bachelor degree together with a degree in library science.

Explanation- For the purposes of these Statutes 'Librarian/Deputy Librarian A and B Category' means the Librarian/Deputy Librarian of a degree college where two thousand or more students are studying and 'Librarian/Deputy Librarian of a degree college' where less than two thousand students are studying."

- (v) **Office Superintendent-** For the post of Office Superintendent degreee from a recognized university established by law together with at least ten year's working experience as Head Clerk or Accountant in a college affiliated to or associated with a University or in any other similar institution;
- (vi) **Assistant Accountant-** A Bachelor degree in commerce of a recognized university established by law with Accountancy/Audit.
- (vii) **Bursar-** For the post of Bursar a degree from a recognized university established by law with at least ten year's working experience as Office Superintendent or Accountant in a degree or post-graduate college;
- (viii) **Class IV Staff-** For Class IV posts, passed Class V from recognized school;

Provided that no educational qualification shall be required for the post of sweeper but preference will be given to a person who is educated or is at least able to read and write Hindi in Devnagri Script.

- (ix) **Other Post-** For any other post not covered

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by the preceding clauses, sub-minimum qualification as may be specified by the State Government by general or special orders.

28.02. No employee who does not possess the qualifications prescribed in clause (i) shall, after the commencement of these Statutes, be eligible for promotion or confirmation unless he attains the aforesaid qualifications.

Provide that nothing contained in clause (i) shall effect the promotions and confirmations made prior to commencement of these Statutes.

*29.01. For appointment of an employee in a college, through direct recruitment, the minimum age of the candidate shall be 18 years and maximum age for the posts of a Routine Clerk or a post in equivalent scale of pay shall be 30 years and for any other post, referred to in Statutes 25.01 and 25.03 it shall be 40 years. The maximum age shall be higher by five years in the case of a candidate belonging to a Scheduled Caste or a Scheduled Tribe.

Provided with the prior consent of the Director of Education (Higher Education) the condition of maximum age limit of 30 or 40 years, as the case may be, referred to above, may be relaxed upto 5 years in special circumstances.

Provided further that the maximum age limit shall not apply to an employee referred to in statute 38.00:

Provided also that for appointment to a vacancy reserve for ex-servicemen the maximum age shall be higher by the period of service of the candidate in the Armed Forces plus three years.

29.02. The age on the first day of July in the year in which the recruitment is made, shall be the age for the purpose of clause (1).

29.03. In case of Class IV employee, who has put in a continuous service of three years or more and has the prescribed qualifications for appointment to the post:

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Class IV services and posts, including temporary vacancies which are likely to be made permanent or to continue for a period of more than one year, to be filled by direct recruitment in any year, shall be reserved for being filled by ex-servicemen.

Provided that the vacancies so reserved shall be utilised first for the appointment of disabled ex-servicemen so long as the duties of the post to be so filled are not such as the disabled ex-servicemen are incapable of performing due to their disability; and if any such vacancies still remain unfilled, the same shall then be utilised for appointment of other ex-servicemen.

nationality

27.00. A candidate for employment in a college must be--

- (a) a citizen of India, or
- (b) a Tibetan refugee who came over to India before January, 1962 with the intention of permanently settling in India, or
- (c) a person of Indian origin who has migrated from Pakistan, Burma, Ceylon and East African Countries of Kenya, Uganda and United Republic of Tanzania formerly Tanjanyika and Zanzibar with the intention of permanently settling in India;

Provided that a candidate belonging to category (b) or category (c) must be a person in whose favour a certificate of eligibility has been issued by the State Government:

Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of Police, Intelligence Branch, U.P.

educational
qualification

28.01. For appointment in a college to the posts specified below, the minimum qualification shall be noted against each category:

- (i) Clerical Staff-- For the post of routine clerk, assistant, head clerk-cum-accountant and head

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clerk. Intermediate or an examination recognized by the State Government as equivalent thereof.

Provided that in the case of head-clerk-cum-accountant and head clerk experience on the post of routine clerk or assistant in a post graduate or degree or intermediate college for a period of at least ten years shall be necessary.

Provided further that -

- (i) The minimum qualification for appointment of an ex-serviceman to reserved vacancies in Class III services and post shall be Intermediate wherever the qualification prescribed in the Statute is a degree of a University, and High School or any other qualification recognised as equivalent thereto wherever the qualification prescribed in this Statute is Intermediate, and there shall be no relaxation where the prescribed qualification is High School or a qualification equivalent thereto.
- (ii) for Class IV services and posts no educational qualification shall be required for ex-servicemen otherwise considered suitable, in the reserved vacancies in such services and posts.
- (iii) **Laboratory Assistant-** For the post of laboratory assistant. Intermediate or examination recognized by the State Government as equivalent thereto in subject with which laboratory is concerned, or High School or examination recognized by the State Government as equivalent thereto, with at least five years experience as laboratory bearer in the laboratory of the subject concerned.
- (iv) (a) **Librarian (a) and (b) Category-** Master's degree together with a degree in library science and three years experience.
- (b) **Librarian 'C' Category-** A Bachelor's

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together with a degree in library science and two year's experience.

- (c) **Deputy Librarian 'A' and 'B' Category-** A Bachelor degree together with a degree in library science and two years experience.
- (d) **Deputy Librarian 'C' Category-** A Bachelor degree together with a degree in library science.

Explanation- For the purposes of these Statutes 'Librarian/Deputy Librarian A and B Category' means the Librarian/Deputy Librarian of a degree college where two thousand or more students are studying and 'Librarian/Deputy Librarian of a degree college' where less than two thousand students are studying."

- (v) **Office Superintendent-** For the post of Office Superintendent degree from a recognized university established by law together with at least ten year's working experience as Head Clerk or Accountant in a college affiliated to or associated with a University or in any other similar institution;
 - (vi) **Assistant Accountant-** A Bachelor degree in commerce of a recognized university established by law with Accountancy/Audit.
 - (vii) **Bursar-** For the post of Bursar a degree from a recognized university established by law with at least ten year's working experience as Office Superintendent or Accountant in a degree or post-graduate college;
 - (viii) **Class IV Staff-** For Class IV posts, passed Class V from recognized school;
- Provided that no educational qualification shall be required for the post of sweeper but preference will be given to a person who is educated or is at least able to read and write Hindi in Devnagri Script.
- (ix) **Other Post-** For any other post not covered

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by the preceding clauses, sub-minimum qualification as may be specified by the State Government by general or special orders.

28.02. No employee who does not possess the qualifications prescribed in clause (i) shall, after the commencement of these Statutes, be eligible for promotion or confirmation unless he attains the aforesaid qualifications.

Provide that nothing contained in clause (i) shall effect the promotions and confirmations made prior to commencement of these Statutes.

*29.01. For appointment of an employee in a college, through direct recruitment, the minimum age of the candidate shall be 18 years and maximum age for the posts of a Routine Clerk or a post in equivalent scale of pay shall be 30 years and for any other post, referred to in Statutes 25.01 and 25.03 it shall be 40 years. The maximum age shall be higher by five years in the case of a candidate belonging to a Scheduled Caste or a Scheduled Tribe.

Provided with the prior consent of the Director of Education (Higher Education) the condition of maximum age limit of 30 or 40 years, as the case may be, referred to above, may be relaxed upto 5 years in special circumstances.

Provided further that the maximum age limit shall not apply to an employee referred to in statute 38.00:

Provided also that for appointment to a vacancy reserve for ex-servicemen the maximum age shall be higher by the period of service of the candidate in the Armed Forces plus three years.

29.02. The age on the first day of July in the year in which the recruitment is made, shall be the age for the purpose of clause (1).

29.03. In case of Class IV employee, who has put in a continuous service of three years or more and has the prescribed qualifications for appointment to the post a

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routine clerk or an equivalent post to be filled in by direct recruitment the maximum age limit may be relaxed upto 40 years. In special circumstances, relaxation beyond the age of 40 years may be made with the prior approval of the Director (Higher Education).

Character

30.00. It shall be the duty of the appointing authority to satisfy himself that the character of a candidate for employment by direct recruitment is such as to render him suitable in all respects for employment in a college.

Note-- Persons dismissed by the State Government, the Union Government or by any other State Government or a local authority shall be deemed in-eligible.

Physical Fitness

31.00. No candidate shall be employed in a college unless he is in good mental and physical health and free from any physical defect likely to interfere with the efficient performance of his duties. Before a candidate is finally approved for appointment he shall be required to produce a medical certificate of fitness from a Medical Officer incharge of a hospital established by the State Government.

Scale of pay & allowances

32.00 The employees shall be given the scale of pay and allowances as may be prescribed by the State Government from time to time.

Explanation--An ex-serviceman appointed in a vacancy reserved for ex-servicemen shall not be entitled to any higher pay merely on account of his past service in the Armed forces of the Union.

Conduct and other matters

33.01. Every employees shall maintain highest order of integrity with regard to his work and conduct.

Conduct and other matters

33.02. Every employee shall comply with the orders or directions of the management/the Principal (including the orders or directions issued in the implementation of the orders of the State Government or the University).

33.03. The Principal of the college will maintain the

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character roll of every employee in which the confidential report about his work and conduct shall be recorded every year. Adverse entries shall be communicated to the employee concerned as soon as possible so that he may improve his work and conduct accordingly.

33.04. An employee aggrieved by an adverse entry may represent to the manager of the college through the Principal for the expunction of the adverse entry. The power to expunge the adverse entry on the basis of justification therefore shall vest in the Managing Committee of the college concerned.

33.05. A Service Book of every employee shall be maintained under the control of the Principal.

34.00. An employee who disobeys any one or both of the provisions of clause (1) and clause (2) of Statute 33 shall be liable to disciplinary action.

35.01. An employee shall be liable to be removed from service on any one or more of the following grounds namely:

- (a) gross negligence of duties;
- (b) misconduct;
- (c) insubordination or disobedience;
- (d) physical or mental unsuitability in the discharge of duties;
- (e) Prejudicial conduct or activity against the Government or the University or the college concerned;
- (f) Conviction by a Court of Law on charge involving moral turpitude.

35.02. If temporary employee resigns from service he shall give notice to this effect in writing to the management of the College one month in advance otherwise he shall have to deposit one month's salary with the college in lieu of the notice. Similarly if the management of a college

Disciplinary
Action

Termination
of service
and
resignation

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decides to terminate the service of an employee the management shall give one month's notice to the employee or one month's salary in lieu thereof.

35.03. The services of a permanent employee may be dispensed with on the ground of abolition of post after giving his three month's notice in writing or three month's salary in lieu thereof. A post can be abolished on any one of the following grounds:

- (a) retrenchment of account of financial stringency;
- (b) full in enrolment of students; or
- (c) discontinuance of the teaching in the subject to which the post relates.

36.00. The age of superannuation of an employee shall be sixty years. A employee who have attained the age of sixty years on or before the date of commencement of these Statutes shall be retired forthwith.

37.01. The leave rules applicable to the Government servants from time to time shall *mutatis mutandis* apply to the employee of like status.

37.02. The Principal shall be the authority to sanction all kinds of leave to Class IV employees and casual leave to other employees.

37.03. Application of an employee other than Class IV for leave (other than casual leave), shall be forwarded by the Principal with his recommendation to the Manager of the College who shall be the authority to sanction the same.

37.04. All records relating to leave will be maintained by the Principal who shall send copies of the orders sanctioning leave (other than casual leave) to the Regional Deputy Director of Education or the authority authorised by him to disburse the salaries of the employees. The Principal shall also mention the period and nature of leave in the salary bill.

Age of
super-
annuation

Leave

38.00. A whole-time employee of one college appointed to another college receiving maintenance grant from the State Government shall, after regular selection, be entitled to receive salary not less than what he was getting in the college in which he was previously working, if the employee:

- (a) was permanent on his post in the previous college and such college was on the grant-in-aid list;
- (b) has obtained the permission of the Manager of the previous college for service in the new college and the Management of the previous college has no objection in relieving him;
- (c) furnishes a certificate from the Manager of the previous college to the effect that there were no unusual and adverse circumstances in which the employee left that college.
- (d) furnishes the last pay certificate from the previous college duly countersigned by the District Inspector of Schools, concerned.

Explanation- (1) On being appointed in the new college the service rendered in the previous college shall not count towards seniority. Seniority in the new college shall be reckoned from the date of appointment in the new college and the annual increment shall fall due after completing one year's service in the new college from the date of taking over charge of the duties in that college.

(2) The employee shall not be entitled to receive any travelling allowance for journeys performed by him to join his duties in the new college. He shall, however, be allowed journey time at following rates :

- (a) one day for each 500 kms. for places connected by Train;
- (b) one day for each 150 kms. for places not connected by Train but connected by Bus;
- (c) one day for each 25 kms. for places neither

Miscellaneous

connected by Train nor by Bus.

CHAPTER XXIII

EMPLOYMENT OF THE DEPENDANT OF DECEASED EMPLOYEES OF THE COLLEGE

39.00 Where a confirmed employee or an employee, who had been holding a temporary post continuously for not less than three years, dies while in service, one dependant of the deceased employee, who applies for a post in the college and possesses minimum educational qualification for such post may, with the prior approval of the Director (Higher Education), be appointed by the Management in relaxation of the procedure for selection and maximum age limit.

Explanation- For the purposes of this Statute-

- (I) 'dependant' means the son, unmarried or widowed daughter, widow or the widower of the deceased;
- (II) 'employee' includes teacher employed in the institution.

CHAPTER XXIV

SURCHARGE

Definitions 39.01. In these Statutes unless there is any thing repugnant in the subject or context-

- (1) "Examiner" means the Examiner, Local Fund Account, U.P.
- (2) "Government" means the Government of Uttar Pradesh.
- (3) "Officer of the University" means an Officer mentioned in any of the clause (c) to (h) of Section 9 of the Act and the Officers declared as such under Statute 2.01-A.

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39.02. (1) In any case where the Examiner is of the opinion that there has been a loss, waste or misapplication, which includes misappropriation or unjustifiable expenditure, of any money or property of the university as a direct consequence of neglect or misconduct of an officer he may call upon the officer to explain in writing why such officer should not be surcharged with the amount of such loss, waste or misapplication of money or the amount which represents the loss, waste or misapplication of property and such explanation will be furnished within a period not exceeding two months from the date such requisition is communicated to the person concerned:

Provided that explanation from any of the officers other than the Vice-Chancellor shall be called for through the Vice Chancellor.

Note- (1) Any information required by the Examiner, or by a person appointed by him for the purpose, for preliminary inquiry shall be furnished and all connected papers and records shown to him by the officer (or if such information, papers or records are in possession of a person other than the said officer, by such person) within a reasonable time not exceeding two weeks in any case.

(2) Without prejudice to the generality of the provisions contained in clause (1) the Examiner may call for the explanation in the following cases:

- (a) Where expenditure has been incurred in contravention of the provisions of these Statutes or of the Act or of the ordinances or regulations made thereunder;
- (b) Where loss has been caused by acceptance of a higher tender without sufficient recorded reasons;
- (c) Where any sum due to the University has been remitted in contravention of the provisions of these Statutes or of the Act or the ordinances or regulations made thereunder;

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- (d) Where loss has been caused to the University by neglect in realising its dues;
- (e) Where loss has been caused to the funds or property of the University on account of want of reasonable care for the custody of such money or property.

(3) On the written requisition of the officer from whom an explanation has been called the University shall give him necessary facilities for inspection of the connected records. The Examiner may, on an application from the officers concerned, allow a reasonable extension of time for submission of his explanation if he is satisfied that the officer charged has been unable, for reasons beyond his control to inspect the connected records for the purpose of furnishing his explanation.

Explanation- Making of an appointment in contravention of the Act or the Statutes or Ordinances made there under shall amount to misconduct and payments to the person concerned of salary or other dues on account of such irregular appointment will be deemed to be a loss, waste or misapplication of University money.

39.03. After the expiry of the period prescribed and after considering the explanation, if received within time, the Examiner may surcharge the officer with the whole or a part of the sum for which such officer may in his opinion be liable:

Provided that in the case of loss, waste or misapplication accruing as a result of neglect or misconduct of two or more officers each such officer shall be jointly and severally liable:

Provided also that no officer shall be liable for any loss waste or misapplication after the expiry of ten years from the occurrence of such loss, waste or misapplication or after the expiry of six years from the date of his ceasing to be such officer whichever is later.

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39.04. An officer aggrieved by an order of surcharge passed by the Examiner may prefer an appeal to the Commissioner of the division in which the University is situate within thirty days from the date on which such order is communicated to him. The Commissioner may confirm, rescind or vary the order passed by the Examiner or may pass such order as he thinks fit. The order so passed shall be final, and no appeal shall lie against it.

39.05. (1) The officer who has been surcharged shall pay the amount of surcharge within sixty days from the date on which such order is communicated to him or within such further time, not exceeding one year, from the said date or may be permitted by the Examiner:

Provided that where an appeal has been preferred under Statute 39.04 against the order of surcharge passed by the Examiner all proceedings for recovery of the amount from the person who has preferred the appeal may be stayed by the Commissioner until the appeal has been finally decided.

(2) If the amount of surcharge is not paid within the period specified in clause (1) it shall be recoverable as arrears of land revenue.

39.06. Where a suit is instituted in a court to question an order or surcharge and the Examiner or the State Government is a defendant in such a suit, all costs incurred in defending the suit shall be paid by the University and it shall be the duty of the University to make such payment without any delay.

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APPENDIX "A"

(See Statutes 4.12 and 20.02)

ELECTION BY PROPORTIONAL REPRESENTATION BY MEANS OF SINGLE TRANSFERABLE VOTE

Part I-General

1. Unless there is anything repugnant to the subject or context with reference to any election by proportional representation by single transferable vote:

- (i) "Candidate" means a person duly qualified to seek election who has been duly nominated.
- (ii) "Continuing candidate" means a candidate not elected and not excluded from the poll at any given time.
- (iii) "Elector" means a person who is duly qualified to give his vote in the election.
- (iv) "Exhausted Paper" means a ballot paper on which no further preference is recorded for a continuing candidate provided that a paper shall also be deemed to be exhausted if:
 - (a) the means of two or more candidates whether continuing or not are marked with the same figure and are next in order of preference, or
 - (b) the name of the candidate next in order of preference, whether continuing or not is marked-
 - (1) by a figure not following consecutively after some other figure on the ballot paper, or
 - (2) by two or more figures.
- (v) "First preference vote" means the vote for a candidate against whose name the figure 1 appears on a ballot paper. "Second preference vote" means the vote for a candidate against whose name the figure 2 appears, "third preference

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vote" means the vote for a candidate against whose name the figure 3 appears and so on.

- (vi) "Original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for such candidate.
- (vii) "Quota" means the lowest value of votes sufficient to secure the return of a candidate.
- (viii) "Surplus" means the number by which the value of votes of any candidate, original and transferred, exceeds the quota.
- (ix) "Transferred Vote" in regard to any candidate means a vote which is derived from a ballot paper on which a second or subsequent preference is recorded for such candidate and the value or part of the value of which is credited to such candidate.
- (x) "Unexhausted Paper" means a ballot paper on which a further preference is recorded for a continuing candidate.

2. The Registrar shall be the Returning Officer responsible for the conduct of all elections.

3. The Vice-Chancellor shall-

- (i) appoint the dates for the various stages of each election in conformity with the provisions of the Statutes and shall have power to alter these dates in case of any emergency except where such alteration contravenes the provisions of the Statutes;
- (ii) decide in case of doubt the validity or otherwise of a vote recorded.

4. The election of members of the court representing Registered Graduates (and such other elections as the Vice-Chancellor may for reasons of convenience or economy direct) shall be conducted by postal ballot. Other election shall be conducted at meetings of the Authorities or Bodies

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concerned.

5. A voting paper shall be in the following form:

NAME OF UNIVERSITY

Election by Constituency

Name of candidate and Order of preference (to be indicated in the space) by the numerals 1, 2, 3, etc.

.....
.....

6. An elector in recording his vote-

- (i) must place on his voting paper the figure 1 opposite the name of the candidate for whom he votes, and
- (ii) may, in addition, indicate the order of his choice or preference for as many other candidates as he pleases, by placing against their respective names the figures 2, 3, 4, and so on, consecutive numerals.

7. A voting paper shall be invalid on which-

- (i) the figure 1 is not marked, or
- (ii) the figure 1 is placed opposite the name of more than one candidate, or
- (iii) figure 1 and some figure are marked opposite the name of the same candidate, or
- (iv) the figure 1 is so marked as to render it doubtful to which candidate it is intended to apply, or
- (v) in an election by ballot any mark is made by which the voter may afterwards be identified, or
- (vi) there is any erasure, or alterations in the figure indicating the voter's preference or
- (vii) it is not on the form provided for the purposes.

Part II- Elections conducted by Postal Ballot

8. At least three months before the vacancies to be filled by Election by postal ballot or due to occur, the Registrar shall cause a notice to be issued under a registered cover to each qualified voter at his registered address calling on him to submit nomination within fifteen days of the posting of the notice. The notice shall be accompanied by a list of voters.

9. The Registrar shall have power to correct any error and supply any omission brought to his notice in list of voters. If the name of a person is removed from the list his vote shall not be counted even if he has received the voting paper and recorded his vote, and a certificate that this has been so done, shall be recorded by the Registrar and the persons, if any, associated with him in preparing the result of the election.

10. Every elector shall have the option of nominating any number of candidates not exceeding the number of places to be filled.

11. Every nomination paper shall be signed by a proposer who shall be himself be an elector and shall be accompanied by the assent of the candidate nominated for election either in writing or by signing the nomination paper. It may bear the signature of other electors as supporters of the nomination. But no candidate shall sign as proposer or seconder a nomination paper on which his own name appears as a candidate.

12. The nomination paper shall be delivered to the Registrar in a closed cover either in person by the proposer or an elector who supports the nomination or through registered post, within the time mentioned in the notice.

13. It shall be open to a candidate to withdraw from an election by sending to the Registrar, so as to reach him before the day and hour fixed as the last day for the receipt of nomination, an intimation of withdrawal in writing

signed by himself and attested by a Stipendiary Magistrate a Gazetted Officer, or the Principal of a College affiliated to a University. The attestation should be under the seal of the officer concerned.

14. The Registrar shall notify the place, date and time for the opening of the covers containing the nomination papers. Such candidates or electors as may desire to be present may do so on the occasion.

15. The Registrar shall prepare list of valid nominations. If the nomination paper is rejected by the Registrar, he shall inform the candidates within two days stating the reasons for such rejection. It shall be open to the candidate to send within three days of the receipt of such communication a request that the matter be referred to the Vice-Chancellor. The matter shall then be referred to the Vice-Chancellor whose decision shall be final.

16. If the number of candidates duly nominated does not exceed the number of places to be filled, the Registrar shall declare them elected. In case any place remains unfilled a fresh election shall be held in like manner to fill it and such election shall be deemed to be a part of general election.

17. If the number of candidates duly nominated exceed the number of places to be filled an election shall be conducted.

18. The Registrar shall within 15 days of the completion of scrutiny send by registered post to each elector at his registered address a voting paper together with a cover bearing the name of the constituency only and a larger cover on the left side on which are written or printed the number of elector on the electoral roll, the name of the constituency, and on the right side the address of the Registrar of the University. The Registrar shall also enclose a Certificate of identity.

19. (i) The elector shall sign the certificate of identity

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and have it duly attested by any of following persons:

- (a) The Registrar of any University established by law in India for the time being.
- (b) The Principal of a College associated with any such University or Head of a Department of teaching of such University
- (c) Any Gazetted Officer of the Government.

(ii) The attesting Officer shall attest with his full signature and under his seal.

(iii) The elector shall enclose the voting paper duly fixed in but without his name or signature in a smaller cover, and then enclose it in the larger cover alongwith the certificate of identity duly signed and attested and send the same duly sealed with either by registered post or deliver it personally to the Registrar.

20. The voting paper must reach the Registrar by the time and date fixed. If received after the appointed time and date, it shall be rejected by him.

21. If two or more voting papers are sent in the same cover they shall not be counted.

22. A voter who has not received his voting paper and other connected papers, or who has lost them or whose papers before their return to the Registrar have been inadvertently spoiled, may send a declaration to that effect signed by himself and request the Registrar to send him duplicate papers in place of those not received, lost or spoiled may. The Registrar in place of those not received lost or spoiled if he is satisfied, issue another copy marked "Duplicate".

23. The Registrar shall keep the voting papers sealed and unopened in safe custody until the date and time fixed for their scrutiny.

24. Due notice of such date, time and place of scrutiny shall be given by the Registrar to all the candidates who shall have the right to be present during the scrutiny:

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Provided that no candidate shall be entitled to seek for the inspection of any voting paper.

25. The Registrar, where necessary shall be helped by such other persons as may be appointed by the Vice-Chancellor for assisting him in the scrutiny work.

26. At the appointed date, time and place the Registrar shall open the covers containing the voting paper and scrutinize them and separate those that are not valid.

27. The valid papers shall then be sorted into parcels, each parcel containing all the papers on which the first preference is recorded for a particular candidate.

28. For the purpose of facilitating the process prescribed by this Statute each ballot paper shall be deemed to be of the value of one hundred.

29. The Registrar shall in carrying out the provisions of the Statute-

- (i) disregard all fractions;
- (ii) ignore all preferences recorded for candidate already elected or excluded from the poll.

30. The Registrar shall then add together the values of the papers in all the parcels, divide the total by a number exceeding by one the number of vacancies to be filled, and add one to the quotient. The number thus obtained shall be the "quota".

31. If at any time candidates equal in number to the number of persons to be elected have obtained the quota such candidates shall be treated as elected and no further proceeding shall be taken.

32. (i) Every candidates the value of whose parcel, on the first preference being counted is equal to or greater than the quota, shall be declared elected.

(ii) If the value of the papers in any such parcel is equal to the quota, the papers shall be set aside as finally.

dealt with.

(iii) If the value of the papers in any such parcel is greater than the quota, the surplus shall be transferred to the continuing candidates indicated on the ballot paper as next in order of the voter's preference the manner prescribed in the Statute herein after appearing.

33. (i) If and whenever as the result of any operation prescribed by the Statute above, a candidate has any surplus that surplus shall be transferred in accordance with the provisions of the Statute.

(ii) If more than one candidate has a surplus the largest surplus shall be dealt with first and the others in a decreasing order of magnitude provided that every surplus arising on the first count of votes shall be dealt with before those arising on the second count, and so on.

(iii) Where two or more surplus or equal, the Registrar shall decide according to the terms prescribed in sub-clause (ii) above which shall be first dealt with.

(iv) (a) If the surplus of any candidate to be transferred arises from original votes only, the Registrar shall examine all papers in the parcel belonging to the candidate whose surplus is to be transferred and divide the unexhausted papers into sub-parcels according to the next preference recorded thereon. He shall also make a separate sub-parcel of the exhausted papers.

(b) He shall ascertain the value of the papers in each sub-parcel and of the unexhausted papers.

(c) If the value of the unexhausted papers is equal to or less than the surplus, he shall transfer all the unexhausted papers at the value at which they were received by the candidate whose surplus is being transferred.

(d) If value of the unexhausted papers is greater than the surplus, he shall transfer the sub-parcels of unexhausted paper and the value at which each paper shall be transferred

shall be ascertained by dividing the surplus by the total number of unexhausted papers.

(v) If the surplus of any candidate to be transferred arises from transferred as well as original votes, the Registrar shall re-examine all the papers in the sub-parcel last transferred to the candidate and divide the unexhausted papers into sub-parcels according to the next preference accorded thereon. He shall thereupon deal with sub-parcels in the same manner as is provided in the case of sub-parcels referred to in the last preceding clause.

(vi) The papers transferred to each candidate shall be added in the form of sub-parcel to the paper already belonging to such candidate.

(vii) All papers in the parcel or sub-parcels of an elected candidate not transferred under this clause shall be set aside as finally dealt with.

34. (i) If after all surpluses have been transferred as here in after directed less than the number of candidates required has been elected the Registrar shall exclude from the poll the candidate lowest on the poll and shall distribute his unexhausted papers among the continuing candidates according to the next preferences recorded thereon. Any exhausted papers shall be set aside as finally dealt with.

(ii) The papers containing original votes of an excluded candidate shall first be transferred, transfer value of each paper being one hundred.

(iii) The papers containing transferred votes of an excluded candidate shall then be transferred in the orders of the transfers in which and at the value at which he obtained them.

(iv) Each of such transfers shall be deemed to be a separate transfer.

(v) The process directed, by this clause shall be repeated on the successive exclusions one after another of candidates

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lowest on the poll until the last vacancy is filled either by the election of a candidate with the quota or as herein after provided.

35. If as the result of a transfer of papers the value of the votes obtained by a candidate is equal to or greater than the quota the transfer proceedings shall be completed but not further papers shall be transferred to him.

36. (i) If after the completion of any transfer under the said clause the value of the votes of any candidate is equal to or greater than the quota he shall be declared elected.

(ii) If the value of the votes of any such candidate is equal to the quota, the whole of the paper on which such votes are recorded shall be set aside as finally dealt with.

(iii) If the value of the votes of any such candidate is greater than the quota, his surplus shall thereon be disturbed in the manner herein before provided before exclusion of any other candidate.

37. (i) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled the continuing candidates shall be declared elected.

(ii) When only one vacancy remains unfilled and the value of votes of any continuing candidate exceeds the total value of all the votes of other continuing candidates, together with any surplus not transferred, that candidate shall be declared elected.

(iii) When only one vacancy remains unfilled and there are only two continuing candidates and those two candidates have each the same value of votes and no surplus remains capable of transfer one candidate shall be declared excluded under the next succeeding clause and the other declared elected.

38. If and when there is more than one surplus to distribute, two or more surpluses are equal or if at any time it becomes necessary to exclude a candidate and two or

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more candidates have the same value of votes and are lowest on the poll regard shall be had to the original votes of each candidate and the candidate for whom fewest original votes are recorded shall have his surplus first distributed or shall be first excluded, as the case may be. If the values of their original votes are equal the Registrar shall decide by lot which candidate shall have his surplus distributed or excluded.

39. Recounting- The Registrar may, either on his own initiative or at the instance of any candidate, recount votes, whether once or more than once when the Registrar is not satisfied as to the accuracy of a previous counting:

Provided that nothing herein contained shall make it obligatory on the Registrar to recount the same more than once.

40. After the scrutiny is completed, the Registrar shall forthwith report the result to the Vice-Chancellor.

41. The Registrar shall place the nomination papers and the ballot papers in a sealed packet which shall be preserved for a period of one year.

Part III- Elections held at Meetings

42. In case of an election conducted at a meeting of a University Authority it shall not be necessary to publish the electoral roll for the purpose of eliciting claims and objections or to invite nominations in advance. The members of the Authority concerned present at the meeting duly convened shall take part in the election. Names may be proposed for election and candidature withdrawn, in advance or at the meeting. The voting paper supplied to voters shall show the names of which notice was received in time for printing and shall contain blank spaces with addition of names including those proposed at the meeting. A notice of the meeting at which the election is to be held mentioning the time, date and place of such meeting together with lists of the members shall be sent by the Registrar to each

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member. The period of notice shall be fixed by the Vice-Chancellor.

APPENDIX 'B'

(See Statutes 16.01)

FORM OF AGREEMENT WITH MEMBERS OF TEACHING STAFF OF THE UNIVERSITY

Agreement made this day of 19..... between Sri of first part and the University of (hereinafter called "the University") of the other part.

It is hereby agreed as follows:

1. That the University hereby appoints Shri/Shrimati/Km to be a teacher of the University with effect from the date the party of the first part takes charge of the duties of his/her office, and the party of the first part, hereby accepts the engagement, and undertakes to take such part, and perform such duties in the University as may be required of him/her, including the management and protection of the University property or funds, the organisation of instruction, the teaching formal or informal and the examination of students, the maintenance of discipline and the promotion of student's welfare in connection with any curricular duties of the University as may be entrusted to him/her and to submit himself/herself to the officers under whom he/she is for the time being placed by the authorities of the University and shall abide by the confirm to the Code of Conduct for teachers laid down by the University as amended from time to time.

Provided that the teacher shall be on probation for a period of one year in the first instance and the Executive Council may in its discretion extend the period of probation by one year.

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2. That the party of first part shall retire in accordance with the provisions of the Statutes of the University.

3. The scale of pay attached to the post of teacher to which the party of the first part is appointed shall be The party of the first part shall from the date he/she takes charge of his/her said duties be granted pay at the rate of Rs. per mensem in the aforesaid scale and shall receive pay in the succeeding stages in the scale unless the annual increment is withheld in pursuance of the provisions of the Statutes:

Provided that where an efficiency bar is prescribed in the time scale, the increment next above the bar shall not be given to the party of the first part without the specific sanction of the authority empowered to withhold increment.

4. That the party of the first part shall obey, and to the best of his/her ability carry out the lawful directions of any officer, authority or body of the University, to whose authority he/she may while this agreement is in force, is subject under the Provisions of the said Act, or under any Statutes, Ordinances or Regulations made thereunder.

5. That the party of the first part hereby under takes to abide by and confirm to the Code of Conduct laid down for the teachers, by the University as amended from time to time.

6. That on the termination of this agreement from whatever cause, the party of the first part shall deliver up to the University all books, apparatus, record and other articles belonging to the University that may be in his possession.

7. In all matters, the mutual rights and obligations of the parties hereto shall be governed by the Statutes and Ordinances of the University, for the time being in force, which shall be deemed to be incorporated herein and shall be as such a part of this agreement as if they were reproduced herein and by the provisions of Uttar Pradesh

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State Universities Act, 1973.

In witness whereof the parties hereto affix their hands and seal on the day and year first above written.

Signature of the Teacher Signature of the Finance
Officer
representing the University.

Witness:

1.
2.

APPENDIX 'C'

(See Statutes 16.02, 16.27, 17.03 and 17.14)

CODE OF CONDUCT FOR TEACHERS

Whereas a teacher, conscious of his responsibilities and trust placed in him to mould the character of the youth and to advance knowledge, intellectual freedom and social progress, is expected to realise that he can fulfil the role of moral leadership more by example than by precept through a spirit of dedication, moral integrity and purity in thought, word and deed;

Now, therefore, in keeping with the dignity of his calling, this code of conduct is hereby laid down to be truly and faithfully observed:

- (1) Every teacher shall perform his academic duties with absolute integrity and devotion.
- (2) No teacher shall show any partiality or bias in the assessment of the students nor shall he practice victimisation against them.
- (3) No teacher shall incite one student against another or against his colleagues or the Alma

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Mater.

- (4) No teacher shall discriminate against any pupil on grounds of caste, creed, sect, religion, sex, nationality or language. He shall also discourage such tendencies, amongst his colleagues subordinates and students, and shall not try to use the above considerations for the improvement of his own prospects.
- (5) No teacher shall refuse to carry out the decision of the appropriate bodies and functionaries of the University or the college, as the case may be.
- (6) No teacher shall divulge any confidential information relating to the affairs of the University or college, as the case may be to any person not authorised in respect thereof.

APPENDIX 'D'

(See Statutes 17.02 and 17.14)

1. FORM OF AGREEMENT WITH A TEACHER (OTHER THAN A PRINCIPAL) IN AFFILIATED COLLEGES

Agreement made this day of 19
between of the first part and the Management of
the College through the Principal/Secretary
of the second part.

Whereas the college has engaged the party of the first part to serve the College as subject to the conditions and upon the terms hereinafter contained, now this Agreement witnesseth that the party of the first part and the college hereby contract and agree as follows:

- (1) That the engagement shall be from the day of 19 and shall be determinable as hereinafter provided.

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(2) That the party of the first part is employed, in the first instance on probation for a period of one year and shall be paid a monthly salary of Rs. The period of probation may be extended by such further period as the party of the second party may deem fit but the total period of probation shall in no case exceed two years.

(3) That on confirmation after the period of probation the college shall pay the party of the first part of the services at the rate of Rs. (Rupees only) per month rising by annual increment of Rs. to Rs. per month.

The scale of salary shall be subject to such revision as may be made by the University with the approval of the State Government from time to time.

(4) That the said monthly salary is due on the first day of the month following that for which it is earned and the Management shall pay it to the teacher not later than fifteenth of the each month.

(5) That the party of the first part shall not make a representation to the University or to any member of the Management, except through the Principal who shall forward it to higher authorities.

(6) That the party of the first part shall in addition to the ordinary duties, perform such duties as may be entrusted to him by the Principal in connection with internal administration or activities of the College.

(7) In all other respects the mutual rights and obligations of the parties hereto shall be governed by the Statutes of the University as amended from time to time and by the provisions of the

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Uttar Pradesh State University Act, 1973

Signed this day of 19 on behalf of Management by

By the teacher in the presence of :

Witness :

1.
2.

2. FORM OF AGREEMENT WITH A PRINCIPAL OF AN AFFILIATED COLLEGE

Agreement made this day of 19 between of the first part (hereinafter called the Principal) and the (hereinafter called the Management) of College through the President of the second part.

Whereas the Management has engaged the party of the first part to serve the College as Principal subject to the conditions hereinafter contained, now this Agreement witnesseth that the party of the first part and the management hereby contract and agree as follows:

- (1) That the agreement shall begin from the 19 and shall be determinable as hereinafter provided.
- (2) That the Principal is employed, in the first instance, on probation for a period of one year and shall be paid a monthly salary of Rs. The period of probation may be extended by another year at the discretion of the Management.
- (3) That on confirmation after the period of probation the Management shall pay the Principal at the rate of Rs. (Rupees only) per month in the scale of Rs. That scale of salary shall be

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subject to such revision as may be made by the University with the approval of the State Government from time to time.

- (4) That the said monthly salary is due on the first day of the month following that for which it is earned and the management shall pay it to the Principal not later than the fifteenth of each month.
- (5) The Principal shall perform all such duties as appear into the Principal of an affiliated college and shall be responsible for due discharge of such duties. The Principal shall be solely responsible to the internal management and discipline of the said college including such matters as the selection of Text-Books in consultation with the senior-most teacher of the Department concerned the management of the college timetable, the allocation of duties to all the members of college staff, the appointment of Wardens, Proctors, Games Superintendents, etc., the grant of leave to the staff, the appointment, promotion control and removal of the inferior staff such as peons, daftaris, gardener, technicians, etc., the granting of freeship and half freeship to students within the number sanctioned by the management, his control of the college or hostels through the Warden, the admission, discipline and punishment of students and the organisation of games and other activities. He shall administer all student's funds, such as Games Fund, Magazine Fund, Union Fund, Reading Room Fund, Examination Funds, etc., with the help of Committee appointed by him and in accordance with the directions received by him from time to time from the University, and subject to audit and security of accounts by

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qualified accountant appointed by the Management not from amongst its members. The accountant's fee will be legitimate charge on the students funds of the college.

He shall have all powers necessary for the purpose, including power in an emergency to suspend members of the staff, including teachers or staff pending report to any decision by the Management. In the spheres of his sole responsibility he shall follow the direction received from the University or Government in connection with the administration of the college. In financial and other matters, for which he is not solely responsible, the Principal shall follow the direction of the Management as issued to him in writing through the Secretary. All instructions by the Management or the Secretary to the members of the staff shall be issued through the Principal and no member of the staff have a direct approach to any member of the Management except through the Principal.

The Principal shall have all necessary powers of control and discipline in regard to the clerical and administrative staff including the power to withhold increments. All appointments in Principal's office shall be made with his concurrence.

- (6) That the Principal shall be *ex-officio* member of the Management and any other committee appointed by the Management and have the power to vote :

Provided that he shall not be a member of the Committee appointed to inquire into his own conduct.

- (7) The date of birth of the party of the first part is in proof of which he has produced the High School Certificate or that of any other examination recognised as equivalent to High School Examination and has annexed certified copy thereof.

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- (8) In all other respects, the mutual right, and obligations of the parties hereto shall be governed by the Statutes of the University as amended from time to time and by the provisions of the Uttar Pradesh State Universities Act, 1973.

Signed this day of 19
....., on behalf of the Management by

By the Principal in the presence of :

Witness (1)

Address

Witness (2)

Address

APPENDIX 'E'

(See Statute 11.12-B)

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APPENDIX 'E'

FORM I

(See Statutes 16.29 and 17.16)

ANNUAL ACADEMIC PROGRESS REPORT FOR THE ACADEMIC SESSION.....

- (1) Name of the teacher
- (2) Depart to which attached.
- (3) Whether Lecturer, Reader, Professor, Principal etc.
- (4) Academic qualifications or distinctions achieved, if any, during the session
- (5) Details of publications or research work done by the teacher and or papers read in any national or international conference.
- (6) Number of Research Students under his guidance during the session, and whether any of them has been conferred a research degree
- (7) Number of Lectures (excluding tutorial classes) delivered in the University or Institute or College, during the session.
- (8) Remarks

I hereby declare that the contents of this Academic progress Report are true to my personal knowledge.

Signature of Teacher

Dates 19

Countersigned

Designation

College Code of Conduct

THE DIGVIJAI NATH VISION (Asta Dharma)

Fundamental Code of Conduct

We as members of Digvijai Nath P.G. College, Gorakhpur are committed to display through our behavior and actions the following CONDUCT which applies to all aspects of our business.

| | | |
|--------|---------|---|
| (I) | CONDUCT | Which is of the highest ethical, intellectual, financial and moral standards and reflects the highest levels of Courtesy and Consideration to others. |
| (II) | CONDUCT | Which builds and maintains Team Work, with mutual trust as the basis of all working relationships. |
| (III) | CONDUCT | Which puts the students first, the college second and the self last. |
| (IV) | CONDUCT | Which exemplifies care for students through anticipation of need, attention to detail, excellence, aesthetics and style and respect for privacy along with warmth and concern. |
| (V) | CONDUCT | Which demonstrates two-way communication accepting constructive debate and dissent whilst acting fearlessly with conviction. |
| (VI) | CONDUCT | Which demonstrates that students are our key asset, through respect for every employee, and leading from the front regarding performance, achievements as well as individual development. |
| (VII) | CONDUCT | Which at all times safeguards the safety, health and environment of students, employees and the assets of the college. |
| (VIII) | CONDUCT | Which eschews the short-term quick-fix for the long-term establishment of healthy precedent. |