

# The Assam Aided College Management Rules, 1976

ASSAM

India

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### Rule

## THE-ASSAM-AIDED-COLLEGE-MANAGEMENT-RULES-1976 of 1976

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The Assam Aided College Management Rules, 1976Published vide Notification No. ECL 11/76/20, dated 10th November, 1976Last Updated 10th February, 2020Notification No. ECL 11/76/20, dated 10th November, 1976. - In exercise of the powers conferred by the proviso to Clause (g) of Section 21 of the Gauhati University Act, 1947 (Assam Act No. XVI of 1947) as amended on to date and proviso to Clause (f) of Section 32 of the Dibrugarh University Act, 1965 (Assam Act No. VII of 1965), as amended up to date, the Governor of Assam pleased to make the following rules, namely :

### 1.

(1)These rules may be called the [Assam Aided College Management Rules, 1976] [These Rules came into force on 20th November, 1976 vide Notification No. ECL. 119/76/21, dated the 12th November, 1976, published in the Assam Gazette, Extraordinary No. 111, dated 16th November, 1976 at page 797.] after superseding the old rules framed vide Government Notification ECL. 17/62/33, dated the 1st July, 1965 and Notification No. ECL 17/62/50, dated the 26th May, 1966.(2)[ These rules shall come into force from such date as the Government by a notification appoint and publish in the Official Gazette. The Governing Bodies of Aided College constituted or reconstituted or under Rule 3 of the Assam Aided College Management Rules, 1965 and Assam Aided College Management Rules, 1966 (as amended till date) shall stand dissolved from the date the Assam Aided College Management Rules, 1976 come into force.] [These Rules came into force on 20th November, 1976 vide Notification No. ECL. 119/76/21, dated the 12th November, 1976, published in the Assam Gazette, Extraordinary No. 111, dated 16th November, 1976 at page 797.]

## **2.**

Every Government Aided College shall be governed by a Governing Body the constitution of which has been approved by the Director of Public Instruction. Assam save in cases where the Secretary to the Government of Assam in the Education Department allow as an exception under special circumstances.

## **3.**

Save in case where the Secretary to the Government of Assam in the Education Department sanctions a Special Body under special circumstances, each Governing Body shall consist of the following members, namely : (a) (i) One President ; (ii) One Secretary; (iii) Two representatives of the teaching staff to be elected annually from amongst themselves; (iv) Two persons to be nominated by the Gauhati University/Dibrugarh University; (v) Donor's nominee : Donors who paid Rs. 25,000 or more or their nominees not more than one person nominated by each donor would continue to be life member. For new donors, representation will be limited to one to be elected by newer donors, from among themselves in rotation every two years ; (vi) Five persons to be nominated by the Government of whom one shall be a lady ; (vii) Two persons other than members of teaching staff to be co-opted by other members of whom one shall be a guardian ; (viii) Vice-Principal - Ex-officio ; (b) The President shall be nominated by the Government from members nominated under Clause (a) (vi) above ; (c) In deficit Aided College, the Principals of the Colleges shall be nominated by the Government as Ex-officio Secretary of the Governing Body of the College. In other Aided Colleges, an outsider may be nominated by the Government as Secretary and in that case the Principal of the College shall be nominated as member and Joint Secretary in the Governing Body by virtue of his office with corresponding reduction in nomination of non-official members by the Government under Clause (a) (vi) above. (d) The Government officials shall be ex-officio members in the Governing body.

## **4.**

The Governing Body shall be deemed to have been constituted with effect from the date the President and other members are nominated by the Government.

## **5.**

Seven members shall form a quorum.

## **6.**

The Governing Body shall meet at least once in a quarter but can meet at a shorter interval also if circumstances so demand and the President of the Governing Body is satisfied that such meeting is necessary. An emergency meeting can be held on requisition of the two-third members of the Governing Body.

**7.**

No act or proceedings of the Governing Body shall be invalidated merely because of any vacancy in its membership.

**8.**

The Director of Public Instruction, Assam may dissolve and reconstitute a Governing Body at any time, if the circumstances so demand. Pending reconstitution of the Governing Body the Director of Public Instruction may take over the control and management of a College for a period not exceeding three months and make arrangement for the management of the College in such a manner as considered fit by him. This period may be extended for a further period of three months with the approval of the Government.

**9.**

Subject to Rule 8 above the terms of a Governing Body will ordinarily expire after a period of 3 (three) years from the date the President and other nominated members are appointed by the Government.

**10.**

Subject to Rules 8 and 9 above an ex-officio member of the Governing Body shall automatically cease to be a member as soon as he vacates the particular office during the tenure of and by virtue of which he was appointed as such, and his successor will be deemed to be appointed as ex-officio member of that Governing Body in the capacity of his predecessor. Such changes should be reported immediately by the Secretary of the Governing Body to the Director of Public Instruction.

**11.**

No member of the Governing Body being an employee of the College shall attend any meeting at which any matter relating to his pay, promotion or conduct is under discussion. But it will be open to the President to call him for making any statement or representation on the subject but he will have to leave the meeting after doing so.

**12.**

No member of a Governing Body shall enter into contract for work, supply of materials or for any sale or purchase with the Governing Body except with the permission of the President of the Body where he is District or Sub-Divisional Officer. If the President is not a Direct or Sub-Divisional Officer the previous permission of the Director of Public Instruction shall have to be obtained.

**13.**

Any member who absents himself from three consecutive meetings of the Governing Body without consent of the Body shall cease to be a member of that Body and the Secretary shall report the fact to the Director of Public Instruction, Assam for confirmation. Further, office of a member of a Governing Body other than ex-officio member shall be vacated subject to confirmation by the Director of Public Instruction-(i)if he becomes an insolvent;(ii)if by means of his physical or mental disability he becomes incapable of acting as such ;(iii)on death or resignation ;(iv)on his being convicted of a criminal offence which in the opinion of the Director of Public Instruction is of serious nature.

**14.**

Occurrence of any vacancy in a Governing Body shall be reported as the Secretary of the Governing Body to the Director of Public Instruction forthwith who shall take steps to fill up the vacancy in the manner in which it was originally filled up.

**15.**

A meeting of the Governing Body will be called for by the Secretary with the consent of the President if it is not a requisitioned meeting by the two-third members of the Governing Body. Not less than seven days' notice should be given of the meeting. The notice will set forth the business to be transacted at the meeting and no business other than that so stated will be transacted, except with the consent of three-fourth of the members present. Except any emergency meeting which should be so notified, all meetings of the Governing Body shall be held in the College premises. The proceedings of the meeting should be recorded in the Proceedings Book by the Secretary and signed by all the members present. If any note of dissent is given by any member, it should be recorded in the Proceedings Book. All records of the Governing body of the College must be kept in the College office and the Principal of the College shall be responsible to preserve these records properly.

**16.**

In the absence of the President, the Governing Body may elect one of the members of the Governing Body present to preside over the meeting already fixed with the consent of the President.

**17.**

Under direction of the Governing Body, the Secretary will carry on correspondence with the proper authority on behalf of the Governing Body ; provided that no correspondence shall be made direct to the State Government who can be addressed through the Director of Public Instruction.

## 18.

The proceedings of the Governing Body's meeting of Aided Colleges under deficit system of grant-in-aid shall be sent to the Director of Public Instruction and to the Gauhati University or Dibrugarh University and no final decision regarding appointment, promotions, suspension, termination, removal or dismissal of teaching or non-teaching staff including the Principal ; for construction involving Rs. 5,000,00 or more shall be taken without prior approval of the Director of Public Instruction. The proceeding books shall be kept one for inspection by one Officer of the Education Department and the Gauhati University/Dibrugarh University. So far as other Aided College are concerned, the Governing Bodies are not required to send the proceedings of the meeting to the Director of Public Instruction but it will be open for the Director of Public Instruction to call for the proceedings of the meeting if any complaint is received against the Governing Body arising in any of the matters referred to in para above and any direction given thereon by the Director of Public Instruction shall be final and binding on the Governing Body.

## 19.

The following particular duties are assigned to the Governing Body : (i) To undertake financial management of the College to collect authorised subscriptions, to see that the fees are realised and that exemptions from payment of the fees are not granted except in accordance with the rules in force. (ii) To arrange for the maintenance of the College buildings, furniture and equipment as required ; (iii) To grant leave to the teachers subject to the prescribed rules. The grant to leave other than casual leave and the arrangement made to fill the vacancy being reported to the Director of Public Instruction. Assam and the Gauhati University/Dibrugarh University. (iv) To appoint persons in connection with the affairs of the College as per provisions of rules in force. (v) To arrange for Half-Yearly internal audit for all College funds and verification of stock and furniture. These duties shall ordinarily be entrusted to one or two members of the Governing Body, other than the office bearers and teacher members. If there is no such member in the Body competent to take up these duties the Body may employ an outsider for the purpose on reasonable payment if funds permit. (vi) To reply the audit objections on the accounts audited by the Auditor of the Education Department, Examiner, Local Accounts Assam and the Accountant General, Assam. The replies to the objections raised by the auditors along with the explanatory note on each point must be furnished to the concerned authorities including the Director of Public Instruction, Assam within 30 days from the date of receipt of the audit objections. (vii) To see that the scholarships/stipends sanctioned to the students by the Government are disbursed by the Principal in time.

## 20.

The following particular duties are assigned to the President of the Governing Body: (i) To preside over in all the meetings of the Governing Body. If he is unable to attend any meeting due to circumstances beyond his control, the same is to be intimated to the Secretary of the Governing Body so that the members of the Governing Body may elect one of the members to preside over in any meeting as provided in Rule 10. (ii) To see that notices are served on the members of the Governing Body by the Secretary in time in accordance with rules. (iii) That all rules and procedures

framed by the Government from time to time or strictly followed by the Governing Body.

## **21.**

The following are particular duties and functions of the Secretary the Governing Body of deficit Colleges : (i) To receive and draw all grants sanctioned by the State Government/Government of India and University Grants Commission from time to time. (ii) To utilise the grants for the purpose of which it is sanctioned and submission of the utilisation certificate to the sanctioning authority in time with intimation to the Director of Public Instruction. (iii) To disburse the deficit grant sanctioned by the Director of Public Instruction towards payment of salary of teaching and non-teaching sanctioned staff of the College within a week from the date of receipt of the grant. (iv) If any excess amount of grant is sanctioned towards salary, the amount should be refunded to the Director of Public Instruction at once. (v) That the fund of the College is kept in the State Bank or any other Scheduled Bank including Assam Co-operative Apex Bank and necessary accounts of drawal and disbursement is maintained as per rules. The accounts in a Bank should be operated by the Secretary of the Governing Body. In exceptional cases, the Director of Public Instruction may issue instruction for drawal and disbursement by any other authority or person. (vi) To assist the Auditors while auditing the accounts of the College fund. (vii) To place the Audit Report together with replies to audit objections with necessary explanation before the Governing Body who is to send the replies to objections within 30 days to the authority concerned and the Director of Public Instruction. (viii) In deficit Aided College, Secretary of the Governing Body can spend a sum of Rs. 300.00 at a time for any purpose without prior approval of the Governing Body of the College but accounts of such expenditure should be placed before the Governing Body on its next meeting for approval and regularisation expenditure. If he is to spend more than Rs. 300.00 prior approval of the Governing Body should be obtained.

## **22.**

If it is found that the Principal of the College who is the Ex-officio Secretary of a Governing Body of deficit College has committed any serious lapse and his continuance as Secretary of the Governing Body of the College will jeopardise the very purpose of nominating him as Secretary of the College Governing Body, the Director of Public Instruction may replace him and nominate the Vice-Principal of the College to act as Ex-officio Secretary of the Governing Body till the charge on which the Principal of the College is proceeding with finalised and he is acquitted of all charges honourably. If there is no Vice-Principal, the senior-most lecturer of the College may hold the charge of the Secretary of the Governing Body. The Secretary will be subject to disciplinary action against him under the relevant provision of the Assam Service (Discipline and Appeal) Rules, 1964 and any other rules framed from time to time in this behalf.

## **23.**

Except where it is ordered otherwise by general or special orders, the Governing Body will leave to the Principal all routine matters in connection with the arrangement of classes, admission and transfer of pupils, settlement of class routine, periodical examinations, awarding of class promotion

and all matters of routine relating to instruction, administration and discipline and control of pupils and staff. If, however, there is any complaint, it will be open to the Governing Body to depute one or more members of the Governing Body to make an enquiry in these matters if necessary and take appropriate action. A copy of the enquiry report together with action taken by the Governing Body shall be submitted to the Director of Public Instruction and to the Gauhati University/Dibrugarh University. Except as provided under these rules all matters relating to disbursement of money on account of scholarship/stipends to students, the Principal concerned shall be held directly responsible to the Government for any omission/commission authority for placing him under suspension and of the disciplinary authority for placing him under suspension and of the disciplinary authority for taking disciplinary action against him under the relevant provisions of the Assam Services (Discipline and Appeal) Rules, 1964 and any other rules framed by the Government from time to time in this behalf.

## **24.**

The other duties and functions of the Governing Body are as follows: (i) To determine the general scheme of studies of College subject to approval by the University concerned and the State Government to be obtained through the Director of Public Instruction with regard to the inclusion of additional subjects/introduction of Honours in any existing subject or opening of new/faculty and creation of additional posts. (ii) To consider and initiate projects for improvement of the College. (iii) To deal with the question of- (a) Discipline, and (b) Grant of free remission under rules prescribed by the State Government. (iv) To deal with any questions and exercise any function that may be referred to or assigned by the State Government or the Gauhati University/Dibrugarh University.

## **25.**

The Secretary of the Governing Body shall submit an annual report to the Director of Public Instruction and to the University concerned on the general conditions and progress of the College.

## **26.**

Notwithstanding anything contained in these rules any decisions given, order made, anything done, any action taken or any proceeding commenced immediately before the commencement of these rules, shall, in so far as they are not inconsistent with the provisions of these, rules continue in force and shall be deemed to have been given, order made, done or taken, commenced under the provisions of these rules.

## **27.**

If any dispute arises between the Governing Body of a College and the Director of Public Instruction about interpretation of any provision of these rules, the interpretation given by the Government shall be final and binding to all concerned.