

THE JAWAHARLAL NEHRU
UNIVERSITY ACT 1966
(53 of 1966)

AND

THE STATUTES OF THE UNIVERSITY

(As modified upto the 12th June, 1974)

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JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI

Sub. National Systems Unit,
National Institute of Educational
Planning
17-A, Sector 11, Mayapuri, Delhi-110016
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**THE JAWAHARLAL NEHRU UNIVERSITY
ACT, 1966**

(53 of 1966)

THE FIRST SCHEDULE

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THE JAWAHARLAL NEHRU UNIVERSITY
ACT, 1966

53 OF 1966

[22nd December, 1966]

An Act to establish and incorporate a University in Delhi.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows :—

1. (1) This Act may be called the Jawaharlal Nehru University Act, 1966. Short title and commencement.

(2) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires— Definitions.

(a) “College” means a College maintained by the University;

(b) “Hall” means a unit of residence, by whatever name called, for students of the University provided, maintained or recognised by it;

(c) “recognised institution” means an institution of higher learning maintained or recognised by, or associated with, the University;

(d) “prescribed” means prescribed by Statutes, Ordinances or Regulations;

¹ 22-4-1969, *vide* notification No. S.O. 1525, dated 21-4-1969, Gazette of India, Pt. II, Sec. 3 (ii), p. 1443,

(e) "Statutes", "Ordinances" and "Regulations" mean, respectively, the Statutes, Ordinances and Regulations of the University made under this Act;

(f) "University" means the Jawaharlal Nehru University.

The Uni-
versity.

3. (1) There shall be constituted in the Union territory of Delhi a University by the name of "Jawaharlal Nehru University".

(2) The first Chancellor and the first Vice-Chancellor of the University and the first members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members so long as they continue to hold such office or membership are hereby constituted a body corporate by the name of "Jawaharlal Nehru University".

(3) The University shall have perpetual succession and a common seal, and shall sue and be sued by the said name.

Objects

4. The objects of the University shall be to disseminate and advance knowledge, wisdom and understanding by teaching and research and by the example and influence of its corporate life and in particular the objects set out in the First Schedule.

Powers
of the
University

5. The University shall have the following powers, namely :—

(1) to provide for instruction including the method of correspondence courses in such branches of learning as the University may from time to time determine, and to make provision for research and for the advancement and dissemination of knowledge;

(2) to establish within the Union Territory of Delhi or outside that territory such Special Centres and Specialised Laboratories and such other units for research and instruction as are necessary for the furtherance of its objects;

(3) to organise and to undertake extra-mural teaching and extension services;

(4) to hold examinations and grant diplomas or certificates to, and confer degrees and other academic distinctions on, persons and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

(5) to confer honorary degrees or other academic distinctions in the manner laid down in the Statutes;

(6) to create such teaching, administrative and other posts as the University may deem necessary, from time to time, and to make appointments thereto;

(7) to appoint or recognise persons as Professors, Readers or Lecturers or otherwise as teachers of the University;

(8) to institute and award Fellowships, Scholarships, Exhibitions and prizes;

(9) to establish and maintain Colleges and Halls, to recognise, guide, supervise and control Halls not maintained by the University and other accommodation for students, and to withdraw any such recognition;

(10) to regulate and enforce discipline among students and employees of the University and to take such disciplinary measures in this regard as may be deemed necessary;

(11) to make arrangements for promoting health and general welfare of students and employees of the University;

(12) to determine and provide for examinations for admission into the University;

(13) to recognise for any purpose, either in whole or in part, any institution or members or students thereof on such terms and conditions as may, from time to time, be prescribed and to withdraw such recognition;

(14) to co-operate with any other University, authority or association or any other public or private body having in view the promotion of purposes and objects similar to

those of the University for such purposes as may be agreed upon, on such terms and conditions as may, from time to time, be prescribed;

(15) to enter into any agreement for the incorporation in the University of any other institution and for taking over its rights, properties and liabilities and for any other purpose not repugnant to this Act;

(16) to demand and receive payment of such fees and other charges as may be prescribed, from time to time;

(17) to receive donations and to acquire, hold, manage and dispose of any property movable or immovable, including trust or endowed property within or outside the Union territory of Delhi, for the purposes or objects of the University, and to invest funds in such manner as the University thinks fit;

(18) to make provision for research and advisory services; and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary;

(19) to provide for the printing, reproduction and publication of research and other work which may be issued by the University;

(20) to borrow, with the approval of the Central Government, on the security of the University property, money for the purposes of the University;

(21) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

Jurisdiction of the University.

6. (1) The jurisdiction of the University shall extend to all Colleges and recognised Institutions.

(2) Notwithstanding anything contained in Clause (13) of Section 5, the Jawaharlal Nehru University shall not grant recognition, either in whole or in part, to any Institution which has already been recognised by the University of Delhi unless the Central Government, after consultation with the University of Delhi, authorises the Jawaharlal Nehru University to do so.

(3) On and from the date of the recognition either in whole or in part of an Institution by the Jawaharlal Nehru University under Sub-Section (2), the University of Delhi shall to the extent of such recognition cease to have jurisdiction over that institution.

7. Notwithstanding anything contained in Section 5—

(a) where any institution or body established outside the Union territory of Delhi seeks recognition from the University, or

(b) where the University establishes and maintains any institution or body outside the Union Territory of Delhi,

Powers and jurisdiction in respect of institution or body outside the Union territory of Delhi.

then the powers and jurisdiction of the University shall extend to such institution or body subject to—

(i) the laws in force in the State within which, and

(ii) the rules and regulations of the University within whose jurisdiction,

the said institution or body is situated.

8. (1) The President of India shall be the Visitor of the University.

Visitor

(2) The Visitor may, from time to time, appoint one or more persons to review the work and progress of the University and to submit a report thereon; and upon receipt of that report, the Visitor may, after obtaining the views of the Executive Council thereon, take such action and issue such directions as he considers necessary in respect of any of the matters dealt with in the report and the University shall be bound to comply with such directions.

(3) The Visitor shall also have the right to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, laboratories and equipment and of any institution maintained by the University, and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in respect of any matter connected with the University.

(4) The Visitor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made, and the University shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(5) The Visitor may address the Vice-Chancellor with reference to the result of such inspection and inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the Visitor with such advice as the Visitor may offer upon the action to be taken thereon.

(6) The Executive Council shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or inquiry.

(7) Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit and the Executive Council shall be bound to comply with such directions.

(8) The Visitor may by order in writing annul any proceeding of the University which is not in conformity with this Act, the Statutes or the Ordinances.

(9) The Visitor shall also have such other powers as may be prescribed by the Statutes.

Officers
of the
University.

9. (1) There shall be a Chancellor appointed in the manner prescribed by the Statutes who shall be the Head of the University.

(2) The Chancellor shall, if present, preside at Convocation of the University for conferring degrees and all meetings of the Court.

(3) There shall be a Vice-Chancellor appointed in the manner prescribed by the Statutes who shall be the principal executive and Academic Officer of the University and *ex-officio* Chairman of the Executive Council, Academic Council and Finance Committee and he shall, in the absence of the Chancellor preside at any Convocation for conferring degrees and also at any meeting of the Court.

(4) There shall be one or more Rectors who shall be appointed in such manner and with such powers and duties as may be prescribed by the Statutes.

(5) There shall be a Dean for each School of Study who shall be appointed in such manner and with such powers and duties as may be prescribed by the Statutes.

(6) There shall be a Registrar who shall act as Secretary of the Court, the Executive Council and the Academic Council and he shall be appointed in such manner and with such powers and duties as may be prescribed by the Statutes.

(7) There shall be a Finance Officer who shall be the Secretary of the Finance Committee and exercise such powers and perform such duties as may be prescribed by the Statutes.

(8) There shall be such other officers as provided for in the Statutes.

10. The authorities of the University shall be the Court, the Executive Council, the Academic Council, the Schools of Studies, the Finance Committee and such other authorities as may be declared by the Statutes to be authorities of the University.

Authorities
of the
University.

11. (1) The Court shall be the supreme authority of the University, and its constitution and the terms of office of its members shall be prescribed by the Statutes.

The Court.

(2) The Court shall have the power to review the Acts of the Executive Council and the Academic Council (save when these authorities have acted in accordance with the powers conferred upon them under this Act, the Statutes or the Ordinances) and shall exercise all the powers of the University not otherwise provided for by this Act or the Statutes :

Provided that the power of review under this sub-section shall not be exercised except by a majority of the total membership of the Court and by a majority of not less than two-thirds of the members of the Court present and voting.

The Executive Council.

12. (1) The Executive Council shall be the Executive Body of the University, and its constitution and the terms of office of its members, other than *ex-officio* members, shall be prescribed by the Statutes.

(2) It shall be in charge of the general management and administration (including the revenue and property) of the University.

The Academic Council.

13. (1) The Academic Council shall be the academic body of the University, and its constitution and the terms of office of its members, other than *ex-officio* members, shall be prescribed by the Statutes.

(2) The Academic Council shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation, and be responsible for the maintenance, of standards of instruction, education and examination within the University, and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

The Academic Advisory Committee.

14. (1) There shall be constituted an Academic Advisory Committee of the University which shall advise generally on the planning and development of the University and keep under review the standard of education and research in the University.

(2) The Committee shall consist of—

(a) not more than seven persons of high academic standing who shall be appointed in such manner as may be prescribed by the Statutes and

(b) the Vice-Chancellor.

(3) The Visitor may determine a date with effect from which the Academic Advisory Committee shall stand dissolved.

Statutes.

15. Subject to the provision of this Act, the Statutes may provide for all or any of the following matters, namely :—

(a) the constitution, powers and duties of the authorities and other bodies of the University, the qualifications and disqualifications for membership of such authorities

and other bodies, appointment and removal of members thereof and other matters connected therewith;

(b) the appointment, powers and duties of the officers of the University;

(c) the appointment, terms and conditions of service and the powers and duties of the employees of the University;

(d) the terms and conditions under which institutions may be associated with the University;

(e) the administration of the University, the establishment and abolition of Colleges, Institutions and Halls, the grant and withdrawal of recognition to Institutions, the institution of Fellowships, Awards and the like, the conferment of degrees and other academic distinctions and the grant of diplomas and certificates;

(f) any other matter which is necessary for the proper and effective management and conduct of the affairs of the University and which by this Act is to be or may be provided by the Statutes.

16. (1) The first Statutes are those set out in the Second Schedule.

Statutes
how made.

(2) The Executive Council may, from time to time make new or additional Statutes or may amend or repeal the Statutes in the manner hereafter in this section provided;

Provided that the Executive Council shall not make any Statute or any amendment of a Statute affecting the status powers or constitution of any existing authority of the University until such authority has been given an opportunity of expressing an opinion on the proposal, and any opinion so expressed shall be in writing and shall be considered by the Executive Council;

Provided further that no Statute shall be made by the Executive Council affecting the discipline of students, and standards of instruction, education and examination except after consultation with the Academic Council.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the approval of the Visitor who may assent thereto or withhold assent or remit to the Executive Council for consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

Ordinances.

17. (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely :—

(a) the admission of students, the courses of study and the fees therefore, the qualifications pertaining to degrees, diplomas, certificates and other academic distinctions, the conditions for the grant of Fellowships, Awards and the like;

(b) the conduct of examinations, including the terms office and appointment of examiners and the conditions of residence of students and their general discipline;

(c) the management of Colleges and Institutions maintained by the University;

(d) any other matter which by this Act or the Statutes is to be or may be provided by the Ordinances.

(2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.

Regulations.

18. The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the committees appointed by them and not provided for this Act, the Statutes or the Ordinances in the manner prescribed by the Statutes.

Annual Report.

19. (1) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and shall be considered by the Court at its annual meeting.

(2) The Court may communicate its comments thereon to the Executive Council.

20. (1) The accounts of the University shall, once at least in every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India, or any person authorised by him in this behalf.

Audit of accounts.

(2) The accounts, when audited shall be published in the Gazette of India, and a copy of the accounts together with the audit report shall be submitted by the Registrar to the Visitor and to the Court.

21. If any question arises whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

Disputes as to constitution of the University authorities and bodies.

22. Where any authority of the University is given power by this Act or the Statutes to appoint committees, such committees shall, save as otherwise provided, consist of members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.

Constitution of committees.

23. All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled, as soon as conveniently may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant, and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

Filling of casual vacancies.

24. No act or proceedings of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

Proceedings of the University authorities and bodies not invalidated by vacancies

25. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent

Removal of difficulties.

with the purposes of this Act, as appear to it to be necessary or expedient for removing the difficulty.

Transi-
tional
provisions.

26. Notwithstanding anything contained in this Act and the Statutes :—

(a) the first Chancellor, members of the Court, the Executive Council and the Academic Council shall be nominated by the Visitor and shall hold office for a term of three years;

(b) the first Vice-Chancellor shall be appointed by the Visitor and he shall hold office for a term of five years.

Amend-
ment of Act
8 of 1922.

27. In the Delhi University Act, 1922, in Sub-Section (2) of Section 5, after the words "for the time being in force", the words and figures "but subject to the provisions contained in the Jawaharlal Nehru University Act, 1966" shall be inserted.

THE FIRST SCHEDULE

(See Section 4)

The University shall endeavour to promote the study of the principles for which Jawaharlal Nehru worked during his life-time, national integration, social justice, secularism, democratic way of life, international understanding and scientific approach to the problems of society.

Towards this end, the University shall :—

(i) foster the composite culture of India and establish such departments or institutions as may be required for the study and development of the languages, arts and culture of India ;

(ii) take special measures to facilitate students and teachers from all over India to join the University and participate in its academic programmes ;

(iii) promote in the students and teachers an awareness and understanding of the social needs of the country and prepare them for fulfilling such needs ;

(iv) make special provision for integrated courses in humanities, science and technology in the educational programmes of the University ;

(v) take appropriate measures for promoting inter-disciplinary studies in the University ;

(vi) establish such departments or institutions as may be necessary for the study of languages, literature and life of foreign countries with a view to inculcating in the students a world perspective and international understanding ;

(vii) provide facilities for students and teachers from other countries to participate in the academic programmes and life of the University.

THE SECOND SCHEDULE

[See Section 16 (1)]

THE STATUTES OF THE UNIVERSITY

1. In these Statutes—

(a) "Act" means the Jawaharlal Nehru University Act, 1966 ; Definitions.

¹(aa) "Department" means a Department of Studies and includes a Centre of Studies established by the Ordinances ;

²(aaa) (i) "Reader" includes an Associate Professor ;

(ii) "Lecturer" includes an Assistant Professor ;

(b) all words and expressions used herein and defined in the Act shall have the meanings respectively assigned to them in the Act.

³2. (1) The Chancellor shall be appointed by the Visitor from a panel of not less than three persons recommended by the Executive Council : Chancellor.

Provided that if the Visitor does not approve of the persons

¹Ins. by the Executive Council with the approval of the Visitor w. e. f. 27-4-1970.

²Approved by the Visitor w. e. f. 19-9-1970.

³Substituted by the Executive Council with the approval of the Visitor w. e. f. 13-7-1972.

so recommended, he may call for fresh recommendations from the Executive Council.

(2) The Chancellor shall hold office for a term of five years and shall be eligible for re-appointment.

Vice-
Chancellor.

3. (1) The Vice-Chancellor shall be appointed by the Visitor from a panel of not less than three persons who shall be recommended by a Committee consisting of three members :

Provided that, if the Visitor does not approve of any of the persons so recommended, he may call for fresh recommendations.

(2) Two members of the Committee shall be persons not connected with the University or an institution recognised by, or associated with, the University nominated by the Executive Council and one member shall be a person nominated by the Visitor who shall also be the Chairman of the committee.

(3) The Vice-Chancellor shall be a whole-time salaried officer of the University.

¹(4) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is earlier, and shall, on the expiration of his term of office be ineligible for re-appointment to that office :

Provided that the Vice-Chancellor shall, notwithstanding the expiration of his term, continue to hold his office until his successor is appointed and enters upon his office.

(5) The emoluments and terms and conditions of service of the Vice-Chancellor shall be as follows :—

(i) There shall be paid to the Vice-Chancellor a salary of two thousand five hundred rupees per mensem and he shall be entitled, without payment of rent, to use a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.

(ii) The Vice-Chancellor shall not be entitled to the benefits of the University Provident Fund or to any other allowance :

¹Substituted by the Executive Council with the approval of the Visitor w. e. f. 27-4-1970.

Provided that where any employee of the University is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the Provident Fund and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as Vice-Chancellor.

(iii) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Executive Council.

(iv) The Vice-Chancellor shall be entitled to leave on full pay for one-eleventh of the period spent by him on active service.

(v) The Vice-Chancellor shall also be entitled, on medical grounds or otherwise than on medical grounds, to leave without pay for a period not exceeding three months during the term of his office.

Provided that such leave may be converted into leave on full pay to the extent to which he will be entitled to leave under sub-clause (iv).

(6) Notwithstanding anything contained in clause (5), the Executive Council may, with previous approval of the Visitor, vary the emoluments and all or any of the conditions of service of the Vice-Chancellor at the time of his appointment.

(7) If the office of the Vice-Chancellor becomes vacant, the functions of his office shall, until some person is appointed under clause (1) to the vacant office, be performed by the Rector, and if there are two or more Rectors, by the senior-most of the Rectors :

Provided that if there is no Rector, the Registrar shall carry on the current duties of the Vice-Chancellor and call a meeting of the Executive Council forthwith and take its directions for the carrying on of the work of the University.

4. (1) The Vice-Chancellor shall have a general responsibility for maintaining and promoting the efficiency and good order of the University.

Powers and
duties of
Vice-
Chancellor.

(2) It shall be the duty of the Vice-Chancellor to see that the provisions of the Act, these Statutes, the Ordinances and the Regulations are duly observed and the decisions taken by the authorities of the University are implemented.

(3) The Vice-Chancellor shall have power to convene meetings of the Court, the Executive Council and the Academic Council and shall perform all such acts as may be necessary to carry out the provisions of the Act, these Statutes and the Ordinances.

(4) The Vice-Chancellor shall be entitled to be present at and to address any meeting of any authority or body or committee of the University but shall not be entitled to vote thereat unless he is a member of such authority or body or committee.

(5) If, in the opinion of the Vice-Chancellor, any emergency has arisen which requires immediate action to be taken, the Vice-Chancellor shall take such action as he deems necessary and shall report the same for approval at the next meeting to the authority which, in the ordinary course, would have dealt with the matter :

Provided that, if the action taken by the Vice-Chancellor is not approved by the authority concerned, he may refer the matter to the Visitor, whose decision thereon shall be final :

Provided further that, where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date on which he receives notice of such action, an appeal to the Executive Council.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Ordinances or the Regulations.

Rector.

¹⁵ (1) Every Rector shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor on

¹Substituted by the Executive Council with the approval of the Visitor w.e.f. 13-7-1972.

such terms and conditions as may be laid down in the Ordinances ;

Provided that where the recommendation of the Vice-Chancellor is not accepted by the Executive Council, the matter shall be referred to the Visitor who may either appoint the person recommended by the Vice-Chancellor or ask the Vice-Chancellor to recommend another person to the Executive Council :

Provided further that the Executive Council may, on the recommendation of the Vice-Chancellor, appoint a Professor to discharge the duties of a Rector in addition to his own duties as a Professor.

(2) The term of office of a Rector shall be such as may be decided by the Executive Council but it shall not in any case exceed five years or until the expiration of the term of office of the Vice-Chancellor whichever is earlier and shall be eligible for re-appointment :

Provided that a Rector shall retire on attaining the age of 65 years.

(3) The emoluments and other terms and conditions of service of a Rector shall be such as may be prescribed by the Ordinances.

6. (1) A Rector shall assist the Vice-Chancellor in respect of such matters as may be specified by the Vice-Chancellor in this behalf. He shall also exercise such powers and perform such duties as may be delegated to him by the Vice-Chancellor.

**Powers
and
duties of
Rector.**

(2) Where the Vice-Chancellor is the Chairman of any body or committee of the University and he is absent for any reason whatsoever from any meeting of such body or committee, the Rector, and if there are two or more Rectors, the senior-most Rector shall preside over such meeting.

(3) A Rector shall, on being authorised by the Vice-Chancellor in that behalf, be entitled to be present at and to address any meeting of any authority, body or committee of the University but shall not be entitled to vote thereat :

Provided that if the Rector is a member of such authority, body or committee, such Rector shall have all the rights and privileges of a member thereof.

Dean of
School of
Studies.

7. (1) Every Dean of a School of Studies shall be appointed by the Vice-Chancellor for a period of three years and he shall be eligible for re-appointment :

Provided that when the office of the Dean is vacant or when the Dean is, by reason of illness or absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(2) The Dean shall be the Head of the School of Studies and shall be responsible for the conduct and standard of teaching and research in the School. He shall have such other functions as may be prescribed by the Ordinances.

(3) The Dean shall have the right to be present and to speak at any meeting of a board or committee of the School, as the case may be, but not the right to vote thereat unless he is a member thereof.

Registrar.

8. (1) The Registrar shall be appointed by the Executive Council and shall be a whole-time salaried officer of the University.

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

(3) The Registrar shall not by reason only of his being Secretary of the Court, the Executive Council and the Academic Council, be deemed to be a member of any of these authorities.

(4) The Registrar shall—

(a) be the custodian of the records, the common seal and such other properties of the University as the Executive Council shall commit to his charge;

(b) conduct the official correspondence of the Court, the Executive Council and the Academic Council;

(c) supply to the Visitor copies of the agenda of meetings of the authorities of the University as soon as they are issued and the minutes of the meetings of the authorities ordinarily within a month of the holding of the meetings;

(d) in an emergency, when the Vice-Chancellor or any of the Rectors is not able to act, call a meeting of the Executive Council forthwith and take its directions for carrying on the work of the University;

(e) represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representative for the purpose; and

(f) perform such other duties as may be specified in these Statutes, or prescribed by the Ordinances or the Regulations or as may be required, from time to time, by the Executive Council or the Vice-Chancellor.

¹(5) (a) The Registrar, or in relation to Accounts and Audit Staff of the University the Finance Officer, shall have power to take disciplinary action against the employees belonging to the ministerial staff and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or the withholding of increment:

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar, or as the case may be the Finance Officer, imposing the penalty of the withholding of increment.

(c) In a case where the inquiry discloses that a punishment beyond the powers of the Registrar, or, as the case may be, the Finance Officer is called for, the Registrar or, as the case

¹ Amended with the approval of the Visitor w.e.f. 4-1-1972.

may be, the Finance Officer shall, upon conclusion of the inquiry, make report to the Vice-Chancellor along with his recommendations, for such action as the Vice-Chancellor deems fit :

Provided that an appeal shall lie to the Executive Council against the order of the Vice-Chancellor imposing the penalty of dismissal.

Finance Officer.

9. (1) The Finance Officer shall be appointed by the Executive Council and shall be a whole-time salaried officer of the University.

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

(3) The Finance Officer shall—

(a) exercise general supervision over the funds of the University and shall advise it as regard its financial policy ; and

(b) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by these Statutes or the Ordinances :

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding Rs. 10,000 without the previous approval of the Executive Council.

(4) Subject to the control of the Executive Council, the Finance Officer shall—

(a) hold and manage the property and investments including trust and endowed property for furthering any of the objects of the University ;

(b) see that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for a 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 for their presentation to the Executive Council;

(d) keep a constant watch on the state of the cash and bank balances and on the state of investments;

(e) watch the progress of collection of revenue and advise on the methods of collection employed;

(f) have the accounts of the University regularly audited by an internal audit party;

(g) see that the registers of buildings, land, furniture and equipment are maintained up-to-date and that the stock-checking is conducted of equipment and other consumable materials in all offices, Special Centres, Specialised Laboratories, colleges and institutions maintained by the University;

(h) call for explanation for unauthorised expenditure and for other financial irregularities and suggest disciplinary action against the persons at fault; and

(i) call for from any office or college or institution under the University any information or returns that he may consider necessary to discharge his financial responsibilities.

(5) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for the same.

10. (1) The following shall also be the officers of the University namely :—

Officers
of the
University.

(a) Dean of Students,

(b) Chief Proctor,

(c) Librarian.

(2) ¹(a) The Dean of Students shall be appointed from amongst the teachers of the University not below the rank of a Reader by the Executive Council on the recommendation of the Vice-Chancellor. The Dean so appointed shall be a

¹ Substituted with the approval of the Visitor w.e.f. 13-7-1972.

whole-time officer and shall hold office for a term of three years and shall be eligible for re-appointment:

Provided that the Executive Council may, if it is considered necessary, appoint, on the recommendation of the Vice-Chancellor, a teacher, not below the rank of a Reader, to discharge the duties of the Dean of the Students in addition to his duties and in such a case the Executive Council may sanction a suitable allowance.

¹(b) The person who is appointed as the Dean of Students shall continue to hold his lien on his substantive post and shall be eligible to all the benefits that would have otherwise accrued to him but for his appointment as Dean of Students.

(c) When the office of the Dean of Students is vacant or when the Dean of Students is, by reason of illness or absence for any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(d) The duties and powers of the Dean of Students shall be prescribed by the Ordinances.

(3) (a) The Chief Proctor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor and shall exercise such powers and perform such duties in respect of the maintenance of discipline among the students as may be assigned to him by the Vice-Chancellor.

(b) The Chief Proctor shall hold office for a term of two years and shall be eligible for re-appointment.

(4) (a) The Librarian shall be appointed by the Executive Council and shall be a whole-time salaried officer of the University.

(b) The duties and powers of the Librarian shall be regulated by the Ordinances.

The Court.

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

Ex-Officio Members

- (i) The Chancellor;
- (ii) The Vice-Chancellor;

¹Substituted with the approval of the Visitor w.e.f. 13-7-1972.

²Substituted with the approval of the Visitor w.e.f. 12-2-1974.

- (iii) The Rector or the Rectors;
- (iv) The remaining members of the Executive Council who are not otherwise members of the Court;
- (v) The Dean of Students;
- (vi) The Chief Proctor;
- (vii) The Registrar;
- (viii) The Finance Officer;
- (ix) One Senior Warden, by rotation;
- (x) The University Librarian;
- (xi) The President, Alumni Association;

Representatives of Schools

- (xii) All Deans of Schools of Studies;
- (xiii) All Heads of Centres/Departments who are not Deans;
- (xiv) One Professor or Senior Fellow, one Associate Professor or Fellow and one Assistant Professor or Associate Fellow from each School of Studies, who are members of the Academic Council under Statute 15(1) (ix);

Representatives of Recognised Institutions

- (xv) One representative from each institution recognised by the University, nominated by the Vice-Chancellor on the recommendation of the Head of the institution;

Representatives of Parliament

- (xvi) Ten representatives of Parliament, six to be nominated by the Speaker of the Lok Sabha and four by the Chairman of the Rajya Sabha;

*Persons Representing Learned Professions,
Industry, Commerce and Agriculture*

- (xvii) Not more than ten persons representing learned professions to be nominated by the Visitor;
- (xviii) Not more than six persons representing Industry, Labour, Commerce and Agriculture, to be nominated by the Visitor;

Other Nominated Members

(xix) Not more than five persons to be nominated by the Visitor;

(xx) Not more than two persons to be nominated by the Chancellor;

Provided that in making nominations under items (xvii) to (xx) due regard shall be given to the representation of different interests, professions, cultures, and learning and also of the different regions of the country;

Provided further that no employee of the University or of a recognised institution shall be eligible to be a member under any of the items (xvii) to (xx).

(2) When an elected member of the Court becomes an *ex-officio* member before the expiry of his terms, he shall cease to be an elected member.

(3) If any body of persons entitled to elect members fails to do so within the time prescribed by the Court, the Court may appoint as a member any person whom that body of persons could have elected as a member :

Provided that in the case of first elections to the Court, the powers conferred upon the Court by this clause shall be exercisable by the Executive Council.

(4) Save as otherwise expressly provided, a member of the Court shall hold office for a period of three years.

(5) Thirty members of the Court shall form the quorum :

¹[Provided that in relation to the Court consisting of members nominated by the Visitor under clause (a) of Section 26 of the Act, twenty members of the Court shall form the quorum.]

Meetings of
the Court.

12. (1) An annual meeting of the Court shall be held on a date fixed by the Executive Council and at such annual meetings a report of the proceedings of the Executive Council and a report of the working of the University during the previous year together with a statement of the receipts and

¹Added by the Executive Council with the approval of the Visitor w.e.f. 27-4-1970.

expenditure, the balance-sheet as audited and the Budget for the next financial year shall be presented by the Executive Council and any vacancies among the officers of the University or among the members of the Court or the Executive Council which ought to be filled up by the Court shall also be filled up.

(2) A copy each of the reports together with a copy of the statement of receipts and expenditure and of the balance-sheet and the budget referred to in Clause (1) shall be sent to every member of the Court at least seven days before the date of the annual meeting.

¹13(1) The Executive Council shall consist of the following members namely :—

Executive
Council

- (i) The Vice-Chancellor, *ex-officio* ;
- (ii) The Rector, *ex-officio* ;
- (iii) The Dean of Students, *ex-officio* ;
- (iv) Not more than five Deans of Schools of Studies of whom not more than three shall be from each of the Groups specified below by rotation according to seniority :

Group I

Schools of Social Sciences, International Studies
Languages and Creative Arts.

Group II

Schools of Life Sciences, Computer and Systems Sciences and Theoretical and Environmental Sciences;

- (v) Four persons nominated by the Visitor;
- (vi) Three teachers of the University nominated by the Visitor on the recommendation by the Vice-Chancellor ;
- (vii) Three members of the Court, nominated by the Visitor, none of whom shall be an employee of the University or an institution recognised by or associated with the University ;
- (viii) Such number of Heads of institutions recognised by, or associated with, the University, as may be

¹Substituted by the Executive Council with the approval of the Visitor w.e.f. 13-7-1972.

determined by the Visitor from time to time and nominated by him:

Provided that not more than two persons who are associated with institutions of higher learning and research may be nominated by the Visitor for a period of two years from 17th July, 1972.

(2) The members of the Executive Council shall hold office for a term of two years :

Provided that the members referred to in items (iv) and (vii) of clause (1) shall cease to be members of the Executive Council when they cease to be Deans and members of the Court respectively :

Provided further that the members referred to in items (vi) and (vii) of Clause (1) who are nominated in 1972 shall cease to be such members of the Executive Council, if—

(i) the Court and the Academic Council are constituted in terms of Statutes 11 and 15 respectively, and

(ii) all the following seven Schools of Studies begin to function before the 16th July, 1974, namely :—

(i) The School of Social Sciences

(ii) The School of International Studies

(iii) The School of Life Sciences

(iv) The School of Languages

(v) The School of Computer and Systems Sciences

(vi) The School of Theoretical and Environmental Sciences

(vii) The School of Creative Arts.

(3) The term of office of the members of the Executive Council shall commence from the date of appointment, or nomination, as the case may be.

(4) Six members of the Executive Council shall form the quorum.

Powers
of the
Executive
Council.

14. Subject to the provisions of the Act, these Statutes and the Ordinances, the Executive Council shall, in addition to any other powers vested in it, have the following powers, namely :—

¹(i) to appoint such Professors, Readers, Lecturers, Senior Fellows, Fellows, Associate Fellows and other members of the teaching staff as may be necessary, on the recommendations of the Selection Committees constituted for the purpose, and to provide for filling temporary vacancies therein;

(ii) to fix the emoluments and define the duties and conditions of service of Professors, Readers, Lecturers, Senior Fellows, Fellows, Associate Fellows and other members of the teaching staff:

Provided that no action shall be taken by the Executive Council in respect of the number, the qualifications and the emoluments of teachers otherwise than after consideration of the recommendations of the Academic Council;

(iii) to create administrative, ministerial and other necessary posts and to make appointments thereto ;

(iv) to regulate and enforce discipline among the members of the teaching, administrative and ministerial staff of the University in accordance with these Statutes and the Ordinances;

(v) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University and, for that purpose, to appoint such agents as it may think fit;

(vi) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares or securities, as it shall, from time to time, think fit, or in the purchase of immovable property in India, with the like powers of varying such investments from time to time;

(vii) (a) to accept on behalf of the University any trust, bequest, donation or transfer of any movable or immovable property to the University; and

(b) to transfer any movable or immovable property on behalf of the University;

¹Amended by the Executive Council with the approval of the Visitor w.e.f. 19-9-1970.

(viii) to provide the buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University;

(ix) to enter into, vary, carry out and cancel contracts on behalf of the University;

(x) to entertain, adjudicate upon, and if it thinks fit, to redress, any grievances of the salaried officers, the teaching staff and other employees of the University who may for any reasons feel aggrieved :

Provided that, in matters of discipline and punishment, where the final power has been vested in the Vice-Chancellor or any other officer of the University, no appeal shall lie to the Executive Council;

(xi) to appoint examiners and moderators and if necessary, to remove them, and to fix their fees, emoluments and travelling and other allowances after consulting the Academic Council;

(xii) to select a common seal for the University and provide for the custody and use of the seal;

(xiii) to institute Fellowships, Scholarships, Studentships, Medals and Prizes;

(xiv) to delegate any of its powers to the Vice-Chancellor, the Registrar or such other officer of the University or to a Committee appointed by it as it may deem fit.

Academic Council.

15. (1) The Academic Council shall consist of the following members namely :—

- (i) The Vice-Chancellor;
- (ii) The Rector or the Rectors;
- (iii) The Deans of Schools of Studies;
- (iv) The Dean of Students;
- (v) The Chief Proctor;
- (vi) One Senior Warden, by rotation;

¹ Substitute by the Executive Council with the approval of the Visitor w.e.f. 12-2-1974.

- (vii) The University Librarian;
- (viii) Heads of Centres/Departments;

(ix) One Professor or Senior Fellow and one Associate Professor or Fellow other than those referred to in items (ii), (iv), (v), (vi) and (viii) and one Assistant Professor or Associate Fellow other than those referred to in items (v) and (vi) from each School of Studies, by rotation in order of seniority within the School and in the respective category;

(x) Two students from each School of Studies of whom at least one shall be a student of M.Phil. or Ph.D. Course, to be elected by the students of that School; provided, further, that in the case of the School of Languages, at least one of the students elected shall be a Post-graduate student;

- (xi) President of the University Teachers' Association;
- (xii) President of the University Students' Union;

(xiii) One faculty member from each of the Academic Committees of recognised institutions to be co-opted by the Academic Council on the recommendation of the Vice-Chancellor;

(xiv) Such number of experts (not being employees of the University or an institution recognised by the University) as there are Schools of Studies to be co-opted by the Academic Council on the recommendation of the Vice-Chancellor for their special knowledge.

(2) All members of the Academic Council, other than *ex-officio* members, shall hold office for a term of two years :

Provided that the members referred to in item (x) of clause (1) shall cease to be members of the Academic Council when they cease to be students of the School.

(3) No member referred to in items (x) and (xii) of clause (1) shall have the right to be present at the meeting of the Academic Council when it takes up for consideration any of the following subjects :

(a) Faculty positions, recruitment, conditions of service and academic freedom;

(b) Actual processes of evaluating academic performance and merit of students.

(4) Fifteen members of the Academic Council shall form the quorum.

Powers
and duties
of the
Academic
Council.

16. Subject to the provisions of the Act and these Statutes, the Academic Council shall, in addition to all other powers vested in it, have the following powers, duties and functions, namely :—

(i) to report on any matter referred to it by the Court or the Executive Council;

(ii) to make proposals to the Executive Council for the establishment of Departments, Colleges, Institutions of higher learning, Special Centres, Specialized Laboratories, Libraries and Museums;

(iii) to formulate, modify or revise schemes for the organisation of, and assignment of subjects to Schools of Studies;

(iv) to consider proposals submitted by the Schools of Studies;

(v) to promote research within the University and to require, for time to time, reports on such research;

(vi) to make recommendations to the Executive Council with regard to the creation and abolition of teaching posts in the University and the classification of the said posts and the emoluments and duties attaching thereto;

(vii) to recognise diplomas and degrees of other Universities and institutions and to determine their equivalent diplomas and degrees of the Jawaharlal Nehru University;

(viii) to appoint Committees for admission to the University;

(ix) to publish lists of prescribed or recommended text-books and to publish the syllabuses of prescribed courses of study;

(x) to make such arrangements for the instruction and examination of persons, not being members of the University, as may be necessary;

(xi) to recommend to the Executive Council draft Ordinances regarding examinations of the University and

the conditions on which students should be admitted to such examinations;

(*xii*) to make recommendations to the Executive Council in regard to the appointment of examiners and, if necessary, their removal and the fixation of their fees, emoluments and travelling and other expenses;

(*xiii*) to make arrangements for the conduct of examinations and to fix dates for holding them;

(*xiv*) to declare the results of various University examinations, or to appoint Committees or Officers to do so;

(*xv*) to make recommendations for the conferment of honorary degrees and to confer or grant degrees, academic distinctions, honours, diplomas, licences, titles and marks of honour;

(*xvi*) to make proposals to the Executive Council for the institution of fellowships, scholarships, studentships, medals and prizes and to award the same;

(*xvii*) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of the Act, these Statutes and the Ordinances;

(*xviii*) to promote the health and welfare of students and to constitute a Council of Students' Affairs consisting of such number of teachers and students as may be prescribed by the Ordinances, to advise the Academic Council on matters relating to the welfare of the students of the University.

17. (1) The members and the Chairman of the Academic Advisory Committee shall be appointed by the Visitor and shall hold office for such period as he may determine.

The
Academic
Advisory
Com-
mittee.

(2) The Academic Advisory Committee shall, in addition to all other powers vested in it by the Act have the right to advise the Executive Council and the Academic Council on any academic matter.

(3) On the date determined by the Visitor under sub-section (3) of section 14, this Statute shall cease to have effect.

Schools of
Studies.

18. (1) The University shall have such Schools of Studies as may be specified in the Ordinances.

(2) (a) Every School of Studies (hereinafter referred to as the School) shall consist of such Departments as may be assigned to it by the Ordinances.

(b) Each Department shall consist of the following members, namely:—

- (i) Teachers of the Department;
- (ii) Persons appointed to conduct research in the Department;
- (iii) Honorary Professors, if any, attached to the Department;
- (iv) Such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

¹(c) (I) Each Department shall have a Head who may be a Professor or, if there is no Professor, a Senior Fellow or, if there is no Professor or a Senior Fellow, Reader :

Provided that where in any Department—

- (i) there are two or more Professors, or
- (ii) there is no Professor but there are two or more Senior Fellows, or
- (iii) there is no Professor or a Senior Fellow but there are two or more Readers,

the Executive Council shall appoint one of the Professors, Senior Fellows or Readers, as the case may be, as the Head of the Department.

(II) The duties and functions of a Head of the Department shall be as prescribed by the Ordinances.

(3) Every School shall have a Board consisting of the following members, namely :—

- (i) The Dean of the School;
- (ii) The Heads of Departments in the School;

¹Substituted by the Executive Council with the approval of the Visitor w.e.f. 19-9-1970

(iii) The Professors in the Departments in the School;

(iv) One Reader and one Lecturer, by rotation according to seniority, from each Department in the School;

(v) Five members elected by the Academic Council for their special knowledge in any subject assigned to the School or in any allied branch of knowledge;

(vi) Such other members, but not exceeding five, as may be specified in the Ordinances;

¹(vii) One student from each Centre of the School, elected from amongst the students of the Centre, provided that they shall not have the right to be present when any of the following subjects are taken up for consideration by the Board:

(a) Faculty positions, recruitment, conditions of service and academic freedom; and

(b) Actual processes of evaluating academic performance and merit of students.

(4) All members of a Board other than *ex-officio* members, shall hold office for a term of three years and shall be eligible for re-election or re-appointment, as the case may be. The first term of members shall commence from such date as may be notified by the University.

(5) Every Board shall have such powers and shall perform such duties as may be prescribed by the Ordinances.

(6) The conduct of the meetings of a Board and the quorum required shall be prescribed by the Ordinances.

19. (1) The Finance Committee shall consist of the following members, namely :—

Finance
Com-
mittee.

(i) The Vice-Chancellor;

²(ii) Two persons, nominated by the Visitor;

(iii) Three persons, who are not employees of the University or of any recognised institution nominated by the Executive Council.

¹Added by the Executive Council with the approval of the Visitor w.e.f. 12-2-1974.

²Amended with the approval of the Visitor w.e.f. 12-8-1971.

(2) The Finance Officer shall be the Secretary of the Finance Committee.

(3) Three members of the Finance Committee shall form the quorum.

(4) All members of the Finance Committee, other than *ex-officio* members, shall hold office for a term of three years.

(5) The Vice-Chancellor shall preside at the meetings of the Finance Committee.

(6) The Finance Committee shall meet at least twice every year to examine accounts and scrutinise proposals for expenditure.

(7) The annual accounts and financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Executive Council for approval with or without amendments.

Com-
mittees.

20. The Court, the Executive Council or the Academic Council may appoint Boards or Committees consisting of members of the authority making such appointment and of such other persons (if any) as that authority in each case may think fit; and any such Board or Committee may deal with any subject assigned to it subject to subsequent confirmation by the authority which appointed it.

Elected
Chairman
to preside
where no
provision
made in
Statutes.

21. Where, by the Statutes or the Ordinances, no provision is made for a Chairman to preside over a meeting of any University Authority, Board or Committee, or when the Chairman so provided for is absent, the members present shall elect one among themselves to preside at the meeting.

Resigna-
tion.

22. (1) Any member other than an *ex-officio* member of the Court, the Executive Council, the Academic Council or any other authority of the University or committee may resign by letter addressed to the Registrar and the resignation shall take effect as soon as such letter is received by the Registrar.

(2) Any officer of the University (whether salaried or otherwise) may resign his office by 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.

23. (1) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University—

Disqualifications.

(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;

(b) if he is an undischarged insolvent;

(c) if he has been convicted by a Court of Law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months

(2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in sub-section (1), the question shall be referred for the decision of the Visitor and his decision shall be final, and no suit or other proceeding shall lie in any court of law against such decision.

24. Any proposal for the conferment of honorary degrees shall be made by the Academic Council to the Executive Council, and the proposal if accepted by the Executive Council shall require the assent of the Court before submission to the Chancellor for confirmation.

Honorary degrees.

25. 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 any degree or academic distinction conferred on, or any certificate or diploma granted to, any person by the University for good and sufficient cause:

Withdrawal of degrees, etc.

Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice 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.

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University
teachers.

26. 1) Teachers of the University shall be of two classes, namely :—

- (i) Appointed teachers of the University;
- (ii) Recognised teachers of the University.

(2) Appointed teachers of the University shall be either—

(a) employees of the University paid by the University and appointed by the Executive Council as Professors, Readers or Lecturers or otherwise as teachers of the University, or

(b) persons appointed by the Executive Council as Honorary Professors, Emeritus Professors, Readers or Lecturers or otherwise as teachers of the University.

(3) Recognised teachers of the University shall be the members of the staff of a recognised institution other than an institution maintained by the University:

Provided that no such member of the staff shall be deemed to be a recognised teacher unless he is recognised by the Executive Council as a Professor, Reader or in any other capacity as a teacher of the University.

(4) The qualifications of recognised teachers of the University shall be such as may be prescribed by the Ordinances.

(5) All applications for the recognition of teachers of the University shall be made in such manner as may be laid down by the Regulations made by the Executive Council in that behalf.

(6) The period of recognition of a teacher of the University as Professor or Reader shall be determined by Ordinances made in that behalf. A person in the service of a recognised institution other than an institution maintained by the University, recognised as a teacher of the University otherwise than as a Professor or Reader shall continue to be recognised so long as he is in the service of the institution.

(7) 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 from a teacher:

Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice 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.

(8) A person aggrieved by an order of withdrawal under clause (7) may, within three months from the communication to him of such order, appeal to the Executive Council who may pass such orders thereon as it thinks fit.

(9) No person shall be appointed or recognised as a teacher of the University except on the recommendation of a Selection Committee constituted for the purpose.

27. (1) There shall be Selection Committees for making recommendations to the Executive Council for appointment to the posts of Professor, Reader, Lecturer, Registrar, Finance Officer and Librarian.

Selection
Committees.

(2) Every Selection Committee shall consist of the Vice-Chancellor, who shall be the Chairman thereof, and a person nominated by the Visitor; 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 :

TABLE

1	2
Professor	(i) The Head of the Department concerned if he is a Professor; (ii) Three persons not connected with the University, nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in, the subject with which the Professor will be concerned.

1	2
¹ Senior Fellow	<ul style="list-style-type: none"> (i) The Head of the Department concerned if he is a Professor or a Senior Fellow ; (ii) Three persons not connected with the University nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in, the subject with which the Senior Fellow will be concerned.
Reader, Lecturer	<ul style="list-style-type: none"> (i) The Head of the Department concerned; (ii) Two persons not connected with the University, nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in, the subject with which the Reader or Lecturer will be concerned.
¹ Fellow, Associate Fellow	<ul style="list-style-type: none"> (i) The Head of the Department concerned; (ii) Two persons not connected with the University nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in, the subject with which the Fellow or Associate Fellow will be concerned.
Registrar, Finance Officer	Three members of the Executive Council nominated by it.

¹Added with the approval of the Visitor w.e.f. 19-9-1970.

1	2
Librarian	Three persons not connected with the University, who have special knowledge of the subject of Library Science to be nominated by the Executive Council.

(3) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the Ordinances.

(4) If the Executive Council is unable to accept any recommendation made by the Selection Committee, it may remit the same to the Selection Committee for reconsideration and if the difference is not resolved, the Executive Council shall record its reasons and submit the case to the Visitor for orders.

(5) The constitution of the Selection Committees for the purpose of recognising teachers shall be provided for by the Ordinances.

¹28. Notwithstanding anything contained in Statute 27, the Executive Council may invite a person of high academic distinction and professional attainment to accept a post of Professor or Reader or Senior Fellow in the University, as the case may be, on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post.

Special mode of appointment.

¹29. (1) Every teacher and salaried officer and such other employees as are mentioned in the Statutes shall be appointed under a written contract, which shall be lodged with the University and a copy thereof shall be furnished to the officer or teacher or employee concerned.

Conditions of service of officers, etc.

(2) Any dispute arising out of a contract between the University and those mentioned in clause (1) shall, at the request of the teacher or officer or employee concerned, or at the instance of the University, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or

¹Amended with the approval of the Visitor w.e.f. 19-9-1970.

teacher concerned and an umpire appointed by the Visitor, and the decision of the Tribunal shall be final.

Teachers of the School of International Studies to be teachers of the University.

129A. Notwithstanding anything contained in—

(i) clause (9) of Statute 26,

(ii) Statute 27 and

(iii) the persons employed as teachers in the Indian School of International Studies, a School maintained by a society having the same name, shall on and from the date of incorporation of the said School in the University, be deemed to be the teachers of the University.

Removal of teachers.

30. (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 Executive Council the circumstances in which the order was made:

Provided that the Executive Council 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 the terms of his contract of service or of his appointment, the Executive Council shall be entitled to remove a teacher on the ground of misconduct.

(3) Save as aforesaid, the Executive Council shall not be entitled to remove a teacher except for good cause and after giving three months' notice in writing or payment of three months' salary in lieu of notice.

(4) No teacher shall be removed under Clause (2) or under Clause (3) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(5) The removal of a teacher shall require a two-thirds majority of the members of the Executive Council present and voting.

¹Added with the approval of the Visitor w.e.f. 5-10-1970.

(6) 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.

(7) Notwithstanding anything contained in these Statutes, the teacher shall be entitled to resign by giving three months' notice in writing to the Executive Council.

31. (1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee of the University, other than a teacher, may be removed by the authority which is competent to appoint the employee—

Removal
of employ-
ees other
than
teachers.

(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;

(b) if he is an undischarged insolvent;

(c) if he has been convicted by a court of law of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months;

(d) if he is otherwise guilty of misconduct:

Provided that no officer of the University shall be removed from his office unless a resolution to that effect is passed by the Executive Council by a majority of two-thirds of its members present and voting.

(2) No such employee shall be removed under clause (1) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (1), he shall be given three months' notice in writing or paid three months' salary in lieu of notice.

(4) Notwithstanding anything contained in these Statutes, an employee of the University, not being a teacher, shall be entitled to resign—

(i) in the case of a permanent employee, only after giving three months' notice in writing to the appointing

authority or paying to the University three months' salary in lieu thereof;

- (ii) in any other case, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof.

Maintenance of discipline among students of the University.

32. (1) All powers relating to discipline and disciplinary action in relation to students shall vest in the Vice-Chancellor.

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

(3) 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 aforesaid, order or direct that any student or students be expelled from any college or institution maintained by the University, Department, Special Centre or Specialised Laboratory, or be, for a stated period rusticated or be not, for a stated period, admitted to a course or courses of study in any such college or institution, Department, Special Centre, or Specialised Laboratory, or be fined in a sum of rupees that may be specified, or be debarred from taking an examination or examinations for one or more years or that the results of student or students concerned in the examination or examinations in which he has or they have appeared be cancelled.

(4) The Principals, or, as the case may be, the Heads of the Colleges, Institutions, Departments, Special Centres or Specialised Laboratories shall have the authority to exercise all such disciplinary powers over the students in their respective colleges, institutions, Departments, Special Centres or Specialised Laboratories as may be necessary for the proper conduct of such Colleges, Institutions, Departments, Special Centres or Specialised Laboratories.

(5) Without prejudice to the powers of the Vice-Chancellor and the Chief Proctor as aforesaid, detailed rules of discipline and proper conduct shall be framed. The Principals or, as the case may be, the Heads of the Colleges,

Institutions, Departments, Special Centres or Specialised Laboratories may frame such supplementary rules as they deem necessary for the aforesaid purposes. Every student shall provide himself with a copy of these rules.

33. The membership of any students' organisation shall be voluntary.

Member-
ship of stu-
dents orga-
nisation.

34. (1) There shall be an Alumni Association established for the Jawaharlal Nehru University.

Alumni
Associ-
ation.

(2) The subscription for membership of the Alumni Association shall be prescribed by the Ordinances.

(3) No member of the Association shall be entitled to vote or stand for election unless he has been a member of the Association for at least one year prior to the date of the election and is a graduate of the University of at least five years' standing:

Provided that the condition relating to the completion of one year's membership shall not apply in the case of the first election after the commencement of the Act.

35. Subject to the provisions of the Act and these Statutes, the Ordinances may provide for all or any of the following matters, namely:—

Ordinances

(a) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;

(b) the conditions of the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;

(c) the conduct of examinations, including the terms of office and manner of appointment and the duties of examining bodies, examiners and moderators;

(d) the maintenance of discipline among the students of the University;

(e) the conditions of residence of students at the University;

(f) the special arrangements, if any, which may be made for the residence, discipline and teaching of

women students and the prescribing for them of special courses of study;

(g) the giving of moral instruction;

(h) the numbers, qualifications, emoluments and the terms and conditions of service, of teachers of the University;

(i) the management of colleges, institutions maintained by the University, Special Centres and Specialised Laboratories;

(j) supervision and inspection of colleges, recognised institutions, Special Centres and Specialised Laboratories;

(k) all other matters which by the Act or these Statutes are to be or may be provided for by the Ordinances.

Ordi-
nances
how made.

36. (1) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government.

(2) The said Ordinances may be amended, repealed or added to at any time by the Executive Council provided that—

(a) no Ordinance shall be made affecting the conditions of residence or discipline of students, except after consultation with the Academic Council;

(b) no Ordinance shall be made—

(i) affecting the admission or enrolment of students or prescribing examinations, to be recognised as equivalent to the University examinations, or

(ii) affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examination or any course of study,

unless a draft of such Ordinance has been proposed by the Academic Council.

(3) The Executive Council shall not have power to amend any draft proposed by the Academic Council under

clause (2) but may reject the proposal or return the draft to the Academic Council for reconsideration, either in whole or in part, together with any amendments which the Executive Council may suggest.

(4) Where the Executive Council has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may, within two months of the date of such rejection, appeal to the Visitor and he may, by order, direct that the proposed Ordinance shall be laid before the next meeting of the Court for its approval and that pending such approval, it shall have effect from such date as may be specified in the order :

Provided that if the Ordinance is not approved by the Court at such meeting, it shall cease to have effect.

(5) All Ordinances made by the Executive Council shall be submitted, as soon as may be, to the Visitor and the Court, and shall be considered by the Court at its next meeting; and the Court shall have power, by a resolution passed by a majority of not less than two-thirds of the members present and voting, to cancel any Ordinance made by the Executive Council, and any such Ordinance shall, from the date of such resolution, cease to have effect.

(6) The Visitor may, by order, direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance and any order of suspension under this Clause shall cease to have effect on the expiration of one month from the date of such order or on the expiration of fifteen days from the date of consideration of the Ordinance by the Court, whichever period expires later.

(7) The Visitor may, within three months after any Ordinance has been considered by the Court, signify to the Executive Council his disallowance of the Ordinance, and from the date of receipt by the Executive Council of intimation of such disallowance, the Ordinance shall cease to have effect.

37. (1) The authorities of the University may make Regulations consistent with this Act, these Statutes and the Ordinances :—

Regulations.

(a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;

(b) providing for all matters which by this Act, these Statutes or the Ordinances are to be prescribed by Regulations;

(c) providing for all other matters solely concerning such authorities or committees appointed by them and not provided for by this Act, these Statutes or the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the member of such authority of the dates of meetings and of the business to be considered at meetings and for the keeping of a record of the proceedings of meetings.

(3) The Executive Council may direct the amendment in such manner as it may specify, of any Regulation made under this Statute or the annulment of any such Regulation.

Degrees,
Diplomas.

138. (1) The University shall confer the following Degrees, namely :—

(i) Doctor of Letters, Science and Laws;

(ii) Doctor of Philosophy;

(iii) Doctor of Medicine and Master of Surgery;

(iv) Master of Philosophy;

(v) Master of Arts, Science, Commerce, Laws, Engineering, Technology, Agricultural Sciences;

(vi) Bachelor with Honours of Arts, Science, Commerce;

(vii) Bachelor of Medicine and Surgery, Engineering, Technology, Laws, Agricultural Sciences;

(viii) Such other Bachelors' or Masters' Degrees as may be prescribed by the Ordinances.

(2) The University shall award Diplomas and Certificates in such subjects as may be specified in the Ordinances.

¹Added by the Executive Council with the approval of the Visitor w.e.f. 10-10-1969.

39. (1) The University shall maintain or recognise or associate with it the following institutions, namely :—

Recognised Institutions.

- A. Institutions maintained by the University.
 - (i) Institute of Russian Studies.
- B. Institutions recognised by the University.
- C. Institutions associated with the University.

(2) Terms and Conditions under which any institution may be recognised under clause (1))B) shall be provided for by the Ordinances.

40. (1) The management of the following schemes—

- (a) General Provident Fund-cum Pension-cum-Gratuity Scheme (Appendix A);
- (b) Contributory Provident Fund-cum-Gratuity Scheme (Appendix B);

General Provident Fund-cum-Pension-cum-Gratuity AND Contributory Provident Fund-cum-Gratuity

shall be vested in the Executive Council.

(2) The provisions of the Statute shall be deemed to have come into effect from 22nd April, 1969.

Note :—The employees of the University's maintained Institutions shall be governed by separate provisions.

(3) In the Appendices A and B to this Statute unless there is anything repugnant in the subject or context :—

- (a) “*Emoluments*” means ‘Pay’, including Dearness Pay, if any, drawn by an employee immediately before the date of his retirement or relinquishment of service:

Provided that for purposes of calculation of the amount of gratuity admissible to a person in receipt of emoluments in excess of Rs. 1,800 p.m., his emoluments shall be reckoned at Rs. 1,800 p.m.

Note :—(1) If an employee immediately before his retirement or relinquishment of service, has been absent from duty on leave with allowances, his emoluments for purposes of calculating service gratuity/or death-cum-retirement gratuity should be taken at what they would have been had he not been absent from duty.

Provided that the amount of gratuity is not increased on account of increase in pay not actually drawn and that benefit of higher officiating or temporary pay is given only if it is certified that he would have continued to hold the higher officiating or temporary appointment but for his proceeding on leave.

Note :—(2) Pay includes the pay drawn in tenure appointment (s).

(b) “*Average emoluments*” means the average of the emoluments as defined above, calculated in respect of the last three years of service:

Provided that if during the last three years of service a person has been absent from duty on leave without allowances or suspended under such circumstances that the period of suspension does not count as service, the period so passed shall be disregarded in the calculation of average emoluments, an equivalent period prior to the three years being included.

(c) “*Family*” for the purpose of General Provident Fund and Contributory Provident Fund means.

(i) In the case of a male subscriber, the wife or wives and children of a subscriber and the widows and children of a deceased son of the subscriber.

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber’s family in matters to which these rules relate, unless the subscriber subsequently intimates in writing to the Finance Officer that she shall continue to be so regarded.

(ii) In the case of a female subscriber, the husband, children of the subscriber, and the widows and children of a deceased son of the subscriber:

Provided that if a subscriber by notice in writing to the Finance Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the

subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels such notice in writing.

Note :—'Child' means a legitimate child and includes an adopted child where adoption is recognised by the personal law covering the subscriber.

(d) 'Fund' means the General Provident Fund or the Contributory Provident Fund of the University as per context.

(e) "Leave" means any variety of leave recognised by the University.

(f) "Pay" means the amount drawn monthly by a person as pay which has been sanctioned for the post held by him substantively or in an officiating capacity and includes special pay and personal pay, if any.

(g) "Personal Pay" means additional pay granted to a person—

(i) to save him from a loss of substantive pay in respect of a permanent post owing to revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure ; or

(ii) in exceptional circumstances on other personal considerations.

(h) "Substantive Pay" means the pay other than special pay, personal pay or emoluments classed as pay by the Executive Council, to which a University employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.

(i) "Special Pay" means an addition of the nature of pay to the emoluments of a post or of a person granted in consideration of the specially arduous nature of his duties or of a specific addition to his work or responsibility.

(j) "Tenure Post" means a permanent post which an individual may not hold for more than a limited period.

(k) "Qualifying Service" means service rendered by a person in a substantive capacity including periods spent on

probation. All service rendered in the University on a fulltime basis in a temporary or officiating capacity followed without interruption by confirmation in the same or another post shall count as qualifying service except in respect of periods of service in "Work-charged" establishment and periods of service paid from "contingencies".

Explanation I—Counting of period of leave as qualifying service :

(i) All periods of leave with pay and allowances shall count as qualifying service.

(ii) The period spent on deputation for training or deputation for any special purpose including periods of travel to and from the country of deputation shall count as qualifying service; provided that if the employee has availed himself of any extraordinary leave without allowances during the period of deputation, the period of such extraordinary leave shall be excluded except as provided under Note below sub-clause (ii) of Explanation II.

Explanation II—Periods not counting as qualifying service :

The following periods in the service of a person shall not count as qualifying service—

(i) Time passed under suspension by a member of the staff pending inquiry into his conduct where, on conclusion of the inquiry, he has been fully exonerated or the suspension is not held to have been wholly unjustified ; unless the Executive Council expressly declares at the time that it shall count, and then it shall count only to such extent as the Executive Council may declare.

(ii) Extraordinary leave without allowances.

Note 1—Extraordinary leave may be allowed to count at the discretion of the appointing authority in the following circumstances :

(1) if it is taken on appointment in another University/ Institution or any other Authority and that University Institution/Authority or the person concerned makes necessary contribution towards his pension; provided also that such appointment is in public interest;

(2) if it is taken on medical certificate;

(3) if it is taken due to the inability of the person concerned to join or rejoin duty due to civil commotion or a natural calamity or any other cause beyond his control provided that he has no other type of leave to his credit; and

(4) if it is taken for academic pursuits directly connected with the teaching/research job of the employee in the University.

(iii) Unauthorised absence in continuation of authorised leave of absence.

(iv) Service below the age of 18 years.

Explanation III—Addition to qualifying service :

An employee may add to his service qualifying for superannuation pension but not for any other class of pension the actual period not exceeding one-fourth of the full length of his service or the actual period by which his age at the time of recruitment exceeds twenty-five years or a period of five years, whichever is least, if the post is one —

(a) for which Post-Graduate Research or specialist qualifications, or experience in scientific, technological or professional field is essential, and

(b) to which candidates of more than twenty-five years of age are normally recruited:

Provided that this concession shall not be admissible to any such employee unless his actual qualifying service at the time he quits University service is not less than ten years.

The decision to grant this concession shall be taken by the Executive Council at the time of recruitment of the employee.

(l) “Year” means the financial year of the University.

(m) “Injury” means bodily injury resulting from violence, accident or disease assessed by the Competent Authority that may be prescribed by the Executive Council of the University as being not less than severe involving loss of earning power.

Note—Examples of ~~in~~ injuries of certain category are given in Schedule ‘F’.

(n) "*Accident*" means—

- (i) a sudden and unavoidable mishap, or
- (ii) a mishap due to an act of devotion to duty in an emergency arising otherwise than by violence out of and in the course of service.

(o) "*Disease*" means—

(i) disease solely and directly attributable to an accident; or

(ii) an epidemic disease contracted by a person in consequence of his being ordered on duty to an area in which such disease is prevalent, or in consequence of his attending voluntarily, out of humanitarian motives, upon any patient suffering from any such disease in an area where he happens to be in the performance of his duties; or

(iii) venereal disease or septicaemia where such disease or septicaemia is contracted by a Medical Officer as a result of attendance in the course of his official duty on an infected patient or of conducting a post-mortem examination in the course of that duty.

(p) "*Risk of office*" means any risk not being a special risk of accident or disease to which a person is exposed in the course of and as a consequence of his duties, but nothing shall be deemed to be a risk of office which is a risk common to human existence in modern conditions in India unless such risk is definitely enhanced in kind or degree by the nature, conditions, obligations or incidents of service.

Note :—The term 'risk of office' shall include risk of death or injury to which a person is exposed where he attends on a working day, or is required to attend on a holiday, the place of his employment for the performance of his duties during any riot or civil commotion in the locality and while proceeding from his residence to the place of his employment or vice versa, becomes a victim of the said riot or civil commotion.

(q) "*Special Risk*" means :—

- (i) a risk of suffering injury by violence;
- (ii) a risk of injury by accident to which a person is exposed in the course of and as a consequence of the

performance of any particular duty which has the effect of materially increasing his liability to such an injury beyond the normal risk of his office;

(iii) a risk of contracting disease to which a medical officer is exposed as a result of attending in the course of his official duty to a venereal or septicaemia patient or conducting a post-mortem examination in pursuance of that duty

(r) “*Violence*” means the act of a person who inflicts an injury on an employee :

(i) by assaulting or resisting him in the discharge of his duties, or in order to deter or prevent him from performing his duties, or

(ii) because of anything done or attempted to be done by such member of the staff or by any other member of the staff in the lawful discharge of his duty as such, or

(iii) because of his official position.

(s) “*Employee*” means member of the staff (both academic and non-academic) of the University.

(4) (a) A person who joins the University service on or after the 22nd April, 1969, shall opt for one of the two alternative schemes set out in Appendices A and B to this Statute. The option provided for in this sub-clause shall be exercised and communicated to the Finance Officer, in writing within 3 months of the date of notification of the General Provident Fund-cum-Pension-cum-Gratuity and Contributory Provident Fund-cum-Gratuity Schemes, or within 3 months of joining the University service in the case of a new entrant and, when once exercised, shall be final.

A person who does not exercise his option within the aforesaid period of three months, shall be deemed to have opted for the General Provident Fund-cum-Pension-cum-Gratuity Scheme set out in Appendix ‘A’.

(b) A person who holds a temporary appointment in the service of the University shall, after continuous service of one year, be entitled to the benefits of the General Provident Fund-cum-Gratuity Scheme set out in Appendix ‘A’ to

this Statute, or according to his option, of the Contributory Provident Fund-cum-Gratuity Scheme set out in Appendix 'B' to this Statute, from the date of commencement of service.

(5) The provisions of this Statute shall not apply to purely temporary and daily wage staff, persons appointed on consolidated salary or on special terms and deputationists. The re-employed pensioners are eligible only for Contributory Provident Fund. The persons appointed on contract, for a fixed term, shall be governed by the provisions of Appendix 'B' to this Statute. No person who is permitted to subscribe to the Contributory Provident Fund shall be eligible to subscribe to the General Provident Fund.

Provided that a person who is initially appointed on contract and is subsequently continued permanently shall have, on cancellation of his contract terms, the option to choose either of the two Schemes set out in Appendices A & B and he shall have for the purpose of these schemes the benefit of the service rendered under contract, if the retirement benefits under the contract terms are paid back by him to the University.

¹(6) Employees joining the University after leaving the service of another Central University or the Indian Institute of Science, Bangalore, shall in the event of their permanent absorption in the University, be allowed the retirement benefits in respect of their previous service rendered under the old University provided that there is no break in the service, excepting for the admissible transit time to join the new post, and the service is qualifying. They will, however, not be allowed to change over from scheme in Appendix 'A' to that in Appendix 'B' or *vice-versa*".

Note 1—For the purpose of these rules resignation of an appointment in a Central University to take up with proper permission an appointment in the University is not a resignation of service".

(7) The sanction and payment of retirement benefits admissible under this Statute shall be regulated by such procedural instructions as would be issued by the Executive Council.

(8) If any question arises relating to the interpretation of this Statute, it shall be referred to the Visitor whose decision thereon shall be final.

¹Approved by the Visitor vide G.I. M/Education and Social Welfare letter No. F. 16-23/73-U. 2, dated July 1973.

G.P.F.-cum-Pension-cum-Gratuity and C.P.F.-cum-Gratuity to staff of the former Institute of Russian Studies taken over by the University and renamed as Centre of Russian Studies.

- (1) The provisions of Statute 40 shall apply to the employees of the Institute of Russian Studies taken over by the University on 11th October, 1969, with the additional provision that, subject to other conditions in the Statute being fulfilled, the employees shall be given the benefits admissible under either of the two schemes referred to in the Statute, as may be opted for by a person, from the date of continuous appointment in the Institute.

G.P.F.-cum-Pension-cum-Gratuity and C.P.F.-cum-Gratuity to staff of the former Indian School of International Studies taken over by the University and renamed as School of International Studies.

- (2) The provisions of Statute 40 shall apply to the employees taken over on 5th June, 1970, on the incorporation of the former Indian School of International Studies in the University, with the following additional provisions—

- (a) All the employees who joined the School Service on or after the 1st April, 1964, shall be entitled to opt for one of the two alternative schemes set out in Appendices 'A' and 'B' of the Statute notwithstanding the fact that the employees in the service of the School prior to the promulgation of these schemes had been permitted to subscribe to the Contributory Provident Fund obtaining in the school. The option provided for in this sub-clause shall be exercised and communicated to the Finance Officer in writing within three months of the date of notification of the General Provident Fund-cum-Pension-cum-Gratuity and Contributory Provident Fund-cum-Gratuity Schemes and, when once exercised, shall be final.

Employees failing to exercise their option within the aforesaid three months shall be deemed to have opted for the scheme set out in Appendix 'A'.

- (b) Employees who joined the School service before the 1st April, 1964, may continue to be governed by the provisions of the Contributory Provident

Fund obtaining in the School prior to the promulgation of this Statute, or may, at their option, elect to be governed instead, by either of the two schemes referred to above.

The option provided for in this sub-clause shall be exercised and communicated to the Finance Officer in writing within three months of the date of notification of the General Provident Fund-cum-Pension-cum-Gratuity and Contributory Provident Fund-cum-Gratuity Schemes and when once exercised, shall be final.

Employees failing to exercise their option within the aforesaid three months shall be deemed to have opted for the existing Contributory Provident Fund Rules obtaining before 1st April, 1964.

(c) The services of the employees who opt for the General Provident Fund-cum-Pension-cum-Gratuity Scheme shall be deemed to have been in pensionable posts from the commencement of the employees' service in the School irrespective of the period of service for which the employees might have subscribed to the School Contributory Provident Fund.

(d) An employee of the School who joined the School service before 1st April, 1964, and has retired on or after the 1st April, 1964, before having an opportunity of exercising option under sub-clause (b) shall be entitled to opt for either of the schemes set out in Appendices 'A' and 'B'. The option provided for in this sub-clause shall be exercised and communicated to the Finance Officer in writing within three months of the date of notification of the General Provident Fund-cum-Pension-cum-Gratuity and Contributory Provident Fund-cum-Gratuity Schemes and when once exercised, shall be final.

(e) In the case of an employee in service prior to the 1st April, 1964, who retired from the service on or after the 1st April, 1964, and died before having an opportunity of exercising option under sub-clause (b), the nominee or nominees validly nominated under the existing Contributory Provident Fund Rules of the School or in the absence of any valid nomination, the members of his family, can make a specific request for

option to choose one of the two schemes and the University will have discretion to give the benefit of either of the two schemes to a validly nominated nominee or nominees, or members of the family of the deceased.

The case of an employee who died while in service after the 1st April, 1964, before exercising the option shall also be governed under this sub-clause.

APPENDIX—A

STATUTE 40

General Provident Fund-cum-Pension-cum-Gratuity Scheme

SECTION—I

GENERAL PROVIDENT FUND

1. *Nominations*—A subscriber shall, at the time of joining the Fund, send to the Finance Officer a nomination in such form and in such manner as may be laid down in the Ordinance conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death, before the amount has become payable, or having become payable, before it has been paid.

Provided that if, at the time of making the nomination the subscriber has a family, the nomination shall not be in favour of any person or persons other than a member of his family.

Provided further that the nomination made by the subscriber in respect of any other fund to which he was subscribing before joining the Provident Fund shall, if the amount to his credit in such other fund has been transferred to his credit in the fund, be deemed to be a nomination under this Statute until he makes a nomination in accordance with this Statute.

2. The University will not be bound by nor will recognise any assignment or encumbrance executed or attempted to be created which affects the disposal of the amount standing to the credit of a subscriber who dies before the amount becomes payable.

3. (i) An account shall be opened in the name of each subscriber to which shall be credited the subscriber's subscription and interest as provided by these rules on subscription.

¹(ii) If an employee admitted to the benefit of the fund was previously a subscriber to any contributory/non-contributory Provident Fund of the Central Government/State Government, or a body corporate, owned or controlled by Government or

¹(Approved by the Visitor vide Government of India, Ministry of Education and Social Welfare letter No. F. 16-23/74-U,2 dated 12-6-1974).

University/Institutions of University status or an autonomous organisation registered under the Societies Registration Act, 1860, the amount of his accumulations in such contributory or non-contributory Provident Fund shall be transferred to his credit in the fund.

4. *Conditions of Subscription*—Every subscriber shall subscribe monthly to the Fund when on duty in the service of the University or on foreign service.

Provided that a subscriber shall not subscribe during the period when he is under suspension and may at his option not subscribe during any period of leave other than leave on full pay of less than thirty day's duration. Such option shall be exercised in the manner prescribed in the Ordinance.

Provided further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in a lump sum or in instalment any sum not exceeding the maximum amount of arrear of subscription payable for that period.

5. *Rate of Subscription* : The rate of subscription shall be fixed by the subscriber himself subject to the following conditions—

The rate of subscription may not be less than 6% of his emoluments and not more than his total emoluments, the amount so calculated being rounded off to the nearest rupee, provided that in the case of subscriptions at the minimum or maximum rates, the rounding off will be to the next higher or the next lower rupee respectively. The amount of subscription may be enhanced or reduced as prescribed in the Ordinance.

For the purpose of this clause, the emoluments of a subscriber shall be determined with reference to a specified date in the manner prescribed in the Ordinance.

5A. "*Emoluments*" for the purpose of these rules, unless the context otherwise requires, means pay, leave salary or subsistence grant and includes—

- (i) Special Pay
- (ii) Personal Pay
- (iii) Dearness Pay appropriate to pay, leave salary or subsistence grant, if admissible.

(iv) Any wages paid by the University to employees not remunerated by fixed monthly pay.

(v) Any remuneration of the nature of pay received in respect of foreign service.

6. *Interest*—The University shall pay to the credit of the account of each subscriber, interest at such rate as may be determined by the Executive Council for each year. Such interest shall be credited to the account of each subscriber as prescribed in the Ordinance.

7. *Advances from the Fund*—The payment of an advance from the Fund may be sanctioned to the subscriber from the amount of his subscription and interest thereon standing to his credit subject to such conditions as may be laid down in the Ordinance. Recoveries of the amount advanced shall be made from the emoluments of the subscriber in such manner as laid down in the Ordinance and shall commence after payment of the advance is made, on the first occasion, on which the subscriber draws emoluments for a full month.

8. *Withdrawal from the Fund*—

(1) Subject to the conditions specified herein, withdrawals may be sanctioned by the Vice-Chancellor at any time after the completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation whichever is earlier, from the amount standing to his credit in the fund for one or more of the following purposes, namely—

(a) meeting the cost of higher education, including where necessary, the travelling expenses of any child of the subscriber actually dependent on him in the following cases :—

(i) for education outside India for academic, technical, professional or vocational courses beyond the High School stage, and

(ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage, provided that the course of study is for not less than three years ;

(b) meeting the expenditure in connection with the marriage of sons or daughters of the subscriber and of any other female relation dependent upon him;

(c) meeting the expenses in connection with the illness, including where necessary, the travelling expenses, of the subscriber or any person actually dependent on him;

(d) building or acquiring a suitable house for his residence including the cost of site or for repaying any outstanding amount of loan expressly taken for this purpose before the date of receipt of application for withdrawal but not earlier than twelve months from that date, or reconstructing or for making additions and alterations to a house already owned or acquired by a subscriber;

(e) purchasing a house site or repaying any outstanding amount on account of loan expressly taken for this purpose before the date of receipt of application for withdrawal but not earlier than 12 months of that date;

(f) for constructing a house on a site purchased utilizing the sum withdrawn under sub-clause (e).

(2) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in Clause 8 (1) from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or twelve months' pay of the subscriber, whichever is less. The Vice-Chancellor may, however, sanction the withdrawal of an amount in excess of these limits upto three-fourths of the balance at his credit in the Fund, having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the Fund.

(3) A subscriber, who has been permitted to withdraw money from the Fund under Clause 8 (1) shall satisfy the Vice-Chancellor within a reasonable period as may be specified by him that the money has been utilized for the purpose for which it was withdrawn and if he fails to do so, the whole of the sums so withdrawn, or so much thereof as has not been applied for the purpose for which it was withdrawn, shall forthwith be repaid in one lump sum together with interest thereon at such rate as is levied on advances from the Fund, and in default of such payment it shall be ordered by the Vice-Chancellor to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by him.

(4) A subscriber who has been permitted under sub-clause (d), (e) or (f) of Clause 8(1) above to withdraw money from the amount standing to his credit in the fund shall not part with the possession of the house so built or acquired or house site so purchased by way of sale, mortgage, gift, exchange or lease for a term exceeding 3 years without the previous permission of the Vice-Chancellor. He shall submit a declaration not later than 31st day of December of every year to the effect that the house or, as the case may be, the house site continues to be in his possession and shall, if so required, produce before the Finance Officer on or before the date specified by that officer in that behalf, the original sale deed and other documents on which his title to property is based.

If at any time before retirement, he parts with the possession of the house or house site without obtaining the previous permission of the Vice-Chancellor the sum withdrawn by him shall forthwith be repaid in one lump sum together with interest thereon at such rate as is levied on advances from the Fund, and in default of such repayment it shall be ordered by the Vice-Chancellor to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Vice-Chancellor.

(5) Nothing in sub-clause (3) or (4) above shall be deemed to require a subscriber whose deposits in the fund carry no interest to pay any interest on any sum repayable by him under that sub-clause.

(6) A subscriber who has already drawn or may draw in future an advance under clause 7 for any of the purposes specified in sub-clause (a), (b) and (c) of clause 8(1) may convert at his discretion, by written request to the sanctioning authority, the balance outstanding into a final withdrawal on his satisfying the conditions laid down in sub-clauses (1), (2) and (3) above.

9. *Final withdrawal from the Fund* :—When a subscriber quits the service of the University, the amount standing to his credit in the Fund shall become payable to him :

Provided that a subscriber who has been dismissed from the service of the University and is subsequently reinstated in service, shall, if required to do so, repay any

amount paid to him from the Fund in pursuance of this Clause with interest thereon at such rate as is levied on advances from the Fund, in the manner provided. The amount so repaid shall be credited to his account in the Fund.

Explanation : A subscriber who is granted refused leave shall be deemed to have quit the service from the date of compulsory retirement or on the expiry of an extension of service.

10. *Retirement of a Subscriber:*—When a subscriber (a) has proceeded on leave preparatory to retirement or if he is entitled to vacation, on leave preparatory to retirement combined with vacation, or (b) while on leave, has been permitted to retire or has been declared by a competent medical authority that may be prescribed by the Executive Council in this behalf to be unfit for further service, the amount standing to his credit in the Fund shall, upon an application made by him in that behalf to the Finance Officer, become payable to the subscriber.

Provided that the subscriber if he returns to duty shall, if required to do so, repay to the Fund for credit to his account the whole or part of any amount paid to him from the Fund in pursuance of this clause with interest thereon at such rate as is levied on advances from the Fund by instalments or otherwise by recovery from his emoluments or otherwise as the Vice-Chancellor may direct.

11. In the event of the death of a subscriber before the amount standing to his credit has become payable or where the amount has become payable before payment has been made, the payment shall be made as provided in the Ordinance.

12. A statement of account shall be furnished to each subscriber once a year in the manner prescribed in the Ordinance.

13. *Investment of Fund:*—All sums paid into the Fund shall be credited in the books of the University to an account named “General Provident Fund Account of the Jawaharlal Nehru University”. A deposit account shall be opened in such Scheduled Bank or Banks as the University may decide upon

from time to time to be operated in such manner as the Executive Council may direct. The balance of the Fund, after reserving suitable amounts for current needs shall be invested in the National Savings Certificates and/or other investments covered by Section 20 of the Indian Trust Act of 1882, as soon as possible after monthly accounts are closed.

SECTION—II

PENSION

14. Subject to such conditions as may be applicable to the categories of pension set out below, no person shall be eligible for pension unless he has put in a minimum of ten years of qualifying service in the University ; provided that the minimum age after which service counts for pension shall be eighteen (18) years. In case the qualifying service falls below ten years, a gratuity as in Schedule 'C' shall be admissible.

15. Subject to the minimum qualifying service, an employee shall be eligible for one or other of the following classes of pensions, depending upon the circumstances of the cases :—

(a) *Compensation Pension* :—If an employee is discharged owing to the abolition of the permanent post, he shall be granted a compensation pension on the scale prescribed in clause 16 below.

(b) *Invalid Pension* :—An invalid pension shall be granted to an employee on retirement from the service of the University, for permanent physical or mental disability incapacitating him for further service, if certified by the competent Medical Authority as may be prescribed by the Executive Council on the scale prescribed in clause 16 below.

(c) *Superannuation Pension* :—A superannuation pension shall be granted to an employee who may retire from service on completion of the age of retirement.

(d) *Retiring Pension* :—A retiring pension shall be granted to an employee who is permitted to retire after completing thirty years of qualifying service.

Provided that in the event of retirement after thirty years of qualifying service but before the completion of the age of superannuation the employee concerned shall give in this behalf a notice in writing to the Registrar at least three months before the date on which he wishes to retire.

16. An employee eligible for pension under any of the categories mentioned above shall be granted on retirement half

of one eightieth ($\frac{1}{80}$ th) of the average emoluments for each completed six monthly period of qualifying service, subject to a maximum pension as stipulated in the table appended (Schedule A) and subject also to the total pension not exceeding thirty times one eightieth ($\frac{30}{80}$ th) of the average emoluments.

17. *Commutation of Pension* :—(a) An employee shall, subject to the condition specified below, be allowed to commute for lump payment any portion or portions of his pension not exceeding one-third of the pension granted to him.

(b) No commutation shall be sanctioned unless the competent Medical Authority as may be prescribed by the Executive Council, certifies that the pensioner's health and prospects of duration of life are such as to justify commutation.

(c) The lump sum payable on commutation shall be calculated in accordance with the table appended (Schedule B) as may be amended by the Executive Council from time to time.

(d) Commutation when sanctioned shall take effect on the date to be specified in the order. Such date shall be the first of a month and ordinarily about one month later than the date of the order and all calculations shall be made with reference to the date specified.

SECTION—III

GRATUITY

18. An employee who has completed five years of qualifying service at the University shall be granted an additional (Death-cum-Retirement) gratuity in accordance with the scale indicated in clause 19. This gratuity shall be payable on his retirement from the service of the University. In the event of his demise, this gratuity shall be payable to the nominee or nominees of the deceased in the manner prescribed by the Ordinance. No gratuity shall be payable on resignation from the service of the University or dismissal or removal from it for misconduct, insolvency or inefficiency not due to age.

19. The amount of gratuity shall be one fourth of the emoluments of an employee for each completed six monthly period of qualifying service subject to a maximum of fifteen times the emoluments. In the event of death of an employee while in service, the gratuity shall be subject to a minimum of twelve times the emoluments of the employee at the time of his death.

Provided that in no case it shall exceed Rs. 24,000, and that the amount of gratuity payable is further subject to the provisions of clause (24) (vi) and the note thereunder.

20. If an employee who has become eligible for a pension or gratuity dies within a period of five years after he retires from the service of the University, and the sums actually received by him at the time of death on account of such pension together with the gratuity granted under the above provisions and the commuted value of any portion of the pension commuted by him are less than the amount equal to twelve times the emoluments, a gratuity equal to the deficiency shall be granted to the person or persons nominated by him.

21. If a permanent employee dies before completing five years of qualifying service, his family will be eligible for a gratuity equal to six times his emoluments at the time of his death, except in cases in which death occurs in the first year

of service, when gratuity admissible will be equal to 2 months' emoluments.

22. Temporary employees—(a) Terminal Gratuity—A temporary employee who retires on superannuation or is discharged on account of retrenchment or is declared invalid for further service will be eligible for a gratuity at the rate of one-third of a month's pay for each completed year of service, provided that he has completed not less than five years of continuous service at the time of retirement, discharge or invalidment.

(b) Death Gratuity—The family of a temporary employee who dies while in service will be eligible for a death gratuity on the scale and subject to the conditions specified below—

(i) On death after completion of one year of service but before completion of three years of service. A gratuity equal to one month's pay.

(ii) On death after completion of three years of service but before completion of five years of service. A gratuity equal to two months' pay.

(iii) On death after completion of five years of service or more. A gratuity equal to 3 months' pay or the amount of terminal gratuity mentioned in sub-clause (a) above, whichever is more.

Note :—For the purpose of determining the amount of terminal or death gratuity under this clause 'pay' will mean only basic pay and also dearness pay (if any) at the time of relinquishing service or of death, as the case may be. It will not include special pay, personal pay and other emoluments classed as pay. In case the employee concerned was on leave with or without allowances immediately before retirement, discharge, invalidity or death, pay for this purpose will be pay which he would have drawn had he not proceeded on such leave.

SECTION—IV

FAMILY PENSION

23. The family Pension Scheme as detailed below will be applicable to regular employees in pensionable service—temporary or permanent-subject to the provision of clause 38.

24. It will be administered as below .—

For those who opt for G. P. F.-cum-Pension-cum-Gratuity Scheme, the following provisions will apply :—

(i) The family pension will be admissible in case of death while in service or after retirement, if at the time of death, a retired officer was in receipt of a compensation, invalid, retiring or superannuation pension. In case of death while in service, the employee should have completed a minimum period of one year in service.

(ii) 'Family' for purposes of this scheme will include the following relatives of the employee :

- (a) Wife in the case of a male officer ;
- (b) Husband in the case of a female officer :
- (c) Minor sons ;
- (d) Unmarried minor daughters.

Note :—(i) (c) and (d) will include children adopted legally before retirement.

(ii) Marriage after retirement will not be recognised for the purpose of the Scheme.

(iii) The pension will be admissible :

(a) In the case of widow/widower upto the date of death or re-marriage whichever is earlier ;

(b) In the case of a minor son until he attains the age of 18 years.

(c) In the case of an unmarried daughter until she attains the age of 21 years or marriage whichever is earlier.

Note :—(i) Where an employee is survived by more than one widow, the pension will be paid to them in equal shares. On the death or remarriage of widow,

her share of pension will become payable to her eligible minor child. If at the time of her death/re-marriage a widow leaves no eligible minor child, the payment of her share of pension will cease.

(ii) Where an employee is survived by a widow but has left behind an eligible minor child from another wife, the eligible minor child will be paid the share of the pension which the mother would have received if she had been alive at the time of the death of the employee.

(iv) Except as provided in the note below sub-clause (iii) above, pension awarded under this scheme will not be payable to more than one member of an employee's family at the same time. It will first be admissible to the widow/widower and thereafter to the eligible minor children.

(v) In the event of re-marriage or death of widow/widower the pension will be granted to the minor children through their natural guardian. In disputed cases, however, payments will be made through a legal guardian.

(vi) Every employee eligible to the benefit of the above scheme will be required to surrender a portion of gratuity where admissible equal to two months' emoluments or 'pay', as the case may be, subject to a maximum of Rs. 3,600. Where an employee governed by this Scheme retires as a bachelor, who has not adopted any child, no deduction from his gratuity will be made. In case where the gratuity admissible is less than two months' pay, the same will be resumed by University against the family pension benefit admissible under the scheme.

Note :—In the case of employees retiring without wife/husband or minor children including adopted children the deduction of two months' pay/emoluments from the gratuity will not be made as in the case of bachelors.

(vii) Under the scheme the following benefits will be awarded :—

(a) If the employee has put in 7 years of service or more prior to his death, for a period of 7 years from

the date of death or till the date on which the officer would have reached the normal age of superannuation had he remained alive, whichever period is shorter, the pension payable will be at 50% of pay subject to a maximum of twice the pension admissible under (b) below.

(b) If the employee has not put in 7 years of service to death or after 7 years of payment as in (a) above, the rate of family pension will be as under :—

Pay of the employee	Monthly pension of widow widower/children.
1. Rs. 800 and above	12% of pay subject to a maximum of Rs. 150.
2. Rs. 200 and above but below Rs. 800	15% of pay subject to a maximum of Rs. 96 and minimum of Rs. 60.
3. Below Rs. 200	30% of pay subject to a minimum of Rs. 25.

Note :—“Pay” for this purpose shall mean the pay which the employee was drawing on the date of his death while in service or immediately before his retirement. If on the date of his death, while in service, or immediately before his retirement, an employee has been absent from his duty on leave (including extraordinary leave) or suspension, pay means the pay which he drew immediately before proceeding on such leave or suspension.

25. All employees entitled to the benefit of family pension shall be required to furnish details of their ‘family’ as defined in sub-clause (ii) above, i.e. the date of birth of each member with his/her relationship with employee. This statement shall be countersigned by the Registrar and pasted in the service record of the employee. The employee will, thereafter be required to keep the statement upto date. Additions and alterations in this statement will be made by the Registrar from time to time on receipt of information from the employee concerned.

26. In cases where death occurs while in service the Finance Officer on receiving information of death of an employee while in service shall send a letter as prescribed in the Ordinance to the family of the deceased and ask for necessary documents mentioned therein. On receiving the documents the Finance Officer shall take necessary action to sanction the pension to the eligible member of the family.

SECTION—V

EXTRAORDINARY PENSION AND GRATUITY

27. Extraordinary pension and gratuity may be sanctioned by the Executive Council of the University on the advice of an *ad-hoc* Committee when an employee sustains an injury or dies as a result of an injury or is killed. In making the award, the Executive Council may take into consideration the degree of the fault or contributory negligence on the part of the employee who sustains an injury or dies as a result of an injury or is killed.

The said *ad-hoc* committee shall consist of five members, four appointed by the Executive Council from amongst themselves and the fifth member will be the representative from the Ministry of Finance, Government of India.

28. For the purpose of the provisions for Extraordinary Pension and Gratuity, injury shall be classified as follows :—

CLASS 'A'—Injuries caused as a result of special risk of office which have resulted in the permanent loss of an eye or a limb or are of a more serious nature.

CLASS 'B'—Injuries caused as a result of special risk of office and equivalent, in respect of the degree of disablement which they cause, to the loss of a limb or are very severe ; or injuries caused as a result of risk of office which have resulted in the permanent loss of an eye or a limb, or are of a more serious nature.

CLASS 'C'—Injuries caused as a result of special risk of office which are severe, but not very severe and likely to be permanent; or injuries caused as a result of risk of office which are equivalent, in respect of the degree of disablement which they cause, to the loss of a limb or which are very severe or severe and likely to be permanent.

29. If an employee sustains an injury which falls within Class 'A', he may be awarded :—

(a) a gratuity of the applicable amount specified in schedule 'D', and

(b) with effect from the date following the expiry of one year from the date of the injury,

(i) if the injury has resulted in the permanent loss of more than one limb or one eye, a permanent pension of the applicable amount specified in Schedule 'D' for a higher scale pension ; and

(ii) in other cases, a permanent pension the amount of which shall not exceed the applicable amount specified in Schedule 'D' for a higher scale pension and shall not be less than half than amount.

30. If an employe sustains an injury which falls within Class 'B', he may be awarded :—

(a) if the injury has resulted in the permanent loss of an eye or a limb or is of more serious nature, a permanent pension with effect from the date of the injury, of an amount which shall not exceed the applicable amount specified in Schedule 'D' for a lower scale pension and shall not be less than half that amount ;

(b) in other cases :—

(i) for a period of one year with effect from the date of the injury a temporary pension the amount of which shall not exceed the applicable amount specified in Schedule 'D' for a lower scale pension and shall not be less than half that amount, and thereafter ;

(ii) a pension within the limit specified in sub-clause (i) if the competent Medical Authority as may be prescribed by the Executive Council from year to year certifies that the injury continues to be very severe.

31. If an employe sustains an injury which falls within Class 'C', he shall be awarded a gratuity of the applicable amount specified in Schedule 'D' if the competent Medical Authority as may be prescribed by the Executive Council certifies that the employe is likely to be unfit for service for a year, or proportionate amount subject to a minimum of one-fourth of the amount so specified if he is certified to be likely to be unfit for less than a year.

Provided that in cases where the injury is equivalent, in respect of the degree of disablement which it causes, to the loss of a limb, the Executive Council may award, if it thinks

fit, in lieu of the gratuity a pension not exceeding the amount admissible under sub-clause (b) of clause 30.

32. A temporary pension awarded under this Section may be converted into a permanent injury pension :

(a) when the employee is rendered invalid out of service on account of the injury in respect of which the temporary pension was awarded, or

(b) when the temporary pension has been drawn for not less than five years, or

(c) at any time if the competent Medical Authority as may be prescribed by the Executive Council certifies that he sees no reason to believe that there will ever be a perceptible decrease in the degree of disablement.

33. The award shall be made to the widow and children of an employee as follows :

(a) if the employee is killed or dies of injury received as a result of 'special risk' of office :

(i) a gratuity of the applicable amount specified in Schedule 'E', and

(ii) a pension the amount of which shall not exceed the applicable amount specified in Schedule 'E',

(b) if the employee is killed or dies of injuries received as a result of risk of office, pension the amount of which shall not exceed the applicable amount specified in Schedule 'E'.

Note 1—The rates in Schedule 'E' are subject to the conditions that the pension payable to a child/children will in no case be less than the amount of pension which would have been admissible to him/them had the provisions of the family pension (Section IV) been applied.

Provided that if the pay of the deceased employee was less than Rs. 200, the monthly pension or the sum of pensions that may be granted under this Section shall not, irrespective of the rates (including the minimum limits) specified in schedule 'E' exceed the limit of one-half of his pay; and, if in any case the sum of such pensions calculated under Schedule 'E' exceeds the limit of one-half of his pay, such a Pro rata reduction shall

be made in the amount of each individual pension as will reduce the sum to such limit.

Provided further that for a period of 7 years from the date of death or till the date on which the employee would have reached the normal age of superannuation had he remained alive, whichever period is shorter, the pension payable will be at 50% of the pay subject to a maximum of twice the pension admissible under Clause 24, if the employee has rendered continuous service for not less than 7 years.

34. If the deceased employee has left neither a widow nor a child, an award may be made to his father and his mother individually or jointly and in the absence of the father and the mother to minor brothers and sisters, individually or collectively, if they were largely dependent on the employee for support and are in pecuniary need :

Provided that the total amount of the awards shall not exceed one-half of the pension that would have been admissible to the widow under the preceding clause.

Provided further that each minor brother's or sister's share shall not exceed the amount of pension specified in Schedule 'E' for a 'child who is not motherless'.

35. Any award made under Clause 34 will, in the event of an improvement in the pecuniary circumstances of the pensioner, be subject to review in such manner as the Executive Council may by order prescribe.

36. An Extraordinary Family Pension under this Scheme will take effect from the day following the death of the member of the staff or from such other date as the Executive Council may decide.

37. An Extraordinary family pension will ordinarily be tenable :-

(a) in the case of a widow or mother until death or re-marriage, whichever occurs earlier ;

(b) in the case of a minor son or minor brother, until the age of 18 ;

(c) in the case of an unmarried daughter or minor sister, until marriage or until she attains the age of 21, whichever occurs earlier ;

(d) in the case of a father, for life.

38. The family of the employees dying as a result of 'risk of office' or 'special risk of office' who are paid pension etc. under Clause 33 will not be entitled to the family pension under Clause 23.

39. When a claim for any injury pension or gratuity or family pension arises under any of the rules in this Section, the officer in charge of the office or the department or section in which the injured or the deceased was employed will forward the claim to the Executive Council through the Finance Officer with the following documents :—

(a) a full statement of circumstances in which the injury was received, the disease was contracted or the death occurred ;

(b) the application for injury pension or gratuity or as the case may be, the application for family pension in the form prescribed by the Ordinance (form X and XI respectively) ;

(c) in the case of an injured member of the staff or one who has contracted a disease, a medical report in the form prescribed in the Ordinance (form XII). In the case of a deceased member of the staff, a medical report as to the death or reliable evidence as to the actual occurrence of the death if the member of the staff lost his life in such circumstances as a medical report cannot be secured.

Schedule 'A'

SCALE OF PENSION

(See Clause 16 of Appendix 'A')

Completed six monthly periods of qualifying service	Scale of Pension	Maximum Pension (in Rs.) per annum
20	10/80th of average emoluments	2,700
21	10 $\frac{1}{2}$ /80	2,835
22	11/80	2,970
23	11 $\frac{1}{2}$ /80	3,105
24	12/80	3,240
25	12 $\frac{1}{2}$ /80	3,375
26	13/80	3,510
27	13 $\frac{1}{2}$ /80	3,645
28	14/80	3,780
29	14 $\frac{1}{2}$ /80	3,915
30	15/80	4,050
31	15 $\frac{1}{2}$ /80	4,185
32	16/80	4,320
33	16 $\frac{1}{2}$ /80	4,455
34	17/80	4,590
35	17 $\frac{1}{2}$ /80	4,725
36	18/80	4,860
37	18 $\frac{1}{2}$ /80	4,995
38	19/80	5,130
39	19 $\frac{1}{2}$ /80	5,265
40	20/80	5,400
41	20 $\frac{1}{2}$ /80	5,535
42	21/80	5,670
43	21 $\frac{1}{2}$ /80	5,805
44	22/80	5,940
45	22 $\frac{1}{2}$ /80	6,075
46	23/80	6,210
47	23 $\frac{1}{2}$ /80	6,345
48	24/80	6,480
49	24 $\frac{1}{2}$ /80	6,615
50	25/80	6,750
51	25 $\frac{1}{2}$ /80	6,885
52	26/80	7,020
53	26 $\frac{1}{2}$ /80	7,155
54	27/80	7,290
55	27 $\frac{1}{2}$ /80	7,425
56	28/80	7,560
57	28 $\frac{1}{2}$ /80	7,695
58	29/80	7,830
59	29 $\frac{1}{2}$ /80	7,965
60	30/80	8,100

Schedule 'B'

Commutation Table for Pension

(See Clause 17 of Appendix 'A')

Commutation value for a pension of Rupee one per annum					
Age next birth day	Commutation value expressed as No. of years' purchase	Age next birth day	Commutation value expressed as No. of years' purchase	Age next birth day	Commutation value expressed as No. of years' purchase
17	19.28	40	15.87	63	9.15
18	19.20	41	15.64	64	8.82
19	19.11	42	15.40	65	8.50
20	19.01	43	15.15	66	8.17
21	18.91	44	14.90	67	7.85
22	18.81	45	14.64	68	7.53
23	18.70	46	14.37	69	7.22
24	18.59	47	14.10	70	6.91
25	18.47	48	13.82	71	6.60
26	18.34	49	13.54	72	6.30
27	18.21	50	13.25	73	6.01
28	18.07	51	12.95	74	5.72
29	17.93	52	12.66	75	5.44
30	17.78	53	12.35	76	5.17
31	17.62	54	12.05	77	4.90
32	17.46	55	11.73	78	4.65
33	17.29	56	11.42	79	4.40
34	17.11	57	11.10	80	4.17
35	16.92	58	10.78	81	3.94
36	16.72	59	10.46	82	3.72
37	16.52	60	10.13	83	3.52
38	16.31	61	9.81	84	3.32
39	16.09	62	9.48	85	3.13

Schedule 'C'

SCALE OF GRATUITY

(See Clause 14 of Appendix 'A')

Completed six monthly periods of qualifying service	Scale of gratuity
1	1/2 months' emoluments
2	1 months' emoluments
3	1½ months' emoluments
4	2 months' emoluments
5	2½ months' emoluments
6	3 months' emoluments
7	3½ months' emoluments
8	4 months' emoluments
9	4 3/8 months' emoluments
10	4 3/4 months' emoluments
11	5 1/8 months' emoluments
12	5½ months' emoluments
13	5 7/8 months' emoluments
14	6½ months' emoluments
15	6 5/8 months' emoluments
16	7 months' emoluments
17	7 3/8 months' emoluments
18	7 3/4 months' emoluments
19	8 1/8 months' emoluments

Schedule 'D'

Scale of Injury Gratuity and Pension

(Clauses 20, 30 and 31 of Appendix 'A')

Pay of employee on date of injury	Gratuity	Monthly Pension :	Monthly Pension :	
		Higher Scale	Lower Scale	
		Rs.	Rs.	
1. Rs. 2,000 and over	}	300	225	
2. Rs. 1,500 and over but under Rs. 2,000		275	200	
3. Rs. 1,000 and over but under Rs. 1,500		200	150	
4. Rs. 900 and over but under Rs. 1,000		} 3 months' pay subject to a mini- mum of Rs. 800	150	125
5. Rs. 400 and over but under Rs. 900			100	84
6. Rs. 350 and over but under Rs. 400		85	70	
7. Rs. 200 and over but under Rs. 400		67	50	
8. Under Rs. 200	4 months' pay	1/3rd of pay subject to a minimum of Rs. 8 per mensem	1/5th of pay subject to a minimum of Rs. 4 per mensem	

Schedule 'E'

FAMILY GRATUITY AND PENSION

(Clauses 33 and 34 of Appendix 'A')

A—Widow

Pay of the employee on the date of injury	Gratuity	Monthly Pension
1. Rs. 800 and over	3 months' pay	20% of pay subject to a maximum of Rs. 275
2. Rs. 200 and over but under Rs. 800		25% of pay subject to a maximum of Rs. 150 and minimum of Rs. 75.
3. Under Rs. 200	4 months' pay	45% of pay subject to a maximum of Rs. 75 and minimum of Rs. 40

B—CHILDREN

Pay of the employee	Monthly pension of each child	
	If the child is motherless	If the child is not motherless
1. Rs. 800 and over	Rs. 60	Rs. 25
2. Rs. 250 and over but under Rs. 800	Rs. 37-50	Rs. 13
3. Under Rs. 250	15% of pay subject to a minimum of Rs. 4	1/20th of pay subject to a minimum of Rs. 3

Schedule 'F'**CLASSIFICATION OF INJURIES**

[See Note below Clause 3 (m) of Statute 40]

Equal to loss of limb :

- Hemiplegia without aphasia.
- Permanent use of a tra-cheotomy tube.
- Artificial anus.
- Total deafness of both ears.

Very Severe :

- Complete unilateral facial paralysis, likely to be permanent.
- Lesion of Kidney, ureter or bladder.
- Compound fractures (except phalanges).
- Such gross destruction of soft parts as to lead to permanent disability or loss of function.

Severe and likely to be permanent :

- Ankylosis of, or considerable restriction in the movement of one of the following joints :—
 - Knee, elbow, shoulder, hip, ankle, temporo-maxillary or rigidity of the dorsilumber of cervical sections of the spine.
- Partial loss of vision of one eye.
- Destruction or loss of one testicle.
- Retention of foreign bodies not causing permanent or serious symptoms.

APPENDIX 'B'

STATUTE 40

Contributory Provident Fund-cum-Gratuity Scheme

SECTION—I

CONTRIBUTORY PROVIDENT FUND

1. Application

The provisions of the Contributory Provident Fund Rules will be applicable to those employees who are eligible to (see clause 5 of the Statute) and opt for Contributory Provident Fund-Cum-Gratuity Scheme.

2. In these rules, “emoluments” means pay, leave salary or subsistence grant and includes i—

(i) Special Pay.

(ii) Personal Pay.

(iii) Dearness Pay appropriate to pay, leave salary or subsistence grant, if admissible.

(iv) Any wages paid by the University to employees not remunerated by fixed monthly pay.

(v) Any remuneration of the nature of pay received in respect of foreign service.

3. A wholetime employee on confirmation shall subscribe monthly to the University Contributory Provident Fund. The Provident Fund deductions will be made after confirmation, with effect from the date of appointment.

Provided that persons appointed in wholetime service for a period of not less than one year or persons appointed as wholetime servants in a temporary capacity and who have completed one year of service shall be entitled to subscribe to the Provident Fund from the date of appointment. Part-time servants and other temporary incumbents of posts shall not be so entitled.

A person appointed on probation against a substantive vacancy shall be entitled to subscribe to the Fund from the date of his appointment. The University's contribution shall, however, be credited with retrospective effect to his account after he has been confirmed.

Arrears of subscriptions in such cases may be paid in not more than 12 monthly instalments for each year of service. The University's contribution shall be credited to the account of the subscriber at the end of each financial year to the extent of his own subscription during the year subject to final adjustment after arrears are realised in full.

4. Persons who are in receipt of any pension from Government or any local fund administered by Government or any other institution if re-employed in the University, may be permitted to subscribe to the Provident Fund provided that where the term of re-employment is initially for a year or less but is later extended so as to exceed one year, the contribution with interest will be credited only after the completion of one year's re-employed service. The contribution with interest shall be payable for the entire period for which the re-employed pensioner is allowed to contribute to the Fund if such period exceeds one year.

15. Transfer of balances from other Provident Funds

If an employee admitted to the benefit of the fund was previously a subscriber to any contributory/non-contributory Provident Fund of the Central Government/State Government or a body corporate, owned or controlled by Government or Universities/Institution of University Status or an autonomous organisation registered under the Societies Registration Act, 1860, the amount of his accumulations in such contributory or non-contributory Provident Fund shall be transferred to his credit in the fund.

6. Nominations :

A subscriber shall at the time of joining the Fund send to the Finance Officer, a nomination in the manner provided in Clause 1 of Section I of Appendix 'A' to this Statute.

7. Subscriber's Accounts :

An account shall be opened in the name of each subscriber, in which shall be credited :—

- (i) the subscriber's subscriptions ;
- (ii) contributions made under clause 10 by the University to his account;

¹(Approved by Visitor vide Government of India, Ministry of Education and Social Welfare letter No. F. 16-23/74-U.2 dated 12-6-1974).

- (iii) interest as provided by clause 11 on subscriptions;
- (iv) interest as provided by clause 11 on contributions;
- and
- (v) advances and withdrawals from the fund.

8. *Conditions of subscriptions* :

(i) Every subscriber shall subscribe monthly to the Fund when on duty in the service of the University or on foreign service except during the period when he is under suspension.

(ii) A subscriber may, at his option, not subscribe during the period of leave other than leave of less than 30 days duration. He shall intimate his option to the Finance Officer and option once intimated shall be final. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe.

(iii) A subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one lump sum, or in instalments any sum not exceeding the maximum rate prescribed in these rules.

9. *Rates of subscriptions* :

(1) The amount of subscription shall be fixed by the subscriber himself subject to the following conditions, namely :—

(a) It shall be expressed in whole rupees (50 Paise and above counting as the next higher rupee). In the case of subscription at the minimum rate, the rounding off will be to the next higher rupee.

(b) It may be any sum, so expressed, not less than 8-1/3% of his emoluments and not more than his emoluments.

(2) For the purpose of sub-clause (1), the emoluments of a subscriber shall be determined as provided in clause 5 of Appendix 'A' to this Statute.

(3) The amount of subscription may be enhanced or reduced, subject to the limit specified in this rule, once at any time during the course of a financial year.

10. *Contribution by the University* :

(i) The University shall with effect from the 31st March of each year make a contribution to the account of each subscriber.

Provided that if a subscriber quits the service or dies during a year, contribution shall be credited to his account for the period between the close of the preceding year and the date of casualty :

Provided further that no contribution shall be payable in respect of any period for which the subscriber is permitted under the rules not to, or does not, subscribe to the Fund.

(ii) The contribution shall be 8% of the subscriber's emoluments drawn on duty during the year or period as the case may be.

(iii) Should a subscriber elect to subscribe during leave, his leave salary for the purpose of this rule, be deemed to be emoluments drawn on duty.

(iv) The amount of contribution payable shall be rounded to the nearest whole rupee (fifty paise or more counting as the next higher rupee).

11. *Interest :*

The University shall pay to the credit of the account of each subscriber, interest as provided in clause 6 of Section I of Appendix 'A' to this Statute.

12. *Advances from the Fund :*

Advances from the Fund and recovery thereof shall be governed as provided in clause 7 of Section I of Appendix 'A' to this Statute.

13. *Withdrawals from the Fund :*

Withdrawals from the Fund may be sanctioned by the Vice-Chancellor subject to the condition specified in clause 8 of Section I of Appendix 'A' to this Statute.

14. *Conversion of an advance into a withdrawal :*

A subscriber who has drawn an advance under clause 12 for any of the purposes specified in sub-clause (a), (b) and (c) of clause 8 of Section I of Appendix 'A' to this Statute may convert, at his discretion, by written request addressed to the Vice-Chancellor, the balance outstanding against it into a final withdrawal on his satisfying the conditions laid down in clause 13.

15. *Circumstances in which accumulations become payable :*

The final payment of the amount standing to the credit of a subscriber shall become payable in the circumstances stated in clauses 9, 10 and 11 of Section I of Appendix 'A' to this Statute and shall be made in the manner provided therein, subject to any deduction under clause 16 below. The payment shall be sanctioned by the Executive Council in case of persons appointed by it and in other cases by the Vice-Chancellor.

16. *Deductions :*

Subject to the condition that no deduction may be made which reduces the credit by more than the amount of any contributions by the University with interest thereon, credited under rule 10 and 11 before the amount standing to the credit of a subscriber in the Fund is paid out of the Fund, the Vice-Chancellor/Executive Council in the case of employees appointed by it, may direct deduction therefrom and payment to the University of—

(a) any amount, if a subscriber has been dismissed from service for grave misconduct :

Provided that, if the order of dismissal is subsequently cancelled, the amount so deducted shall, on his reinstatement in the service, be replaced at his credit in the Fund;

(b) any amount, if a subscriber resigns his employment under the University within five years of the commencement thereof, otherwise than by reason of superannuation or a declaration by competent medical authority that he is unfit for further service ;

(c) any amount, due under a liability incurred by the subscriber, to the University.

17. *Assignment :*

The University will not be bound nor will recognise any assignment or encumbrance executed or attempted to be created which affects the disposal of the amount standing to the credit of a subscriber who dies before the amount becomes payable.

18. *Payment :*

(1) When the amount standing to the credit of a subscriber in the Fund, or the balance thereof after any

deduction under rule 16, becomes payable, it shall be the duty of the Finance Officer to make payment on receipt of a written application as provided in sub-clause (3). In cases, however where no deduction has been directed under rule 16, the Finance Officer shall satisfy himself, before making the payment, that no such deduction is to be made.

(2) If the person to whom, under these rules, any amount is to be paid is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act IV of 1912, the payment will be made to such manager, and not to the lunatic.

(3) Any person who desires to claim payment under this rule shall send a written application in that behalf to the Finance Officer. Payment of amounts shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements to receive payment in India.

Note : (1) When the amount standing to the credit of a subscriber has become under clause 15, the Finance Officer shall effect prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon as after may be.

(2) Sums of which payment has not been taken within six months after they become payable under these rules, shall be transferred to 'Deposits' at the end of the year and treated as under the ordinary rules relating to deposits.

19. *Investment of Fund :*

The deposits shall be made to the Fund as soon as possible after the monthly accounts are closed. The balance in the Fund shall be kept and invested as provided in clause 13 of Section I of Appendix 'A' to this Statute.

20. *Annual statement of account :*

The accounts of the Fund shall be audited once a year and a statement of the amount to the credit of each subscriber shall be furnished to him in the manner provided in clause 12 of Appendix 'A' to this Statute.

SECTION—II

GRATUITY

21. *Permanent employees and employees appointed on fixed term contract :*

An employee who has completed five years of service at the University shall be granted gratuity in accordance with the scale of gratuity indicated in clause 22. The gratuity shall be payable on his retirement or relinquishment of service of the University. In the event of his demise this gratuity shall be payable to the nominee or nominees of the deceased in the manner prescribed by the Ordinance. No gratuity shall be payable on resignation from the service of the University or dismissal or removal from it for misconduct, insolvency, or inefficiency not due to age.

22. The amount of gratuity shall be one-fourth of the emoluments of an employee for each completed six monthly period of qualifying service subject to a maximum of fifteen times the emoluments. In the event of death of an employee while in service, the gratuity shall be subject to a minimum of twelve times the emoluments of the employee at the time of his death.

Provided that in no case it shall exceed Rs. 24,000.

23. If an employee who has completed five years of service dies within a period of five years after he retires from the service of the University and the sums actually received by him at the time of death on account of University's share of contribution to the C.P. Fund, together with the gratuity under the above rules, is less than the amount equal to 12 times the emoluments, a gratuity equal to deficiency shall be granted to the person or persons nominated by him.

24. If the employee dies before completing five years of service, his family will be eligible for a gratuity equal to six times his emoluments at the time of his death, except in cases in which death occurs in the first year of service, when the gratuity admissible shall be equal to two months' emoluments.

25. *Temporary Employees :*

(1) *Terminal Gratuity :* A temporary employee who retires on superannuation or is discharged on account of

retrenchment or is declared invalid for further service will be eligible for a gratuity at the ratio of one-third of a month's pay for each completed year of service, provided that he has completed not less than five years of continuous service at the time of retirement, discharge or invalidment.

(2) *Death Gratuity* : The family of temporary employee who dies while in service will be eligible for a death gratuity on the scale and subject to the conditions specified below :—

(a) On death after completion of one year of service but before completion of three years of service. A gratuity equal to one month's pay.

(b) On death after completion of three years of service but before completion of five years of service. A gratuity equal to two month's pay.

(c) On death after completion of five years of service or more. A gratuity equal to three month's pay or the amount of terminal gratuity mentioned in clause 25 (1) above whichever is more.

Note :—For the purpose of determining the amount of terminal or death gratuity under this clause 'pay' will mean only basic pay and also dearness pay (if any) at the time of relinquishing service or of death as the case may be. It will not include special pay, personal pay and other emoluments classed as pay. In case the employee concerned was on leave with or without allowances immediately before retirement, discharge, invalidment or death, pay for this purpose will be pay which he would have drawn had he not proceeded on such leave.

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