

First Statutes

of the

University of Kumaun

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In pursuance of the provisions of clause (3) of article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 5919/XV-10-77-41 (13)-76, dated November 7, 1977 :

No. 5919/XV-10-77-41 (13)-76

Date: Lucknow, November 7, 1977

In exercise of the powers conferred by sub-section (1) of section 50 of the Uttar Pradesh State Universities Act, 1973 (President's Act no. 10 of 1973), as amended and reenacted by the Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974 (U. P. Act no. 29 of 1974), the Governor is pleased to make the following First Statutes for the University of Kumaun:

First Statutes of the University of Kumaun

CHAPTER I

PRELIMINARY

1.01. (1) These statutes may be called the Kumaun University First Statutes, 1977. Section 50(1).

(2) They shall come into force on November 20, 1977.

1.02. (1) All existing Statutes and all such Ordinances in force in the University, as are inconsistent with these Statutes, are to the extent of such inconsistency, hereby rescinded and shall forthwith cease to have effect except as respect things done or omitted to be done before the commencement of these Statutes. Section 50(1).

(2) The Uttar Pradesh State Universities First Statutes (Age of Superannuation, Scales of Pay and Qualifications of Teachers), 1975, issued with Government notification no. 4546/XV-10-75, dated July 25, 1975, as amended by Government notification no 7251/XV-10-75-60 (115)-73, dated October 20, 1975, as also amended from time to time shall, in relation to the University of Kumaun stand repealed with effect from the date of such commencement of these Statutes.

1.03. In these Statutes, unless the context otherwise requires— Section 50(1).

(a) 'Act' means the Uttar Pradesh State

Universities Act, 1973 (President's Act no. 10 of 1973), as re-enacted and amended by the Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974 (U. P. Act no 29 of 1974);

(b) 'clause' means a clause of the Statute in which that expression occurs ;

(c) 'section' means a section of the Act ;

(d) 'University' means the University of Kumaun ; and

(e) words and expressions used but not defined in these Statutes shall have the meaning assigned to them in the Act.

Sections 49
and 50.

1.04. In these Statutes, all references to the age of a teacher, shall be construed to be references to the age according to the date of birth of the teacher concerned as mentioned in the certificate of his High School examination or that of any other examination recognised as equivalent thereto.

CHAPTER II OFFICERS AND OTHER FUNCTIONARIES OF THE UNIVERSITY

The Chancellor

Sections 10(4)
and 49(c).

2.01. (1) The Chancellor may, while considering any matter referred to him under section 68, call for such documents or information from the University or parties concerned, as he may deem necessary, and may, in any other case, call for any documents or information from the University.

(2) Where the Chancellor calls for any document or information from the University under clause (1), it shall be the duty of the Registrar to ensure that such documents or information are promptly supplied to him.

(3) If in the opinion of the Chancellor, the Vice-Chancellor wilfully omits or refuses to carry out the provisions of the Act or abuses the powers vested in him and if it appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interests of the University, the Chancellor may, after making such enquiry as he deems proper, by order, remove the Vice-Chancellor.

(4) The Chancellor shall have power to suspend

the Vice-Chancellor during the pendency or in contemplation of any inquiry referred to in clause (3).

The Vice Chancellor

2.02. The Vice Chancellor shall have power to call for such documents and information from an affiliated college, in respect of any matter connected with teaching, examination, research, finance or any matter affecting the discipline or efficiency of teaching in the college, as he thinks fit.

Sections 13(9) and 49(c).

Finance Officer

2.03. When the office of Finance Officer is vacant or when the Finance Officer is, by reason of illness, absence or any other cause unable to perform the duties of his office, the duties of the office shall be performed by one of the Deans of the Faculties nominated by the Vice-Chancellor and if for any reason the same is not feasible, then by the Registrar or by such officer as may be nominated by the Vice-Chancellor.

Section 9(c).

2.04. The Finance Officer—

Sections 15(7) and 49(c).

(a) shall exercise general supervision over the funds of the University ;

(b) may advise it in any financial matter either *suo moto* or on his advice being sought ;

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

(d) shall collect the incomes, disburse the payments and maintain the accounts of the University ;

(e) shall ensure that the registers of building, land, furniture and equipment are maintained upto-date and that stock checking of equipment and other consumable materials is conducted regularly in the University ;

(f) shall probe into any unauthorised expenditure and other financial irregularities and suggest to the competent authority, disciplinary action against persons at fault ;

(g) may call for any information or return from any department or unit of the University that he may consider necessary for the performance of his duties ;

(h) shall arrange for the conduct of conti-

nuous internal audit of the accounts of the University, and shall pre-audit such bills as may be required in accordance with any standing orders in that behalf :

(i) shall perform such other functions in respect of financial matters as may be assigned to him by the Executive Council or the Vice-Chancellor ;

(j) shall, subject to the provisions of the Act and Statutes, exercise disciplinary control in terms of clauses (2) and (3) of Statute 2.06 over all the employees in the Audit and Accounts Section of the University below the rank of the Assistant Registrar (Accounts) and shall supervise the work of the Deputy/Assistant Registrar (Accounts) and the Accounts Officer.

Sections 13(9),
15(7) & 49(e).

2.05. If any difference of opinion arises between the Vice-Chancellor and the Finance Officer on any matter concerning the performance of the functions of the Finance Officer, the question shall be referred to the State Government whose decision shall be final and binding on both the officers.

The Registrar

Sections 13(9),
16(4), 21(i)(vii),
21(8), and 49(e)
and (g).

2.06. (1) Subject to the provisions of the Statutes, the Registrar shall have disciplinary control over all employees of the University, other than the following, namely—

(a) officers of the University ;

(b) Deputy Registrars and Assistant Registrars ;

(c) teachers of the University, whether in relation to their work as teacher or while holding any remunerative office or in any other capacity, such as examiner or invigilator ;

(d) the Librarian;

(e) employees in the University in the Accounts and Audit Section.

(2) The power to take disciplinary action under clause (1) shall include the power to order dismissal, reduction in rank, reversion, termination or compulsory retirement of an employee referred to in the said clause, and shall also include the power to suspend such employee during the pendency, or in contemplation of an inquiry.

(3) No order of dismissal, removal or reduction in rank shall be made under clause (2) except after

an inquiry in which the employee has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges:

Provided that where it is proposed after such inquiry, to impose upon him any such penalty, such penalty may be imposed on the basis of evidence adduced during such inquiry and it shall not be necessary to give such person any opportunity of making representation on the penalty proposed :

Provided further that this clause shall not apply—

(a) where the order is passed on the ground of conduct which has led to the conviction of the employee on a criminal charge, or

(b) where the authority empowered to pass such order is satisfied for the reasons to be recorded in writing that it is not reasonably practicable to hold such inquiry.

(c) in the following cases, notwithstanding that the order is based on any charge (including a charge of misconduct or inefficiency), if such order does not disclose on its face that it was passed on such basis ;—

(i) An order of reversion of an officiating promotee to his substantive rank.

(ii) An order of termination of service of a temporary employee.

(iii) An order of compulsory retirement of an employee after he attains the age of fifty years.

2.07. An employee of the University aggrieved by an order referred to in Statute 2.06 may prefer an appeal (through the Registrar) to the Disciplinary Committee constituted under Statute 8.01 within fifteen days from the date of service of such order on him. The decision of the Committee on such appeal shall be final. Sections 21 & 49.

2.08. Subject to the provisions of the Act, it shall be the duty of the Registrar— Section 16

(a) to be the custodian of all the properties of the University unless otherwise provided for by the Executive Council :

(b) to issue all notices convening meetings of the various authorities referred to in section 16 (4) with the approval of the competent authority concerned and to keep the minutes of all such meetings ;

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

(d) to exercise all such powers as may be necessary or expedient for carrying into effect the orders of the Chancellor, Vice-Chancellor or various authorities or bodies of the University of which he acts as secretary;

(e) to represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings.

Deans of Faculties

Sections 27(4)
and 49(b).

2.09. (1) If a casual vacancy occurs in the office of the Dean of a Faculty the senior-most Professor, and where no Professor is available in that Faculty, the senior-most teacher in the Faculty shall perform the duties of the Dean.

(2) No person shall continue to be a Dean after he has ceased to hold the post by virtue of which he came to hold the office of Dean.

Sections 27(4)
64(2) and 74
(3)(b).

2.10. (1) Except in the case of a Faculty where there is only one Professor, a teacher who on the date of commencement of these Statute has—

(a) held the office of Dean for a period of three years or more, shall be deemed to have had his turn and the teacher next eligible in order of seniority shall assume office as Dean with effect from the commencement of these Statutes;

(b) not completed three years as Dean shall continue to hold the office of Dean till the completion of the period of three years and on such completion the teacher next eligible in order of seniority shall assume office as Dean.

(2) For the purpose of computing the period during which a teacher has held the office of Dean—

(a) any period during which such teacher was prevented from entering upon or continuing in the office of Dean by an order of any Officer of the University or of any court shall be excluded;

(b) any period during which any teacher has under an order of any officer of the University or of any court, been allowed to hold the office of Dean, it being ultimately found that he was not legally entitled to hold such office during

that period, shall count towards his term of office of Dean when he next gets his turn.

2. 11. The Dean of the Faculty shall have the following duties and powers :

Sections 18
and 49 (c)

(i) He shall preside at all meetings of the Board of Faculty and shall see that the various decisions of the Board are implemented.

(ii) He shall be responsible for bringing the financial and other needs of the faculty to the notice of the Vice-Chancellor.

(iii) He shall take necessary measures for the proper custody and maintenance of libraries, laboratories and other assets of the departments comprised in the faculty.

(iv) He shall have the right to be present and to speak at any meeting of the Boards of Studies pertaining to his faculty but shall have no right to vote thereat unless he is a member thereof.

The Dean of Students Welfare

2.12. The Dean of Students Welfare shall be appointed from amongst the teachers of the University, who possess teaching experience of not less than 10 years and who are not below the rank of a Reader, by the Executive Council on the recommendation of a committee consisting of the Vice-Chancellor and two senior-most Dean of Faculties.

Sections 18,
21(xvii) and
49 (c)

2.13. The teacher who is appointed as Dean of Students Welfare shall perform his duties as Dean in addition to his own duties as teacher.

Sections 11
and 49.

2.14. The term of office of the Dean of Students Welfare shall be three years unless determined earlier by the Executive Council :

Section 49.

Provided that the Dean of Students Welfare holding office as such on the date immediately preceding the date of commencement of these Statutes shall be deemed to have been appointed under Statute 2.12

2.15. (1) The Dean of Students Welfare shall be assisted by a set of teachers (to be selected in the manner laid down in the Ordinances), who shall perform their duties in addition to their normal duties of teacher. The teachers so selected shall be called Assistant Deans of Students' Welfare.

Sections 18
and 49 (c)

(2) One of the Assistant Deans of Students Welfare shall be appointed from amongst the lady

teachers of the University who shall look after the welfare of the girl students.

Sections 18 & 49(c) and (d).

2.16. (1) It shall be the duty of the Dean of Students Welfare and the Assistant Deans of Students Welfare to assist generally the students in matters requiring help and guidance, and in particular, to help and advise students and prospective students in—

- (i) obtaining admission to University and its courses ;
- (ii) the choice of suitable courses and hobbies ;
- (iii) finding living accommodation ;
- (iv) making messing arrangements ;
- (v) Obtaining medical advice and assistance ;
- (vi) securing scholarships, stipends, part time employment and other pecuniary assistance ;
- (vii) obtaining travel facilities for holidays and educational excursions ;
- (viii) securing facilities for further studies abroad ; and
- (ix) so conducting themselves in proper pursuit of academic studies as to maintain the traditions of the University.

(2) The Dean of Students Welfare may communicate with the guardian of a student in respect of any matter requiring his assistance when necessary.

Section 49(c).

2.17. The Dean of Students Welfare shall exercise general control over the Superintendent or Assistant Superintendent of Physical Education if any and the University Medical Officer. He shall perform such other duties as may be assigned to him by the Executive Council or the Vice-Chancellor.

Section 13(9).

2.18. The Vice-Chancellor may consult the Dean of Students Welfare before taking action against a student on disciplinary grounds.

Section 49(d).

2.19. The Dean of Students Welfare may be paid such honorarium out of the funds of the University as the Vice-Chancellor may fix with prior approval of the State Government.

Heads of the Department

Section 49.

2.20. The senior-most teacher in each department of teaching in the University shall be the Head of the Department.

The Librarian

Section 49.

2.21. (1) The University may, with the prior approval of the State Government, appoint a whole-time librarian. The Librarian shall be appointed by the Executive Council on the recommendation of a Selection Committee, consisting of the following, namely,—

(a) the Vice-Chancellor ;

(b) two experts in Library Science, to be nominated by the Chancellor.

(2) Until the Librarian appointed under clause (1) assumes charge of his office the Executive Council may appoint an Honorary Librarian from amongst the Professors of the University for such terms as it thinks fit.

2.22. The qualifications of the Librarian shall be such as may be provided for in the Ordmances. Section 49(c).

2.23. The emoluments of the Librarian shall be such as may be approved by the State Government. Section 49(c).

2.24. It shall be the duty of the Librarian to maintain the Library of the University and to organise its service in the manner most conducive to the interest of teaching and research. Section 49(c)

2.25. The Librarian shall be under the disciplinary control of the Vice-Chancellor. Section 49(c).

Provided that he shall have a right of appeal to the Executive Council against any order of the Vice-Chancellor passed in the disciplinary proceedings against him.

The Proctor

2.26. The Proctor shall be appointed from amongst the teachers of the University by the Executive Council on the recommendation of the Vice-Chancellor. The Proctor shall assist the Vice Chancellor in the exercise of his disciplinary authority in respect of students of the University and shall also exercise such power and perform such duties in respect of discipline as may be assigned to him by the Vice-Chancellor in this behalf. Sections 18 & 49(c).

2.27. The Proctor shall be assisted by Assistant Proctors whose number shall be fixed by the Executive Council from time to time. Section 49(c).

2.28. The Assistant Proctors shall be appointed by the Vice-Chancellor in consultation with the Proctor. Section 49(c).

2.29. The Proctor and the Assistant Proctors shall hold office for one year and shall be eligible for reappointment : Sections 49(c) and 49(e)

Provided that for so long his successor is not appointed every Proctor or Assistant Proctor shall continue in office :

Provided further that the Executive Council may,

on the recommendation of the Vice-Chancellor, remove the Proctor before the expiry of the said period :

Provided also that the Vice Chancellor may remove an Assistant Proctor before the expiry of the said period.

Sections 49(c)
and 49(e).

2.30. The Proctor and the Assistant Proctors may be paid such honorarium out of the funds of the University, as may be fixed by the Vice-Chancellor with prior approval of the State Government.

CHAPTER III

THE EXECUTIVE COUNCIL

Section 20(1)
(c).

3.01. The Deans of Faculties, who shall be members of the Executive Council under section 20(1) (c) shall be chosen in the order in which the names of various Faculties are enumerated in Statute 7.01.

Section 20(1)
(d).

3.02. Representation of Professors, Readers and Lecturers of the University under clause (i) of section 20(1) (d) shall be as follows :—

(a) one Professor to be selected by rotation in order of seniority ;

(b) one Reader to be selected by rotation in order of seniority ;

(c) one Lecturer to be selected by rotation in order of seniority ;

Section 20(1)
(d).

3.03. Three Principals and two other teachers of affiliated Colleges who shall be members of the Executive Council under sub-clause (ii) of section 20(1) (d) shall be selected by rotation in order of seniority as such Principals and teachers, as the case may be.

Section 20(1)
(f).

3.04. Persons elected under clause (f) of section 20(1) shall cease to be members of the Executive Council on their subsequently becoming students of or accepting service in the University, an Institute, an affiliated college, a hall or college or a hostel of the University.

Section 49 (a)
and (b).

3.05. No person shall be or continue to be a member of the Executive Council in more than one capacity, and, whenever a person becomes a member of the Executive Council in more than one capacity, he shall within two weeks thereof choose the capacity in which he desires to be member of the Executive Council and shall vacate the other seat. Where he does not so choose, the seat held by him earlier in point of time shall be deemed to have been vacated

with effect from the date of expiry of the aforesaid period of two weeks.

3.06. The Executive Council may, by resolution passed by a majority of its total membership, delegate such of its powers as it deems fit to an officer or authority of the University subject to such conditions as may be specified in the resolution. Section 21(8).

3.07. The meetings of the Executive Council shall be called under the directions of the Vice-Chancellor. Sections 20 & 49(b).

3.08. The Executive Council shall obtain the opinion of the Finance Officer before considering any proposal involving financial implications. Sections 20 & 49(b).

CHAPTER IV THE COURT

4.01. Two provosts and wardens of the hostels and halls of the University and its constituent colleges, institutes, if any, who shall be members of the Court under clause (vii) of section 22(1), shall be selected by rotation on the basis of longest continuous service as such provosts or wardens. Section 22(1) (vii).

4.02. (1) Fifteen teachers who shall be members of the Court under clause (ix) of section 22(1), shall be selected in the following manner :— Section 22(1) (vii).

- (a) two Readers of the University ;
- (b) four Lecturers of the University ;
- (c) the Dean of the Students Welfare ;
- (d) three Principals of affiliated colleges ;
- (e) five other teachers of affiliated colleges.

(2) The above Readers, Lecturers, Principals and other teachers shall be selected in order of seniority as Readers, Lecturers, Principals or other teachers as the case may be.

4.03. (1) Two representatives of the Management of affiliated colleges who shall be members of the Court under clause (x) of section 22(1), shall be selected by the Vice-Chancellor by rotation. Sections 22(1) (x) and 64(3)

(2) The Management represented shall be free to send to any meeting of the Court any of its members (including President).

Registration of Graduates and their representation in Court

4.04. The Registrar shall maintain in his Office a Register of Registered Graduates, hereinafter in this Chapter called the Register. Section 16(4)

Section 49(q) 4.05. The Register shall contain the following particulars :

(a) The names and addresses of the registered graduates.

(b) The year of their graduation.

(c) The name of the University or the college from which they graduated.

(d) The date on which the name of the graduate was entered in the Register.

(e) Such other details as the Executive Council may from time to time direct.

NOTE—The names of the Registered Graduates who are dead shall be struck off.

Section 49(q). 4.06. Every graduate of the University from the date of the convocation at which the degree by virtue of which he is to be registered was conferred or would have been conferred on him if he were present thereat shall, on an application in the form approved by the Executive Council and on payment of fee of rupees fifty-one be entitled to have his name registered in the Register. The application shall be made by the graduate himself, and may either be delivered to the Registrar personally or sent by registered post. If two or more applications are received in the same cover, they shall be rejected.

Provided that every graduate from a college, originally affiliated to any other University and now affiliated to the University, may also apply for Registration as a Registered Graduate in the University, provided that he is not Registered Graduate of any other University on the basis of the same degree.

Section 49(q) 4.07. On receipt of the application, the Registrar shall, if he finds that the graduate is duly qualified and the prescribed fee has been paid, enter the name of the applicant in the Register.

4.08. A registered graduate whose name has been borne on the Register for one year or more on June 30, preceding the date of notification for the election shall be entitled to vote at the election of the representatives of registered graduates ;

Provided that the restriction of one year shall not apply to the first election of registered graduates to the Court to be held on the publication of these Statutes.

Sections 22(1) (xi) and 49(q). 4.09. A registered graduate shall be eligible to seek election under clause (xi) of section 22(1), if his name has been borne on the Register for at least three years on June 30, preceding the date of election :

Provided that the restriction of three years shall not apply to the first election of registered graduates to the Court to be held on the publication of these Statutes.

4.10. A representative of registered graduates elected under clause (xi) shall cease to be a member on entering the service of the University, an institute, a constituent college, an affiliated college, a hostel, or a hall or being connected with the Management of an affiliated college, a hall or hostel or on becoming a student, and the seat so vacated shall be filled up by the person available who secured the next highest votes at the time of the previous election for the residue of his term. Sections 22(1) and 49(g)

4.11. A registered graduate, who is already a member of the Court in another capacity, may seek election as a representative of registered graduates, and on his being so elected, the provisions of Statutes 3.05 shall *mutatis mutandis* apply. Sections 22(1) (xi)(xii)

4.12. The election of the registered graduates under this Chapter shall be held in accordance with the system of proportional representation by means of single transferable vote as laid down in Appendix A. Section 22(2) (xi).

4.13. The term of the members of the Court shall commence from the date of the first meeting of the Court. Sections 22(2) and 49, b₁.

CHAPTER V

ACADEMIC COUNCIL

5.01. Three Principals of affiliated colleges of the University, who shall be members of the academic Council under clause (vii) of section 25(2), shall be selected in order of seniority as Principals of such colleges. Sections 25() (vii) 25, 3) and 49(b).

5.02. Fifteen teachers who shall be members of of the Academic Council under clause (viii) of section 25(2) shall be selected in the following manner :— Sections 25(2) (viii) and 49.

(a) seven Lecturers of the University by rotation in order of seniority ;

(b) eight teachers of the affiliated colleges (not being Principals) by rotation in order of seniority.

NOTES—(1) Not more than two Lecturers from the

same faculty, and not more than two teachers from the same affiliated college shall be members under this Statute.

(2) In the event of more than two Lecturers of the University from the same faculty and more than two teachers of the same college being entitled to be members of the Academic Council under this Statute the two seniormost Lecturers and two senior most teachers, shall be, members of the Academic Council. Teachers so passed over shall have their turn in rotation next time.

sections 25(2)
(xi) and 49(b).

5.03. Five persons of academic eminence who shall be members of the Academic Council under clause (xi) of section 25(2) shall be co-opted by the members mentioned in clauses (i) to (x) of that section, who shall be called to a meeting by the Registrar, from amongst persons who are not employees of the University, a constituent college, an Institute, an affiliated college, a hall or hostel.

Section 25 and
49(b).

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

Section 49(b).^c

5.05. Subject to the provisions of the Act, these Statutes and the Ordinances, the Academic Council shall have the following powers, namely—

(i) to scrutinize and make its recommendations on proposals submitted by the Boards of Studies through the Faculties in regard to the courses of study and to recommend principles and criteria on which examiners and the inspectors may be appointed, for the consideration of the Executive Council ;

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

(iii) to advise the Executive Council in regard to the recognition of the diplomas and degrees of other Universities and institutions and in regard to their equivalence with the diplomas and degrees of the University or the Intermediate Examination conducted by the Board of High School and Intermediate Education, Uttar Pradesh ;

(iv) to advise the Executive Council in regard to the qualifications required to be possessed by persons imparting instruction in particular subject for the various degrees and diplomas of the University ; and

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

5.06. The meetings of the Academic Council shall be called under the directions of the Vice-Chancellor. Sections 26 & 49(b).

CHAPTER VI THE FINANCE COMMITTEE

6.01. The term of membership of the person referred to in clause (d) of section 26(1), shall be one year, provided that he shall continue in office till the election of his successor. No such member shall hold office successively for more than three terms. Section 49(b);

6.02. Items of new expenditure not already included in the financial estimates, shall be referred to the Finance Committee in the cases of— Sections 26(3) and 49(a).

(i) non-recurring expenditure if it involves an expenditure of ten thousand rupees or above ; and

(ii) recurring expenditure, if it involves an expenditure of three thousand rupees or above :

Provided that it shall not be permissible for any officer or authority of the University to treat an item which has been split into several parts falling under a budget head as several items of smaller amount and withhold it from the Finance Committee.

6.03. The Finance Committee, shall, on or before such date as may be provided for in this behalf by the Ordinances consider all items of expenditure referred to it under Statute 6.02 or Statute 6.04 and shall make and communicate to the Executive Council as soon as may be, its recommendations thereon. Sections 25(3) and 49 a).

6.04. If the Executive Council, at any time after the consideration of the annual financial estimates (i.e. the budget) proposes any revision thereof involving recurring or non-recurring expenditure of the amounts referred to in Statute 6.02, the Executive Council shall refer the proposal to the Finance Committee. Section 26(3).

6.05. The annual accounts and the financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and thereafter submitted to the Executive Council for approval. Sections 26(1) and 49(a).

- Sections 26(3) and 49(a). 6.06. A member of the Finance Committee shall have the right to record a minute of dissent, if he does not agree with any decision of the Finance Committee.
- Sections 26(3) and 49(a). 6.07. The Finance Committee shall meet at least twice every year to examine the accounts to scrutinise proposals for expenditure.
- Sections 15(7) and 49(c). 6.08. The meetings of the Finance Committee shall be convened under the directions of the Vice-Chancellor, and all notices for convening such meetings shall be issued by the Finance Officer who shall keep the minutes of all such meetings.

CHAPTER VII THE FACULTIES

- Section 27(1). 7.01. The University shall have the following Faculties, namely :
- (a) Faculty of Arts.
 - (b) Faculty of Commerce.
 - (c) Faculty of Education.
 - (d) Faculty of Law.
 - (e) Faculty of Science.
- Section 27(3). 7.02. (1) A Board of Faculty other than the Faculties of Commerce, Law and Education, shall be constituted as follows—
- (i) The Dean of the Faculty who shall be the Chairman;
 - (ii) One senior-most teacher who shall either be a Principal or seniormost teacher of a Post-graduate department for each of the subjects comprised in the Faculty and recognised up to Post-graduate standard.
 - (iii) One senior-most teacher who shall be a Principal or senior-most teacher of a Department for each of the subjects comprised in the Faculty and recognised up to first degree standard only.
 - (iv) Three senior most teachers in the Faculty other than Principals and teachers mentioned in clauses (ii) and (iii) above provided that no two teachers shall profess the same subject and belong to the same college, where there is more than one college recognised for the teaching of the subject. The teachers so passed over shall not lose their turn in rotation next time.

(v) All Professors of the University and of constituent colleges in subjects comprised in the Faculty;

(vi) Four persons possessing expert knowledge of the subjects comprised in the Faculty or subjects allied to them, not in the service of the University or any of its colleges, to be nominated by the Vice Chancellor from the following categories—

(a) Professors in Universities;

(b) Present or retired Principals of Post-graduate colleges;

(c) Directors of Research Institutes :

Provided that the number of members from category (b) shall not exceed three.

(2) The teachers under items (ii), (iii) and (iv) of clause (1) shall be chosen by rotation in order of seniority.

7.03. The Board of the Faculty of Commerce shall be constituted as follows : Section 27[3]

(i) The Dean of the Faculty, who shall be the Chairman.

(ii) All Professors of the University and of constituent colleges, if any, belonging to the Faculty:

(iii) Five teachers of the subject who shall be either Principals or the senior-most teachers of post-graduate department by rotation in order of seniority from among teachers of affiliated colleges.

(iv) Convener of the Board of Studies in Economics in the University.

(v) President of the Chamber of Commerce and Industry, U. P.

(vi) Three persons possessing expert knowledge of the subjects comprised in the Faculty or subjects allied to them, not in the service of the university or any of its colleges, to be nominated by the Vice-Chancellor from the following categories :

(a) Professors in Universities;

(b) Present or retired Principals of Post-graduate colleges;

(c) Directors of Research Institutes :

Provided that the number of members from category (b) shall not exceed one.

Section 27[3]

7.04. The Board of the Faculty of Law shall be constituted as follows—

(i) The Dean of the Faculty, who shall be the Chairman.

(ii) All Professors of the University and of constituent colleges, if any, belonging to the Faculty;

(iii) Five teachers of Law who shall be either Principals or the seniormost teachers by rotation in order of seniority from among teachers of the affiliated colleges, provided that one of them shall belong to a college, if any, teaching up to LL.M. standard;

(iv) Two teachers of Law other than Principals and teachers mentioned in clause (ii) above, by rotation in order of seniority from among teachers of affiliated colleges, provided both of them shall not belong to the same college. The teachers so passed over shall not lose their turn in rotation next time :

(v) Three persons possessing expert knowledge of the subjects comprised in the Faculty or subjects allied to them, not in the service of the University or any of its colleges to be nominated by the Vice-Chancellor from the following categories :

(a) Professors in Universities;

(b) Present or retired Principals of Post-graduate colleges;

(c) Directors of Research Institutes :

Provided that the number of members from category (b) shall not exceed one;

(vi) The District Judge of Naini Tal.

Section 27[3]

7.05. The Board of Faculty of Education shall be constituted as follows :

(i) The Dean of the Faculty, who shall be the Chairman.

(ii) All Professors of the University and of constituent colleges, if any, belonging to the Faculty;

(iii) Five teachers of Education who shall be either Principals or the senior-most teachers of Departments by rotation in order of seniority from among teachers of affiliated colleges, provided that at least two of them shall

belong to a department teaching up to M.Ed. standard.

(iv) Regional Deputy Director of Education, Naini Tal (*ex-officio*).

(v) Three persons possessing expert knowledge of the subjects comprised in the Faculty or subjects allied to them, not in the service of the University or any of its colleges, to be nominated by the Vice-Chancellor from the following categories :

(a) Professors in Universities;

(b) Present or retired Principals of Post-graduate colleges.

7.06. The following shall be the departments comprised in the Faculty of Arts : Section 27(2)

- (1) Economics.
- (2) Drawing and Painting.
- (3) English.
- (4) Geography.
- (5) Hindi.
- (6) History.
- (7) Music.
- (8) Political Science.
- (9) Psychology.
- (10) Sanskrit.
- (11) Sociology.
- (12) Statistics.
- (13) Mathematics.
- (14) Military Studies.

7.07. The following shall be the departments comprised in the Faculty of Commerce : Section 27(2)

- (1) Theory of Commerce.
- (2) Applied Commerce.

7.08. The following shall be the department comprised in the Faculty of Law : Section 27(2)

- (1) Law.

7.09. The following shall be the departments comprised in the Faculty of Science : Section 27(2)

- (1) Botany.
- (2) Chemistry.
- (3) Defence Studies.
- (4) Geology.

(5) Mathematics.

(6) Physics.

(7) Statistics.

(8) Zoology.

(9) Forestry.

Section 27(2). 7.10. The following shall be the department comprised in the Faculty of Education :

(1) Education.

Sections 27[3] and 49[b]. 7.11.(1) Save as otherwise provided in this Chapter, member of the Board of Faculty other than *ex officio* members, shall hold office for a period of three years.

(2) The meetings of the Board of Faculty shall be convened under the directions of its Chairman.

Section 27[3]. 7.12. Subject to the provisions of the Act, the Board of each Faculty shall have the following powers, namely :

(i) to make recommendations to the Academic Council regarding the courses of study, after consulting the Boards of Studies concerned ;

(ii) to make recommendations to the Academic Council regarding the teaching and research work of the University in the subjects assigned to the Faculty ;

(iii) to consider and make recommendations to the Academic Council on any question, pertaining to its sphere of work which may appear to it necessary and on any matter referred to it by the Academic Council.

Section 27[3]. 7.13. Nothing contained in this Chapter shall be construed to authorise the opening of any Department of Teaching in the University not in existence at the commencement of these Statutes unless prior approval of the Chancellor has been obtained and necessary grant for it has been secured.

CHAPTER VIII

OTHER AUTHORITIES AND BODIES OF THE UNIVERSITY DISCIPLINARY COMMITTEE

Section 49. 8 01. (1) The Executive Council shall constitute, for such term as it thinks fit, a Disciplinary Committee in the University which shall consist of the Vice-Chancellor and two other persons nominated by it :

Provided that if the Executive Council considers it

expedient, it may constitute more than one such Committees to consider different cases or classes of cases.

(2) No teacher against whom any case involving disciplinary action is pending shall serve as a member of the Disciplinary Committee dealing with the case.

(3) The Executive Council may at any stage transfer any case from one Disciplinary Committee to another Disciplinary Committee.

8.02. (1) The functions of the Disciplinary Committee shall be as follows : Section 49.

(a) to decide any appeal preferred by an employee of the University under Statute 2.07 ;

(b) to hold inquiry into cases involving disciplinary action against a teacher or the Librarian of the University ;

(c) to recommend suspension of any employee referred to in subclause (b) pending or in contemplation of inquiry against such employee ;

(d) to exercise such other powers and perform such other functions as may, from time to time, be entrusted to it by the Executive Council.

(2) In case of difference of opinion among members of the Committee, the decision of the majority shall prevail.

(3) The decision or the report of the Committee shall be final, and the Executive Council shall be bound to give effect thereto, as early as possible.

DEPARTMENTAL COMMITTEES

8.03. There shall be a Departmental Committee Section 49.
in each Department of teaching in the University to assist the Head of the Department appointed under Statute 2.20.

8.04. The Departmental Committee shall consist Section 49.
of—

(i) The Head of the Department, who shall be the Chairman ;

(ii) All Professors in the Department, and if there is no Professor, then all Readers in the Department ;

(iii) In the case of a department which has Professors as well as Readers, two Readers by rotation according to seniority for a period of three years ;

(iv) In the case of a department which has Readers as well as Lecturers one Lecturer and in the case of a department which has no Readers two Lecturers, by rotation according to seniority for a period of three years :

Provided that for any matter specifically concerning any subject or speciality, the senior-most teacher of that subject or speciality, if not already included according to this Statute, shall be specially invited for that matter.

Section 49. 8.05. The following shall be the functions of the Departmental Committee :—

(i) to make recommendations regarding distribution of teaching work among the teachers of the Department ;

(ii) to make suggestions regarding co-ordination of the research and other activities in the department ;

(iii) to make recommendations regarding appointment of staff in the department for which the Head of Department is the appointing authority ;

(iv) to consider matters of general and academic interest to the Department.

Section 49. 8.06. The Committee shall meet at least once in a quarter. The minutes of its meeting shall be submitted to the Vice-Chancellor.

EXAMINATIONS COMMITTEE

Sections 29 and 49. 8.07. The Examination Committee may, on the recommendation of the person or persons or the sub-committee referred to in sub-section (3) of section 29, debar an examinee from appearing in any future examination or examinations if in the opinion of the Committee, such examinee was guilty of misbehaviour or of using unfair means at any examination conducted by the University.

CHAPTER IX

BOARDS

Section 49. 9.01. The University may in addition to the Boards of Faculties and the Boards of Studies, have the Board of Students Welfare.

9.02. The powers, functions and the constitution of the Board of Students Welfare shall be such as may be laid down in the Ordinances :

Sections 49 and 51.

Provided that the Ordinances relating to the Board of Students Welfare shall provide for the representation of the students also, and the term of such student representatives shall be one year.

9.03. For so long as the new Board is not constituted in accordance with Statute 9.02, the Board existing on the date immediately before the commencement of these Statutes shall continue to function.

Sections 49 and 51.

CHAPTER X

CLASSIFICATION OF TEACHERS

10.01. There shall be following classes of teachers of the University :

Sections 31 and 49[d].

- (1) Professors,
- (2) Readers,
- (3) Lecturers.

10.02. Teachers of the University shall be appointed in the subjects on whole time basis in the scales of pay approved by the State Government :

Sections 31 & 49(d).

Provided that part-time lecturers may be appointed in subjects in which in the opinion of the Academic Council such lecturers are required in the interest of teaching or for other reasons. Such part-time lecturers may receive salary ordinarily not exceeding one-half of the initial salary of the scale for the post to which they are appointed. Persons working as Research Fellows or as Research Assistants may be called upon to act as part-time lecturers.

10.03. The Executive Council may, on the recommendations of the academic council, appoint :

Sections 31 & 49(d).

(1) Professors of academic eminence and outstanding merit on special contract in accordance with the Ordinances in that behalf :

(2) Honorary Emeritus Professors who shall—

- (a) deliver lectures on special subjects ;
- (b) guide research ;
- (c) be entitled to be present in meetings of the Board of Faculty concerned and to take part in its discussions but will not have the right of vote ;

(d) be provided with facilities for study and research in the library and laboratories of University as far as possible ; and

(e) be entitled to attend all Convocations :

Provided that a person shall not, merely by virtue of holding the post of a Professor in the Department as Honorary Emeritus Professor, be eligible to hold any office in the University or in any Authority or Body thereof.

Sections 21(1)
(xvii), 31 and
49(o).

10.04. Instructors or Teaching Research Assistants may be appointed by the Executive Council on such terms and conditions as may be provided for in the Ordinances.

Sections 31 &
49[o].

10.05. (1) The Principal and other teachers of affiliated colleges shall be employed on whole time basis in the scales of pay approved by the State Government.

(2) Subject to the provisions of clause (iv) of Statute 20.02, the proportion of part-time teachers shall not, at any time, exceed one-fourth of the strength of the full time teaching staff in the department concerned ;

Provided that where the number of teachers in a department is less than four. the appointment of one part-time teacher may be permitted by the Vice-Chancellor.

Section 49(o).

10.06. No part-time teacher in an affiliated college shall hold any other office in that college.

CHAPTER XI

Part I

QUALIFICATIONS AND APPOINTMENT OF TEACHERS IN THE UNIVERSITY

Section 49.

11.01. In the case of the Faculties of Arts, Commerce and Science, the following shall be the minimum qualifications for the post of a Lecturer in the University, namely—

(a) a doctorate in the subject of study concerned or a published work of a high standard in that subject ; and

(b) consistently good academic record (that is to say, the overall record of all assessments

throughout the academic career of a candidate), with first class or high second class (that is to say, with an aggregate of more than 54 per cent marks) Master's degree in the subject concerned or equivalent degree of a foreign University in such subject.

(2) Where the Selection Committee is of opinion that the research work of a candidate, as evidenced either by his thesis or by his published work, is of a very high standard, it may relax any of the requirements specified in sub-clause (b) of clause (1).

(3) If a candidate possessing a qualification prescribed in sub-clause (a) of clause (1) is not available or is not considered suitable, a person possessing a consistently good academic record (due weightage being given to M. Phil. or equivalent degree or research work of quality) may be appointed on the condition that he will attain the prescribed qualification (namely doctorate or published work as aforesaid) within five years from the date of his appointment ;

Provided that where the teacher so appointed fails to attain the prescribed qualification within the said period of five years, he shall not be entitled to yearly increments after such period, until he attains such qualifications.

(4) In the case of Faculty of Law, the minimum qualification for the post of a Lecturer in the University shall be a degree in Master of Laws.

11.02. (1) No teacher appointed before the commencement of these Statutes shall be deemed to be qualified for appointment to the post of Reader or Professor if he does not possess the qualification prescribed in Statute 11.01 provided that where the Selection Committee is of opinion that the research work of a candidate, as evidenced by his thesis or by his published work, is of a very high standard, it may relax any of the requirements specified in sub-clause (b) of clause (1) of Statute 11.01. Section 49.

(2) In addition, a candidate for appointment to the post of Reader or Professor shall fulfil any other qualification laid down in the Ordinances of the University.

11.03. No selection of a teacher made between August 1, 1975 and October 20, 1975 on the basis of the U. P. State Universities First Statutes (Age of Superannuation, Scales of Pay and Qualification of Teachers) 1975, referred to in clause (2) of Statute 1.02 as Section 49.

they stood before their amendment by notification no. 7251/XV-10-75-60 (115)-73, dated October 20, 1975, shall be affected by these Statutes.

Sections 31 &
49(d).

11.04. The advertisement of vacancy referred to in section 31(10) shall ordinarily allow at least three weeks time, from the date of the issue of news-papers in which the advertisement is published, to the candidates to apply for the vacancy.

Sections 31(9)
and 49[d].

11.05. (1) Meetings of the Selection Committee for appointment of teachers in the University shall be convened under the orders of the Vice-Chancellor.

(2) The Selection Committee shall not consider the name of a person for appointment as teacher of the University unless he applies for it :

Provided that in the case of appointment of a Professor, the Committee may, with the approval of the Vice-Chancellor, consider the names of persons who have not applied.

(3) A member of the Selection Committee shall withdraw, from a meeting of the Committee or of the Executive Council, as the case may be, if the question of appointment of any of the relatives (as defined in the Explanation to section 20) of such member is being or is likely to be considered at such meeting,

Sections 30
and 31.

11.06. (1) If the Selection Committee recommends more than one candidate for appointment, it may in its discretion arrange their names in order of preference. Where the Committee decides to arrange the names in order of preference, it shall be deemed to have signified that in the event of the first being not available, the second may be appointed, and in the event of the second also being not available, the third may be appointed, and so on.

(2) The Selection Committee may recommend that no suitable candidate for appointment is available. In such a case, the post shall be re-advertised.

Section 49[b].

11.07. The recommendations of the Selection Committee and proceedings of the Executive Council pertaining thereto shall be treated as strictly confidential.

Sections 21(1)
[xvii], 31 and
49[d].

11.08. If the work and conduct of a teacher appointed under section 31(2)—

(i) is considered satisfactory, the Executive Council may at the end of period of probation

(including the extended period, if any) confirm the teacher ;

(ii) is not considered satisfactory, the Executive Council may terminate the services of the teacher in accordance with the provisions of section 31 during or on the period of probation (including the extended period, if any).

11.09. The Selection Committee shall meet at the Headquarters of the University. Sections 31 and 49[o].

11.10. Members of the Selection Committee shall be given not less than fifteen days notice of the meeting reckoned from the date of despatch of such notice. The notice shall be served either personally or by registered post. Sections 31 and 49[d].

11.11. At least fifteen days notice reckoned from the date of the despatch shall be given to the candidates to the meeting of the Selection Committee. The notice shall be served either personally or by registered post. Sections 31 & 49(d).

11.12. The travelling and daily allowances of the members of the Selection Committee shall be paid by the University at the rates prescribed by Ordinances. Section 27.

Part II

QUALIFICATIONS AND APPOINTMENT OF TEACHERS IN THE AFFILIATED COLLEGES

11.13. (1) In the case of any college affiliated to the University, the Faculties of Arts, Commerce and Science, namely:— Section 49.

(a) a consistently good academic record (that is to say, the overall record of all assessments throughout the academic career of a candidate) with first or high second class (that is to say, with an aggregate of more than 54 percent marks) Masters' degree in the subject concerned or equivalent degree of a foreign University in such subject ; and

(b) M. Phill degree or a recognised degree beyond the Master's level or published work indicating the capacity of a candidate for independent research work.

(2) If a candidate possessing the qualification specified in sub-clause (b) of clause (1) is not available or is not considered suitable, the Management of a

college may, on the recommendation of the Selection Committee, appoint a candidate possessing consistently good academic record on the condition that he will have to obtain the qualifications referred to in that sub clause within a period of five years from the date of his appointment :

Provided that where the teacher so appointed fails to attain such qualification within the said period of five years, he shall not be entitled yearly increments after such period, until he attains such qualification

(3) If a candidate has served as a teacher continuously for a period of not less than 5 years before 1st July 1977 and has obtained an average of not less than 48 per cent marks in all examinations from High School to Master's Degree, the Selection Committee may relax the requirement prescribed in clauses (1) and (2) :

Provided that if a candidate holds Master's degree in more subjects than one, then the marks obtained in the Master's degree in the concerned subject alone shall be taken into account.

(4) Notwithstanding anything contained in these Statutes, if a candidate was selected by the Selection Committee constituted under clause (c) or clause (d) of sub-section (4) of section 31 of the Act, and such selection is pending for approval of the Vice-Chancellor since August 1, 1975 (the date of enforcement of Statutes laying down revised qualifications of teachers of degree colleges, other than Principal), or April 20, 1977 (the date of enforcement of Statutes laying down revised qualifications of Principals of degree colleges), as the case may be, then the qualifications laid down in any Statutes, Ordinances or Government Orders in force immediately before such date shall apply.

(5) If a candidate holds a doctorate degree in the subject concerned the Selection Committee may relax any of the requirements in the clauses (1) and (2)

(6) In the case of any college affiliated to the University, the minimum qualification for the post of a Lecturer in the Faculty of Law shall be a degree of Master of Laws.

Section 49.

11.14. In the case of any college affiliated to the University the following shall be the minimum qualifications for the post of Principal for a—

(1) *Degree College*—

(a) a consistently good academic record (that is to say; the overall record of all assessments throughout the academic career of a candidate) with first or high second class (that is to say, with an aggregate of more than 54 per cent marks) Master's degree or an equivalent degree of a foreign University, in one of the subjects taught in the college ; and

(b) a doctorate degree in one of the subjects taught in the college. with 10 years experience of teaching degree classes :

Provided that if a candidate possesses 15 years or more experience of teaching degree classes or 10 years or more experience of teaching post-graduate classes or if he is or has been a confirmed Principal of four years or more standing of any degree college, the Selection Committee may relax the requirement of doctorate degree.

(2) *Post graduate College*—

(a) a consistently good academic record (that is to say, the overall record of all assessments throughout the academic career of a candidate) with first or high second class (that is to say, with an aggregate of more than 54 per cent marks) Master's degree or an equivalent degree of a foreign University in one of the subjects taught in the college ; and

(b) a doctorate degree in one of subjects taught in the college, with 7 years experience of teaching post-graduate classes or five years experience of Principalship of a degree college :

Provided that if a candidate possesses 10 years experience of teaching post-graduate classes or 20 years or more experience of teaching degree classes or seven year's experience of Principalship of a Degree College or if he is or has been confirmed Principal of five years or more standing of any post-graduate college, the Selection Committee may relax the requirement of doctorate degree.

11.15. The provisions of Statutes 11.03 to 11.11 (excepting Statute 11.08) shall *mutatis mutandis* apply in case of appointment of Principals and teachers of affiliated colleges as they apply to the teachers of the University.

Sections 31 &
49[*o*].

Sections 31 &
49[o].

11.16. The travelling and daily allowances of the members of the Selection Committee for the appointment of Principals and teachers of affiliated college shall be borne by the college concerned.

CHAPTER XII CONSTITUENT COLLEGES

Section 41.

12.01. The following shall be the constituent colleges of the University :—

- (1) Dev Singh Bisht College, Naini Tal.
- (2) Almora College, Almora.

CHAPTER XIII AFFILIATED COLLEGES

Section 37.

13.01. The list of colleges affiliated to the University as on the date of the publication of these Statutes is given in Appendix 'E'.

AFFILIATION OF NEW COLLEGES

Sections 37 &
49[m].

13.02. Every application for affiliation of a College shall be made so as to reach the Registrar not less than 12 months before the commencement of the session in respect of which the affiliation is sought :

Provided that the Chancellor may, in special circumstances, reduce the said period in the interest of a higher education to such extent as he may deem necessary.

Sections 37 &
49[m].

13.03. Every application for affiliation of a college shall be accompanied by a Bank Draft payable to the University, for a sum of Rs. 2,000 which will be non-refundable.

Sections 37 &
49[m]

13.04. Before an application for affiliation is placed before the Executive Council, the Vice-Chancellor must be satisfied with regard to the following particulars, namely:—

(a) that provisions of Statutes 13.06, 13.06 and 13.07 have been complied with ;

(b) that the institution satisfies the demand for higher education in the locality ;

(c) that the Management concerned has provided or has adequate financial resources to provide for—

(i) suitable and sufficient building :

(ii) adequate library, furniture, stationery, equipment and laboratory facilities :

(iii) two hectares of land (excluding covered area) ;

(iv) facilities for health and recreation of the students ;

(v) payment of salary and other allowances to the employees of the college for at least three years.

13.05. The constitution of the Management of every college shall provide that – Sections 37 & 49(m).

(a) the Principal of the College shall be *ex officio* member of the Management ;

(b) twenty-five per centum of the members of the Management are teachers (including the Principal) :

(c) the teachers (excluding the Principal) referred to in clause (b) are such members for a period of one year by rotation in order of seniority ;

(d) subject to the provisions of clause (c) no two member of the Management shall be related to each other within the meaning of the Explanation to section 20 ;

(e) no change in the said constitution shall be made except with the prior permission of the Vice-Chancellor ;

(f) if any question arises whether any person has been duly chosen as, or is entitled to be, a member or office bearer of the Management or whether the Management is legally constituted the decision of the Vice-Chancellor shall be final;

(g) the college is prepared to place before any person or persons authorised by the Vice-Chancellor or before the Panel of Inspectors appointed by the University all original documents pertaining to income and expenditure of the college including the accounts of the Society Trust, Board or Parent body under which it may be operating ;

(h) the income from the Endowment Funds referred to in Statute 13.06 shall be available for the maintenance of the College.

13.06. (1) For every college (other than a college exclusively maintained by the State Government or by a local authority), there shall be a separate endowment Section 37 & 49 (m)

fund which shall be pledged with the Registrar of the University and which shall not be alienated so long as the college continues to exist, of the value of—

(i) Rs. 2.5 lakhs in the case of a college applying for affiliation in—Arts,

(ii) Rs. 2.5 lakhs in the case of a college applying for affiliation in—Commerce,

(iii) Rs. 2.5 lakhs in the case of a college applying for affiliation in—Education,

(iv) Rs. 2.5 lakhs in the case of a college applying for affiliation in—Law,

(v) Rs. 3 lakhs in the case of a college applying for affiliation in—Science,

to be provided exclusively for degree classes.

(2) If the college wants affiliation up to post-graduate standard, additional Endowment Fund of the value of Rs. 20,000 per subject in the case of Arts, Commerce, Education or Law and Rs. 30,000 per subject in the case of Science shall have to be provided for.

(3) Such Endowment Funds shall be invested in Fixed Deposit Account of a Scheduled Bank or in such other manner as the University may direct.

Section 37 and
49 (m)

13.07. A college seeking affiliation in any course requiring laboratory work shall further satisfy the University that—

(a) separate laboratories are provided in each branch of Science and that each of them is suitably equipped, and

(b) sufficient and suitable apparatus and equipment are provided for the carrying of experimental work.

Section 37 and
49 (m)

13.08. If the Vice-Chancellor is satisfied with regard to matters in the preceding Statutes, the application shall be placed before the Executive Council which shall appoint a Panel of Inspectors to inspect the college and make a detailed report on all relevant matters. The Panel so appointed shall include the Regional Deputy Director of Education in the case of a Boys' or co educational college and the Regional Inspectress in the case of a Girls' college.

Section 37 (8)
and 49 (m)

13.09. Ordinarily all inspections shall be completed within 4 months of the receipt of an application for affiliation. No application for affiliation shall be granted by the Executive Council unless it is satisfied about the financial soundness and of the available

resources of the college proposed to be affiliated on the report of the panel of Inspectors. The process of grant or refusal of application should ordinarily be completed before 15th May of the year in which it is proposed to start the classes.

13.10. Where the affiliation to a college is granted subject to certain conditions, the college shall not admit or register students unless the Vice-Chancellor after due inspection has issued a certificate that the conditions imposed by the University have been duly fulfilled. If there are practical difficulties for the Vice-Chancellor to inspect the college personally, he may nominate a qualified person or persons to inspect the college concerned. Section 37 and 49 (m).

AFFILIATION OF COLLEGES FOR NEW DEGREES OR ADDITIONAL SUBJECTS

13.11. Every application from an affiliated college for starting courses of instructions for a new degree or in new subjects shall be made so as to reach the Registrar before the 15th of August of the year preceding the one in which it is proposed to start such courses. Section 37 and 49 (m).

13.12. Each college applying for affiliation for a new degree or for a new subject, shall remit with its application a sum of Rs. 200 for each subject with a minimum of Rs. 400 and a maximum of Rs.1,000 which will be non-refundable. Section 37 and 49 (m)

13.13. No application for affiliation in a new subject shall be considered unless the Registrar gives a certificate in writing that the conditions of affiliation and of previous affiliation have been fulfilled in total. Section 37 and 49 (m)

13.14. If the Vice-Chancellor is satisfied in regard to the need for such affiliation and if the college has fulfilled and continues to fulfil all conditions of previous affiliation the application shall be placed before the Executive Council which shall appoint a Panel of Inspectors and the provisions of Statute 13.08 shall apply. Section 37 and 49 (m)

13.15. Ordinarily, all inspections referred to in Statute 13.14 shall be completed by the end of October, to enable the Executive Council of the University to scrutinise the reports of inspection well in time. Sections 37 and 49 (m)

13.16. Restrictions imposed by Statute 13.10 shall apply to an affiliated college applying for affiliation for new degrees or additional subjects. Sections 37 and 49 (m).

Sections 37 and 49 (m). 13.17. Every affiliated college shall strictly observe the rules laid down, by the University regarding admission to colleges, residence and discipline of students.

Sections 37 and 49 (m). 13.18. Every affiliated college shall make available to the University its buildings, libraries and laboratories with their equipments and appurtenances and also the services of such of its teaching and other staff as may be necessary for the purposes of conducting the University examinations.

Sections 37 and 49 (m). 13.19. Every affiliated college shall have on its staff teachers having such qualifications who shall be given such grades of pay, and be governed by such other conditions of services as may be laid down from time to time in the Ordinances or in the orders of the State Government in that behalf :

Provided that no Ordinance relating to grades of pay and qualifications shall be made without prior approval of the State Government.

Sections 37 and 49 (m). 13.20. When the office of the Principal of an affiliated college falls vacant, the Management may appoint any teacher to officiate as Principal for a period of three months or until the appointment of a regular Principal, whichever is earlier. If on or before the expiry of the period of three months, any regular Principal is not appointed, or such a Principal does not assume office, the seniormost teacher in the college shall officiate as Principal of such college until a regular Principal is appointed.

Sections 37 and 49 (m). 13.21. Every affiliated college shall observe the conditions set out in Statutes 13.04 to 13.07 :

Provided that in the case of a college affiliated before the commencement of these Statutes, the Vice-Chancellor may require the Management of such college to fulfil and observe such of the conditions set out in Statutes 13.04, 13.06 and 13.07 as the Vice-Chancellor considers reasonable :

Provided further that if the Management of such college fails to comply with the requirements issued under the preceding proviso within the time specified by the Vice-Chancellor, the Vice-Chancellor may take steps for the withdrawal of the affiliation in accordance with Statutes 13.28 to 13.32.

Sections 37 and 49 (m). 13.22. Every affiliated college shall by 15th August every year submit to the Registrar a certificate from the Principal that the conditions laid down for affiliation have continued to be fulfilled.

13.23. Every affiliated college shall maintain the registers required for affiliated colleges, and shall from time to time furnish to the Registrar returns in such forms as may be required by the University. Sections 37 and 49 (m).

13.24. (1) Where the Executive Council or the Vice-Chancellor causes any affiliated college to be inspected it or he may communicate to the college the result of such inspection together with its or his views thereon and direct the Management regarding the action to be taken. Sections 37 and 49 (m),

(2) Where the Management of an affiliated college does not take action to the satisfaction of the Executive Council, or the Vice-Chancellor the Council may either on its own motion or on a report to that effect received from the Vice-Chancellor, after considering any explanation furnished or representation made by the Management, issue such direction as it may think fit, and the Management shall comply with such direction, failing which the Executive Council may proceed to take action under or in accordance with Statute 13.31.

13.25. Information regarding all posts in the teaching staff of the college that fall vacant temporarily or permanently shall be communicated to the Registrar within 15 days of their falling vacant. Sections 37 and 49 (m)

13.26. The number of students in a class or section in an affiliated college shall not, except with the previous permission of the Vice-Chancellor, exceed 60 for purposes of lectures in the class room but in no case, shall exceed 80. Sections 37 and 49 (m).

13.27. Before a new section in any class is opened by any college, full information regarding additional staff required (together with their qualifications and salaries, time-table for the new section, accommodation available and provision for additional equipment and Library facilities) shall be sent to the University and prior permission of the Vice-Chancellor be obtained. Sections 37 and 49 (m).

WITHDRAWAL OF AFFILIATION

13.28. Continuance of affiliation shall depend on continued fulfilment of conditions laid down by the University. Sections 37 (8) and 49 (m).

13.29. An affiliated college shall be deemed to have been dis-affiliated if it fails to send up any candidate for an examination conducted by the University for three successive years. Sections 37 (8) and 49 (m).

Sections 37 (8) and 49(m). 13.30. The Executive Council may direct a college not to admit students to a particular class if the conditions laid down for starting the class have in the opinion of the Executive Council been disregarded by the college concerned. The classes may, however, be restarted with the prior permission of the Executive Council when the conditions are fulfilled to its satisfaction.

Sections 37 (8) and 49(m). 13.31. If a college disregards the requirements of the University regarding the fulfilment of the conditions of affiliation and fails to fulfil the conditions in spite of notice issued by the University, the Executive Council may, with the previous sanction of the Chancellor, suspend the affiliation till the conditions are fulfilled to the satisfaction of the Executive Council.

Sections 37 (8) and 49(m). 13.3 . (1) The Executive Council may, with the prior sanction of the Chancellor, deprive an affiliated college of the privileges of affiliation either wholly or for any degree or subject, if it fails to comply with the directions of the Executive Council or to fulfil the conditions of affiliation or for gross mis-management, or if for any other reason the Executive Council is of opinion that the college should be deprived of such affiliation.

(2) If the salaries of the staff are not paid regularly, or if the teachers are not paid their salaries to which they were entitled under the Statutes or the Ordinances, the affiliation of the college concerned, would be liable to withdrawal.

Sections 37 and 49(m). 13.33. The Executive Council shall, before taking any action under the preceding Statutes, call upon a college to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in the conditions of affiliation.

Sections 49(a) 13.34. Whenever there is a dispute regarding the management of an affiliated college, persons found by the Vice-Chancellor to be in actual possession and control of the college properties may, for purposes of the Act and these Statutes be recognised to constitute the Management of such college until a court of competent jurisdiction orders otherwise ;

Provided that the Vice-Chancellor shall before making an order under this Statute, afford an opportunity to the rival claimants to make written representations.

Explanation—In determining the question as to who is in actual possession and control of the college

properties the Vice Chancellor shall have regard to the control over the funds of the Institution and over the actual administration, the receipt of the income from the property of the Institution and to other relevant circumstances which might have bearing on the question to be determined.

FINANCE, AUDIT AND ACCOUNTS

13.35. (1) The Management of each affiliated college shall be assisted by a Finance Committee which shall consist of-- Section 49.

(i) The President or the Secretary of the Management, who shall be the Chairman ;

(ii) two other members elected by the Management from amongst themselves ;

(iii) the Principal (*Ex Officio*) ;

(iv) the senior-most teacher-member of the Management (*ex officio*),

(2) The Principal of the College shall be the Secretary of the Finance Committee and be entitled to convene its meeting.

13.36. The Finance Committee shall prepare the annual budget of the college (except of the Students Funds) which shall be placed before the Management for their consideration and approval. Section 49.

13.37. New expenditure, not already included in the budget of the college, shall not be incurred without reference to the Finance Committee. Section 49.

13.38. The recurring expenditure provided for in the budget shall be controlled by the Principal subject to any specific directions that may be given by the Finance Committee. Section 49.

13.39. All Students' Funds shall be administered by the Principal assisted by different committees such as Games and Sport Committee, Magazine Committee, Reading Room Committee, and the like which shall include representatives of students of the college concerned. Section 49.

13. 0. Accounts of the Students' Funds shall be audited by a qualified auditor appointed by the Management not from amongst its members. The audit fees will be a legitimate charge on the Students' Funds of the college. The audit reports shall be placed before the Management. Section 49

13.41. The Students' Funds and the fee income from the Hostels shall not be transferred to any other Section 49.

fund and no loan shall be taken from these funds for any purpose whatsoever.

CHAPTER XIV

CONFERMENT AND WITHDRAWAL OF DEGREES AND DIPLOMAS

Sections 7(6),
10(2) and 49(h).

14.01. (1) The Degree of Doctor of Letters (D. Litt.) or Mahamahopadhyaya, *Honoris Causa*, may be conferred upon such persons as have contributed substantially to the advancement of Literature, Philosophy, Art, Music, Painting or any other subject assigned to the Faculty of Arts, or for conspicuous services rendered by them to the cause of education.

(2) The degree of Doctor of Science (D. Sc.), *Honoris Causa*, may be conferred upon such persons as have contributed substantially to the advancement of any branch of science or technology or to planning, organising or developing scientific and technological institutions in the country.

(3) The degree of Doctor of Laws (LL. D.), *Honoris Causa*, may be conferred upon persons, who are distinguished lawyers, judges or jurists or statesmen who have noteworthy contribution to the public good.

Sections (7)6,10
(2) and 49(h).

14.02. The Executive Council may, *suo moto*, or on the recommendation of the Academic Council by a resolution passed by a majority of its total membership and also of not less than two-thirds of the members present and voting submit a proposal for conferment of an honorary degree, to the Chancellor for confirmation under section 10 (2) :

Provided that no such proposal shall be submitted in respect of a person who is a member of any authority or body of the University.

Sections 49(1)
and 67.

14.03. Before taking any action under section 67 for the withdrawal of any degree, diploma or certificate conferred or granted by the University, the person concerned shall be given an opportunity to explain the charges against him. The charges framed against him shall be communicated by the Registrar by registered post and the person concerned shall be required to submit his explanation within a period of not less than fifteen days of the receipt of the charges.

Sections 49(1)
and 67.

14.04. Every proposal for the withdrawal of an honorary degree shall require previous sanction of the Chancellor.

CHAPTER XV
CONVOCAION

15.01. (1) A Convocation for conferring its Section 49(r).
degrees, diplomas, and other academic distinctions may be held by the University not more than once in a year on such date and at such time as the Executive Council may appoint.

(2) A special convocation may be held by the University with the prior approval of the Chancellor.

(3) The convocation shall consist of the persons specified in sub-section (1) of section 3 as constituting the body corporate of the University.

15.02. A local convocation may be held at each Section 49 (r)
affiliated college on such date and such time as the Principal may, with the prior approval of the Vice-Chancellor in writing, appoint.

15.03. Combined convocations may be held by Section 49(r)
two or more colleges in the manner prescribed in Statute 15.02.

15.04. The procedure to be observed at the con- Section 49(r).
vocations referred to in this Chapter and other matters connected therewith shall be such as may be laid down in the Ordinances.

15.05. Where the University, or any affiliated Section 49(r).
college, does not find it convenient to hold the convocation in accordance with Statute 15.01 to Statute 15.04 the degrees, diplomas and other academic distinctions may be despatched to the candidates concerned by registered post.

CHAPTER XVI

Part I

CONDITIONS OF SERVICE OF TEACHERS OF
UNIVERSITY

16.01. Except in the case of an appointment Section 49(d).
referred to in Statute 10.03 (1) or appointment under section 31 (3) in a vacancy caused by the grant of leave to a teacher for a period not exceeding 10 months or of an appointment under section 13 (6), teachers of the University shall be appointed on a written contract in the form set out in Appendix 'B'

16.02. A teacher of the University shall at all times Section 49(d)
maintain absolute integrity and devotion to duty and shall observe the Code of Conduct as set out in Appendix 'C' which shall form part of the agreement to be signed by the teacher at the time of appointment.

16.03 A breach of any of the provisions of Section 49 (d)
the Code of Conduct as set out in Appendix 'C' shall be deemed to be a misconduct within the meaning of Statute 16.04 (1).

Section 49(d). 16.04. (1) A teacher of the University may be dismissed or removed or his services terminated on one or more of the following grounds—

- (a) wilful neglect of duty ;
- (b) misconduct ;
- (c) breach of any of the terms of contract of service ;
- (d) dishonesty connected with the University Examinations ;
- (e) scandalous conduct or conviction for an offence involving moral turpitude ;
- (f) physical or mental unfitness ;
- (g) incompetence ;
- (h) abolition of the post.

(2) Except as provided by section 31 (2), not less than three months notice (or where notice is given after the month of October then three months notice or notice ending with the close of the session, whichever is longer) shall be given on either side for terminating the contract, or in lieu of such notice, salary for three months (or such longer period as aforesaid) shall be paid or refunded as the case may be :

Provided that where the University dismisses or removes or terminates the services of a teacher of the University under clause (1), or where the teacher terminates the contract for breach of any of its terms by the University no such notice shall be necessary :

Provided further that the parties will be free to waive the condition of notice in whole or in part by mutual agreement.

Section 32 (2) and 49 (d). 16.05. The original contract of appointment referred to in section 32 shall be lodged with the Registrar for registration within three months of the date of appointment.

Sections 21(1) (xvii) and 49 (d). 16.06. (1) No order dismissing, removing or terminating the services of a teacher of the University on any ground mentioned in clause (1) of Statute 16.04 (except in the case of a conviction for an offence involving moral turpitude or of abolition of post), shall be passed unless a charge has been framed against the teacher and communicated to him with a statement of the grounds on which it is proposed to take action and he has been given adequate opportunity—

- (i) of submitting a written statement of his defence ;

(ii) of being heard in person, if he so desires;
and

(iii) of calling and examining such witnesses
in his defence as he may desire :

Provided that the Executive Council or an
officer authorised by it to conduct the enquiry
may, for sufficient reasons to be recorded in
writing refuse to call any witness.

(2) The Executive Council may, at any time ordi-
narily within two months from the date of the Inquiry
Officer's report, pass a resolution dismissing or remo-
ving the teacher concerned from service or terminating
his services mentioning the grounds of such dismissal,
removal or termination.

(3) The resolution shall forthwith be communica-
ted to the teacher concerned.

(4) The Executive Council may, instead of dismi-
ssing, removing or terminating the services of the
teacher, pass a resolution inflicting one or more of the
lesser punishments, namely, reducing the pay of the
teacher for a specified period not exceeding three years,
stopping increments of his salary for a specified period
and depriving the teacher of his pay (but not the sub-
sistence allowance) during the period of his suspension,
if any.

16.07. (1) The Disciplinary Committee referred
to in Statute 8 01 may recommend the suspension of a
teacher during the pendency or in contemplation of an
inquiry into charges against him, on the grounds men-
tioned in sub-clause (a) to (e) of clause (1) of Statute
16.04. The order of suspension if passed in contemp-
tation of an inquiry shall cease at the end of four weeks
of its operation unless the teacher has in the meantime
been communicated the charge or charges on which the
inquiry was contemplated.

Section 21 (1)
(xvii) and 49
(d).

(2) A teacher of the University shall be deemed
to have been placed under suspension—

(a) with effect from the date of his convic-
tion, if in the event of a conviction for an offence,
he is sentenced to a term of imprisonment exceed-
ing 48 hours and is not forthwith dismissed or
removed consequent to such conviction ;

(b) in any other case, for the duration of his
detention, if he is detained in custody, whether
the detention is for any criminal charge or other-
wise.

Explanation—The period of 48 hours referred to in sub-clause (a) of this clause, shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

(3) Where the order of dismissal or removal from service of a teacher of the University is set aside or declared or rendered void in consequence of any proceedings under the Act or these Statutes or otherwise, and the appropriate officer, authority or body of the University decides to hold a further inquiry against him, then if the teacher was under suspension immediately before such dismissal or removal, the suspension order shall be deemed to have continued in force on and from the date of the original order of dismissal or removal.

(4) During the period of his suspension, the teacher of the University shall be entitled to get subsistence allowance in accordance with the provisions of Chapter VIII of Part II of the U. P. Government's Financial Handbook, Volume II (as amended from time to time) which shall *mutatis mutandis* apply.

Sections 21(1)
(xvii) and 49
(d).

16.08. In computing the maximum period for purposes of clause (2) of Statute 16.06 or clause (1) of Statute 16 07, the period during which a stay order from any court of law is in operation, shall be excluded.

Section 34(1).

16 09. (1) No teacher of the University shall be paid any remuneration for any duty connected with the examination conducted by that University.

(2) Subject to the provisions of clause (1), no teacher of the University shall draw in any calendar year a total remuneration exceeding the average of his two months' salary in the particular calendar year or rupees three thousand, whichever is less for any duties performed in connection with any examination referred to in section 34 (1).

Section 49(d).

16. 10. Notwithstanding anything contained in these Statutes –

(i) a teacher of the University who is a member of Parliament or State Legislature shall not, throughout the term of his membership, hold any administrative or remunerative office in the University ;

(ii) if a teacher of the University is holding any administrative or remunerative office in the Uni-

versity from before the date of his election or nomination as a Member of Parliament or the State Legislature, then he shall cease to hold such office with effect from the date of such election or nomination or with effect from the commencement of these Statutes whichever is later :

(iii) a teacher of the University who is elected, or nominated to Parliament or the State Legislature, shall not be required to resign or to take leave from the University for the duration of his membership or, except as provided by Statute 16.11 for attending the meeting of any House or Committee thereof.

Explanation—The membership of any authority or body of the University or the Deanship of a faculty or the Principalship of any college shall not be deemed to be an administrative or remunerative office for the purposes of this Statute.

16.11. The Executive Council shall fix a minimum number of days during which such teacher shall be available in the University for his academic duties : Section 49(d).

Provided that where a teacher of the University is not so available because of the sessions of the Parliament or the State Legislature, he shall be treated on such leave, as may be due to him, and if no leave is due, then on leave without pay.

Part II

LEAVE RULES FOR TEACHERS OF THE UNIVERSITY

16.12 Leave shall be of the following categories ; - Section 49(d).

- (a) casual leave ;
- (b) privilege leave ;
- (c) sick leave ;
- (d) duty leave ;
- (e) long term leave ;
- (f) extraordinary leave ;
- (g) maternity leave.

16.13. Casual leave shall be on full pay for not more than seven days in a month or 14 days in a session and shall not accumulate. It will not ordinarily be combined with holidays, but in special circumstances the Vice Chancellor may waive this condition for reasons to be recorded in writing. Section 49(d).

Section 49(d). 16.14. Privilege leave shall be on full pay for ten working days in a session and may accumulate up to 60 working days.

Section 49(d). 16.15. Sick leave shall be on the difference between the current rate of pay and the total cost of the leave arrangements if any, with a minimum of half pay, for one month in a session and shall not accumulate

Section 49(d) 16.16 Duty leave up to 15 working days shall be on full pay for attending meetings of any of the University bodies, *ad hoc* Committees and Conferences of which a teacher may be *ex officio* member or to which he may have been nominated by the University and for conducting examinations of the University.

Section 49(d). 16.17 Longterm leave, which shall be on half pay for one month in a session, and may accumulate up to twelve months, may be granted for reasons such as prolonged illness, urgent affairs, approved studies or preparatory to retirement :

Section 49(d). Provided that such leave can be granted only after five years of continuous service except in the case of prolonged illness :

Provided further that in case of prolonged illness, the leave may, at the discretion of the Executive Council, be on full pay for a period not exceeding six months.

Section 49(d). 16.18 Extraordinary leave shall be without pay. It may be granted for such reasons as the Executive Council may deem fit but it shall never be granted for a period exceeding three years, except in the circumstances mentioned in Statute 16.11.

Section 49(d). 16.19. Maternity leave on full pay may be granted to female teachers for a period which may extend up to three months but not exceeding six weeks from the date of confinement :

Provided that such leave shall not be granted for more than three times in the entire service of the teacher.

Section 49(d). 16.20. Leave cannot be claimed as a matter of right. If the exigencies of the occasion demand, the sanctioning authority may refuse leave of any kind and may even cancel the leave already granted.

Section 49(d). 16.21 Sick leave or longterm leave on account of prolonged illness can be granted on the production of a medical certificate from a registered medical practitioner. In case of such leave exceeding 14 days

the Vice-Chancellor shall be competent to call for a second certificate of a Registered Medical Practitioner approved by him.

16.22. The authority competent to grant leave shall be the Vice Chancellor except in the case of long term leave and extraordinary leave, which shall be granted by the Executive Council. Section 49(d)

Part III

AGE OF SUPERANNUATION

16.23. In this Part, the expression 'new scale of pay' means the scale of pay admissible to a teacher in accordance with the G. O. no Shiksha-XI-9045/XV—(7)-73, dated December 28, 1974, as amended from time to time. Section 49(d)

16.24. (1) The age of superannuation of a teacher of the University, whether governed by the new scale of pay or not, shall be sixty years. Section 49.

(2) No extension in service beyond the age of superannuation shall be granted to any teacher after the date of commencement of these Statutes :

Provided that if the date of superannuation of a teacher does not fall on June 30, the teacher shall continue in service till the end of the academic session i.e. June 30, following and he will be treated as on re-employment from the date immediately following the date of his superannuation till June 30 following.

16.25. Every teacher of the University who on August 1, 1975 was serving on extension beyond the age of superannuation specified in Statute 16.24 and such extension was granted before the said date, shall retire on the expiry of the period of extension in accordance with the provision of the Statutes and Ordinances in force on the said date, but such teacher shall not be entitled to avail the new scales of pay. Section 49.

16.26. The date of superannuation of a teacher of the University shall, subject to the provisions of Statute 16.24, be the date immediately preceding the 60th birth anniversary of such teacher. Section 49.

Part IV

OTHER PROVISIONS

16.27. Any contract of appointment between a teacher and University entered into before the commencement of these Statutes shall be subject to the provisions of the Statutes contained in this Chapter, and shall be deemed to be modified in accordance with Section 32 & 49

the provisions of this Chapter and in accordance with the terms contained in the form set out in Appendix 'B' read with Appendix 'C'.

Section 49 16.28. A teacher of the University dismissed on any of the grounds mentioned in clause (b), clause (c), clause (d) or clause (e) of Statute 16.04 (1) shall not be re-employed in any University or in any college affiliated or associated with any such University, in any capacity.

Section 49. 16.29. (1) Every teacher of the University shall prepare in duplicate his Annual Academic Progress Report in Form 3 of Appendix 'D'. The original report shall be lodged with the Vice-Chancellor and the copy thereof shall be retained by the teacher himself.

(2) The original report shall, before being lodged with the Vice-Chancellor, be countersigned in the case of teachers other than the Head of a Department by the Head of the Department concerned.

(3) The report in respect of an academic session shall be lodged by the end of July following the said session, or within one month from the close of the session whichever is later.

Section 49 16.30. Every teacher of the University shall be bound to comply with the directions of the officers and authorities of the University in connection with the examinations conducted by the University.

Section 49 16.31 Where under the provisions of the Act or these Statutes or the Ordinances, a teacher is required to be served with any notice and such teacher is not in station, the notice may be sent to him by registered post at his last known address.

CHAPTER XVII

Part I

CONDITIONS OF SERVICE OF TEACHERS OF AFFILIATED COLLEGES

Section 49 (o) 17.01. The provisions of this Chapter shall not apply to the teachers of any college exclusively maintained by the State Government or a local authority.

Section 49 (a) 17.02. Except in the case of an appointment under section 31 (3) in a vacancy caused by the grant of leave to a teacher for a period not exceeding 10 months, teachers of an affiliated college shall be appointed on a written contract in Form (1) or Form (2) set out in Appendix 'D', as the case may be.

17.03. (1) A teacher of an affiliated college shall at all times maintain absolute integrity and devotion to duty and shall observe the Code of Conduct as set out in Appendix 'C' which shall form part of the agreement to be signed by the teacher at the time of appointment. Section 49 (o)

(2) A breach of any of the provisions of the Code of Conduct as set out in Appendix 'C' shall be deemed to be a misconduct within the meaning of Statute 17.04 (1).

17.04. (1) A teacher of an affiliated college (other than a Principal) may be dismissed or removed or his services terminated on one or more of the following ground—

- (a) wilful neglect of duty ;
- (b) misconduct, including disobedience to the orders of the Principal ;
- (c) breach of any of the terms of contract of of service ;
- (d) dishonesty connected with the University or College examinations ;
- (e) scandalous conduct or conviction for an offence involving moral turpitude ;
- (f) physical or mental unfitness ;
- (g) incompetence ;
- (h) abolition of the post with the prior approval of the Vice-Chancellor.

(2) A Principal of an affiliated college may be dismissed or removed or his services terminated on grounds mentioned in clause (1) or on the ground of continued mismanagement of the college.

(3) Except as provided by clause (4), not less than three months notice (or where notice is given after the month of October, then three months notice or notice ending with the close of the session whichever is longer) shall be given on either side for terminating the contract of service or in lieu of such notice, salary for three months (or longer period as aforesaid) shall be paid or refunded, as the case may be :

Provided that where the Management dismisses or removes or terminates the services of a teacher, under clause (1) or clause (2) or when the teacher terminates the contract for breach of any of its terms by the Management, no such notice shall be necessary.

Provided further that the parties will be free to waive the condition of notice, in whole or in part by mutual agreement.

(4) In the case of any other teacher appointed in a temporary or officiating capacity his services shall be terminable, by one month notice or on payment of salary in lieu thereof, on either side.

Section 49 (o) 17.05. The original contract of appointment of a Principal or other teacher shall be lodged with the University for registration within three months of the date of appointment.

Section 49 (o) 17.06 (1) No order dismissing, removing, or terminating the service of, a teacher on any ground mentioned in clause (1) or clause (2) of Statute 17.04 (except in the case of a conviction for an offence involving moral turpitude or of abolition of post) shall be passed unless a charge has been framed against the teacher and communicated to him with a statement of the grounds on which it is proposed to take action and he has been given adequate opportunity—

(i) of submitting a written statement of his defence ;

(ii) of being heard in person, if he so desires ; and

(iii) of calling and examining such witnesses in his defence as he may desire :

Provided that the Management or the officer authorised by it to conduct the inquiry may, for sufficient reasons to be recorded in writing, refuse to call any witness.

(2) The Management may, at any time, ordinarily within two months from the date of the Inquiry Officer's report, pass a resolution dismissing or removing the teacher concerned from service, or terminating his service mentioning the grounds of such dismissal, removal or termination.

(3) The resolution shall forthwith be communicated to the teacher concerned and also be reported to the Vice-Chancellor for approval and shall not be operative unless so approved by the Vice-Chancellor.

(4) The Management may instead of dismissing, removing, or terminating services of the teacher pass a resolution inflicting one or more of the following lesser punishments, namely—

(i) reduction of pay for a specified period ;

(ii) stoppage of annual increments for a specified period not exceeding three years ;

(iii) deprivation of his pay not including subsistence allowance during the period of his suspension, if any.

The resolution by the Management inflicting such punishment shall be reported to the Vice-Chancellor and shall be operative only when and to the extent, approved by the Vice-Chancellor.

17.07. The Management shall have the power to suspend a teacher during the pendency or in contemplation of an inquiry into charge against him, on the grounds mentioned in sub-clauses (a) to (e) of clause (1) of Statute 17.04. In an emergency (in the case of a teacher other than Principal) this power may be exercised by the Principal in anticipation of the approval of the Management. The Principal shall immediately report such case to the Management. The order of suspension if passed in contemplation of an inquiry, shall cease at the end of four weeks of its operation unless the teacher has in the meantime been communicated the charge or charges on which the inquiry was contemplated.

Section 49(o)

17.08. In computing the maximum period for purposes of clause (2) of Statute 17.06 and Statute 17.07 any period during which a stay order from any court of law is in operation shall be excluded.

Section 49.

17.09. (1) No teacher of an affiliated college shall be paid any remuneration for any duty connected with the examinations conducted by the University.

Section 49
and 34(i)

(2) No teacher of an affiliated college shall draw in any calendar year a total remuneration exceeding the average of his two months salary in the particular calendar year or rupees three thousand, whichever is less, for any duties performed in connection with any examination referred to in section 34(1).

17.10. Notwithstanding anything contained in these Statutes—

Section 49.

(i) a teacher of an affiliated college who is a member of Parliament or State Legislature shall not, throughout the term of his membership, hold any administrative or remunerative office in the college or in the University.

(ii) if a teacher of an affiliated college is holding any administrative or remunerative office in the college or in the University from before the date of his election or nomination as a member

of the Parliament or the State Legislature, then he shall cease to hold such office with effect from the date of such election or nomination or with effect from the commencement of these Statutes whichever is later :

(iii) a teacher of an affiliated college who is elected or nominated to the Parliament or the State Legislature shall not be required to resign or to take leave from such college for the duration of his membership or, except as provided by Statute 17.11, for attending the meetings of any House or Committee thereof.

Explanation—The membership of any authority or body of the University or the Deanship of a Faculty or the Principalship of any college shall not be deemed to be an administrative or remunerative office for the purposes of this Statute.

Section 49.

17.11. The management of an affiliated college shall, with prior approval of the Vice-Chancellor, fix a minimum number of days during which such teacher shall be available in the college for his academic duties:

Provided that where a teacher of the college is not so available because of the sessions of the Parliament or the State Legislature, he shall be treated on such leave as may be due to him, and if no leave is due then on leave without pay.

Part II

LEAVE RULES FOR TEACHERS OF AFFILIATED COLLEGES

Section 49.

17.12. The provisions of Statutes 16.12 to 16.22 relating to the Leave Rules of teachers of the University shall be applicable to the teachers of an affiliated college with the substitution of the words "Management" and "Principal" for the words "Executive Council" and "Vice-Chancellor" respectively.

Part III

AGE OF SUPERANNUATION

Section 49.

17.13. In this part, the expression "new scale of pay" shall have the meaning assigned to it in Statute 16.23.

Section 49.

17.14. (1) The age of superannuation of a teacher of an affiliated college shall be 60 years.

(2) The date of superannuation of such a teacher shall be the date immediately preceding his 60th birth anniversary.

17.15. No extension in service beyond the age of superannuation shall be granted to any teacher after the commencement of these Statutes : Section 49(o)

Provided that if the date of superannuation of a teacher does not fall on June 30, the teacher shall continue in service till the end of the academic session, i.e. June 30 following and he will be treated as on re-employment from the date immediately following the date of his superannuation till June 30.

17.16. Every teacher of an affiliated college who on August 1, 1975 was serving on extension beyond the age of superannuation specified in Statute 17.14 and where such extension was granted before the said date, shall retire on the expiry of the period of extension in accordance with the provisions of the Statutes and Ordinances in force on the said date, but such teacher shall not be entitled to avail the new scale of pay. Section 49(o)

Part IV

OTHER PROVISIONS

17.17. Any contract of appointment between a Principal or other teacher of an affiliated college and the Management entered into before the commencement of these Statutes shall be subject to the provisions of the Statute contained in this Chapter and shall be deemed in accordance with the provisions of this Chapter and in accordance with the terms contained in the Form (1) or (2), as the case may be, set out in Appendix 'D' read with Appendix 'C'. Section 49(o)

17.18. A teacher of an affiliated college dismissed on any of the grounds mentioned in clause (b), clause (c), clause (d) or clause (e) of Statute 17.04(1) shall not be re-employed in any University or in any college affiliated to or associated with any University in any capacity. Sections 35 and 49(o)

17.19. The provisions of clauses (2) to (4) of the Statute 16.07, Statutes 16.29, 16.30 and 16.31 shall *mutatis mutandis* apply to every teacher of an affiliated college with the following modifications, namely— Sections 16 (d) and 49 (dd)

(a) In clauses (2) to (4) of Statute 16.07, for the words "Vice-Chancellor", and "Executive Council", the words "Management" and "Vice-Chancellor" shall respectively be *substituted*.

(b) In Statute 16.29 for the words "Vice-Chancellor" and "Head of the Department", the words "Principal" and the "senior-most lecturer in the Department" shall respectively be substituted.

CHAPTER XVIII

Part I

SENIORITY OF THE TEACHERS OF UNIVERSITY

- 18.01. The Statutes contained in this Chapter shall not affect the *inter se* seniority of teachers employed in the University from before the commencement of the Statutes. Sections 16
(4) & 49(d)
- 18.02. It shall be the duty of the Registrar to prepare and maintain, in respect of each category of the University, a complete and up-to-date seniority list in accordance with the provisions hereinafter appearing. Section 49(d)
- 18.03. The seniority among Deans of the Faculties shall be determined by the length of total period of service they have put in as Deans of the Faculties : Section 49(d)
- Provided that when two or more Deans have held the said office for equal length of time, the Dean who is senior in age shall be considered to be senior for the purposes of this Chapter.
- 18.04. The seniority among Heads of the Departments shall be determined by the length of the total period of service they have put in as Head of the Department :
- Provided that when two or more Heads of the Department have held the said office for equal length of time the Head of the Department who is senior in age shall be considered to be senior for the purposes of this Chapter.
- 18.05. The following rules shall be followed in determining the seniority of teachers of the University—
- (a) A Professor shall be deemed senior to every Reader, and a Reader shall be deemed senior to every Lecturer.
- (b) In the same cadre, seniority of a teacher shall be determined according to the length of his continuous service in a substantive capacity in such cadre :
- Provided that where more than one appointments to posts in a cadre have been made at the

same time, and an order of preference or merit was indicated by the Selection Committee or by the Executive Council as the case may be, the seniority of the persons so appointed shall be governed by the order so indicated.

(c) When any teacher holding substantive post in any University (other than the University of Kumaun or in any constituent college or in any Institute) is appointed to a post of corresponding rank or grade in the University, the period of service rendered by such teacher in that grade or rank in such University shall be added to his length of service.

(d) When any teacher holding substantive post in any college affiliated to or associated with any University is appointed as a Lecturer in the University, then one-half of the period of substantive service rendered by such teacher in such college shall be added to his length of service.

(e) Service against an administrative appointment in any University or institution shall not count for the purposes of seniority.

Explanation—In this Chapter, the expression “administrative appointment” means an appointment made under sub-section (6) of section 13.

(f) Continuous service in a temporary post to which a teacher is appointed after reference to a Selection Committee, if followed by his appointment in a substantive capacity to that post under section 31 (3) (b) shall count towards seniority.

18.06. Where more than one teachers are entitled to count the same length of continuous service in the cadre to which they belong, the relative seniority of such teachers shall be determined as below : Section 49(d).

(i) in the case of Professors, the length of substantive service as Reader shall be taken into consideration ;

(ii) in the case of Readers, the length of substantive service as Lecturer shall be taken into consideration ;

(iii) in the case of Professors, whose length of service as Readers is also identical, the length of service as lecturer shall be taken into consideration.

Section 49(d). 18.07. Where more than one teachers are entitled to count the same length of continuous service and their relative seniority cannot be determined in accordance with any of the foregoing provisions, then the seniority of such teachers shall be determined on the basis of seniority in age.

Section 49(d). 18.08. (1) Notwithstanding anything contained in any other Statute, if the Executive Council—

(a) agrees with the recommendation of the Selection Committee, and approves two or more persons for appointment as teachers in the same Department, it shall, while recording such approval, determine the order of merit of such teachers ;

(b) does not agree with the recommendations of the Selection Committee and refers the matter to the Chancellor under section 31 (8) (a), the Chancellor shall, in case where appointment of two or more teachers in the same Department is involved, determine the order of merit of such teachers at the time of deciding such reference.

(2) The order of merit in which two or more teachers are placed under clause (1), shall be communicated to the teachers concerned before their appointment.

Sections 49(i)
and 49(d).

18.09. (1) The Vice-Chancellor shall from time to time constitute one or more seniority committees consisting of himself as Chairman and two Deans of Faculties to be nominated by the Chancellor :

Provided that the Dean of the Faculty to which the teachers (whose seniority is in dispute) belong shall not be a member of the relative Seniority Committee.

(2) Every dispute about the seniority of a teacher of the University shall be referred to the Seniority Committee which shall decide the same giving reasons for the decision.

(3) Any teacher aggrieved by the decision of the Seniority Committee may prefer an appeal to the Executive Council within sixty days from the date of communication of such decision to the teacher concerned. If the Executive Council disagrees with the Committee, it shall give reason for such disagreement.

Part II

SENIORITY OF PRINCIPALS AND TEACHERS OF AFFILIATED COLLEGES

Section 49(o). 18.10. The following rules shall be followed in determining the seniority of Principals and other teachers of affiliated colleges :

- (a) the Principal shall be deemed senior to other teachers in the College ;
- (b) the Principal of a post-graduate college shall be deemed senior to the Principal of a Degree College ;
- (c) the seniority of Principals and teachers of the affiliated colleges shall be determined by the length of continuous service from the date of appointment in substantive capacity ;
- (d) service in each capacity (for example, as Principal or as a teacher), shall be counted from the date of taking charge pursuant to substantive appointment ;
- (e) service in a substantive capacity in another University or another degree or post-graduate college whether affiliated to or associated with the University or another University established by law shall be added to his length of service.

18.11. Where more than one teachers are entitled to count the same length of continuous service, the relative seniority of such teachers shall be determined as below : Section 49(o).

(i) in the case of Principals, the length of substantive service as a Lecturer shall be taken into consideration ;

(ii) in the case of Lecturer, the seniority in age shall be taken into consideration.

18.12. Where the seniority of a person as Principal is to be determined for the purpose of representation or appointment as such on a University authority, the length of service only as Principal shall be taken into account. Section 49(o).

18.13. (1) When two or more persons are appointed as teachers in the same department or in the same subject, their relative seniority shall be determined in order of preference or merit in which their names were recommended by the Selection Committee. Section 49(o).

(2) If the seniority of two or more teachers has been determined under clause (1), the same shall be communicated to the teachers concerned before their appointment.

18.14. All disputes regarding seniority of teachers (other than the Principal), shall be decided by the Principal of the College who shall give reasons for the decision. Any teacher aggrieved by the decision of the Principal may prefer an appeal to the Vice-Chancellor Section 49(o).

within 60 days from the date of communication of such decision to the teacher concerned. If the Vice-Chancellor disagrees from the Principal, he shall give reasons for such disagreement.

Section 49(o). 18.15. All disputes regarding seniority of Principals of affiliated colleges shall be decided by the Vice-Chancellor who shall give reasons for the decision. Any Principal aggrieved by the decision of the Vice-Chancellor, may prefer an appeal to the Executive Council within sixty days from the date of communication of such decision to the Principal concerned. If the Executive Council disagrees with the Vice-Chancellor it shall give reasons for such disagreement.

Section 42. 18.16. The provisions of Statutes 18.01, 18.02, 18.05 and 18.08 shall *mutatis mutandis* apply to the teachers and Principals of affiliated colleges as they apply to the teachers of the University.

CHAPTER XIX AUTONOMOUS COLLEGES

Section 42. 19.01. The Management of an affiliated college desirous of obtaining the privileges of an autonomous college shall apply to the Registrar specifying clearly :

(a) the variations proposed in or from the course of study prescribed by the University including the institution of a course in a subject not one prescribed by the University and the substitution of a course for the one prescribed by the University ;

(b) the manner in which the college proposes to hold examinations in the courses so varied ;

(c) the details of its finances and assets, the strength and qualifications of its teaching staff, the facilities available, for the advance research work and the advance research work already done, if any.

Section 42. 19.02. No application under Statute 19.01 shall be entertained unless the college satisfies the following conditions :

(a) It has well established departments of teaching in at least two Faculties giving instruction upto the post-graduate stage in at least six subjects.

(b) It has or is likely to have an adequate and well qualified teaching staff.

(c) The Principal is a teacher or scholar of outstanding merit and possesses administrative experience.

(d) It possesses adequate and satisfactory buildings for all tuitional purposes and for housing the Library, Reading Rooms, the Laboratories and has land for future expansion.

(e) It has a good library and has or is likely to have provision for its regular development.

(f) It has well equipped Laboratories, if necessary, for the subjects taught therein, and has or is likely to have adequate provision for new acquisition and replacements.

(g) The Management possesses adequate resources for meeting the extra expenditure involved in the college on attaining the status of an autonomous college.

19.08. Every application under Statute 19.01 shall be accompanied by a Bank Draft payable to the University for a sum of Rs. 2,000 which shall be non-refundable. Section 42.

19.04. (1) Every application under Statute 19.01 shall be referred to a Standing Committee of each of the Faculties concerned for scrutiny. Section 42.

(2) The Standing Committee for each of the Faculties concerned shall consist of the following members :

(a) The Dean of the Faculty (Convener) ;

(b) A representative each of the corresponding Faculty selected by the Executive Council from any two of the Universities established by law in Uttar Pradesh.

(3) If the reports of the Committees are favourable the Executive Council shall appoint a Board of Inspectors (not exceeding six members) to inspect the college and report on its suitability for being declared as an autonomous college.

(4) The Board of Inspectors shall include the Vice-Chancellor as the Convener, and the Director of Education (Higher Education) and such other specialists of the subjects as members as the Executive Council may think fit to appoint.

19.05. The report of the Board of Inspectors shall be considered by the Board of the Faculty concerned as well as by the Academic Council, and shall Section 42.

be laid before the Executive Council together with the views of these bodies.

Section 42. 19.06. (1) After considering the recommendation of the Board of Inspectors and the reports of the two bodies, referred to in Statute 19.05, if the Executive Council is of opinion that the college is entitled to the privilege mentioned in section 42, it shall submit its proposal to the Chancellor.

(2) On receipt of the proposal and other connected papers under clause (1) and after making such enquiry as he may consider necessary the Chancellor may approve the proposal or reject it :

Provided that before approving any such proposal the Chancellor may consult the University Grants Commission established under the University Grants Commission Act, 1956.

Section 42. 19.07. After the recommendation of the Executive Council has been approved by the Chancellor under Statute 19.06 the Executive Council shall declare the college as an autonomous college and shall specify the matters in respect of which and the extent to which the college may exercise the privileges of an autonomous college.

Section 42. 19.08. (1) Subject to the provisions of section 42, an autonomous college shall be entitled—

(a) to frame the courses in the subjects covered by its privileges ;

(b) to appoint persons qualified to be appointed as internal or external examiners in such subjects :

(c) to hold examinations and to make such changes in the method of examination and teaching as in its opinion are conducive to the maintenance of the standard of education.

(2) The Boards of Faculties concerned, the Academic Council and the Examination Committee may consider the action taken by the autonomous college under clause (1), and may suggest any change, if necessary.

Section 42. 19.09. (1) The results of the autonomous college shall be declared and published by the University which shall mention the name of the college which has presented the results for declaration and publication.

(2) Every autonomous college shall furnish such reports, returns and other information, as the

Executive Council may from time to time, require to enable it to judge the efficiency of such college.

(3) The University shall continue to exercise general supervision over an autonomous college and to confer degrees on the students of the college passing any examination qualifying for any degree of the University.

19.10. The Executive Council may, at any time, get an autonomous college inspected by a Board of Inspectors, and if, after persuing the report of such inspection, it is of opinion that the college, has failed to maintain the requisite standard, or to possess the requisite resources, or that in the interest of education, it is necessary to withdraw the privileges conferred by section 42 the Executive Council may with the prior approval of the Chancellor, withdraw such privileges and thereupon the college concerned shall revert to the position of an affiliated college. Section 42.

19.11. (1) For the proper planning and conduct of its work, every autonomous college shall have an Academic Council and a Faculty Board in respect of the subjects comprised in each Faculty. Section 42.

(2) The Academic Council shall be composed of all the Heads of Departments, *ex officio*, and two other teachers of each subject taught for a post-graduate degree and one teacher of each subject taught for the first degree with the Principal as Chairman. The teachers shall be members of the Council by rotation in order of seniority for three years at a time, provided no teacher of less than four years' standing shall be a member.

(3) The Academic Council shall review the academic work of the College at quarterly meeting and all proposals regarding courses, examination, etc. made by the college shall pass through the said Council.

(4) The Faculty Board shall consist of all teachers of the subjects comprised in the Faculty, of three years' standing as teacher of degree classes. The Faculty Board shall meet at regular intervals (once a month if possible) to consider academic questions and advise the Principal. Proposals regarding courses, examination, etc., shall either originate in or be considered by these Faculty Boards.

19.12. Subject to the provisions of section 42(2) and of this Chapter, the courses of study and other conditions relating to an autonomous college shall be such as may be laid down in the Ordinances, Section 42.

CHAPTER XX

WORKING MEN'S COLLEGE

- Section 43. 20.01. (1) The management of an affiliated college, desirous of obtaining the privileges of a Working Men's College shall apply to the Registrar indicating the demand for such a college in the locality and specifying the degree for which recognition is sought.
- (2) A College will not be recognised as a Working Men's College in the Faculties of Science, Law and Medicine.
- Section 43. 20.02. No application under Statute 20.01 shall be entertained unless the college satisfies the following conditions :—
- (i) That there is a reasonable demand for such a college in the locality and the management possesses adequate resources for meeting the extra expenditure involved towards the maintenance and running of such a college.
 - (ii) That the privilege of admission to the Working Men's College shall be restricted to such persons only as are unable to be enrolled as wholtime students be reason of being engaged in business, trade, agriculture Or industry, or employed in any other form of service.
 - (iii) That the college shall hold classes at such hours of the day as generally suits the convenience of the students and do not coincide with the usual business hours.
 - (iv) That the staff of the Working Men's College shall be separate and, as far as may be, they shall be employed on the whole-time basis. The college may, however, at its option, employ part-time teachers also. Provided that their number does not exceed one-half of the total number of teachers. The 'whole time' employees of the college shall be entitled to the scales of pay as are admissible to the employees of the affiliated colleges. The pay of part-time teacher shall, however, be fixed by the management in each individual case and such pay shall be fixed after taking into consideration the number of periods that such teacher shall be required to take per week as compared to the full-time teachers, but in no case this will exceed two-thirds of the minimum of the time-scale to which

he would have been entitled had he been appointed on a whole-time basis. The appointment of teachers shall be subject to the provisions of Chapter VI of the Act.

(v) That the College is prepared to observe the Statute, Ordinances and Regulations framed by the University for such a college.

20.03. (1) Every application under Statute 20.01 shall be accompanied by a Bank Draft payable to the University for a sum of Rs. 2,000 which shall be non-refundable. Section 43.

(2) The application along with necessary papers shall reach the Registrar before 15th of August of the session preceding the one from which the recognition is sought.

20.04. (1) Every such application shall be placed before the Executive Council, and if the application is entertained, the Executive Council shall appoint a Board of Inspectors to inspect the college and report on its suitability for being recognised as a Working Men's College and the conditions on which such recognition should be granted.

(2) The report of the Board of Inspectors shall be considered by the Board of Faculty concerned as well as by the Academic Council and shall be laid before the Executive Council together with the views of these bodies.

20.05. Subject to the provisions of the Act and the Statutes the Executive Council may, after considering the report of the Board of Inspectors, the Board of the Faculty concerned and the Academic Council, recognize any affiliated college as a Working Men's College with the prior approval of the Chancellor. Section 49.

20.06. Subject to the provisions of section 43(2) the courses of study and other conditions relating to a Working Men's College shall be such as may be laid down in the Ordinances.

20.07. The provisions of clause (2) and (3) of Statute 19.09 and Statute 19.10 shall *mutatis mutandis* apply to a Working Men's College.

CHAPTER XXI

QUALIFICATIONS AND CONDITIONS OF SERVICE
OF NON-TEACHING STAFF OF THE
AFFILIATED COLLEGES

Section 49(o). 21.01. In this Chapter unless the context otherwise requires—

(1) 'Class four' means a post carrying a pay-scale lower than a pay-scale of a Routine Clerk and the expressions 'Class four' employee and 'Class four' staff shall be construed accordingly.

(2) 'College' means a college affiliated to the University in accordance with the provision of the Act or the Statutes of the University but does not include a college maintained exclusively by the State Government or a local authority.

(3) 'Employee' means a salaried employee not being a teacher of a college and its grammatical variations and cognate expressions shall be construed accordingly.

Section 49(o). 21.02. (1) Subject to the provisions of these Statutes the appointment to the posts referred to in Statute 2 .03 shall be made by the Management of the college with the concurrence of the Principal and appointment to the posts of class four employees shall be made by the Principal.

(2) The appointing authority referred to in clause (1) shall have the power to take disciplinary action and award punishment against the class of employee of which he is appointing authority.

(3) An appeal against the order passed under clause (2).

(1) by the Management, shall lie to the Regional Deputy Director of Education ;

(2) by the Principal, shall lie to the District Inspector of Schools.

Section 49(o) 21.03. (1) Appointment to the post of a Routine Clerk shall be made by direct recruitment on the basis of selection after advertisement of the vacancy in the newspapers.

(2) Appointment to the post of Assistant shall be made by promotion according to seniority subject to suitability and fitness from amongst Routine Clerks.

(3) Appointment to the post of Head-Clerk-cum Accountant, Head Clerk, Accountant, Office Superin-

tendent and Bursar shall be made by promotion according to seniority, subject to suitability and fitness from amongst the existing employees having required qualifications. In case of non-availability of qualified and suitable candidates from amongst the existing staff, appointments on such posts may be made by direct recruitment on the basis of selection after advertisement of the vacancy in newspapers.

(4) Appointment of employees shall be subject to the approval of the Director of Education (Higher Education), or an officer authorised by him in this behalf. If the approving authority does not within two months from receiving the proposal for approval intimate its disapproval to the appointing authority the approving authority shall be deemed to have approved the appointment.

(5) Appointment of permanent posts shall be made on probation for one year. The period of probation may be extended if the candidate's work is not found to be satisfactory provided that the total period of probation shall not exceed three years. The extended period of probation shall not count for increment.

(6) Every decision of the Management of a college to dismiss or remove an employee or to reduce him in rank or to punish him in any other manner shall, before it is communicated to him, be reported to the Director of Education (Higher Education) and shall not take effect unless it has been approved by the Director. If the Director does not, within two months from receiving the report of such decision, intimate his disapproval to the Management, the Director shall be deemed to have approved such decision :

Provided that nothing in this clause shall apply to any termination of service on the expiry of the period for which the employee was appointed :

Provided further that nothing in this clause shall apply to an order of suspension pending inquiry, but any such order may be stayed, revoked or modified by the Director of Education (Higher Education).

21.04. Reservation shall be made for Scheduled Caste and Scheduled Tribe candidates for appointment to the posts referred to in Statutes 21.6. The percentage of such reservation shall be equal to the percentage for appointment in Government service. Section 49(o).

21.05. A candidate for employment in a college must be :— Section 49(o).

(a) a citizen of India, or

(b) a Tibetan refugee who came over to India before January 1, 1963, with the intention of permanently settling in India, or

(c) a person of Indian origin who has migrated from Pakistan, Burma, Ceylon and East African countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanzanayika and Zanzibar) with the intention of permanently settling in India :

Provided that a candidate belonging to category (b) or category (c) must be a person in whose favour a certificate of eligibility has been issued by the State Government :

Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of eligibility from the Deputy Inspector General of Police, Intelligence Branch, Uttar Pradesh.

Section 49.

21.06. (1) For appointment in a college to the posts specified below, the minimum qualification shall be as noted against each category :

(i) *Clerical Staff*—for the post of a routine clerk, assistant, head clerk-cum-accountant and head clerk, Intermediate or an examination recognized by the State Government as equivalent thereto :—

Provided that in the case of head-clerk-cum-accountant and head clerk experience in the post of routine clerk or assistant in a post graduate or degree or intermediate college for a period of at least ten years shall be necessary.

(ii) *Laboratory Assistant*—for the post of laboratory assistants, intermediate or an examination recognized by the State Government as equivalent thereto, in subject with which the laboratory is concerned, or High School or an examination recognized by the State Government as equivalent thereto, with at least five year's experience as laboratory bearer in the laboratory of the subject concerned.

(iii) *Librarian/Deputy Librarian*—First or a Second Class Bachelor Degree in Arts, Science or Commerce and First or Second Class M. Lib. (2 year's Course), or First or Second Class Master's Degree in Arts, Science or Commerce and First or Second Class B. Lib. (1 year Course) :

Provided that in the case of a college where the number of scholars does not exceed five hundred the requirement to M. Lib. or B. Lib. may be relaxed and a candidate holding a certificate or diploma in library science may be appointed.

(iv) *Office Superintendent*—for the post of Office Superintendent degree from a recognised university established by law together with at least ten year's working experience as Head Clerk or Accountant in a college affiliated or associated with a university or in any other similar institution.

(v) *Accountant*—for the post of Accountant, a degree in Commerce from a recognized university established by law, together with at least ten years working experience as accounts clerk.

(vi) *Bursar*—for the post of Bursar a degree from a recognized university established by law with at least ten year's working experience as Office Superintendent or Accountant in a degree, or post-graduate college.

(vii) *Class four Staff*—for class IV posts, passed class V from a recognized school :

Provided that no educational qualification shall be required for the post of sweeper but preference will be given to a person who is educated or is at least able to read and write Hindi in Devnagri script.

(2) No employee who does not possess the qualifications prescribed in clause (i) shall, after the commencement of these Statutes, be eligible for promotion or confirmation unless he attains the aforesaid qualifications ;

Provided that nothing contained in this Statute shall affect the promotions and confirmation made prior to commencement of these Statutes.

21.07. (1) For appointment of an employee in a college through direct recruitment, the minimum age of the candidate shall be 18 years and the maximum age shall be 27 years. The maximum age shall be higher by five years in the case of a candidate belonging to a Scheduled Caste or a Scheduled tribe. Section 49(c).

(2) The age on the first day of July in the year in which the recruitment is made, shall be the age taken into consideration for the purpose of clause (1).

Section 49(o). 21.08. It shall be the duty of the appointing authority to satisfy himself that the character of a candidate for employment by direct recruitment is such as to render him suitable in all respects for employment in a college.

NOTE :—Persons dismissed by the State Government, the Union Government or by any other State Government or a local authority shall be deemed ineligible.

Section 49(o). 21.09. No candidate shall be employed in a college unless he is in good mental and physical health and free from any defect likely to interfere with the efficient performance of his duties. Before a candidate is finally approved for appointment he shall be required to produce a medical certificate of fitness from a Medical Officer Incharge of a hospital established by the State Government.

Section 49(o). 21.10. The employees shall be given the scale of pay and allowances as may be prescribed by the State Government from time to time.

Section 49(o). 21.11. (1) Every employee shall maintain highest order of integrity with regard to his work and conduct.

(2) Every employee shall comply with the orders of the Management and the Principal (including the orders or directions issued in the implementation of the orders of the State Government or the University).

(3) The Principal of the college will maintain the character roll of every employee in which the confidential report about his work and conduct shall be recorded every year. Adverse entries shall be communicated to the employee concerned as soon as possible so that he may improve his work and conduct accordingly.

(4) An employee aggrieved by an adverse entry may represent to the Manager of the college through the Principal for expunction of the adverse entry. The power to expunge the adverse entry on the basis of justification therefor shall vest in the Managing Committee of the college concerned.

(5) A Service Book of every employee shall be maintained under the control of the Principal.

Section 49(o) 21.12. An employee who disobeys any one or both of the provisions of clauses (1) and (2) of Statute 21.11 shall be liable to disciplinary action.

21.13. (1) An employee shall be liable to be removed from service on any one or more of the following grounds, namely—

- (a) gross negligence of duties ;
- (b) misconduct ;
- (c) insubordination or disobedience ;
- (d) physical or mental unsuitability in the discharge of duties ;
- (e) prejudicial conduct or activity against the Government or the University or the College concerned ;
- (f) conviction by a Court of law on charge involving moral turpitude.

(2) If temporary employee resigns from service he shall give notice to this effect in writing to the Management of the college one month in advance otherwise he shall have to deposit one month's salary with the college in lieu of the notice. Similarly if the Management of a college decides to terminate the service of an employee the Management shall give one month's notice to the employee or one month's salary in lieu thereof.

(3) The services of a permanent employee may be dispensed with on the ground of abolition of post after giving him three months' notice in writing or three months' salary in lieu thereof. A post can be abolished on any one or more of the following grounds namely—

- (a) retrenchment on account of financial stringency ;
- (b) fall in enrolment of students : and
- (c) discontinuance of the teaching in the subject to which the post relates.

21.14. The age of superannuation of an employee shall be sixty years. An employee who has attained the age of sixty years on or before the date of commencement of these Statutes shall be retired forthwith.

21.15. (1) The leave rules applicable to the Government servants from time to time shall *mutatis mutandis* apply to the employees of like status.

(2) The Principal shall be the authority to sanction all kinds of leave to class IV employees and casual leave to other employees.

(3) Application of an employee other than class IV for leave (other than casual leave) shall be forwar-

ded by the Principal with his recommendation to the Manager of the college who shall be the authority to sanction the same.

(4) All records relating to leave will be maintained by the Principal who shall send copies of the order sanctioning leave (other than casual leave) to the Regional Deputy Director of Education or the person authorised by him to disburse the salaries of the employees. The Principal shall also mention the period and nature of leave in the salary bill.

Section 49(o).

21.16. A whole-time employee of one college appointed to another college receiving maintenance grant from the State Government shall, after regular selection, be entitled to receive salary not less than what he was getting in the college in which he was previously working, if the employee—

(a) was permanent on his post in the previous college and such college was on the grant in-hid list ;

(b) has obtained the permission of the Manager of the previous college for service in the new college and the Management of the previous college has no objection in relieving him ;

(c) furnishes a certificate from the Manager of the previous college to the effect there were no unusual and adverse circumstances in which the employee left that college ;

(d) furnishes the last pay certificate from the previous college duly countersigned by the District Inspector of Schools concerned.

Explanation—(1) On being appointed in the new college the service rendered in the previous college shall not count towards seniority. Seniority in the new college shall be reckoned from the date of appointment in the new college and the annual increment shall fall due after completing one year's service in the new college from the date of taking over charge of the duties in that college.

(2) The employee shall not be entitled to receive any travelling allowance for journeys performed by him to join his duties in the new college. He shall, however, be allowed journey time at following rates—

(a) one day for each 500 kms. for places connected by Train ;

(b) one day for each 150 kms. for places not connected by Train but connected by Bus ;

(c) one day for each 25 kms. for places neither connected by Train nor by Bus.

CHAPTER XXII
MISCELLANEOUS

22.01. The University may institute and award. Sections 7(12) scholarships, fellowships (including travelling fellow. and 49(p). ships) studentships, medals and prizes in accordance with the provisions laid down in the Ordinances.

22.02. All elections to an authority or body of Sections 49 & the University according to the system of proportional 64. representation by means of single transferable vote shall be held in the manner laid down in Appendix A.

22.03. Subject to the provisions of section 7, the Section 7. University may allow any person to appear as a private candidate at any examination conducted by the University provided that—

(a) such person fulfils the requirement laid down in Ordinances ; and

(b) such examination does not relate to a subject or course of study in which practical examination is a part of the curriculum.

22.04. The provision of Statute 22.03 shall *mutatis* Section 7. *mutandis* apply to a correspondence course.

APPENDIX "A"

(See STATUTES 4.12 AND 22.02)

ELECTION BY PROPRTIONAL REPRESENTATION BY MEANS OF SINGLE TRANSFERABLE VOTE

Part I—General

1. Unless there is anything repugnant to the subject or context with reference to any election by proprrtional representation by single transferable vote :

(i) "candidate" means a person duly qualified to seek election who has been duly nominated.

(ii) "continuing candidate" means a candidate not elected and not excluded from the poll at any given time.

(iii) "elector" means a person who is duly qualified to give his vote in the election.

(iv) "exhausted paper" means a ballot paper on which no further preference is recorded for a continuing candidate provided that a paper shall also be deemed to be exhausted if—

(a) the names of two or more candidates, whether continuing or not, are marked with the same figure and are next in order of preference, or

(b) the name of the candidate next in order of preference, whether continuing or not, is marked—

(1) by a figure not following consecutively after some other figure on the ballot paper, or

(2) by two or more figures.

(v) "first preference vote" means the vote for a candidate against whose name the figure 1 appears on a ballot paper, "Second preference vote" means the vote for a candidate against whose name the figure 2 appears, "Third preference vote" means the vote for a candidate against whose name the figure 3 appears and so on.

(vi) "original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for such candidate.

(vii) "quota" means the lowest value of votes sufficient to secure the return of a candidate.

(viii) "surplus" means the number by which the value of votes of any candidate, original and transferred, exceeds the quota.

(ix) "transferred vote" in regard to any candidate means a vote which is derived from a ballot paper on which a second or subsequent preference is recorded for such candidate and the value or part of the value of which is credited to such candidate.

(x) "unexhausted paper" means a ballot paper on which a further preference is recorded for a continuing candidate.

2. The Registrar shall be the Returning Officer responsible for the conduct of all elections.

3. The Vice-Chancellor shall—

(i) appoint the dates for the various stages of each election in conformity with the provisions of Statutes and shall have power to alter these dates in case of any emergency except where such alteration contravenes the provisions of the Statutes ;

(ii) decide in case of doubt the validity or otherwise of a vote recorded.

4. The election of members of the Court representing Registered Graduates (and such other elections as the Vice-Chancellor may for reasons of convenience or economy direct) shall be conducted by postal ballot. Other elections shall be conducted at meetings of the Authorities or bodies concerned.

5. A ballot paper shall be in the following form :

NAME OF UNIVERSITY

Election by Constituency

Name of candidate and Order of preference (to be indicated in the space) by the numerals 1, 2, 3, etc.

... ..

... ..

—

6. An elector in recording his vote—

(i) must place on his ballot paper the figure 1 opposite the name of the candidate for whom he votes, and

(ii) may, in addition, indicate the order of his choice or preference for as many other candidates as he pleases, by placing against their respective names the figures 2, 3, 4 and so on, consecutive numerals.

7. A ballot paper shall be invalid if—

(i) the figure 1 is not marked, or

(ii) the figure 1 is placed opposite the name of more than one candidates, or

- (iii) figure 1 and some other figure are marked opposite the name of the same candidate, or
- (iv) the figure 1 is so marked as to render it doubtful to which candidate it is intended to apply, or
- (v) in an election by ballot, any mark is made by which the voter may afterwards be identified, or
- (vi) there is any erasure, or alterations in the figure indicating the voter's preferences, or
- (vii) it is not on the form provided for the purpose.

Part II—Elections conducted by Postal Ballot

8. At least three months before the vacancies to be filled by election by postal ballot are due to occur, the Registrar shall cause a notice to be issued under a registered cover to each qualified voter at his registered address calling on him to submit nomination within fifteen days of the posting of the notice. The notice shall be accompanied by a list of voters.

9. The Registrar shall have power to correct any error and supply any omission brought to his notice in the list of voters. If the name of a person is removed from the list, his vote shall not be counted even if he has received the voting paper and recorded his vote, and a certificate, that this has been so done, shall be recorded by the Registrar and the persons, if any, associated with him in preparing the result of the election.

10. Every elector shall have the option of nominating any number of candidates not exceeding the number of places to be filled.

11. Every nomination paper shall be signed by a proposer who shall himself be an elector and shall be accompanied by the assent of the candidate nominated for election either in writing or by signing the nomination paper. It may bear the signature of other electors as supporters of the nomination. But no candidate shall sign as proposer or seconder, a nomination paper on which his own name appears as a candidate.

12. The nomination paper shall be delivered to the Registrar in a closed cover either in person by the proposer or an elector who supports the nomination or through registered post, within the time mentioned in the notice.

13. It shall be open to a candidate to withdraw from an election by sending to the Registrar, so as to reach him before the day and hour fixed as the last day for the receipt of nomination an intimation of withdrawal in writing signed by himself and attested by a Stipendiary Magistrate, a Gazetted Officer, or a Principal of a college associated with or affiliated to a University. The attestation should be under the seal of the Officer concerned

14. The Registrar shall notify the place, date and time for the opening of the covers containing the nomination papers. Such candidates or electors as may desire to be present may do so on the occasion.

15. The Registrar shall prepare the list of valid nominations. If a nomination paper is rejected by the Registrar, he shall inform the candidate concerned, within two days stating the reasons for such rejection. It shall be open to the candidate to send within three days of the receipt of such communication a request that the matter be referred to the Vice-Chancellor whose decision shall be final.

16. If the number of candidates duly nominated does not exceed the number of places to be filled, the Registrar shall declare them elected. In case any place remains unfilled a fresh election shall be held in like manner to fill it and such election shall be deemed to be a part of general election.

17. If the number of candidates duly nominated exceed the number of places to be filled an election shall be conducted.

18. The Registrar shall within 15 days of the completion of scrutiny send by registered post to each elector at his registered address a ballot paper together with a cover bearing the name of the constituency only and a larger cover along with the certificate of identity duly signed and attested and send on the electoral roll, the name of the constituency, and on the right side the address of the Registrar of the University. The Registrar shall also enclose a certificate of identity.

19. (i) The elector shall sign the certificate of identity and have it duly attested by any of the following persons :

(a) The Registrar of any University established by law in India.

(b) The Principal of a College associated with or affiliated to any such University or Head of a Department of teaching of such University.

(c) Any Gazetted Officer of the Government.

(ii) The attesting Officer shall attest with his full signature and under his seal.

(iii) The elector shall enclose the ballot paper duly filled in, but without his name or signature, in the smaller cover, and then enclose it in the larger cover along with the certificate of identity duly signed and attested and send the same duly sealed with either by registered post or deliver it personally to the Registrar.

20. The ballot paper must reach the Registrar by the time and date fixed. If received after the appointed time and date, it shall be rejected by him.

21. If two or more ballot papers are sent in the same cover they shall not be counted.

22. A voter who has not received his ballot paper and other connected paper, or who has lost them or whose papers before their return to the Registrar have been inadvertently spoiled, may send a declaration to that effect signed by himself and request the Registrar to send him duplicate papers in place of those not received, lost or spoiled and the Registrar may, if he is satisfied, issue another copy marked "Duplicate".

23. The Registrar shall keep the voting papers sealed and unopened in safe custody until the date and time fixed for their scrutiny.

24. Due notice of such date, time and place of scrutiny shall be given by the Registrar to all the candidates who shall have the right to be present during the scrutiny ;

Provided that no candidate shall be entitled to ask for the inspection of the ballot paper.

25. The Registrar, where necessary, shall be helped by such other persons as may be appointed by the Vice-Chancellor for assisting him in the scrutiny work.

26. At the appointed date, the time and place the Registrar shall open the covers containing the ballot papers and scrutinize them and separate those that are not valid.

27. The valid papers shall then be sorted into parcels, each parcel containing all the papers on which the first preference is recorded for a particular candidate.

28. For the purpose of facilitating the process prescribed by this Statute each ballot paper shall be deemed to be of the value of one hundred.

29. The Registrar shall in carrying out the provisions of the Statute—

(i) disregard all fractions ;

(ii) ignore all preferences recorded for candidate already elected or excluded from the poll.

30. The Registrar shall then add together the values of the papers in all the parcels, divide total by a number exceeding by one the number of vacancies to be filled, and add one to the quotient. The number thus obtained shall be the "quota".

31. If at any time candidates equal in number to the number of persons to be elected have obtained the quota such candidates shall be treated as elected and no further proceeding shall be taken.

32. (i) Every candidate the value of whose parcel, on the first preference being counted is equal to or greater than the quota, shall be declared elected.

(ii) If the value of the papers in any such parcel is equal to the quota the papers shall be set aside as finally dealt with.

(iii) If the value of the papers in any such parcel is greater than the quota, the surplus shall be transferred to the continuing candidates indicated on the ballot paper as next in the order of the voter's preference, the manner prescribed in the paragraph hereinafter appearing.

33. (i) If and whenever as the result of any operation prescribed by the preceding paragraph a candidate has any surplus, that shall be transferred in accordance with the provisions of the said preceding paragraph.

(ii) If more than one candidate has a surplus the largest surplus shall be dealt with first and the others in a decreasing order of magnitude provided that every surplus arising on the first count of votes shall be dealt with before those arising on the second count, and so on.

(iii) Where two or more surplus are equal, the Registrar shall decide according to the terms prescribed in sub clause (ii) above as to which surplus shall be first dealt with first.

(iv) (a) If the surplus of any candidate to be transferred arises from original votes only, the Registrar shall examine all papers in the parcel belonging to the candidate whose surplus is to be transferred and divide the unexhausted papers into sub parcels according to the next preference recorded thereon. He shall also make a separate sub-parcel of the exhausted papers.

(b) He shall ascertain the value of the papers in each sub-parcel and of the unexhausted papers.

(c) If the value of unexhausted papers is equal to or less than the surplus, he shall transfer all the unexhausted papers at the value at which they were received by the candidates whose surplus is being transferred.

(d) If the value of the unexhausted papers is greater than the surplus, he shall transfer the sub-parcels of unexhausted papers and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted papers.

(v) If the surplus of any candidate to be transferred arises from transferred as well as original votes, the Registrar shall re-examine all the papers in the sub-parcel last transferred to the candidate and divide the unexhausted papers into sub-parcels according to the next preference recorded thereon. He shall thereupon deal with the sub-parcels in the same manner as is provided in the case of sub-parcels referred to in the last preceding clause.

(vi) The papers transferred to each candidate shall be added in the form of a sub-parcel to the papers already belonging to such candidate.

(vii) All papers in the parcel or sub-parcels of an elected

candidate not transferred under this clause shall be set aside as finally dealt with.

34. (i) If after all surpluses have been transferred as hereinbefore directed less than the number of candidates required has been elected the Registrar shall exclude from the poll the candidate lowest on the poll and shall distribute his unexhausted papers among the continuing candidates according to the next preferences recorded thereon. Any exhausted papers shall be set aside as finally dealt with.

(ii) The papers containing original votes of an excluded candidate shall first be transferred, transfer value of each paper being one hundred.

(iii) The papers containing transferred votes of an excluded candidate shall then be transferred in the orders of the transfers in which and at the value at which he obtained them.

(iv) Each of such transfers shall be deemed to be a separate transfer.

(v) The process directed by this clause shall be repeated on the successive exclusions one after another of candidates lowest on the poll until the last vacancy is filled either by the election of a candidate with the quota or as hereinafter provided.

35 If as the result of a transfer of papers the value of the votes obtained by a candidate is equal to or greater than the quota the transfer proceedings shall be completed and no further papers shall be transferred to him.

36. (i) If after the completion of any transfer under the said clause the value of the votes of any candidate is equal to or greater than the quota he shall be declared elected.

(ii) If the value of the votes of any such candidate is equal to the quota, the whole of the paper on which such votes are recorded shall be set aside as finally dealt with.

(iii) If the value of the votes of any such candidate is greater than the quota, his surplus shall thereupon be distributed in the manner hereinbefore provided before exclusion of any other candidate.

37. (i) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled the continuing candidates shall be declared elected.

(ii) When only one vacancy remains unfilled and the value of the votes of any continuing candidate exceeds the total value of all the votes of the other continuing candidates, together with any surplus not transferred, that candidate shall be declared elected.

(iii) When only one vacancy remains unfilled and there are only two continuing candidates and those two candidates have each the same value of votes and no surplus remains capable of transfer one candidate shall be declared excluded under the next succeeding paragraph and the other declared elected.

38. If and when there is more than one surplus to distribute, two or more surplus are equal or if at any time it becomes necessary to exclude a candidate and two or more candidates have the same value of votes and are lowest on the poll regard shall be had to the original votes of each candidate and the candidate for whom fewest original votes are recorded shall have his surplus first distributed or shall be first excluded, as the case may be. If the values of their original votes are equal the Registrar shall decide by lot which candidate shall have his surplus distributed or excluded.

39. *Recounting*—The Registrar may, either on his own initiative or at the instance of any candidate, recount votes, whether once or more than once, when the Registrar is not satisfied as to the accuracy of a previous counting :

Provided that nothing herein contained shall make it obligatory on the Registrar to recount the same more than once.

40. After the scrutiny is completed, the Registrar shall forthwith report the result to the Vice-Chancellor.

41. The Registrar shall place the nomination papers and the ballot papers in a sealed packet which shall be preserved for a period of one year.

Part III—Elections held at Meetings

42. In case of an election conducted at a meeting of a University Authority or body it shall not be necessary to publish the electoral roll for the purpose of eliciting claims and objections or to invite nominations in advance, The members of the Authority or body concerned present at the meeting duly convened shall take part in the election. Names may be proposed for election and candidature withdrawn, in advance or at the meeting. The ballot paper supplied to voters shall show the names of which notice was received in time for printing and shall contain blank spaces, with addition of names including those proposed at the meeting. A notice of the meeting at which the election is to be held mentioning the time, date and place of such meeting together with lists of the members shall be sent by the Registrar to each member. The period of notice shall be fixed by the Vice-Chancellor.

APPENDIX "B"

(See STATUTE 16.01)

FORM OF AGREEMENT WITH MEMBERS OF TEACHING STAFF OF THE UNIVERSITY

AGREEMENT made this——day of——, 19, between Sri/Srimati/Kumari——, of the first part and the University of Kumaun——(hereinafter called "the University") of the other part :—

IT IS HEREBY AGREED as follows :—

1. That the University hereby appoints Sri/Srimati/Km.— the party of the first part, to be a teacher of the University with effect from the date the party of the first part (hereinafter called the teacher) takes charge of the duties of his/her office, and the teacher hereby accepts the engagement, and undertakes to take such part, and perform such duties in the University as may be required of him/her, including the management and protection of the University property or funds, the organization of instruction, the teaching formal or informal and the examination of students, the maintenance of discipline and the promotion of students' welfare in connection with any curricular or residential activities and perform such extra curricular duties of the University as may be entrusted to him/her and to submit himself/herself to the officers under whom he/she is for the time being placed by the authorities of the University and shall abide by and conform to the Code of Conduct for teachers laid down by the University as amended from time to time :

PROVIDED that the teacher shall be on probation for a period of one year in the first instance and the Executive Council may in its discretion extend the period of probation by one year.

2. That the teacher shall retire in accordance with the provisions of the Statutes of the University.

3. The scale of pay attached to the post of teacher to which the teacher is appointed shall be— — — — —. The teacher shall from the date he/she takes charge of his/her said duties be granted pay at the rate of Rs.— — — — — per mensem in the aforesaid scale and shall receive pay in the succeeding stages in the scale unless the annual increment is withheld in pursuance of the provisions of the Statutes :

Provided that where an efficiency bar is prescribed in the time scale, the increment next above the bar shall not be given to the teacher without the specific sanction of the authority empowered to withhold increment.

4. That the teacher shall obey, and to the best of his/her ability, carry out the lawful directions of any officer, authority or body of the University, to whose authority he/she may, while this agreement is in force, be subject under the provisions of the Uttar Pradesh State Universities Act, 1973, or under any Statutes, Ordinances or Regulations made thereunder.

5. That the teacher hereby undertakes to abide by and conform to the Code of Conduct laid down for the teachers, by the University, as amended from time to time.

6. That on the termination of this agreement, for whatever cause, the teacher shall deliver up to the University all books, apparatus, record and other articles belonging to the University, that may be in his possession.

7. In all matters, the mutual rights and obligations of the parties hereto shall be governed by the Statutes and Ordinances of the University, for the time being in force, which shall be deemed to be incorporated herein and shall be as such a part of this agreement as if they were reproduced herein, and by the provisions of Uttar Pradesh State Universities Act, 1973.

IN WITNESS WHEREOF the parties hereto affix their and seal on the day, month and year first above written.

.....
Signature of the Teacher

.....
*Signature of the Finance Officer
representing the University.*

Witnesses :

1... ..

2... ..

APPENDIX 'C'

(See STATUTES 16.02, 16.27, 17.03, AND 17.17)

CODE OF CONDUCT FOR TEACHERS

WHEREAS a teacher, conscious of his responsibilities and the trust placed in him to mould the character of the youth and to advance knowledge, intellectual freedom and social progress, is expected to realise that he can fulfil the role of moral leadership more by example than by precept through a spirit of dedication, moral integrity and purity in thought word, and deed ;

NOW, THEREFORE, in keeping with the dignity of his calling, this code of conduct is hereby laid down to be truly and faithfully observed ;

1. Every teacher shall perform his academic duties with absolute integrity and devotion.

2. No teacher shall show any partiality or bias in the assessment of the students nor shall he practice victimisation against them.

3. No teacher shall incite one student against another or against his colleagues or the Alma Mater.

3. No teacher shall discriminate against any pupil on grounds of caste, creed, sect, religion, sex, nationality or language. He shall also discourage such tendencies amongst his colleagues, subordinates and students. and shall not try to use the above considerations for the improvement of his own prospects,

5. No teacher shall refuse to carry out the decisions of

the appropriate bodies and functionaries of the University or the college, as the case may be.

6. No teacher shall divulge any confidential information relating to the affairs of the University or college, as the case may be, to any person not authorised in respect thereof.

APPENDIX 'D'

(See STATUTES 16.29, 17.02, 17.17 AND 17.19)

(1) FORM OF AGREEMENT WITH A TEACHER (OTHER THAN A PRINCIPAL) IN AFFILIATED COLLEGES

AGREEMENT made this.....day of19 BETWEEN of the first part hereinafter referred to as the teacher and the Management of the ... College through the Principal/Secretary of the second part, hereinafter referred to as the college.

WHEREAS, the college has engaged the teacher to serve the College as subject to the conditions and upon the terms hereinafter contained, now this Agreement witnesseth that the teacher and the college hereby contract and agree as follows :

1. That the engagement shall be from the... .. day of 19 and shall be determinable as hereinafter provided.

2. That the teacher is employed, in the first instance on probation for a period of one year and shall be paid a monthly salary of Rs. The period of probation may be extended by such further period as the college may deem fit but the total period of probation shall in no case exceed two years.

3. That on confirmation after the period of probation the college shall pay the teacher for the service at the rate of Rs, (Rupees only) per month rising by annual increment of Rs. to Rs. per month. The scale of salary shall be subject to such revision as may be made by the University with the approval of the State Government from time to time.

4. That the said monthly salary shall become due on the first day of the month following that for which it is earned and the college shall pay it to the teacher not later than the fifteenth of each month.

5. That the teacher shall not make any representation to the University or to any member of the Management, except through the Principal who shall forward it to higher authorities.

6. That the teacher shall, in addition to the ordinary duties, perform such duties as may be entrusted to him by

the Principal In connection with internal administration or activities of the college.

7. In all other respects the mutual rights and obligations of the parties hereto shall be governed by the Statutes of the University as amended from time to time and by the provisions of the Uttar Pradesh State Universities Act, 1973.

Signed this day of... .. , 19... .. ,
on behalf of the Management by

By the teacher

in the presence of :

Witnesses :

1-----

2-----

(2) FORM OF AGREEMENT WITH A PRINCIPAL OF AN
AFFILIATED COLLEGE

AGREEMENT made this ----- day of
----- 19 ----- BETWEEN -----
of the first part (hereinafter called the Principal) and the -----
----- of -----
College through the President of the second part (hereinafter called
the Management).

WHEREAS, the Management has engaged the party of the first part to serve the college as Principal subject to the conditions hereinafter contained, now this AGREEMENT witnesseth that the Principal and the Management hereby contract and agree as follows :

1, THAT THE contract of service shall commence on the----- 19----- and shall be determinable as hereinafter provided.

2. That the Principal is employed, in the first instance, on probation for a period of one year and shall be paid a monthly salary of Rs-----. The period of probation may be extended by another year at the discretion of the Management.

3. That on 'confirmation after the period of probation the Management shall pay the Principal at the rate of Rs... .. (Rupees..... only) per month in the scale of Rs. That scale of salary shall be subject to such revision as may be made by the University with the approval of the State Government from time to time.

4. That the said monthly salary shall become due on the first day of the month following that for which it is earned and the Management shall pay it to the Principal not later than the fifteenth of each month.

5. The Principal shall perform all such duties as appertain to the Principal of an affiliated college and shall be responsible for due discharge of such duties. The Principal shall be solely responsible for the internal management and discipline of the said college including such matters as the selection of Text-Books in consultation with the senior-most teacher of the Department concerned, the management of the college timetable, the allocation of duties to all the members of college staff, the appointment of Wardens, Proctors, Games Superintendents, etc., the grant of leave to the staff, the appointment, promotion, control and removal of the inferior staff such as peons, daftaris, gardener, technicians, etc. the granting of freeship and half freeship to students within the number sanctioned by the Management, his control of the college or hostel or hostels through the Warden, the admission, discipline and punishment of students and the organisation of games and other activities. He shall administer all student's funds, such as Games Fund, Magazine Fund, Union Fund, Reading Room Fund, Examination Funds etc., with the help of Committees appointed by him and in accordance with the directions received by him from time to time from the University and subject to audit and scrutiny of accounts by qualified accountant appointed by the Management not from amongst its members. The accountant's fee will be the legitimate charge on the students funds of the college.

He shall have all powers necessary for the purpose, including power in an emergency to suspend members of the staff, including teachers or staff pending report to and any decision by, the Management. In the spheres of his sole responsibility he shall follow the directions received from the University or Government in connection with the administration of the College. In financial and other matters for which he is not solely responsible, the Principal shall follow the direction of the Management as issued to him in writing through the Secretary. All instructions by the Management or the Secretary to the members of the staff shall be issued through the Principal and no member of the staff shall have a direct approach to any member of the Management except through the Principal.

The Principal shall have all necessary powers of control and discipline in regard to the clerical and administrative staff including the power to withhold increments. All

appointments in the Principal's office shall be made with his concurrence.

6. That the Principal shall be an *ex officio* member of the Management and any other committee appointed by the Management and have the power to vote :

Provided that he shall not be a member of the Committee appointed to inquire into his own conduct.

7. The date of birth of the Principal is... ..in proof of which he has produced the High School Certificate/Certificate of Examination which is recognised as equivalent to High School Examination and has annexed certified copy thereof.

8 In all other respects, the mutual rights and obligations of the parties hereto shall be governed by the Statutes of the University as amended from time to time and by the provisions of the Uttar Pradesh State Universities Act, 1973.

Signed this day of

19 on behalf of the Management by

By the Principal
in the presence of :

| | |
|---------------------------|----------------------------|
| <i>Witness</i> (1) | <i>Witness</i> (2) |
| <i>Address</i> | <i>Address</i> |
| | |
| | |

(3) FORM OF ANNUAL ACADEMIC PROGRESS REPORT FOR THE ACADEMIC SESSION.....

1. Name of the Teacher... ..
2. Department to which attached... ..
3. Whether Lecturer, Reader, Professor, Principal etc.
4. Academic qualifications or distinctions achieved, if any, during the session— — — — —
5. Details of publications or research work done by the teacher and/or papers read in any national or inter national conference— — — — —
6. Number of Research Students under his guidance during the session, and whether any of them has been conferred a research degree

7. Number of Lectures (excluding tutorial classes) delivered in the University or Institute or College, during the sessions.

8. Remarks.

I HEREBY DECLARE that the contents of this Academic progress Report are true to my personal knowledge.

Dated..... 197

Signature of the Teacher.

Counter-signed.

Designation.

APPENDIX 'E' (See STATUTE 13.01)

Colleges affiliated to Kumaun University

- 1. Arya Kanya Mahavidyalaya, Almora.
2. Rajkiya Degree College, Ranikhet, Almora.
3. Rajkiya Degree College, Bageshwar, Almora.
4. Moti Ram Babu Ram Degree College, Haldwani, Naini Tal.
5. Radhey Hari Rajkiya Degree College, Kashipur, Naini Tal.
6. Rajkiya Degree College, Rudrapur, Naini Tal.
7. Pyare Lal Nand Kishore Galbalia Rajkiya Mahavidyalaya Ramnagar, Naini Tal.
8. Rajkiya Post-graduate College, Pithoragarh.
9. Rajkiya Degree College, Berinag, Pithoragarh..

Sub. National Systems Unit, National Institute of Educational Planning and Administration, 17-B, SriAurbindo Marg, New Delhi-110017. DOC. No. 2A.6/8

NIEPA DC



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