

[Authoritative English Text of this Department Notification number EDN-A-Ka (3)-16/2009- dated, 31-08-2010 as required under clause (3) of article 348 of the constitution of India].

HIGHER EDUCATION DEPARTMENT

NOTIFICATION

Shimla-171002, the 31st August, 2010

No. EDN-A-Ka (3)-16/2009.—In exercise of the powers conferred by sub-section (2) of section 26 of the Arni University (Establishment and Regulation) Act, 2009 (Act No. 23 of 2009), the Governor, Himachal Pradesh, is pleased to make the following First Statutes of the Arni University, Kathgarh(Indora), Kangra, Himachal Pradesh, namely :-

The First Statutes of the Arni University

1. Short title and commencement.—(1) These statutes may be called the First Statutes of the Arni University, Kathgarh(Indora), Kangra, Himachal Pradesh, 2010.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.—(1) In these Statutes unless there is any thing repugnant to the subject or context:-

- (a) “Academic Units” means institutes, schools, colleges, Departments etc., established and maintained by the University;
- (b) “Act” means the Arni University (Establishment and Regulation) Act, 2009;
- (c) “Authority” means any of the Authority of the University;
- (d) “employee” means all the employees whether teaching or non-teaching of the University;
- (e) “Officer or Officers” means Officer or Officers of the University; and
- (f) “section” means a section of the Act.

(2) All words and expressions used in these statutes but not defined shall have the same meanings respectively as assigned to them in the Act.

3. Other Officers of the University.—In addition to the officers specified in section 11, there shall be the following other officers, namely:-

- (i) the Pro-Chancellor;
- (ii) the Pro-Vice Chancellor;
- (iii) the Dean of Research and Development;
- (iv) the Dean of Academic Affairs;
- (v) the Deans of Faculty (s);
- (vi) the Dean of Studies;
- (vii) the Dean of Students Welfare;
- (viii) the Dean of Postgraduate Studies;
- (ix) the Dean of Planning and Placement;
- (x) the Controller of Examination; and
- (xi) the Librarian;

4. Powers and functions of the Chancellor.—(1) In addition to the powers conferred upon him, under sub-section (4) of section 12, the Chancellor shall exercise the following powers, namely:-

- (a) he shall be the chairperson of the Governing Body;
- (b) he shall have the right to conduct an inspection or cause an inspection to be made, by such officer or officers as he may direct, of the University or any Academic Units, including the buildings, laboratories, records and equipments thereof and also of the examinations, teaching and other work conducted or done by it, or to cause an inquiry to be made in a like manner in respect of any matter connected with the administration and finances of the University, or any Academic Units;
- (c) In case of its inspection or inquiry relating to any of the affairs of the University or any Academic Units, he shall communicate to the Vice-Chancellor the result of such inspection or inquiry together with his views thereon and advise him with regard to the action to be taken thereon and on receipt of the report made by him, the Vice-Chancellor shall communicate the same forth-with to the Board of Management for consideration and the Board of Management shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it proposes to take or has been taken by it upon the results of such inspection or inquiry;
- (d) Where the Board of Management or the Management of the Faculty or Academic Units, as the case may be, does not take action to his satisfaction, he may after considering any explanation furnished or representation made by the Board of Management or Management of the Faculty or Academic Units, as the case may be, issue such directions as he may deem fit and the University or the Faculty or Academic Units, as the case may be, shall comply with such directions;
- (e) Without prejudice to the foregoing provisions, he may, by an order in writing, annul proceedings of the University or any of its authority or the decision of any officer, as the case may be, which is not in conformity with the provisions of the Act or these statutes or the subsequent statutes or ordinances as the case may be:

Provided that before making such order, he shall call upon the University or faculty or any of its Academic Units, as the case may be; to show cause why such an order should not be made and if any cause is shown within the period specified by it or by him in this behalf, he shall consider the same.

(2) When the Chancellor is away from the Head-quarter or if he is unable to perform his duties due to ill health or for any other reasons, the Vice-Chancellor, and if the office of the Vice-Chancellor is also vacant, such officer, as he may appoint, shall perform his duties, and the Vice-Chancellor or as the case may be, the officer appointed by him shall, at the earliest opportunity, report the action taken by him for his confirmation:

Provided that if the action taken is not approved by him, his decision thereon shall be final.

5. Pro-Chancellor.—(1) The Pro-Chancellor shall be appointed by the Sponsoring body.

(2) The Pro-Chancellor in the absence of the Chancellor shall perform all his duties through a written orders of the Chancellor.

(3) The terms and conditions of service of the Pro-Chancellor shall be such as may be specified in the subsequent statutes.

6. Terms and conditions of service and powers and functions of the Vice-Chancellor.—(1) The Vice-Chancellor shall be a whole time salaried officer.

(2) The Vice-Chancellor shall be provided a rent free residence and full maintenance thereof.

(3) The Vice-Chancellor may resign from his office by serving a notice of one month in writing under his hand addressed to the Chancellor:

Provided that where the circumstances so warrant, the Chancellor may waive off the period of notice and accept the resignation forthwith.

(4) If the office of the Vice-Chancellor falls vacant due to resignation or otherwise, the Chancellor may appoint any officer of his choice who shall perform the duties of the Vice-Chancellor, until the vacancy is filled up on regular basis or until the Vice-Chancellor resumes his duties, as the case may be, and the officer so appointed shall have all the powers of the Vice-Chancellor and shall be entitled to the privileges and amenities of the Vice-Chancellor:

Provided that such interim arrangement shall not exceed a period of one year from the date on which such an arrangement is made.

(5) In addition to the powers conferred upon him under section 13, the Vice-Chancellor shall exercise and perform the following powers and functions, namely:-

- (a) he shall be entitled to be present at, and to address any meeting of any Authority;
- (b) he shall exercise control over the affairs of the University and shall give effect to the decisions of all the authorities in letter and spirit and shall ensure that they are not contradictory in nature and practice;
- (c) he shall have all the powers necessary for the proper maintenance of discipline in the University and he may delegate any such powers to such officer or officers as he may deem fit;
- (d) he shall make appointments of the Deans, Principals, Professors, Associate Professors, Readers, Lecturers, Librarian other teachers and such academic staff of Academic Unit established by the University, as may be necessary, on the recommendations of the selection committees constituted for the purpose by the Chancellor. He shall be the chair-person of such committee(s);

Provided that he may make short-term appointments, for a period not exceeding one year, of such officers as he may consider necessary for the functioning of the University;

- (e) he shall grant leave of absence to any officer of the University and make necessary arrangements for the discharge of the functions of such an officer during the period of his absence;
- (f) he shall grant leave of absence to any employee and if he so decides may delegate such powers to any other officer or officers;

- (g) he shall have the authority to take disciplinary action against any employee for any omissions and commissions, dereliction of duty etc. as may be specified in the subsequent statutes:

Provided that if the decision taken by any authority on his report affects any person in the service of the University, the said person may appeal to the Chancellor within thirty days from the date on which such a decision was communicated to him and the decision of the Chancellor on such appeal shall be final;

- (h) he shall have the power to convene or cause to be convened meetings of the various authorities, except that of the Governing Body;

- (i) If in his opinion it is necessary to take immediate action on any matter for which powers are conferred on any other authority under the Act, he may take such action as he deems necessary and shall, at the earliest opportunity thereafter, report his action to such officer or authority as would have in the ordinary course dealt with the matter:

Provided that if in the opinion of the concerned officer or authority such action should not have been taken by him, then such case shall be referred to the Chancellor, whose decision thereon shall be final;

- (j) he shall act as a vital link with the University Grants Commission or All India Council of Technical Education or National Council of Teacher Education or Council for Architecture or Universities or Pharmacy Council or NAAC or NBA, other National and International agencies and other regulatory authorities, as the case may be;

- (k) he shall take steps and bring about NAAC or NBA accreditation for Institutions or Departments, to provide guidance and logistic support for getting the highest possible grade to the institution and to help the Departments and Institution to get maximum amounts of financial grants from various funding agencies including UGC or AICTE, State and Central Governments;

- (l) he shall take steps to keep abreast with the latest Educational policies of both the State and Central Governments and also the corpus of knowledge and trends in various disciplines and to apprise the Departments or Institution about the same and to guide them in their proper implementation;

- (m) he shall, at the close of each academic year, in the manner specified in the subsequent statutes or ordinances, assess and evaluate the teaching and research works done by the members of the Faculty, if he deems necessary, he may appoint a committee of experts for the purpose. On such assessment or evaluation, if he is of the opinion that the work and conduct of any member of the Faculty is not satisfactory, he may, in the manner as laid down in the subsequent statutes or ordinances, initiate or cause to be initiated action against such a member;

- (n) he shall exercise such other powers as may be specified in the subsequent statutes; and

- (o) he shall ensure that the provisions of the Act, statutes, ordinances and the regulations are duly observed and implemented and he shall take all necessary steps in this regard.

- (6) The other terms and conditions of the service of the Vice-Chancellor shall be such as may be specified in the subsequent statutes.

7. The Pro-Vice-Chancellor.- (1) The Pro-Vice-Chancellor shall be appointed by the Chancellor on the recommendation of the Governing Body.

(2) The term of office of the Pro-Vice-Chancellor shall be such as may be decided by the Governing Body but shall not exceed three years.

(3) The Pro-Vice-Chancellor whose term of office has expired shall be eligible for re-appointment.

(4) The terms and conditions of service of a Pro-Vice-Chancellor shall be such as may be specified in the subsequent statutes.

(5) The Pro-Vice-Chancellor shall exercise such powers and discharge such duties as may be assigned to him by the Chancellor from time to time through official orders in consultation with the Vice-Chancellor.

8. Appointment, terms and conditions of service of the Registrar and his powers and functions.—(1) The Registrar shall be appointed by the Chancellor on the recommendations of a Selection Committee constituted for the purpose headed by the Vice-Chancellor on the terms and conditions of service as may be specified in the subsequent statutes or the ordinances.

(2) When the office of the Registrar is vacant or when the Registrar by reason of illness or absence for any other cause is unable to perform his official duties, his duties shall be performed by such officer as the Vice-Chancellor may appoint subject to the approval of the Chancellor.

(3) The Registrar shall be a whole time salaried officer and work under the control of the Vice-Chancellor.

(4) It shall be the duty of the Registrar, –

- (a) to formulate a time schedule for various academic and administrative activities for the annual or semester format including receiving of applications for admission to the University and to keep a permanent record of all syllabi, curricula and information connected therewith;
- (b) to assist the Controller of Examination for the conduct of examinations in the manner as may be specified in the subsequent statutes;
- (c) to maintain a register of all degrees, diplomas and academic distinctions conferred by the University;
- (d) to have the custody of the record, the common seal and other properties of the University as the Chancellor may commit to his charge;
- (e) to supply to the Chancellor copies of the agenda of meetings of the authorities as soon as they are issued and the minutes of such meetings ordinarily within a month of the holding of the meetings;
- (f) to represent the University in suits or proceedings by or against the University, sign power of attorney, verify pleadings and depute his representative for this purpose;
- (g) to enter into agreements, contracts, sign documents and authenticate records on behalf of the University; and

- (h) to perform such other functions as may from time to time be assigned to him by the Vice-Chancellor and the Chancellor, as the case may be.

9. Appointment, terms and conditions of service of the Chief Finance and Accounts Officer and his powers and functions.—

(1) The Chief Finance and Accounts Officer shall be appointed by the Chancellor on the recommendations of the Selection Committee constituted for the purpose headed by the Vice-Chancellor on such terms and conditions of service as may be specified in the subsequent statutes or the ordinances.

(2) The Chief Finance and Accounts Officer shall be a whole time salaried officer and shall work under the control of the Vice-Chancellor.

(3) When the office of the Chief Finance and Accounts Officer falls vacant or when he is by reason of illness or absence for any other cause, unable to perform his official duties, such duties shall be performed by such officer as the Vice-Chancellor may appoint for this purpose. Such appointment shall be for a period of one year or till a permanent incumbent is appointed by the Chancellor, whichever is earlier.

- (4) The Chief Finance and Accounts Officer shall,-

- (a) exercise general supervision over the funds of the University and shall advise it as regard to its financial policy;
- (b) be responsible for the proper maintenance of the accounts of the University; and
- (c) perform such other financial functions as may be assigned to him by the Vice-Chancellor as may be specified in the subsequent statutes or the ordinances.

(5) Subject to the control of the Vice-Chancellor, the Chief Finance and Accounts Officer shall,-

- (a) hold and manage the property and investments including trust and endowed property for the furtherance of the objects of the University;
- (b) ensure that the limits fixed by the Finance Committee for recurring and non-recurring expenditures for the financial year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;
- (c) be responsible for the preparation of annual accounts and the budget of the University for the next financial year and presentation of the same to the Board of Management through the Vice-Chancellor and also for ensuring that the financial sanctions are obtained in time;
- (d) keep a constant vigilance on the state of the cash and bank balances and investments;
- (e) watch the progress of collection of revenue and advise on the methods of collection employed in relation thereto;
- (f) keep all money belonging to the University in a Scheduled Bank approved by the Chancellor;

- (g) ensure that the registers of the properties, buildings, land, furniture and equipments are maintained up-to-date and that the stock checking of equipments and other consumable material in all offices and academic units is conducted at regular intervals, or as may be required from time to time;
- (h) call for from any Academic Unit, any information or returns that he may consider necessary to discharge his financial responsibilities; and
- (i) to prepare and issue agenda and maintain minutes of the meetings of the Finance Committee, and conduct the correspondence on behalf of the said Committee.

(6) The receipt of the Chief Finance and Accounts Officer or the officer(s) duly authorized in this behalf by the Chancellor for any money payable to the University shall be sufficient discharge for the same.

10. Appointment, terms and conditions of service of the Dean of Research and Development (DRD) and his powers and functions.—(1) The Dean Research and Development (DRD) shall be appointed by the Vice-Chancellor from amongst teachers of the University who shall not be below the rank of a Professor, on the recommendations of the Board of Management.

(2) The terms and conditions of service of the Dean of Research and Development (DRD) shall be such as may be specified in the subsequent statutes.

(3) The Dean of Research and Development (DRD) shall exercise and perform the following powers and functions, namely;—

- (a) to act as an Academic guide in developing and improving the research standards;
- (b) act as a vital link with the UGC, AICTE, NCTE, Council for Architecture/ Universities/ Pharmacy Council of India, NAAC/NBA , other National and International agencies and other regulatory bodies ;
- (c) hold workshops for sensitizing the faculty of the Institutions with regard to research and development;
- (d) take steps and bring about NAAC/NBA accreditation for Institutions/Departments, to provide guidance and logistic support for getting the highest possible grade for the Institutions;
- (e) help the Departments and Institutions maintained to get maximum amounts of financial grants from various funding agencies including UGC, AICTE, State and Central Governments;
- (f) arrange educational and study trips for the Dean of Faculty and faculty members to various other Universities and Colleges across the country with a view to apprise these academia about the latest educational trends prevalent in various parts of the country as also the new education systems available in the diverse educational institutions;
- (g) suggest and propose innovations and new ideas in the working of the various educational processes and systems with a view to bring in latest technologies and ideas;

- (h) take steps to keep abreast with the latest Educational policies of both the State and Central Governments and also to apprise the Department/Institutions about the same, guiding them in their proper implementation ; and
- (i) discharge or perform any other duty or function allotted to him by the Vice-Chancellor or Board of Management or Governing Body, as the case may be, from time to time.

(4) The Board of Management may authorise any other officer to exercise any or all of his powers in his absence.

11. Appointment, terms and conditions of service of the Dean of Academic Affairs and his powers and functions.—(1) There shall be appointed a Dean of Academic Affairs by the Vice-Chancellor from amongst teachers of the University who shall not be below the rank of Professor, on the recommendations of the Board of Management.

(2) The terms and conditions of service of the Dean of Academic Affairs shall be such as may be specified in the subsequent Statutes.

(3) The Dean of Academic Affairs shall report directly to the Vice-Chancellor and perform the following functions, namely:-

- (a) to develop syllabi of new academic programmes to be established by various Academic Units;
- (b) to update syllabi of existing academic programmes of various programmes of the University;
- (c) to develop inter-discipline and joint degree academic programmes and their syllabi;
- (d) to seek accreditation from the appropriate accrediting/professional agencies including both national and international agencies;
- (e) to develop academic collaboration for the University with Institutions of repute both in India and abroad;
- (f) to recommend to the Vice-Chancellor about the establishment of new academic programmes and for the elimination of certain other programmes;
- (g) to control and implement the various scholarships schemes of State/Central Government for campus students;
- (h) to publish in-house magazines and other similar publications as their Chief Editor and Coordinator;
- (i) to co-ordinate wherever necessary, the work of the teaching staff of the University Academic Departments but not to directly control the work of the Deans of faculty and Heads of Departments in their respective departments;
- (j) to act as an Academic guide, in developing and improving the teaching and research standards in the faculty/school/college Institutions / Departments;
- (k) to suggest and propose innovations and new ideas in the working of the various educational processes and systems with a view to bring in latest technologies and ideas; and

- (l) to perform any other duty or function allotted to him by the Vice-Chancellor and or the Chancellor.

12. Appointment, terms and conditions of service of the Dean of Faculty (ies) and his powers and functions.—(1) There shall be appointed a Dean of faculty in each faculty by the Vice-Chancellor from amongst the teachers of the University who shall not be below the rank of Professor, on the recommendations of the Board of Management.

(2) The terms and conditions of service of the Dean of Faculty(ies) shall be such as may be specified in the subsequent statutes.

(3) The Dean of Faculty shall report directly to the Vice-Chancellor and perform the following functions, namely:-

- (a) he shall oversee the functioning and development of academic units and co-ordinate with the Dean of Academics in performing such duties;
- (b) he shall advise the Vice-Chancellor regarding all academic and administrative matters of Academic Units; and
- (c) the heads of various academic units, shall report to him on a regular basis.

13. Appointment, terms and conditions of service of the Dean of Studies and his powers and functions.—(1) There shall be appointed a Dean of Studies in each faculty by the Vice-Chancellor from amongst the teachers of the University who shall not be below the rank of Professor, on the recommendations of the selection committee headed by the Vice-Chancellor.

(2) When the office of the Dean of Studies falls vacant or when he is by reason of illness or absence for any other cause, unable to discharge his duties, the same shall be discharged by such officer as the Vice-Chancellor may appoint for this purpose.

(3) The Dean of Studies shall be responsible for the conduct and maintenance of the standards of teaching and research in the Academic Unit ; and

(4) The terms and conditions of service and duties and powers of the Dean of studies shall be such as may be specified in the subsequent statutes and ordinances.

14. Appointment, terms and conditions of service of the Dean of Student Welfare (DSW) and his powers and functions.—(1) The Dean of Students Welfare (DSW) shall be appointed by the Vice-Chancellor from amongst teachers of the University or who have been teachers of any other university or other suitable person(s) who shall not be below the rank of Professor, or equivalent in experience, on the recommendation of selection committee headed by the Vice-Chancellor. He shall report to the Vice-Chancellor.

(2) The terms and conditions of service of the Dean of Students Welfare (DSW) shall be such as may be specified in the subsequent statutes or the ordinances.

(3) The Dean of Student Welfare (DSW) shall with the approval of the Vice-Chancellor perform the following functions, namely:-

- (a) make arrangement for the student residences in various University Hostels and to supervise discipline of students, studying in the University;

- (b) plan, organize and supervise the co-curricular and cultural activities of the students in the University campus;
- (c) look after the physical welfare, NCC and NSS activities of the students in the University campus;
- (d) deal with all matters pertaining to discipline among the University students in the campus, and outside, except those relating to their academic work, which will be dealt with by the Heads of Departments and/or the Dean of Studies and to recommend penalties as may be deemed necessary, after due enquiry;
- (e) devise ways and means for promoting the well being of the University students which includes inculcating of social, moral, emotional and intellectual values among them, regard for great ideas, like loyalty to country, harmonious co-existence, devotion to duty and pursuit of truth and achieving excellence in studies and other co-curricular activities and sports;
- (f) have the overall charge and supervision of the office of the Dean of Students Welfare; and
- (g) perform any other duty or function which may be allotted to him by the Vice-Chancellor from time to time.

(4) The Vice-Chancellor may authorise any other person to exercise any or all of the duties of the Dean of Students Welfare in his absence.

15. Appointment, terms and conditions of service of the Dean of Post Graduate Studies and his powers and functions.—(1) There shall be appointed a Dean of Post Graduate Studies by the Vice-Chancellor from amongst teachers of the University or teachers of any other University, who shall not be below the rank of Professor or has the equivalent research and industrial qualification, on the recommendations of the selection committee headed by the Vice-Chancellor.

(2) The terms and conditions of service of the Dean of Post Graduate Studies shall be such as may be specified in the subsequent statutes and ordinances.

(3) The Dean of Post Graduate Studies shall exercise and perform the following powers and functions, with the approval of the Vice-chancellor and report directly to the Vice-Chancellor, namely:-

- (a) organize, co-ordinate and conduct postgraduate teaching research across Academic Unit;
- (b) co-ordinate all the Postgraduate academic activities at the University level through respective Deans of Faculties and Deans of Studies;
- (c) co-ordinate wherever necessary, the work of the teaching staff of the Academic Departments of the University but not to directly control the work of the Deans of Faculty, Deans of Studies and Heads of Departments in their respective departments;
- (d) act as an Academic guide, in developing and improving the teaching and research standards in the Academic Units;

- (e) suggest and propose innovations and new ideas in the working of the various educational processes and systems with a view to bring in latest technologies and ideas; and
- (f) perform any other duty or function allotted to him by the Vice-Chancellor.

(4) The Vice-Chancellor may authorise any other officer in the University to exercise any or all of his powers in his absence.

16. Appointment, terms and conditions of service of the Dean of Planning and Placement and his powers and functions.—(1) The Dean of Planning and Placement shall be appointed by the Vice-Chancellor from amongst the teachers of the University or who has been teacher of any other University or other suitable persons who shall not be below the rank of Professor or equivalent in experience, on the recommendation of the selection committee headed by the Vice-Chancellor and he shall report to the Vice-Chancellor.

(2) The terms and conditions of service of the Dean of Planning and Placement shall be such as may be specified in the subsequent statutes.

(3) The Dean of Planning and Placement shall perform the following duties and functions, namely:-

- (a) identify institutions of higher learning and training centers where the students could be placed under co-operative academic education and practical training arrangements with perspective employers; and
- (b) under this arrangement a selected number of students shall study a part of a academic year at the University and spend a part of Academic Year at the training site. At the end of the Academic year this co-operative arrangement of academic training and practical training, may lead to placement opportunities.

17. Appointment, terms and conditions of service of the Controller of Examinations and his powers and functions.—(1) The Controller of Examinations shall be a whole time salaried officer and be appointed by the Chancellor, on the recommendations of the selection committee headed by the Vice-Chancellor.

(2) The terms and conditions of service of the Controller of Examinations shall be the same as that of the Registrar and such other officers of the University.

(3) The Controller of Examinations shall work under the direct control of the Vice-Chancellor and with his approval exercise and perform the following powers and functions, namely:-

- (a) arrange for and supervise the work of examinations of the University in accordance with the manner specified in regulations and rules of the University;
- (b) perform such other duties as may be specified in the subsequent statutes, or ordinances, the regulations and rules or as may be required from time to time by the Vice-Chancellor or the Chancellor;
- (c) conduct all University examinations and make preparatory arrangements for examinations, setting up of the examination centers, appointment of supervisory,

invigilation and other staff, ensuring smooth, efficient, fair and transparent conduct of examinations, the printing and supply of Answer Books and receive back of the unused 'Answer Books' from the centers;

- (d) get the question papers set for all University examinations by the examiners or paper setters by ensuring that the Question Papers set are in accordance with the approved scheme of examinations and as per the prescribed syllabi for a particular course / paper. He shall maintain the confidentiality of the entire process of paper setting at all stages;
- (e) get the question papers printed from some reputed but confidential Presses. He shall keep the name and address and phone numbers of the Press. The printed Question Papers must be received back from Press well before the start of the examination so that these reach the examination centers well in time. The entire transportation process must also be kept confidential to prevent any kind of leakage of Question Papers;
- (f) fix the commencement dates of various examinations, to prepare the date sheet and schedule for all examinations to be held during the next one year and publish the same well in time for the information of all concerned;
- (g) get the Answer books for all University examinations evaluated so that the award lists in all such cases are supplied to examination branches or computer section for tabulation, scrutiny and declaration of various examinations results. To ensure that all examination results are declared and published within the schedule fixed for the purpose and the public widely informed accordingly. Rectification of results and rechecking of Answer Books, wherever permissible;
- (h) get the Detailed Marks Cards(DMCs), Degrees and other relevant testimonials prepared for all those students passing out from the University and the same be supplied to Academic Units, within the period specified for this purpose;
- (i) make arrangements for verifications of credentials of students who had passed out of the University and make application either for Jobs or admissions in India or abroad and would like their credentials to be verified by the University;
- (j) prepare and maintain accounts for secrecy funds, get the same checked and counter signed from the concerned authority and keep permanent records for all such confidential transactions or accounts;
- (k) take steps for continuous examinations reforms so as to keep updating the existing statutes, regulations and rules relating to examinations, to propose new rules and regulations in relation to examinations and get the same approved from the concerned bodies of the University;
- (l) draw out the lists of examiners, paper setters, evaluators, centre superintendents, centre Inspectors, members of flying squads, observers, Chief Coordinators, Coordinators of various examinations, both traditional and Entrance tests Examinations and get the same approved with appropriate revisions, if any, from the competent authority of the University;
- (m) sign Detailed Marks Cards, Degrees and all other certificates and testimonials, wherever it is required to do so. The confidential seals, stamps including the ones

carrying signatures be got prepared and kept in safe custody for use at the required time. It will be his responsibility to ensure that these confidential seals are not misused or tampered or lost by anyone for any ulterior purpose. The duplicate DMCs' and Degrees shall be issued by him on an application by the candidate on payment of requisite fee;

- (n) keep liaison with Dean of Academic Units, Heads of Departments with regard to student's enrolments, conduct of examinations and on other issues relating to students and teachers;
- (o) work under the direct superintendence and direction of the Vice-Chancellor;
- (p) receive the Examination forms and issue admit card for university examinations;
- (q) countersign and sanction of various TA/DA bills in respect of staff, examiners, supervisory, invigilation and other staff appointed for the conduct of examinations, Evaluation/ Reevaluation of Answer Books and tabulation / declaration /publication of Examination results; and
- (r) perform or discharge any other function or duty as assigned to him by the Vice-Chancellor or the Chancellor.

(4) The Vice-Chancellor may authorise any other officer to exercise any or all of the powers of Controller of Examinations in his absence.

18. Appointment, terms and conditions of service of the Librarian and his powers and functions.—(1) Subject to the approval of the Chancellor, the Librarian shall be appointed by the Vice-Chancellor on the recommendation of the Selection Committee headed by the Vice-chancellor constituted by the Chancellor for the purpose and he shall be a whole time salaried officer.

(2) The Librarian shall work under the control and supervision of the Vice-Chancellor and shall be responsible for the maintenance of all libraries of the University.

- (3) The Librarian shall have the following functions and duties, namely:-
 - (a) he shall have general supervision of the University Libraries;
 - (b) he shall prepare the Library budget for the University Library including Department collections;
 - (c) he shall have the responsibility of receiving and accessioning all library materials;
 - (d) he shall have the responsibility of initiating the purchase requisition for all library materials;
 - (e) he shall keep a copy of a research papers, thesis, dissertations and publications by faculty and scholars for use by posterity in its repository;
 - (f) he shall have the responsibility of renewing in time subscription to journals;

- (g) he shall prepare a library newsletter at monthly intervals which will carry a list of all library materials received since the last preceding newsletter and other timely library news of interest to students and staff;
- (h) he shall initiate, participate and co-operate in programme designed to stimulate and encourage the use of the library by the students and faculty;
- (i) he shall arrange library hours with the approval of Vice-Chancellor so as to permit maximum library use by both students and faculty members; and
- (j) he shall arrange for departments and Academic Units, small collections of volumes and journals that are in almost constant use by the faculty and students as references or material.

19. Other Authorities of the University.—In addition to the authorities specified in section 17, there shall be the following other authorities, namely:-

- (i) the Planning Board;
- (ii) the Finance Committee;
- (iii) the University Development Committee; and
- (iv) Alumni Relation Committee.

20. Term of office of the nominated Members of the Governing Body.—(1) The term of office of the members of the Governing Body nominated under clauses (c) and (d) of sub-section (1) of section 18 shall be two years.

(2) If a nominated member under clause (1) ceases to be a member due to resignation or otherwise a new member shall be nominated in his place for the remaining period.

(3) A nominated member may be re-nominated as a member of the Governing Body after the completion of the term.

(4) All decisions at the meeting shall be taken by a majority vote of the members present. The Chairperson at the meeting shall have a second or casting vote in the case of equality.

21. Powers and Functions of the Governing Body.—In addition to the powers mentioned under sub-section (3) of section 18, the Governing Body shall have the following additional powers, namely:-

- (i) to approve the subsequent statutes to be framed under section 27 and the first ordinances to be framed under section 28 by the Board of Management and the subsequent ordinances to be framed by the Academic Council under section 29;
- (ii) to establish, equip and maintain the University library or laboratories;
- (iii) to provide for research and the advancement and dissemination of knowledge in such branches of learning as it may deem necessary; and
- (iv) to take all such measures and to do all such acts, as may be necessary or desirable to achieve the objects of the University.

22. Term of office of the nominated Members of the Board of Management.—(1) The term of office of the members of the Board of Management nominated under clauses (b), (c) and (d) of sub-section(1) of section 19 shall be three years.

(2) If a nominated member under clause (1) ceases to be a member due to resignation or otherwise, a new member shall be nominated in his place for the remaining period.

(3) A nominated member can be re-nominated as a member of the Board of Management after the completion of term.

(4) All decisions at the meeting shall be taken by a majority vote of the members present. The Chairperson at the meeting shall have a second or casting vote in the case of equality.

(5) The undecided matters shall be forwarded to the Chancellor for decision and his decision shall be final.

23. Powers and functions of the Board of Management.—As per the provisions of sub-section (3) of section 19, the Board of Management shall exercise and perform following powers and functions, namely:-

(1) The Board of Management shall, subject to control of the Chancellor, have the power of management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of the Act, the subsequent statutes and the ordinances, the Board of Management shall, in addition to the other powers vested in it, have the following powers, namely:-

- (a) to approve teaching and other academic posts and to define the functions and conditions of service of Professors, Readers, Lecturers and other Teachers, and other academic staff employed by the University as recommended by the Academic Council;
- (b) to manage and regulate the finances, accounts, investments, property of the University and all other affairs of the University and to appoint such agents as may be considered fit;
- (c) to invest any money belonging to the University including any sudden and unforeseen income, in such stocks, funds, shares or securities as it thinks fit or in the purchase of immovable property in India with like power of varying such investment from time to time, provided that no action under this clause shall be taken without consulting the Finance Committee;
- (d) to create teaching and non teaching posts after taking into account the recommendations of the Academic Council and Finance Committee and to specify the number of appointments thereto;
- (e) to regulate and enforce discipline amongst the employees in accordance with the subsequent statutes and ordinances;
- (f) to transfer or accept transfers of any immovable property on behalf of the University;
- (g) to entertain, adjudicate upon, or redress the grievances of the employees and the students of the University who may, for any reason, feel aggrieved;

- (h) to select the common seal for the University and to provide for the use of such seal; and
 - (i) to delegate any of its powers to the Vice-Chancellor, the Registrar, the Chief Finance and Accounts Officer or to any other officer, employees or authority or to a committee appointed by it, as it may deem fit.
- (3) The Board of Management shall publish an annual report containing,-
- (a) a review of the progress made in different spheres of activities of the University;
 - (b) the amounts of receipts and disbursements and the purpose for which they were made;
 - (c) the number of officers , teachers and other employees and position and remuneration of each, the number of students in the several sections and classes and course of instruction pursued in each; and
 - (d) an estimate of the expenses for the next following year.

24. Constitution of the Academic Council.—(1) The Academic Council shall consist of the following persons, namely:-

(a) **Ex-officio members:-**

- (i) the Vice-Chancellor (Chairperson);
- (ii) the Dean(s) of Faculties of the University;
- (iii) the Dean of Academic Affairs;
- (iv) the Registrar(Member Secretary);
- (v) the Controller of Examinations;
- (vi) the Dean of Student Welfare;
- (vii) the Heads of Departments;
- (viii) the Dean of Planning and Placement;
- (ix) the Librarian;
- (x) the Directors of the institutes established by the University; and
- (xi) two Representatives of Teachers.

(b) **Other members:-**

- (i) two persons, not being employees of the University, co-opted by the Academic Council for their special knowledge;
- (ii) the Registrar shall be the Member-Secretary of the Academic Council and shall not have right to vote;
- (iii) one -third of the members shall form the quorum;
- (iv) the members of the Academic Council, other than Ex-officio members, shall hold office for a term of two years;
- (v) all decisions at the meeting shall be taken by a majority vote of the members present. The Chairperson at the meeting shall have a second or casting vote in the case of equality; and
- (vi) the undecided matters shall be forwarded to the Chancellor and decision of the Chancellor thereon shall be final.

25. Powers and functions of the Academic Council.—(1) The Academic Council being principal Academic Authority shall, supervise, direct and control, and be responsible for the maintenance of standards of instructions, education and examinations and other matters connected with the obtaining of degrees and exercise such other powers and perform such other duties as may be specified by the subsequent statutes.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of the Act, rules, the subsequent statutes, regulations and the ordinances, the Academic Council shall in addition to all other powers vested in it, have the following powers and duties, namely:-

- (a) to exercise general supervision over the academic policies of the University, and to give directives regarding methods of instructions, combined teaching among Academic Units, evaluation of research or improvements in academic standards;
- (b) to bring about Inter-disciplinary, Inter-Faculty co-ordination to establish or appoint committees for taking up projects;
- (c) to consider matters of general academic interests either on its own initiative or referred to it by a Faculty or Board of Management and to take appropriate action thereon;
- (d) to frame regulations in consonance with the subsequent statutes and ordinances regarding the academic functioning of the University, discipline, residence, admissions, award of fellowships and studentships, fee concessions, attendance, internal assessment etc.;
- (e) to recommend to the Board of Management the draft of new ordinances or draft amendments to the existing ordinances relating to,-
 - (i) the qualifications of teacher;
 - (ii) students participation in Academic Units' affairs and governance;
 - (iii) management of Academic Units';
 - (iv) degrees, diplomas, certificates, and other academic distinctions to be awarded by the University, qualifications for the same, the duration of the courses of study and other essential features of such courses and the type and nature of examination for such degrees, diplomas or certificates and other academic distinctions;
 - (v) the conduct of examinations, including the terms of office and the manner of appointment and the duties of examining bodies, examiners and moderators;
 - (vi) the admission of the students of the University and their enrolment, the maintenance of discipline among the students; the conditions regarding the residence of students;
 - (vii) the conditions for award of fellowships, scholarships, Stipend, medals and prizes;
 - (viii) the fee to be charged for courses of study and for admission to the examinations, degrees and diplomas of the University;
 - (ix) remuneration to be paid to examiners, moderators and tabulators, etc;
 - (x) creation, composition and functions of other bodies, committees, or boards necessary or desirable for improving the academic life of the University;
 - (xi) special arrangements, if any, for the residence, discipline and teaching of women students;

- (xii) to recommend to the Chancellor introduction of new subject(s) or opening of new department(s) or Institute(s) or school(s) or centre(s) of studies i.e. Academic Units in a particular Faculty(ies). However, the Academic Council shall evaluate the performance of existing Faculty(ies) before finally recommending to the Board of Management in the matter:

Provided that if the Board of Management disagrees with the Academic Council, it may adopt the draft in an amended form or reject it by a two-thirds majority of the members present and voting and if the majority of two-thirds members is not available, the matter shall be referred to the Chancellor, whose decision thereon shall be final.

- (f) to prescribe number, qualifications and other eligibility conditions for teachers and other academic staff subject to the qualifications specified by UGC and other regulatory bodies;
- (g) to specify the manner of appointment to temporary vacancies of academic staff;
- (h) to provide for the setting up of Chairs, appointment of visiting Professors, Emeritus Professors, Fellows, Artists, and Writers and determine the terms and conditions of such appointments;
- (i) to fix the remuneration payable to the course writers, counsellors, examiners and invigilators and travelling and other allowances payable, after consulting the Finance Committee; and
- (j) to institute fellowships, scholarships, distinctions, studentships etc.

26. Meetings of the Academic Council.—(1) The meeting of Academic Council shall be held on such date and at such time and place as may be fixed by the Vice-Chancellor.

(2) The copies of the agenda of the meeting shall be supplied to the members at least fifteen days before the meeting.

(3) The quorum of the meetings of the Academic Council shall be one-third of its total members.

(4) All questions to be considered in a meeting of the Academic Council shall be decided by a majority of votes of the members present. The Chairperson of the Academic Council shall be entitled to vote and in case of equality, the Chairperson shall exercise the deciding vote.

27. Powers and duties of the Planning Board.—The powers and duties of the Planning Board shall be as under:-

(1) The Planning Board shall consist of the Vice-Chancellor and not more than six members to be nominated by the Chancellor.

(2) All the members of the Planning Board, other than the Vice-Chancellor, shall hold office for a term of three years.

(3) The Planning Board shall design and formulate appropriate plans for development and expansion of the University, and it shall, in addition, have the right to advise the Chancellor, Board of Management and the Academic Council on any matter which it may deem necessary for the fulfillment of the objects of the University.

(4) The Planning Board may constitute such committees as may be necessary for planning and monitoring the programmes of the University.

(5) The Planning Board shall meet at such intervals as it may deem expedient, but it shall meet at least twice in a year.

(6) The Vice-Chancellor shall be the Chairperson of Planning Board.

(7) All decisions at the meeting of the Planning Board shall be taken by a majority vote of the members present. The Chairperson at the meeting shall have a second or casting vote in case of equality.

28. Powers and duties of the Finance Committee.—(1) The Finance Committee shall consist of the following, namely:-

- (i) the Vice-Chancellor;
- (ii) one person to be appointed by the Board of Management from amongst its members other than an employee of the University;
- (iii) three persons to be nominated by the Chancellor; and
- (iv) one member as Government representative.

(2) The Vice-Chancellor shall be the Chairperson of the Finance Committee.

(3) The Chief Finance and Accounts Officer shall be the ex-officio Member Secretary of the Finance Committee and he shall have a right to vote.

(4) Every member of the Finance Committee, other than the ex-officio Member, shall hold office for a term of three years from the date on which he becomes a member of the Committee.

(5) Three members of the Finance Committee shall form a quorum for a meeting of the Committee.

(6) The Finance Committee shall meet at least thrice in a year to examine the accounts and scrutinize the proposals for expenditure:

Provided that a period of not exceeding 180 days shall elapse between two consecutive meetings.

(7) All proposals relating to revision of grades, up gradation of the pay-scales and those items which are not included in the budget, shall be examined by the Finance Committee before those are considered by the Board of Management.

(8) The Finance Committee shall fix the limits for the total recurring and non-recurring expenditure for the year, based on income and resources of the University, and no expenditure shall be incurred by the University in excess of the limits so fixed, without the approval of the Finance Committee.

(9) The annual accounts and the financial estimates of the University prepared by the Chief Finance and Accounts Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted, with or without amendments to the Board of Management within the overall ceiling fixed by the Committee.

29. The Faculties.—(1) The University shall have such Faculties as may be specified by the subsequent statutes.

(2) Each Faculty shall consist of such Academic Units as may be specified in the ordinances.

(3) No department shall be established or abolished except in accordance with the provisions as may be specified in the subsequent statutes.

30. Miscellaneous provisions concerning Authorities.—(1) **Other Committees.**—The Governing Body or the Academic Council may appoint such Boards or Committees consisting of members of the Governing Body or Academic Council and while making such appointment may appoint such other persons as the authority in each case may think fit; and such Board or Committee may deal with the subject assigned to it subject to subsequent confirmation by the authority which appointed it.

(2) **Elected Chairperson to preside where no provision is made in the statutes.**—Where, under the Act, the statutes or the ordinances, no provision is made for a Chairperson to preside over a meeting of any University Authority, Board or Committee, or when the Chairperson is absent, the members present shall elect one amongst them to preside over the meeting.

(3) **Resignation.**—(a) Any member other than an ex-officio member of the Governing Body, the Board of Management, the Academic Council or any other Authority of the University or Committee may resign by a letter addressed to the Registrar and the resignation shall take effect as soon as letter is received by the Registrar;

(b) Any officer (whether salaried or otherwise) may resign his office by a letter addressed to the Registrar:

Provided that such resignation shall take effect only on the date from which the same is accepted by the authority competent to fill the vacancy.

(c) If any member of any Authority ceases to be a member of that Authority from which he has been elected or nominated or appointed he shall cease to be the member of the board or committee concerned.

31. The manner of appointments and removal of teaching posts.—(1) The teachers of the University shall be appointed by the Vice-Chancellor on the recommendation of selection committee with the approval of the Chancellor.

(2) The Academic Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw recognition of a teacher:

Provided that no such resolution shall be passed until a notice in writing has been given to that teacher to show cause, within such time as may be specified in the notice as to why such resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them, have been considered by the Academic Council.

(3) No person shall be appointed or recognized as a teacher of the University for the regular post except on the recommendations of a Selection Committee constituted for the purpose.

(4) The Vice-Chancellor shall be authorized to make need based ad-hoc or contract appointments for a period not exceeding one year.

32. Selection Committee.—(1) There shall be Selection Committees for making recommendations for appointments to the posts of the Professor, Reader(Associate Professor), Assistant Professor, Lecturer, Registrar, Controller of Examinations, Finance Officer and the Librarian.

(2) Every Selection Committee under clause(1) shall consist of the Vice-Chancellor who shall be the Chairperson thereof, and person(s) nominated by the Chancellor and, in addition, the Selection Committee for making recommendations for appointment to a post specified in column (1) of the table below shall have as its members the persons specified in the corresponding entry in column (2) of the said table: -

Professor/Reader	(i) The Head of the Department concerned if he is Professor. (ii) Two persons not connected with the University, nominated by the Chancellor, out of a panel of the names recommended by the Vice-Chancellor having special knowledge of or in the subject with which the Professor will be concerned.
Assistant Professor/ Lecturer	(i) The Head of the Department concerned. (ii) Two persons not connected with the University, nominated by the Chancellor out of a panel of the names recommended by the Vice-Chancellor having special knowledge of or in the subject with which the Assistant Professor or Lecturer will be concerned.
Registrar /Controller of Examination/ Chief Finance and Account officer	Three persons nominated by the Chancellor. One member each shall be an expert in Academic Administration, Management and Finance respectively.
Librarian	Two persons connected with the University, who have special knowledge of the subject or Library Science to be nominated by the Chancellor.

(3) The recommendations of the Selection Committee shall be subject to the regulations issued by the University Grants Commission or other regulatory bodies as the case may be, from time to time, with regard to appointment and promotion of Professors, Reader (Associate Professors), Lecturers and administrative posts of the University.

33. The manner of appointments of non-teaching posts.—(1) All Candidates to non-teaching posts shall be appointed by the Chancellor on the recommendations of the Selection committee consisting of--

- (i) the Vice-Chancellor (Chairperson);
- (ii) two members by the Board of Management; and
- (iii) the Registrar Member Secretary

(2) The Member Secretary of the committee shall keep record of its proceedings and perform such other functions as may be assigned to him by the Vice-Chancellor.

34. Terms and Conditions of Service of the teaching posts.—(1) All the teachers and other academic staff of the University shall, in the absence of any agreement to the contrary, be governed by the terms and conditions of service as may be specified in the subsequent statutes.

(2) The emoluments of members of the academic staff shall be such as may be specified in the subsequent statutes.

(3) Every teacher and member of the academic staff of the University shall be appointed on a written contract, the form of which shall be specified in the subsequent statutes.

(4) A copy of every contract referred to in clause (3) shall be deposited with the Registrar.

(5) Any dispute arising out of a contract between the University and those mentioned in clause (1) shall at the request of the teacher or the officer or employee concerned, or at the instance of the University be referred to a Committee consisting of one member appointed by the authority competent to make the appointment, one member nominated by the employee concerned and an umpire appointed by the Chancellor and the decision of the Committee shall be final.

35. Removal of Teachers.—(1) Where there is an allegation of misconduct against a teacher, the Vice-Chancellor may, if he thinks fit, by order in writing place the teacher under suspension and shall forthwith report to the Board of Management, the circumstances under which the order was made:

Provided that the Board of Management may, if it is of the opinion that the circumstances of the case do not warrant the suspension of the teacher, revoke that order.

(2) Notwithstanding anything contained in terms of his contract of service or of his appointment, the Chancellor shall be entitled to remove a teacher on the ground of misconduct:

Provided that the Chancellor shall not be entitled to remove a teacher except for a good and sufficient cause and after giving three months notice in writing or payment of three months' salary in lieu of notice.

(3) No teacher shall be removed under clause (2) until he has been given a reasonable opportunity to show cause against the action proposed to be taken with regard to him.

(4) The removal of a teacher shall take effect from the date on which the order of removal is made:

Provided that where a teacher is under suspension at the time of his removal, the removal shall take effect on the date on which he was placed under suspension.

(5) Notwithstanding anything contained in these statutes, a teacher shall be entitled to resign by giving three months notice in writing to the Vice-Chancellor.

36. Terms and Conditions of Service of the Non-teaching posts.—(1) All the employees of the University, other than the teachers and other academic staff shall, in the absence of any contract to the contrary, be governed by the terms and conditions of service as may be specified in the subsequent statutes.

(2) The manner of appointment and emoluments of employees, other than the teachers and other academic staff, shall be such as may be specified in the subsequent statutes.

37. Removal of employees other than a teacher.—(1) Notwithstanding anything contained in terms of his contract of service or his appointment, an employee, other than a teacher, may be removed by the authority which is competent to appoint the employee if he has incurred any of the following disqualifications, namely:-

- (a) he is of unsound mind and stands so declared by a competent authority;
- (b) he is an undischarged insolvent;
- (c) he has been convicted by the court of law of any criminal offence or an offence involving moral turpitude; and
- (d) he is otherwise guilty of proven misconduct:

Provided that no employee shall be removed without the approval of the Chancellor.

(2) No employee shall be removed from service under clause (1) until he has been given a reasonable opportunity to show cause against the action proposed to be taken with regard to him.

(3) Where the removal from service of an employee is for a reason other than that specified in clause(1), he shall be given three months notice in writing or paid three months salary in lieu of notice, provided the employee is a permanent regular employee. In case of employee who is on probation only one month notice is required.

(4) Notwithstanding anything contained in these statutes, an employee, other than a teacher, shall not be entitled to resign unless he--

(a) gives a three months' notice in writing to the appointing authority or pays to the University three months' salary in lieu of notice, if he is a permanent employee; and

(b) gives one months' notice in writing to the appointing authority or pays to the University one month salary in lieu thereof in any other case.

38. Code of Conduct for Employees.—(1) Every employee shall, at all times maintain absolute integrity and devotion to duty, and also be strictly honest and impartial in his official dealings.

(2) An employee shall at all times be courteous in his dealings with other members of the staff, students and general public.

(3) Unless otherwise provided specifically in the terms of appointment, every employee shall be whole-time employee of the University, and may be called upon to perform such duties, as may be assigned to him by the concerned authority or officer, beyond scheduled working hours and on holidays and during vacations. These duties shall inter alia include attendance at meeting of committees to which he may be appointed by the University.

(4) An employee shall be required to adhere to the scheduled hours of work, during which he is required to be present at the place of his duty.

(5) Except for valid reasons and for unforeseen contingencies no employee shall be absent from duty without prior written permission.

(6) No employee shall leave station except with the previous written permission of proper authority, even during leave or vacation.

(7) Before leaving the station, an employee shall inform the Head of the Department to whom he is attached, or Dean of Studies if he is himself the Head of a Department, of the address where he would be available during the period of the absence from station.

(8) No employee shall take active part in politics in the campus of the University or exploit his official position or permit the use of University facilities for political purposes.

(9) No employee shall, in any broadcast or in any document published anonymously or in his own name or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion--

- (i) which has the effect of an adverse criticism of any policy or action of the University; or
- (ii) which is capable of embarrassing the relations between the University and the Central Government or any State Government or any other Institution or organization or members of public; or
- (iii) which exploits the name of the University or his position therein; or
- (iv) Nothing in this paragraph shall apply to any statements or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him.

(10) Save as provided in sub-para (c) (iii) of this para--

(a) no employee shall, except with the previous sanction of the concerned authority, give evidence in connection with any inquiry conducted by any person, Committee or authority.

(b) where any sanction has been accorded under sub-para c (i) no employee giving such evidence shall criticize the policy or any action of the University or the Central Government or any State Government.

(c) nothing in this para shall apply for--

- (i) evidence given at any inquiry before any authority appointed by the University, by Parliament or by a State Legislature; or
- (ii) evidence given in any judicial inquiry; or
- (iii) evidence given at any departmental enquiry ordered by the University authorities.

(11) No employee shall, except in accordance with any general or special order of the concerned authority or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or information to any person to whom he is not authorized to communicate such document or information.

(12) No employee shall, except with the prior written permission of the concerned authority, engage himself directly or indirectly, in any trade or business or undertake any employment outside his official assignments.

(13) No employee shall speculate in any business nor shall make or permit his spouse or any members of his family to make, any investment likely to embarrass or influence him in the discharge of his official duties and shall lend money at interest to any person nor shall he borrow money from any person with whom he is likely to have official dealings.

(14) An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. When an employee is found liable to arrest for debt or has recourse to insolvency or when it is found that a moiety of his salary is continuously being attached, he may be liable to dismissal. Any employee, who becomes the subject of legal proceedings for insolvency shall forthwith report full facts to the University authorities. In case any employee who gets involved in some criminal proceedings shall immediately inform the competent authority through the Head of the Department to which he is attached, irrespective of the fact whether he has been released on bail or not and the employee who is detained in police custody whether on criminal charge or otherwise for a period longer than 48 hours shall not join his duties in the University unless he has obtained written permission to that effect from the Competent Authority.

(15) Every member of the staff shall, on first appointment in the University service and thereafter at such intervals as may be prescribed by general or special orders of the concerned authority, submit return in such form as the University may prescribe in this behalf, of all movable and immovable property owned, acquired or inherited by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person.

(16) No employee shall, except with the prior sanction of the concerned authority, have recourse to any court of law or to press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of defamatory character:

Provided that nothing in this para shall be deemed to prohibit an employee from vindicating his private character or any act done by him in his private capacity.

(17) Whenever an employee wishes to put forth any claim, or seeks redress of any wrong done to him, he shall forward his case through proper channel, and shall not forward advance copies of his representation to any higher authority, unless the lower authority has rejected the claim or refused relief, or the disposal of the matter is delayed by more than three months; provided that no employee shall be signatory to any joint representation addressed to the authorities for redress of any grievances or for any other matter.

(18) An employee shall be governed by the provisions of the subsequent statutes regarding imposition of penalties for breach of any conduct rules or otherwise and preferring an appeal against any such action taken against him.

39. The procedure for arbitration.—(1) Any dispute arising between the University and an employee of the University and the same not being decided for a period more than one year, shall, on the request of either party be referred to an Arbitral Tribunal for decision, which shall consist of the following :–

- (i) a Chairperson nominated by the Chancellor;
- (ii) one person nominated by the Board of Management; and
- (iii) one person nominated by the employee concerned.

(2) The University shall furnish any record, report or other information called for by the Arbitral Tribunal to discharge its function in an efficient manner.

(3) The decision of the Arbitral Tribunal shall be final and no suit shall lie in any civil court in respect of the matter decided by it.

(4) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examination of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Chancellor and the Chancellor may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be and any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to the Arbitral Tribunal in the manner as may be specified in the ordinances/regulations.

(5) Every employee or student of the University or any Academic Unit shall, notwithstanding anything contained in the Act, have a right to appeal within such time as may be specified by the subsequent statutes, to the Chancellor against the decision of any officer or authority, as the case may be, and thereupon, the Chancellor may confirm, modify or reverse the decision appealed against.

(6) All disputes shall be subject to jurisdiction of the Civil Courts, Kangra, District Kangra, Himachal Pradesh.

(7) No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of the Act ibid or these statutes or the ordinances made under the said Act.

40. Maintenance of discipline among students of the University.—(1) All powers relating to discipline and disciplinary action shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may delegate all or such powers as he deems proper to such other persons as he may specify in this behalf.

(3) Without prejudice to the generality of powers to enforce discipline under these statutes, the following will amount to an act of gross indiscipline:-

- (a) physical assault, or threat to use physical force, against any member of the teaching and non-teaching staff or student of the University or Academic Unit;
- (b) carrying or use of, or threat of use of any weapon;
- (c) any violation of the provisions of the Protection of Civil Rights Act, 1955 (22 of 1955);
- (d) violation of the status, dignity and honour of students belonging to the Schedule Castes and Tribes;
- (e) any practice whether verbal or otherwise derogatory to women;
- (f) any attempt to bribe or corruption in any manner;
- (g) wilful destruction of institution and property;
- (h) creating ill will or intolerance on religious or communal grounds;

- (i) causing disruption in any manner in the academic functioning of the University system; and
- (j) ragging.

(4) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action in the interest of maintaining discipline as may seem to him appropriate, the Vice-Chancellor, may in the exercise of his powers order or direct that any student or students-

- (a) be expelled; or
- (b) be, for a stated period rusticated; or
- (c) be not for a stated period, admitted to a course or courses of study in any Academic Unit; or
- (d) be fined with a sum of rupees that may be specified; or
- (e) be debarred from taking a University or Academic Unit Examination or Examinations for one or more years; or
- (f) that the result of the student or students concerned in the examination in which he or they have appeared be cancelled.

(5) The Dean of Academic Units, Head of the Halls, Deans of faculties, Heads of Teaching Departments in the University and the Librarian shall exercise disciplinary authority over students in their respective Academic Units, Halls, faculties and departments, in the University as may be necessary for the proper conduct of the Academic Units, residence halls and teaching in the concerned Departments subject to the approval of the Vice-Chancellor.

(6) Without prejudice to the powers of the Vice-Chancellor and the officers, detailed regulations of discipline and proper conduct shall be framed by the University.

(7) At the time of admission, every student shall be required to sign a declaration that on admission he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and other authorities who may be vested with the authority to exercise discipline under the Act, the statutes, the ordinances and the regulations.

41. Prohibition of and Punishment for Ragging.—(1) Ragging in any form shall be strictly prohibited, within or outside the premises of University or Academic Units.

(2) Any individual or collective act or practice of ragging shall amount to a gross indiscipline and shall be dealt with under this statute.

(3) Ragging for the purposes of these statutes, ordinarily means any act, conduct or practice by which dominant powers or status of senior students is brought to bear on students freshly enrolled or students who are considered junior or inferior by other students and includes individual or collective acts or practices which-

- (a) involve physical assault or threat to use physical force;
- (b) violate the status, dignity and honour of women students;
- (c) violate the status, dignity and honour of students belonging to the Scheduled Castes and Tribes;
- (d) expose students to ridicule and contempt and affect their self esteem; and
- (e) entail verbal abuse and aggression, indecent gestures and obscene behaviour.

(4) The Dean of Academic Units, the Heads of the Departments or University Hostel or Halls of Residence shall take immediate action on any information of the occurrence of ragging.

(5) Notwithstanding anything provided in Clause (4), the officer may also enquire into any incident of ragging and make a report to the Vice-Chancellor of the identity of those who are indulged in ragging and the nature of the incident.

(6) The officer may also submit to the Vice-chancellor an initial report establishing the identity of the perpetrators of ragging and the nature of the ragging incident.

(7) If the Dean of an Academic Unit or Head of the Department is satisfied that for some reason, to be recorded in writing, it is not reasonably practical to hold such an enquiry, he may so advise the Vice-Chancellor accordingly.

(8) When the Vice-Chancellor is satisfied that it is not expedient to hold such enquiry, his decision thereon shall be final.

(9) On receipt of a report under Clause (5) or (6) or a determination by the relevant authority under Clause (7) disclosing the occurrence of ragging incidents described in Clauses 3(a), 3(b) and 3(c), the Vice-Chancellor shall direct or order rustication of a student or students for a specific number of years.

(10) The Vice-Chancellor may in other cases of ragging order or direct that any student or students be expelled or be not for a stated period, admitted to a course of study in an Academic Units or in a Departmental Examination for one or more years or that the result of the student or students concerned in the examination or examinations in which they appeared be cancelled.

(11) In case students who have obtained degrees of the University are found guilty under this statute, appropriate action for withdrawal of degrees conferred by the University shall be initiated.

(12) For the purpose of this statute, abetment of ragging whether by way of any act, practice or incitement of ragging shall also amount to ragging.

(13) All the Academic Units within the University shall be obligated to carry out instructions/directions issued under this statute, and to give aid and assistance to the Vice-Chancellor to achieve the effective implementation of the same.

42. Institution of Fellowships, Scholarships, Studentships, Medals, Prizes, etc.—(1)

The Academic Council shall initiate action in consultation with the appropriate Faculty of each Academic Unit and recommend the institution of tuition freeships, fellowships, scholarships, studentships, medals, prizes, etc. The Academic Council shall recommend these awards to the Chancellor for confirmation.

(2) It shall be the responsibility of the each Dean of Faculty or head of the Academic Unit to ensure sufficient provision in the budget for the schemes approved by the Academic Council.

(3) The Board of Management shall have full powers to make rules and regulations for the purposes of award, suspension, or cancellation of the tuition free ship, fellowships, scholarships, studentships, medals, prizes etc., approved by it:

Provided that the existing schemes of tuitions freeships, fellowships, scholarships, studentships, medals, prizes, Merit-cum-Means Scholarships, Educational Loans and other concessions shall continue to be in force until such time as they are replaced, altered or otherwise dealt with by the Chancellor

(4) The tuition fee concessions may be granted on the basis of merit as may be decided by the Academic Council from time to time.

43. Admission policy.—(1) Subject to the provisions of the Act and any other law for the time being in force, the admissions in the Under-Graduate/Integrated/Post-Graduate/Doctoral programs shall be made strictly on the basis of merit/rank in the entrance examination conducted at State level/All India level or marks/grades obtained in the qualifying examination and achievements in co-curricular activities. In case no entrance test is conducted at State level/All India level for a program, the University may conduct its own entrance test.

In case no examination is conducted by the University, merit in the qualifying examination shall be the criteria for admission.

The eligibility criteria and procedure for admission in various programs run by the University shall be specified through the ordinances/regulations from time to time.

(2) At least 25% seats for admission to each course shall be reserved for students who are bonafide Himachalis. University shall reserve seats for candidates belonging to the Scheduled Castes, the Scheduled Tribes, Physically Handicapped and other socially and educationally backward classes to an extent as notified by the Government of Himachal Pradesh from time to time:

Provided that in case seat(s) allotted under reserved categories remain vacant, the seat(s) shall be converted to general category and offered to the candidates belonging to the general category.

44. Provisions regarding fee to be charged from the students.—(1) The Fee Structure of the University shall be decided as per the provisions of section 32 of the Act.

(2) The fee shall be charged on semester/annual basis and time schedule for collecting the fee shall be notified in the prospectus.

45. Provisions regarding number of seats in different courses.—(1) Total number of seats in different courses shall be decided by the Academic Council and approved by the Chancellor. However, reservation of seats for different categories in each course shall be kept as per prevalent Government rules and vacancies in different categories may be filled by open category candidates.

(2) Number of seats in different courses may be increased or decreased at the discretion of the Academic Council subject to approval of the Chancellor.

(3) The distribution of seats in different courses shall be decided by the Academic Council with the approval of the Chancellor.

By order,
Sd/-
Secretary Principal.

LABOUR AND EMPLOYMENT

IN THE COURT OF A.S JASWAL, PRESIDING JUDGE, HP INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, SHIMLA.

Ref No. 35 of 2008
Instituted on 30-6-2008
Decided on 21-6-2010

Sohan Lal S/o Shri Jharia Ram R/o Village Sheela, P.O Jhiknipul, Tehsil Chopal, District Shimla, H.P.Petitioner.

Vs.

The Executive Engineer, HPPWD, Division Chopal, Tehsil Chopal, District Shimla, H.P.Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947.

For petitioner: Shri Parkash Chand, Advocate.
For respondent: Ms. Gulab Negi, Ld. ADA.

AWARD

1. The reference for adjudication, sent by the appropriate government, is as under:—

“Whether termination of the services of Shri Sohan Lal S/o Shri Jharia Ram by Executive Engineer, HPPWD, Division Chopal, Tehsil Chopal, District Shimla, HP w.e.f. 21-6-2000 without complying the provisions of Industrial Disputes Act, 1947 is proper and justified? If not what relief of seniority, back wages and other service benefits the above workman is entitled to”.

2. In nutshell, the case of the petitioner is that he was engaged as daily wage, basis as Motor Mate *w.e.f.* 1-7-1996 and was asked to perform duties at HPPWD Udaypur, falling under Tribal area of Lahaul & Spiti. In the month of December, 1997, he was shifted to Sub Division Jhiknipul, falling under HPPWD Sub Division Nerwa, Division Chopal and was engaged against muster roll. By not following the provisions of the Industrial Disputes Act, 1947 (hereinafter referred Act), his services have been terminated *w.e.f.* 22-6-2000. It is further asserted that the respondents also engaged new persons, who are junior to him, namely S/Shri Sant Ram, Dilbahadur, Mohan Lal, Tulia Ram, Ranu Ram and smt. Tara Devi. Regarding his oral termination, he had filed an OA no 2841/2000 before the State Tribunal and that the same was withdrawn, for want of jurisdiction, on 12-1-2006. Since, his services had been disengaged in contravention of the provisions of the Act, he deserves to be reinstated with all the consequential benefits.

3. The claim of the petitioner has been contested on having raised preliminary objections qua maintainability and that the petitioner has not come, before the court, with clean hands . On merits, it has been asserted that *w.e.f.* 1-7-1996 to 29-11-1996 (1562 days) the petitioner remained on daily wages in HPPWD Kullu/Udaypur Division falling under Tribal area of District Lahul & Spiti as Motor Mate. Thereafter, he worked as daily wage beldar in Chenab Valley Division for only 20 days during the month of July, 1997. In the month of December, 1997, he (petitioner), had been engaged as daily wage beldar in Sub Division Nerwa, Division Chopal, section Jhiknipul. It has been denied that he had been shifted from Udaypur Division. *w.e.f.* 12/1997 to 6/2000, he worked in Jhiknipul section falling under Chopal Division and thereafter, abandoned the job on his

sweet will, without informing the department. Even the muster roll *w.e.f.* 1-6-2000 to 30-6-2000, had been issued for the same strength including the petitioner but he did not join duties. In fact, he was in the habit of remaining absent from the duties and used to work at his sweet will. It has been denied that he was being engaged for three months and thereafter, given breaks. It has been specifically denied that his services had been terminated on 30-6-2000. Dil Bahadur & Tara Devi had been engaged in December, 1997 and no workman namely Tulia Ram and Ranu Ram had ever been engaged by respondent, in Chopal Division. Shri Tulsi Ram, a skilled worker (carpenter), has been working in Chopal Division but his nature of work is different from that of the petitioner. Shri Sant and Mohan Lal were engaged during 11/99 and 3/98 respectively in Nerwa Sub Division. Other allegations denied.

4. By filing rejoinder, the petitioner has reaffirmed his own allegations by denying those of the respondent.

5. Pleadings of the parties gave rise to the following issues which were struck on 5-9-2009.

1. Whether the termination of services of Shri Sohan Lal petitioner by the XEN HPPWD Division Chopal, District Shimla *w.e.f.* 21-6-2000 without complying with the provisions of Industrial Disputes Act, 1947 is improper and unjustified as alleged?
OPP.....
2. If issue No.1 is proved, to what relief of seniority, back wages and other service benefits, the petitioner is entitled to?
OPP.....
3. Whether the reference is not maintainable as alleged?
OPR.....
4. Relief.

6. I have heard the learned counsel for the parties and have also gone through the record of the case carefully.

7. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings on the aforesaid issues are as under.

Issue No.1	Yes.
Issue No.2	Entitled to reinstatement in service with seniority and continuity but without back wages.
Issue No.3	No.
Relief.	Reference answered in favour of the petitioner and against the respondent, per operative part of award.

REASONS FOR FINDINGS

Issue No. 1

8. It is not the case of the petitioner that in the twelve calendar months preceding his alleged termination, he had completed 240 days. Ex. RA is the mandays chart of the petitioner which also goes to show that, in no year, from 1997 to 2000, he had completed 240 days. It is true that in the statement of the petitioner (PW-1), it has come that he had completed 240 days in

calendar year 1999 but his such version does not get support from Ex. RA. Moreover, for getting the benefit of section 25 F of the Act, the petitioner was required to establish that he had completed 240 days in the twelve calendar months preceding the date of his termination. In these circumstances, the alleged termination of the petitioner cannot be said to be in violation of the provisions of section 25 F of the Act.

9. Another contention of the petitioner is that juniors to him, are still in service and that while appearing in the witness box as PW-1, he has supported this fact by naming them as S/Shri Sant Ram, Dil Bahadur, Joban Dass etc. His such version has been supported by Shri Joban dass when he appeared in the witness box (PW-2) that the petitioner is senior to him as daily wage beldar. Even Shri Sunil Sharma (RW-1), has admitted in the cross examination that Mohan Lal, Tara Devi, Sant Ram & Joban Dass who are junior to the petitioner are still in job. Undoubtedly, his version is also to this effect that the petitioner had left the job, on his own, but there is no convincing evidence in this regard. I may mention that nothing has been stated by Shri Sunil Sharma (RW-1) that any notice had been sent to the petitioner to resume his duties. If the petitioner had abandoned the job, it was required of the respondents to have issued him notice for resuming the duties. Thus, when the petitioner succeeds in proving that his juniors are still in service, his termination is held to be in contravention of the provisions of section 25G & H of the Act. It has been held by our own Hon'ble High Court incase titled as *State of HP & Others V/s Bhatag Ram & Anr. as reported in latest HLJ 2007 (HP) 903.* that :-

“Continuing of 240 days not necessary in 12 calendar months. It is not necessary to workman to complete 240 days during 12 months for taking the benefits of section 25-G & 25-H of the Act.”

10. Since, on the record, it stands established that juniors to the petitioner, as mentioned above, are still in job, his termination, being in violation of the provisions of section 25 G & H of the Act, is illegal and unjustified. Consequently, my answer to this issue is in “Yes” accordingly.

Issue No.2

11. The reference has been received by this Court on 30-6-2008. It has been alleged by the petitioner that when his services had been terminated, he filed an OA before the State Tribunal which was dismissed as withdrawn, on 12-1-2006, for want of jurisdiction. In these circumstances, it cannot be said that there has been undue delay in assailing his termination by raising a demand notice before the Conciliation Officer. In Nerwa Sub Division, the petitioner had been engaged in the month of December, 1997 and he remained in service upto 21-6-2000, when his services were terminated. Since, the petitioner has failed to lead convincing evidence that he has not been gainfully employed after his termination, I, without hesitation, hold that he is not entitled for back wages. However, since his services were terminated against the provisions of the Act, he is entitled to be reinstated, with seniority and continuity in service but without back wages. Thus, my answer to this issue is in “Yes” accordingly.

Issue No.3

12. It is not understandable as to why this reference is not maintainable, particularly, when it has been made to this Court by the Labour Commissioner. Apart from it, the learned counsel for respondent could not explain as to why this reference is not maintainable. Accordingly, by holding it to be maintainable, my answer to this issue is in “No”.

RELIEF

As a sequel to my findings on the aforesaid issues, the claim of the petitioner is allowed and it is ordered that he (petitioner) be reinstated in service, with seniority and continuity but without back wages, from the date of his termination i.e 21-6-2000. Consequently, the reference stands answered in favour of the petitioner and against the respondent. Let a copy of this award be sent to the appropriate government for publication in official gazette. File, after completion be consigned to records.

Announced in the open court today this day of 21st June, 2010 in the presence of parties counsels.

By order,
A. S. JASWAL,
Presiding Judge,
Industrial Tribunal-cum-Labour Court, Shimla.

**सिंचाई एवं जन स्वास्थ्य विभाग
अधिसूचना**

शिमला—171002, 1 सितम्बर, 2010

संख्या सिंचाई 11-45/2010—हमीरपुर।—यतः राज्यपाल हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव टिक्कर, मौजा भलेठ, तहसील सुजानपुर जिला हमीरपुर में दो जल भण्डारण टैंकों के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इस से सम्बन्धित हैं, या हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा—4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमतः सभी अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी हितबद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू—अर्जन समाहर्ता, मण्डी, हिमाचल प्रदेश लोक निर्माण विभाग के समक्ष अपनी आपत्ति दायर कर सकता है।

विस्तृत विवरणी

जिला	तहसील	गांव	खसरा नं	कनाल / मरले
हमीरपुर	सुजानपुर	टिक्कर	571/1	0-02
			571/2	0-03
			किता-2	0-05

आदेश द्वारा,
हस्ताक्षरित /—