

**Deen Dayal Upadhyay Gorakhpur University,  
Gorakhpur Ordinance**

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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ordinances of the University, as are inconsistent with these Statutes, are to the extent of such inconsistency, hereby rescinded and shall forthwith cease to have effect except as respects things done or omitted to be done before the commencement of these Statutes.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Gorakhpur stand repealed with effect from the date of such commencement.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 (c)**

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)

(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

Ss. 13(9),  
16(4) 21(i)  
(vii), 21(8),  
49(c) & (e)

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;

- (c) 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)

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)

(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.

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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.

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## 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 (q)

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 (q)

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)

Sections 25  
(2) (vii) 25  
(3) & 49  
(b)

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.

Sections 25  
(2) (viii) &  
49 (2)

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.

Sections 25  
(2) (xi) &  
(b)

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.

Sections 25  
& 49  
(b)

5.05. Members under clauses (vi), (vii), (viii) and (xi) of Section 25 (2), shall hold office for a period of three years.



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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)  
Sections 26  
(3) & 49  
(a)

(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  
(a)

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 scrutinise 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.

(23)

- (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

(25)

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:

- (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:

(26)

- (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 2  
(3)

- (I) Law.

**Faculty of Medicine**

7.12. The Board of the Faculty of Medicine shall be constituted as follows: Section 2  
(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**

(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)

(31)

Colleges, constituent Colleges or a Hall who may be nominated by the Academic Council, for a period of three years.

**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.

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.

8.06. The delegacy shall look after the residence, health and welfare of all students of the University residing within the limits.

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--

- (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;
- (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.

Section 47  
(5)

Section 47  
(5)

Section 49

Section 47  
(5)

Section 21  
(1) (vii)  
and 47 (5)

Section 47  
(5)

Section 47  
(5)

Section 47  
(5)

Section 49

(33)

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.

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

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.

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.

Section 31 and 49 (a) 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

(38)

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  
(e)

## 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

\* By 42nd Amendment dated 12.10.88

(39)

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 professionable 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."

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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. Phill 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 in 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.



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

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(a) 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 bemissible to Lecturers for promotion to the post of Reader and 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 by the Selection Committee alongwith 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.

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, Music and Music Technology:

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.

## **PART II**

### **\* Qualifications and Appointment of Teachers in Affiliated Colleges**

11.13. (1) In the case of any college affiliated with the University the minimum qualification for the post of lecturer in the Faculties of Arts (Except departments of Fine Arts and Music) and the Faculty of Agriculture, Commerce, 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 the 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 the 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.

(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 (a) or sub-clause (b) or sub-clause (c) of clause (5) of Statute II.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

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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 quality 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 qualification for the post of Principal for a:

(i) Degree 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 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.

[illegible]

(b) a doctorate degree obtained by with 7 years experience of teaching post-graduate or 5 years experience of Principalship of a higher college

the requirement of doctorate degree;  
Post-graduate College the Selection Committee may relax  
a continued Principal of five years or more holding of an  
of Ph.D. degree or a Doctor's College or it be as has been  
experience of teaching degree classes or 7 years of service  
of teaching Post-graduate classes or 10 years of service  
Provided that if a candidate possesses 10 years experience

provided further that if the defendant (witness) is of the view that the research work of a candidate is original and of value, he may, at his discretion, award a certificate of merit to the candidate. The certificate of merit is a very high standard and may only be awarded to a candidate who has made a valuable contribution to the subject.

11-1. The provisions of Statute 11-12 (except Statute 11-12) shall remain in effect as to the appointment of principals and members of the College as they apply to the members of the University.

## CHAPTER XII

12.01. The Baba Raghava Das Medical College, Gorakhpur maintained by the Governments shall be constituent college of the University.

### 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:

ctions 38 & 49 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 be provided that:

- (a) the principal of the College shall be ex-officio member of the Management;
- (b) twenty-five percent of the members of the 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 other members of the Management shall be added 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 maintenance 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 a 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)

(55)

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-Degrees 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 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 by 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) & 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 regard 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



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. Now 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

Section 49

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) & 67

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)

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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 and 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 otherwise.

*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 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 and from the date of the original order or dismissal or removal.

(4) During the period of his suspension, the teacher of 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- (d) 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 prolong 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 during 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 subject to the concurrence of the State Government, be entitled to count the period of 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. Section (d)

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. Section (d)

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. Section (d)

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. Section (d)

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. Section (d)

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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 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.

tion 49

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 reports 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

on 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

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 38 & 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 "Seniormost 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 (4) & (d)**

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. **Section (4) & (d)**

18.03. The seniority among Deans of the Faculties shall be determined by the length of the total period of **Section (d)**

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

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 Chandrayat Hostel
- (2) Gautam Budh Hostel
- (3) Kaheer 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,

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 to 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 tutorial 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 (Convenor);
- (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 Convenor, 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 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

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

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 paper 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 THE AFFILIATED COLLEGE

23.00. In this chapter, unless to context or requires the expressions defined in the succeeding shall be construed accordingly.

23.01. 'Class four' means a post carrying a lower than a pay scale of a Routine clerk and the '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 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 or 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 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 the Selection Committee constituted in the manner provided 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 candidate 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:

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 posts referred to in Statute 25.01 or 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 Navel, 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 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 23.01. 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 years 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 exservicemen.

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.

national 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



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 present 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

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

by the preceeding 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

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

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

Age of  
super-  
annuation

Leave

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 service 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 stinging;
- (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.

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.
- (iv) "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

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

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

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 along with 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.

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.

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(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 subclause (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



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

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

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.

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 undertakes 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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- (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 authorized 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 part 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

(129)

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

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

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 1

(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) Nuber 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.

