

The First Statutes Under the Dibrugarh University Act, 1965

ASSAM

India

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Rule

THE-FIRST-STATUTES-UNDER-THE-DIBRUGARH-UNIVERSITY-ACT-1 of 1965

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The First Statutes Under the Dibrugarh University Act, 1965Last Updated 11th February, 2020Preamble. - In exercise of the powers conferred by sub-section (2) of Section 43 of the Dibrugarh University Act, 1965 (Assam Act VIII of 1965), the Vice-Chancellor, with the approval of the Chancellor, hereby makes the First Statutes of the Dibrugarh University as follows :

1. Title and commencement.

(1)These Statutes shall be called the Dibrugarh University First Statutes.(2)They shall come into force with effect from the date of publication in the Assam Gazette.

2. Definitions.

- In these Statutes unless there is anything repugnant to the subject or context-(a)"The Act" means the Dibrugarh University Act, 1965 ;(b)"Article" means an Article of the Statutes ;(c)"Form" means a form in the Appendix attached to the Statutes, Ordinances, Regulations and Rules ;(d)"Post" means a post under the Dibrugarh University as specified in the Schedule to these Statutes.

3. Other officers of the University under Section 7 (vi).

- In addition to those specified in Section 7 of the Act, the following shall also be the officers of the University :(i)the Inspector of Colleges ;(ii)the Deputy Registrar, General Administration ;(iii)the Deputy Registrar, Finance and Accounts ;(iv)the Controller of Examination ; and(v)the Librarian.

4. Grades and categories of posts.

- The categories and grades of the posts under the University shall be as specified in the Schedule to these Statutes.

5. Qualifications for appointment.

- The qualifications for appointment to the various posts under the University shall be such as may be determined by the Executive Council from time to time.

6. Fitness.

- (i) Appointment of persons by direct recruitment for periods of more than a year shall be subject to their being found medically fit by the Civil Surgeon, Lakhimpur District.(ii)No person shall be appointed to any post unless he possesses good character and antecedents.

7. Methods of recruitment.

- Recruitment to the posts may be made-(i)by promotion ;(ii)by direct recruitment;(iii)by appointment of employees borrowed from Government Departments and institutions ; or(iv)by appointment on contract basis for a limited period.

8. Promotion.

- (i) Appointment to a post in any grade by promotion shall be made, whether in a permanent or officiating capacity from amongst employees serving in post in the next lower grade.(ii)Every appointment by promotion shall be by selection on the basis of merit and efficiency, due regard being paid to seniority.

9. Appointments.

- Subject to the provisions of Section 32 appointments to the posts shall be made by the Executive Council on the recommendations of the Selection Committee appointed by the Executive Council or any Standing Committee for the purpose from time to time.

10. Temporary appointment.

- Notwithstanding anything hereinbefore contained the appointing authority may make a temporary appointment for a period not exceeding 6 months.

11. Temporary promotion.

- Where in the interest of the University to meet an emergency it is necessary to fill immediately a vacancy in a post in the University by promotion from the lower category, the appointing authority may promote a person, otherwise than in accordance with these Statutes temporarily, until the vacancy is filled up in accordance with these Statutes.

12. Appointment in the place of employees dismissed, removed or reduced.

- Where an employee has been dismissed, removed or reduced from any class, category or grade in the service, no vacancy caused thereby or arising subsequently in such class, category or grade in the service, shall be substantively filled to the prejudice of such person until the appeal, if any, preferred by him against such dismissal, removal or reduction is decided and except in conformity with such decision or until the time allowed for preferring an appeal has expired, as the case may be.

13. Re-employment of retired persons from the service of the University.

- Nothing in these Statutes shall be construed to limit or abridge the powers of the University to re-employ persons in the service of the University who have been retired from that service, in accordance with the provisions laid down in the relevant Statutes.

14. Employees' absence from duty.

- The absence of an employee of the University from duty, whether on leave or on foreign service or on deputation or for any other reason and whether his lien in a post borne on the cadre of the service is suspended or not, shall not if he is otherwise fit, render him ineligible in his turn : (a) for re-appointment to a permanent or officiating vacancy in the class, category, grade or post in which he may be a probationer or an approved probationer; or (b) for promotion from a lower to a higher category in the service, as the case may be, in the same manner as if he had not been absent. He shall be entitled to all the privileges in respect of appointment, seniority, probation and confirmation which he would have enjoyed but for his absence subject to his completing satisfactorily the period of probation on his return. Explanation. - An approved probationer is a person who has satisfactorily completed the period of his probation in a post and is awaiting confirmation in that post.

15. Promotion and confirmation.

(1) Every person appointed permanently to a post under the University, after the commencement of these Statutes, whether by promotion or by direct recruitment, shall be on probation in such post for a period of one year ; provided that the appointing authority may, in any individual case, extend the period of probation to such extent as it deems necessary. (2) Where a person appointed to a post under the University on probation is, during his period of probation, found unsuitable for holding that post or has not completed his period of probation satisfactorily, the appointing authority

may-(i)in the case of a person appointed by promotion, revert him to the post held by him immediately before such appointment; and(ii)in the case of a person appointed by direct recruitment, terminate his service under the University without notice.(3)Every person appointed to a permanent post under the University by promotion or by direct recruitment shall, on satisfactorily completing his period of probation, be eligible for confirmation in that post.(4)No employee shall be confirmed in any post unless-(i)such post is permanent and no one else has been confirmed in it; and(ii)the service of the employee under the University is approved by the appointing authority.

16. Seniority.

- Seniority of employees in particular grade shall be determined with reference to the date from which their services in that grade is counted for probation.

17. Temporary and permanent service.

- (i) An employee shall be a temporary employee of the University, until he is confirmed in a permanent post under the University.(ii)An employee confirmed in any permanent post under the University shall be a permanent employee of the University.

18. Termination of services.

(1)The service of a temporary employee may be terminated by the appointing authority without assigning reasons-(i)during the period of probation, following the first appointment, at any time without notice ; and(ii)after such period of probation, at any time by a notice of one month in writing given by the appointing authority to the employee, or at any time without notice on payment of one month's pay.(2)The service of a permanent employee may be terminated by a notice of three months or on payment of pay such period, as the notice falls short of three months, or without notice, on payment of three months' pay, if the post in which he was confirmed is abolished.(3)An employee who is given notice of termination of service under (2) above may be granted, during the period of notice, such earned leave as may be admissible to him and where the leave so admissible and granted is more than ninety days, his service shall be terminated on the expiry of such leave.

19. Retirement.

- The age of retirement of the employees of the University shall be on completion of 60 years ; provided that any employee may be retired-(i)on his being declared medically unfit for service by a Medical Board to be appointed by the Executive Council in this behalf; or(ii)on the imposition of the penalty of compulsory retirement.

20. Resignation.

(1)A permanent employee may, by notice of three months and a temporary employee by notice of one month in writing addressed to the appointing authority, resign from the service of the

University or by payment of salary in lieu thereof: Provided that no resignation shall be effective unless it is accepted by the appointing authority. (2) The appointing authority may, if it deems proper in any special circumstances, permit an employee to resign from the service of the University on shorter notice.

21. Scale of pay.

- The scales of pay for the posts under the University shall be as specified, from time to time, by the Executive Council : Provided that till the scales of pay are so specified by the Executive Council, the scales of pay as shown in the Schedule of posts to these Statutes, shall prevail.

22. Initial pay.

- An employee shall, on the appointment to a post on a time scale of pay, draw pay at the lowest of the stages of time scale, unless the appointing authority decides that he shall draw pay at any higher stage : Provided that, when such appointment is made by promotion- (i) the pay of the employee will first be increased by one increment in the lower scale, and then fixed in the highest scale at the stage next above; (ii) if he had previously served in the same post or in any other post under the University on the same or identical time scale of pay, and at the time of promotion was drawing pay higher than the pay admissible to him under Clause (i), he shall draw such higher pay, and the period of his duty in such post on such pay shall also be counted for the purpose of increment in the higher post.

23. Increments.

(1) An increment shall ordinarily be drawn as a matter of course unless it is withheld, by the Vice-Chancellor or the Registrar, as the case may be. (2) An increment may be withheld, if the conduct of the employee has not been good or his work has not been satisfactory. (3) Where an efficiency bar is prescribed in the time scale, the increment next above the bar shall not be given to an employee without specific sanction of the authority empowered to withhold increments. (4) The Executive Council may, in recognition of the exceptional merit of an employee, sanction such advance increments to the employee as it may deem fit.

24. Counting of service for increments.

- The following service shall count for increments in the time scale of a post- (i) duty in that post or in any other post of the same or higher grade, whether continuous or not; (ii) duty in an equivalent or higher post in foreign service ; and (iii) leave, other than extraordinary leave : Provided that the sanctioning authority may direct that extraordinary leave shall also count for increments, if it is satisfied that such leave was taken on account of illness or for any other cause beyond the control of the employee.

25. Pay during suspension.

- An employee under suspension shall, during the period of suspension, be entitled to subsistence allowance not exceeding an amount equivalent to half the rate which is admissible to him immediately before the commencement of the suspension.

26. Special pay, personal pay, honorarium and fee.

- The Executive Council may sanction to an employee in any special circumstances, such special pay, personal pay, honorarium or fee and on such conditions as it may deem fit.

27. Drawal of pay.

(1)An employee shall be entitled to draw the pay of the post to which he is appointed from the date on which he assumes charge of the post.(2)Pay in respect of any month shall become payable on or after the first working day of the following month.(3)An employee resigning from the service of the University without the prescribed notice shall not, unless the Vice-Chancellor directs otherwise, be allowed to draw pay due but not drawn.

28. Pay and allowance for holding additional charge of posts.

(1)An employee placed in charge of the current duties of a higher post will receive his basis plus 10 per cent of the minimum of the scale of pay applicable to the higher post.(2)No allowance will be admissible when an employee holding one post is placed in charge of the current duties of a post of equivalent status of his own basic post. The employee concerned will receive pay in his basis post only.(3)An employee placed in charge of the full duties of a post of status equivalent to this own basis post will receive allowance at 20 per cent of the minimum of, the scale of the post.(4)An employee holding one post when placed in charge of the current duties of a lower post will not receive any allowance for the additional work.(5)An official holding one post, if entrusted with the full duties of another post concurrently, will receive the higher of the pay plus 20 per cent of the minimum of the time scale of pay of the other post. The appointment to the additional post should be made formally. The status of the post does not affect the quantum of the emolument but, normally an official holding a post should not formally be appointed to hold full charge of a power post.N.B. The additional pay or allowance will not be admissible if the period of additional charge is less than 30 days.

29. Leave and leave salary.

- The employee shall be governed by the rules relating to leave salary and other cognate matters made by the Executive Council separately in this behalf.

30. Administrative control.

- Subject to the general authority of the Vice-Chancellor, the officers declared by these Statutes to be the officers of the University, shall be under the administrative control of the Registrar.

31. Powers and duties of the officers under Section 2(b) of the Act.

(1)The officers of the University shall be the wholetime salaried officers of the University and shall exercise the following powers and perform the following duties : (a)Inspector of Colleges. - The duties of the Inspector of Colleges shall be-(i)to inspect and report of Colleges, other institutions applying for affiliation, renewal of affiliation, extension of affiliation or recognition, as the case may be, with his recommendations ;(ii)to inspect Colleges, University Departments and recognised institutions and to report to the appropriate authority of the University on their working, performance of the teaching staff, University Examination results and maintenance of discipline with suggestions for improvement and action when necessary ;(iii)to act as the Secretary of such committee or committees as may be appointed by the appropriate authority of the University for the purpose of inspection of Colleges, University Departments or other institutions;(iv)to follow up the implementation of the decisions, recommendations and directives of the Post-Graduate and Under-Graduate Boards of the University, as the case may be ;(v)to co-ordinate subject to the control of the Post-Graduate and Under-Graduate Boards, the Academic activities of the various teaching departments of the University.(b)The Deputy Registrar, General Administration. - The Deputy Registrar, General Administration shall exercise such powers and perform such duties as may be delegated to him by Registrar in connection with the administration of the University.(c)The Deputy Registrar, Finance and Accounts. - The Deputy Registrar Finance and Accounts shall exercise such powers and such duties as may be assigned to him by the Registrar in connection with the funds and Accounts of the University and audit thereof. A list of such duties shall be kept by the Registrar.(d)The Controller of Examination. - The Controller of Examination shall be the Secretary of the Examination Committee and shall exercise such powers and such duties as may be assigned to him by the Registrar in connection with the holding of, conducting and publishing the result of the University Examinations. A list of such duties shall be kept by the Registrar.(e)The Librarian. - (i) Subject to the supervision of the Academic Council, the Librarian shall be responsible for the management of the Library.(ii)He shall be the custodian of the Library.(iii)He shall perform such other duties as may be assigned to him by the Vice-Chancellor or the Registrar.(2)Subject to the control of the Executive Council, the powers and duties of the employees other than the Officers of the University shall be laid down by the Registrar from time to time.

32. Transitory powers of the Vice-Chancellor under Section 12 (7).

- Pending the constitution of the Executive Council and the Examination Committee the Vice-Chancellor shall have the powers to arrange for holding of, conducting and publishing the results of the University Examinations.

33. Authorities under Section 17 (viii).

- In addition to those specified in Section 17, the Planning and Construction Board shall also be an authority of the University and shall be constituted as follows : (i) The Vice-Chancellor-Chairman. (ii) The Proctor. (iii) One member of the Court to be elected from among its members. (iv) One member of the Executive Council to be elected from among its members. (v) One member of the Academic Council to be elected from among its members. (vi) The Director of Public Instructions, Assam. (vii) The Director of Technical Education, Assam. (viii) The Chief Engineer, Public Works Department, Roads and Buildings, Assam. (ix) Three persons to be nominated by the Chancellor. (x) Not more than three members having knowledge and experience in planning and development to be co-opted by the Board. The Committee shall also have the powers to associate experts to advise it as and when deemed necessary. Six members present in the meeting shall form the quorum.

34. Functions and duties of the Planning and Construction Board.

- Subject to the control and supervision of the Executive Council the Planning and Construction Board shall have the following functions and duties : (1) To prepare Master Plan for the University ; (2) To invite and approve plans of buildings, roads, tanks, water-supply, drainage and structures of the University. (3) To invite and accept tenders for the construction of buildings, roads, tanks, water-supply, drainage and other structures of the University, and (4) To do all other incidental or appertaining to construction of buildings, roads, tanks, water-supply, drainage and other structures of the University.

35. Professional colleges under Section 22 (6).

- For the purpose of nomination by the Vice-Chancellor under Section 22 (6) of the Act, the following shall be the professional colleges, namely : (1) The Assam Engineering College, Jorhat. (2) The Assam Medical College, Dibrugarh. (3) The Assam Agricultural College, Jorhat. (4) Post-Graduate Training College, Jorhat. (5) Institute of Education, Dibrugarh University. (6) Kanoi Law College, Dibrugarh University. (7) Law College, Jorhat.

of Posts

(Vide Section 4 of these Statutes) (Other than teachers and the Registrar under the Dibrugarh University)

1. Officers of the University-

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| (i) Inspector of Colleges | ... Rs. 1,000-50-1,500. |
| (ii) Deputy Registrar, General Administration | ... Rs. 750-50-950-(E.B.)-50-1,200 |
| (iii) Deputy Registrar, Finance and Accounts | ... Rs. 750-50-950-(E.B.)-50-1,200 |
| (iv) Controller of Examination | ... Rs. 750-50-950-(E.B.)-50-1,200 |

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| (v) Librarian | ... Rs. 750-50-950-(E.B.)-50-1,200 |
| 2. Other Administrative Staff- | |
| (a) Offices- | |
| (i) Assistant Registrar | ... Rs. 550-40-830-(E.B.)-45-1,000 |
| (ii) Welfare Officer | ... Rs. 550-40-830-(E.B.)-45-1,000 |
| (iii) Estate Officer | ... Rs. 550-40-830-(E.B.)-45-1,000 |
| (iv) Engineer, Maintenance | ... Rs. 350-30-500-(E.B.)-30-680-(E.B.)-35-925 |
| (v) Medical Offices | ... Rs. 350-30-500-(E.B.)-30-680-(E.B.)-35-925 |
| (vi) Assistant Librarian | ... Rs. 400-30-460-40-800 |
| (b) Establishment- | |
| (i) Superintendent | ... Rs. 375-20-475-(E.B.)-20-575 |
| (ii) Assistant Superintendent | ... Rs. 375-10-325-(E.B.)-10-375 Plus Rs. 50 as a special pay. |
| (iii) Upper Division Assistant | ... Rs. 275-10-325-(E.B.)-10-375 |
| (iv) Lower Division Assistant | ... Rs. 140-6-175-(E.B.)-7-250-(E.B.)-7-325. |
| (v) Stenographer, Senior | ... Rs. 325-12-50-375-(E.B.)-12-50-450 |
| (vi) Stenographer, Junior | ... Rs. 200-6-236-(E.B.)-8-300. |
| (vii) Typist with 2 and 3 advance increments for those passing speed test of 30 and 45 words per minute respectively. | ... Rs. 125-4-145-(E.B.)-4-155-(E.B.)-5-200. |
| (viii) Receptionist | ... Rs. 175-10-225-(E.B.)-10-275-(E.B.)-12-350-400. |
| (c) IV Grade Employees- | |
| (i) Duftry | ... Rs. 85-1-90-2-100-2-50-105-3-135 |
| (ii) Head Jarikarak | ... Rs. 90-2-98-3-140. |
| (iii) Peon, Chowkidar, Mali, Orderly of the officers | ... Rs. 80-1-90-2-100-2-50-115-3-130. |

3. The officers and other employees on deputation from the Government service shall be eligible for deputation allowance at 20 per cent of their grade pay and for contribution on account of leave salary and pension at the rates in force from time to time in accordance with State Government's Rules.

4. The employees of the University shall be entitled to Provident Fund benefit and such other allowances as may be determined by the Executive Council from time to time. The officers on deputation shall not, however, be entitled to Provident Fund benefit.