

**THE WEST BENGAL UNIVERSITY OF TEACHERS' TRAINING,
EDUCATION PLANNING AND ADMINISTRATION
FIRST STATUTES, 2018**

NOTIFICATION

No.WBUTTEPA/VC/31/2018 Date 12.07.2018; In exercise of the powers conferred by sub-section (2) of Section 65 of the West Bengal University of Teachers' Training, Education Planning and Administration Act, 2014 (West Ben. Act XXI of 2014), the First Vice Chancellor of the University, with the approval of the Chancellor and with the assistance of the Committee nominated by the State Government in terms of Notification No. 1016-Edn(U)/1U(WBUTTE)-14/15 dated 30/10/2015, hereby causes the First Statutes of the University as follows:–

**CHAPTER – I
PRELIMINARY**

Short title and commencement:–

1. (1) These Statutes may be called The West Bengal University of Teachers' Training, Education Planning and Administration, First Statutes, 2018.
- (2) It shall come into effect on the date as the State Government may by notification appoint.

Definitions:–

2. (1) In these Statutes, unless there is anything repugnant in the subject or context,–
 - (a) “Academic year” means a period of twelve months commencing on the first day of July;
 - (b) “Act” means the West Bengal University of Teachers' Training, Education Planning and Administration Act, 2014 (West Ben. Act XXI of 2014);
 - (c) “Chapter” means chapters of the Statutes;
 - (d) “College” means colleges or institution of higher learning affiliated to the University;
 - (e) “Committee” means Managing Committee or the Governing Bodies of an affiliated college or institution or advisory committee in case of Government College or institution;
 - (f) “Postgraduate Studies” means studies for admission to which the requisite qualification is a Bachelor's degree or its equivalent recognized by this University;
 - (g) “section” means a section of the Act;

- (h) “Statute” means a Statute of these Statutes framed under the Act;
- (2) Words and expressions used but not otherwise defined shall have the same meaning as in the Act.

CHAPTER – II
OFFICERS OF THE UNIVERSITY
PART – I
POST OF OFFICERS

Declaration of Posts of Officers of the University:–

3. The post in the university may be declared under clause (8) of section 11 of the Act to be posts of Officers of the University subject to creation of post by the State Government from time to time.

PART – II
POWERS AND FUNCTIONS OF OFFICERS

Vice-Chancellor:–

4. Save as otherwise provided in the Act, the Vice-Chancellor shall exercise the following powers and perform the following duties:–
- (1) It shall be the duty and the responsibility of the Vice-Chancellor to see that the academic standards in the Post Graduate Departments of the University as well as Under Graduate and Post Graduate Departments (Programmes) of affiliated colleges are improved and properly maintained in strict adherence with the provisions of the Act, the Statutes, the Ordinances, Regulations or Rules framed under the Act.
- (2) In order to carry out the duty and the responsibility prescribed in paragraph (1), the Vice-Chancellor deputed for the purpose shall have the right to inspect or visit any Academic/ Administrative department of the University and other institutions maintained or managed by, or affiliated to the University and submit a report to the relevant authority with suggestion for improvement in the matter.
- (3) The Vice-Chancellor shall have the power to suggest to the Executive Council changes in the infrastructure of the administration of the University including abolition, re-designation and/or creation of new posts of teachers, officers and employees of the University.
- (4) It shall be the responsibility of the Vice-Chancellor to look after the efficient maintenance and management of all properties, endowments and equipment of the University, annual

physical stock verification of equipment of different academic departments and effective utilization of the available space of the University and shall issue such instructions for the purpose, from time to time as he may deem necessary.

- (5) The spheres of administrative authorities of the officers of the University referred in Statute 3 and assignment of their functions and responsibilities shall, from time to time, be determined by the Vice-Chancellor subject to the provisions of the Act, the Statutes and the Ordinances and rules.

Pro-Vice-Chancellor:–

5. Subject to provisions of the Act, the Pro-Vice-Chancellor shall:–

- (1) assist the Vice-Chancellor in the efficient functioning of academic administration pertaining to undergraduate and postgraduate studies and research;
- (2) suggest proper measures to be taken up for efficient management of undergraduate and postgraduate studies and draw up specific scheme for its improvement and expansion;
- (3) have the right to be present at and address any meeting of the academic bodies, committees of which he may not be a member and he shall not be entitled to vote there at;
- (4) have the power to convene meeting of the Departments and the Boards of Studies or any other academic bodies or committees pertaining to undergraduate and postgraduate studies in case of emergency;
- (5) coordinate activities in respect of moderation of question papers pertaining to postgraduate and undergraduate examinations and take necessary steps for printing the same with the assistance of the Controller of Examinations, and
- (6) perform such other duties as may be assigned to him by the Vice-Chancellor from time to time.

Registrar:–

6. Subject to the provisions of the Act and in addition to the duties assigned therein, the Registrar shall be under the direct control of the Vice-Chancellor and the Executive Council. The Registrar shall perform the following functions:–

- (1) the Registrar shall be the Secretary to the Court, Executive Council and the Establishment Committee and such other authorities or committees of the University as may be specifically prescribed by the Statutes or the Ordinances. He shall also be the member-

secretary of any committee constituted by the Court or the Executive Council except as otherwise specifically provided. He shall keep the minutes of the meetings;

- (2) the Registrar shall be the custodian of records and common seal of the University and nobody shall use the seal of the University without prior permission from him/her. As custodian of the records of the University, the Registrar shall have the power to refuse general access to such records by any person other than the Vice-Chancellor and the Pro-Vice-Chancellor except on written authorization from the Vice-Chancellor;
- (3) the Registrar shall conduct the official correspondence on behalf of the University and of the Court and the Executive Council and such other bodies or Committees as may be directed by the Vice-Chancellor except as otherwise provided by the Statutes or Ordinances;
- (4) the Registrar shall conduct election of all academic authorities or bodies of the University as may be prescribed by the Statutes or the Ordinances and shall act as the Returning Officer for conducting such elections;
- (5) the Registrar shall be responsible for the maintenance of University buildings and allocation of available space for accommodation with concurrence of the Vice-Chancellor;
- (6) the Registrar shall be the in-charge of maintenance of service records of the employees, officers and teachers of all the departments of the University. He may, if necessary, delegate his power in this respect to any officer under his administrative control with the concurrence of the Vice-Chancellor;
- (7) the Registrar shall take necessary steps in respect of appointment of the officers, employees and all categories of teachers of the University and conduct all correspondence pertaining thereto on behalf of the University. He shall also deal with promotion of all categories of employees including teachers and officers of the University in the manner prescribed by the Ordinances for the purpose and present all such cases to the Establishment Committee with the concurrence of the Vice-Chancellor;
- (8) the Registrar shall be responsible for purchase of all articles including stationery goods, laboratory apparatus and equipments and other machineries as may be required by the University;
- (9) the Registrar shall under the direction of Vice-Chancellor and the Executive Council, take necessary steps for the execution of plans of development and improvement of higher

education as may be recommended by University Grants Commission and National Council for Teacher Education from time to time;

(10) the Registrar shall sign papers in connection with all legal proceedings for or against the University.

The Director of School of Studies:–

7. The Director of School of Studies shall be under the direct control and supervision of the Vice-Chancellor and shall perform the following functions:–

- (1) preparation of a perspective plan for educational development for the location of institutions or colleges of higher learning in a manner so as to ensure equitable distribution of facilities in Teachers' Education keeping in view the needs of un-served and under developed areas within the jurisdiction of the University;
- (2) scrutinization and processing of application for opening new colleges or institutions of higher learning in Teachers' Training Education;
- (3) preparation of development plan (both physical and academic);
- (4) academic audit of the University departments and affiliated colleges or institutions;
- (5) the Director of School of Studies shall assist the Vice-Chancellor and the Pro-Vice-Chancellor in academic matters pertaining to Postgraduate and Undergraduate programmes and the planning of changes and improvements in Undergraduate and Postgraduate programmes in colleges;
- (6) co-ordination of Postgraduate and Undergraduate programmes and development of affiliated colleges or institutions;
- (7) The Director of School of Studies shall be a member-secretary of the Academic Council;
- (8) the Director of School of Studies shall be entitled to be present at and to address meetings of Boards of Studies attached to the Academic Council of which he/she is not a member, but shall not be entitled to vote thereat;
- (9) he shall perform such other academic or administrative duties as may be assigned to him by the Vice-Chancellor from time to time under the Act.

Controller of Examinations:–

8. The Controller of Examinations shall be under the direct control and supervision of the Vice-Chancellor and shall perform the following functions:–

- (1) the Controller of Examinations shall be in-charge of the Examination Department of the University and shall be responsible for the administrative arrangements for the preparation, scheduling, marking and reporting of Examination, both Postgraduate and Undergraduate, and publication of results of all such examinations and all other matters connected with such examinations in compliance with the provisions of the Act and the Rules and Regulations framed there under;
- (2) he shall be the Convener of the Examination Monitoring Committee.

Finance Officer:–

9. Subject to provisions of the Act and the Statutes, the Finance Officer shall work under the direct control and supervision of the Vice-Chancellor. He shall be responsible for:–
- (1) the administration of the funds, the finances, the properties and assets and all endowments and trusts of the University;
 - (2) all receipts and disbursements;
 - (3) processing of all bills and ensure payment of the same without any undue delay;
 - (4) the maintenance of stock register and all account books and keeping them up-to-date at regular intervals;
 - (5) arrangement for continuous internal audit of the University Accounts;
 - (6) the preparation of annual budget as preferred by the Finance Committee and presentation of the same before the Court through the Executive Council in accordance with the provisions of the Act;
 - (7) preparation of Periodical Statements of Accounts to review the finances of the University and presentation of the same to Finance Committee for consideration;
 - (8) preparation of Annual Statements of Accounts and the Audit Report relating to Annual Statement of Accounts, the Internal Audit Report and the Annual Balance Sheet and submission of the same to the State Government;
 - (9) signing of all cheques on behalf of the University;
 - (10) have the power of accepting rates and quotations other than building tenders, which are to be accepted by the Vice-Chancellor within his competence.
 - (11) the Finance Officer shall perform such other duties as may be assigned to him by the Vice-Chancellor and/or authorities of the University from time to time. The Finance Officer shall be the member- secretary of the Finance Committee.

Law Officer:–

10. (1) Law Officer shall be appointed on deputation from the cadre of West Bengal Legal Service and shall be under the direct control of the Vice Chancellor.
- (2) The other terms and conditions of service of the Law Officer shall be equivalent to the corresponding post of Law Officer with West Bengal Legal Service.
- (3) Law Officer shall be responsible to deal with the legal matters of the University and shall be the custodian of all legal documents of the University.

PART III

Recruitment Rules for the Officers of the University

Recruitment rules:–

11. The prescribed qualifications and eligibility criteria for recruitment to the posts of various officers in the University shall be such as may be prescribed by the State Government from time to time.

CHAPTER – III

AUTHORITIES OF THE UNIVERSITY

PART – I

Board of Studies: – The Board of Studies shall consist of:–

12. (1) the Head of the concerned University Department shall be the Chairman of the Board of Studies;
- (2) all teachers in substantive posts of the concerned Department of the University;
- (3) not more than three persons who shall be experts in the subjects concerned co-opted by the other members of the Board at its first meeting;
- (4) three Principals and three teachers of colleges affiliated to the University as may be nominated by the Vice-Chancellor.

Meetings of Board of Studies:–

13. (1) Every Board of Studies attached to Academic Council shall meet at least four times in every academic year and often or when so required by the Chairman. It shall, also, meet on requisition in writing by at least one-third of the total number of its members.
- (2) There shall be a Secretary of the Board who shall keep and be the custodian of all papers relating to Board of Studies. Director of School of Studies or such other person, as may be appointed by the Vice-Chancellor in this behalf, shall serve as the Secretary to the Board.

- (3) The meeting shall be convened by the Secretary on such date and such time and place as may be fixed in consultation with the Chairman of the Board.

The Chairman shall preside over the meeting of the Board, but in his absence, the members present shall elect one of the members to act as the Chairman.

- (4) A joint meeting of two or more Boards of Studies may be convened by the Vice-Chancellor or the Pro-Vice-Chancellor on such date, at such time and place and for transacting such business as he may think fit.

The members of the Boards present shall jointly elect one of their members to act as Chairman and such of the persons serving as Secretaries of the Boards concerned as may be determined by the Vice-Chancellor or the Pro-Vice-Chancellor shall act as Secretary, at such joint meeting and record of proceedings thereof shall be kept by such Secretary.

Functions and Duties of Boards of Studies:–

- 14.** Subject to provisions of the Act, the functions and duties of a Board of Studies attached to Academic Council shall be –

- (1) to advise the Academic Council for updating Course Curriculum, making Regulations relating to Courses of Studies, division of subjects and examinations in the subject(s) with which the Board is concerned, and the conditions for admission to such courses of studies and examinations;

- (2) to prescribe text-books for courses of studies in the subject or subjects with which the Board is concerned:

provided that no text-book shall be so prescribed except on the recommendation in writing by a member of the Board who certified that he has read the book and considers it suitable for the purpose;

- (3) to make recommendations to the Academic Council regarding instructions relating to teaching, training and/or research in the subject or subjects with which the Board is concerned;

- (4) to make proposals to the Academic Council regarding the minimum number of teachers needed or other resources and facilities necessary in the subject or subjects with which the Board is concerned;

- (5) to recommend to the Academic Council the names of suitable persons as paper setters, moderators and examiners in the subject or subjects with which the Board is concerned (in case of undergraduate and postgraduate studies);
- (6) to consider objections raised in questions set for any examinations, held by the University in the subject or subjects with which the Board is concerned;
- (7) to suggest to the Academic Council after considering the reports of examiners regarding improvements in the methods of instructions, studies and examinations, in the subject or subjects with which the Board is concerned;
- (8) to consider and report on any matter referred to it by any authority or body of the University involving instruction or research in the subject or subjects with which the Board is concerned;
- (9) to bring to the notice of the Academic Council which are considered by the Board to be important and are connected with the Course Curriculum and examination programme of the University in the subject or subjects with which the Board is concerned;
- (10) to contact with the other Board of Studies for the purpose of sharing ideas and ensuring co-ordination;
- (11) to exercise and perform such other functions and duties as may be conferred and imposed on the Board by or under the Act, the Statutes, the Ordinances and Regulations; and
- (12) to submit to the Academic Council every year its annual report.

PART – II

Finance Committee

Finance Committee:–

- 15.** The Finance Committee shall consist of the following members namely,—
 - (a) the Vice-Chancellor, who shall be the Chairman of the Committee;
 - (b) the Pro-Vice-Chancellor, who shall be the Vice-Chairman of the Committee;
 - (c) the Finance Officer shall be the Member-Secretary (ex-officio);
 - (d) One member of the Court nominated by the Court;
 - (e) One member of Executive Council nominated by the Executive Council;
 - (f) Secretaries of the Department of Higher Education and the Department of Finance, Government of West Bengal or their respective nominees not below the rank of Deputy Secretary;

(g) the Registrar shall be the member (ex officio).

Powers and Functions of the Finance Committee:–

16. (1) All members of the Finance Committee other than their ex-officio members shall hold office for a term of four years.
- (2) The Finance Committee shall advise on any financial matter that may appropriately be referred to it for opinion by any authority or body of the University.
- (3) The Finance Committee shall meet at least every quarter (four times) in a financial year (April-March) to examine the accounts and to scrutinize proposals for expenditure.
- (4) Five members shall constitute the quorum for the meeting.
- (5) The notification for the meeting of the Finance Committee (except emergency meeting) has to be issued at least seven days before the date of the meeting.
- (6) In absence of the Vice-Chancellor or the Pro-Vice-Chancellor, the members present shall elect a chairperson to preside over the meeting of the Finance Committee.
- (7) No quorum shall be required for adjourned meetings.
- (8) There shall be only one agenda in case of an emergency meeting. Confirmation of the proceedings of the previous meeting shall not be placed at the emergency meeting. However, the requirement of quorum shall be necessary for an emergency meeting.
- (9) Finance Committee shall,–
- (a) before 31st of December, every year consider the Annual Statement of Accounts for the previous financial year as prepared by the Finance Officer and transmit the same with its recommendations to Executive Council for examination and approval;
- (b) before 31st of December, every year consider at a meeting convened for the purpose the Annual Budget/ Financial estimates comprising of receipts and expenditure of the University on different accounts of the ensuing financial year as prepared by the Finance Officer and having considered the same estimates makes recommendations pertaining to them which, with the said estimates, shall be forwarded to Executive Council for examinations and recommendations for onward transmission to the Court for approval; and
- (c) prepare financial and accounts rules with the approval of the Executive Council.

- (10) The Finance Committee may call for any paper bearing on any financial proposal or any item of accounts under its consideration or making its recommendations on the annual accounts or the financial estimates referred to clause (9).
- (11) The Finance Committee shall maintain watch over the progress of income and expenditure provided for in the Budget and shall make such reports to the Executive Council, from time to time as it may think fit on any matter affecting the finance of the University.
- (12) Subject to provisions, no expenditure, not covered by the Budget grant or in excess of the Budget may be incurred without consideration by the Finance Committee and prior approval of the State Government.

PART - III

Research Advisory Committee

Research Advisory Committee:–

- 17.** There shall be a Research Advisory Committee or an equivalent body for M. Phil/ Ph. D Programme for each academic department, with tenure of four years and the Pro-Vice-Chancellor as its Chairman, attached to Academic Council, shall be constituted, formed and function as per University Regulations in accordance with UGC guidelines from time to time. Details about procedures for calling meetings and quorum will be as stated in the University Regulations.

PART – IV

Establishment Committee

Establishment Committee:–

- 18.** (1) There shall be an Establishment Committee consisting of the following members:–
- (a) the Vice-Chancellor;
 - (b) the Pro-Vice-Chancellor;
 - (c) A nominee of the State Government;
 - (d) three members of the Executive Council nominated by the Executive Council;
 - (e) the Registrar – Member-Secretary.
- (2) The Secretary of the Establishment Committee shall maintain a record of its proceedings and shall perform for the Committee such functions as may be assigned to him.
- (3) Nominated members of the Establishment Committee shall hold office for a term of two years from the date of nomination:

Provided that if any member ceases to be a member of the Executive Council, he shall cease to be a member of the Establishment Committee.

Functions of Establishment Committee:–

- 19.** (1) The functions of the Establishment Committee shall be –
- (a) to recommend to the Executive Council qualified persons for appointment as Superintendents, employees ranking between Senior Assistants, Laboratory Assistants and Library Assistants and for appointment to other academic or non-academic posts below the rank of officers;
 - (b) to make appointments of Junior Assistants and permanent posts of Lower Subordinate Staff of any category and report to such appointments to the Executive Council for approval;
 - (c) to recommend to the Executive Council in the matter of formulating policies to govern conditions of employment, pay, increment of pay, promotion, retirement, extension of service, leave and other matters related to employment in the University;
 - (d) to recommend to the Executive Council regarding minimum qualifications for appointment to various posts of employees other than Professors, Associate Professors, Assistant Professors, and officers of the University; and
 - (e) to recommend to the Executive Council plan and procedure for increasing the efficiency of service in the University:

Provided that the Establishment Committee may delegate such of its powers and functions as it deems fit to the Registrar of the University;

- (2) The Establishment Committee shall also obtain names from the Employment Exchanges of different Districts of West Bengal for consideration for appointment in the posts of Junior Assistants and those of Lower Subordinate Staff of any category, when the case is not for promotion.

Meetings of Establishment Committee:–

- 20.** (1) The Establishment Committee shall ordinarily meet once a month. Meetings of the Committee shall be convened by the Secretary of the Committee on such dates and at such times and places as may be determined by the Chairman or in his absence by the Vice-Chairman.
- (2) Not less than three days' notice shall be given of a meeting of the Committee.

- (3) Four members shall be a quorum.

PART-V

Departmental Committees

Departmental Committee:–

21. (1) In terms of Clause (6) of Section 25 of the Act, there shall be an authority called Departmental Committee in every Postgraduate and Undergraduate Department of the University consisting of all whole-time teachers with the Head of the Department as the Chairman. Not more than three part-time teachers may be co-opted as members by the Departmental Committee provided the Department has not less than five whole-time teachers, but if the number of whole-time teachers is less than five, then only one part-time teacher may be co-opted.

(2) Powers and Functions of the Departmental Committees:–

(1) subject to the general supervision and control of the Vice-Chancellor, the Departmental Committee shall have the following powers and functions:–

- (i) identification of the academic areas which need to be strengthened and recommendation of suitable measures in this regard;
- (ii) proper utilization of existing physical, human and financial resources;
- (iii) preparation of class routine;
- (iv) programming for co-ordination and completion of courses on schedule;
- (v) making arrangements for holding examinations;
- (vi) to take necessary follow-up action for expeditious publication of results;
- (vii) to suggest proposals for inclusion in the annual budget;
- (viii) consideration of any other matter regarding departmental activities or any such matter as may be referred to it by the appropriate authorities.

(2) the rules and procedures for its working shall be framed by the Departmental Committee with the approval of the Vice-Chancellor.

Head of the Department:–

22. (1) (a) In every teaching department of the University there shall be a head of the department who shall be appointed by the Vice-Chancellor by rotation in order of seniority from amongst the whole-time permanent university teachers not below the rank of an Associate Professor; provided that in a teaching department where there are no Professors or Associate Professors, the Director of School of Studies shall act as the Head of the Department.

- (b) In a University Teaching Department where there are both Professors and Associate Professors, all Professors shall be deemed to be senior in rank to Associate Professors.
 - (c) The appointment of a Head of the Department by the Vice-Chancellor shall be reported to the Executive Council.
- (2) The Head of the Department shall hold office for a term of two years from the date of appointment.
 - (3) The Head of the Department may resign his office by writing under his hand to the Vice-Chancellor.
 - (4) The principle of rotation as embodied in paragraph (1) above shall apply equally in the case of vacancy in the office of the Head of the Department caused by the resignation or release of an incumbent from the service of the University or by the grant of long term leave in his favor.
 - (5) If there is a temporary vacancy in the office of the Head of the Department, the next senior most teachers in a Department shall be appointed to act as the Head of the Department for a period of such vacancy.

Duties and Functions of the Heads of the Departments:–

- 23.** (1) The Head of every Department shall act under the general supervision and control of the Vice-Chancellor, subject to delegation of such power to an officer of the University and his duties and functions shall be to administer the academic affairs of the Department concerned in accordance with the provisions of the Act, the Statutes, the Ordinances and the Regulations, so that the decisions which may be relevant to his department are promptly complied with. He shall perform such other duties as may be assigned to him by the Vice-Chancellor or any other competent authority of the University.
- (2) The Head of the Department shall act as link between the University and the Department so far as management of academic affairs of the Department is concerned in consultation with the Departmental Committee.
- (3) The Departmental Committee shall meet at least once in a month which shall be convened by the Head of the Department in the Department concerned with the agenda and the time of the meeting being decided upon in the preceding meeting so that no notice need be circulated. Resolution of the Departmental Committee, which shall ordinarily be arrived at through consensus, shall be kept under the custody of the Head of the Department and

the same shall be submitted to the Academic Council as when called for. If the decisions of the Departmental Committee are not implemented by any teacher, the matter shall be referred to the Academic Council.

- (4) In case the Head of the Department disagrees with the Departmental Committee with regard to any matter, it shall be referred to the Academic Council.

PART - VI

University Committees

University Committees:–

- 24.** (1) In terms of clause (6) of section 25 of the Act, there shall be Authorities called University Committees under the following heads with the respective conveners for efficient, transparent, participatory, distributive and timely execution of various aims and goals of the University, namely –
- (a) Academic Events Committee, Convener - Director of School of Studies;
 - (b) Anti-ragging Committee, Convener - Any Professor/Associate Professor (if Professor is not available) of the University nominated by the Executive Council;
 - (c) Development and Planning Committee: Convener - Registrar;
 - (d) Board of Residence: Convener - Registrar; (concerned with Residence of Students)
 - (e) Board of Discipline of Students: Convener- Director of School of Studies; (concerned with discipline of Students)
 - (f) Disciplinary Committee for Teachers, Officers and Staff, Convener- Registrar;
 - (g) Examination Monitoring Committee, Convener - Controller of Examinations;
 - (h) Equivalence Committee, Convener - Registrar;
 - (i) Internal Quality Assurance Cell, Convener - Any Professor of the University nominated by the Executive Council;
 - (j) Grievance Reddressal Committee, Convener - Registrar;
 - (k) Sexual Harassment Reddressal Committee, Convener - senior most Female Professor/Associate Professor of the University (if professor is not available), nominated by the Executive Council;
 - (l) Building Committee, Convener– Registrar;
 - (m) Publication Committee, Convener – Registrar;
 - (n) Purchase and Tender Committee, Convener – Registrar;
 - (o) National Cadet Corps, Convener - Any Professor/Associate Professor (if Professor is not available) of the University nominated by Executive Council;

- (p) National Service Scheme Cell, Convener - Any Professor/Associate Professor (if Professor is not available) of the University nominated by the Executive Council;
 - (q) Games and Sports Committee, Convener - Any Professor/Associate Professor (if Professor is not available) of the University nominated by the Executive Council
 - (r) Students' Welfare Committee, Convener - Registrar
 - (s) Welfare of Backward Caste & Tribe Committee, Convener - Registrar
 - (t) Website Committee, Convener - Registrar
- (2) The procedure for holding meetings of the Committee and quorum shall be guided by the Ordinances.

CHAPTER – IV ELECTION OF AUTHORITIES

Process of election:–

- 25.** (1) The Vice-Chancellor shall, in connection with any election referred to the Court, the Executive Council, the Academic Council and of any other authority, by an order in writing fix a date or dates–
- (a) on or before which application for enrolment as voters shall be submitted, which shall not be earlier than thirty days from the date of the order;
 - (b) on or before which nomination for election shall be submitted, which shall not be earlier than fourteen days from the date of publication of the final electoral rolls for the constituency concerned after the last date of application for enrolment as voters fixed under Clause (a);
 - (c) on which scrutiny of nominations shall be made, which shall not be later than the third day from the last date of submission of nominations fixed under Clause (b);
 - (d) on or before which application for withdrawal of candidature, if any, shall be submitted which shall not be later than the third day from the date fixed under Clause (c) for scrutiny of nominations;
 - (e) on which a poll shall, if necessary, be taken, which shall not be earlier than thirty days from the last date of withdrawal of nomination fixed under Clause (d);
 - (f) on which counting of votes shall be commenced, which shall not be later than seven days from the date for taking the poll fixed under Clause (e).

- (2) Every order under paragraph (1) shall be duly notified by the Registrar in the Press or in such manner as may be determined by the Vice-Chancellor.

Notice Calling for Applications for Enrolment as Voters:–

26. As soon as possible after receiving the order of the Vice-Chancellor referred to in Clause (i) of Statute 25, the Returning Officer shall, in such manner as the Vice-Chancellor may direct, issue or cause to be issued a notification stating the substance of the order and calling for applications for enrolment as voters in the respective constituencies from all persons entitled to vote at the election in such constituencies.

Preliminary Electoral Rolls:–

27. (1) Not later than sixty days after the last date for application for enrolment of voters fixed under Clause (i) of Statute 25, the Returning Officer shall prepare a preliminary electoral roll for every constituency of the Court, the Executive Council and Academic Council containing the names of all persons who have applied for enrolment as voters in the constituency concerned and are qualified to have their names included in such rolls.

Explanation I: – An Officer or a Teacher shall be entitled to have his name included in the relevant electoral roll, even though he is on authorised leave.

Explanation II: – A temporary Officer or Teacher or Non-Teaching employees of the University shall also be entitled to have his name included in the relevant electoral roll.

- (2) A person shall be entitled to have his name included in the electoral roll of one constituency only. A person qualified to have his name included in the electoral rolls more than one constituency shall indicate the constituency in the electoral roll of which he wishes his name to be included and Returning Officer shall include his name accordingly. In the case of a failure, so to indicate the constituency shall be rejected.
- (3) A preliminary electoral roll prepared under paragraph (1) together with a notice to the effect that the electoral rolls may be inspected and claims or objection in respect thereof filed shall be published by posting the same in the Notice Board of the office of the Registrar or in such other manner as the Vice-Chancellor may determine.

Claims and Objections:–

28. Within fifteen days from the date of such publication of a preliminary electoral roll, any claim or objection to the roll may be made in writing signed by the person making it, stating specifically the grounds on which it is made and submitted to the Returning Officer either in person or by registered post.

Final Electoral Roll:–

29. (1) The Returning Officer, shall, after summary enquiry, dispose of all claims, or objections submitted under Statute 28 and amend the electoral roll where necessary. The final Electoral Roll so prepared shall be kept in the office of the Registrar and shall, not later than seven days from the last date of filing claims and objections referred to in Statute 28, be published in such manner as is referred to in Clause 3 of Statute 27 and shall come into force forthwith upon such publication. The decision of the Returning Officer on any claim or objection shall be final.
- (2) The final electoral roll for any constituency, prepared under paragraph (1), shall remain in force until a fresh electoral roll is prepared for that constituency in connection with the next general election on the expiry of the term of office of the members elected from that constituency, subject to such amendments, if any, as the Registrar may, from time to time, consider necessary for the purposes of filling casual vacancies.

Withdrawal of Name from Electoral Roll:–

30. If, at any time before the publication of the final electoral roll of any constituency under Statute 29, any person applied for withdrawal of his name from such roll, the Returning Officer shall permit his name to be so withdrawn but such person shall not be entitled to claim a refund of the fee, if any, paid by him for inclusion of his name therein.

Correction of Error in Electoral Roll:–

31. The Returning Officer shall have the power to correct any printing or clerical error in a final electoral roll.

Custody of Electoral Rolls etc.:–

32. (1) The Registrar shall have the custody of the preliminary as well as the final electoral rolls.
(2) Electors may obtain copies of the preliminary as well as final electoral rolls from the office of the Registrar on payment of such price as may be fixed by the Registrar in this behalf.

Notice Calling for Nominations:–

33. Upon the publication under Statute 29 of a final electoral roll for an election, the Returning Officer shall forthwith give notice in such manner as the Vice-Chancellor may direct, of the intended election inviting nominations of candidates for election and specifying the last date fixed for making nominations, the date of scrutiny of nominations and the last date for withdrawal of candidature as well as the date of poll and the time and place at which, and the person to whom the nomination papers are to be delivered.

Nominations:–

34. (1) Any person whose name appears in the final electoral roll of any constituency and who is not disqualified to be elected as a member of the authorities of the University under Statute 25, may be nominated as a candidate for election from that constituency.
- (2) On or before the last date for submission of nomination of candidates for election fixed under Clause (b) of Statute 25, a candidate for election shall deliver or cause to be delivered to the Returning Officer between 11.00 A.M. and 5.00 P.M. on a working day of the University, a nomination paper in a form approved for the purpose by the Vice-Chancellor which shall be obtainable from the Returning Officer.
- (3) No nomination paper shall be valid unless it is signed by the candidate as assenting to the nomination and by one other person qualified to vote in the constituency concerned as proposer.
- (4) An elector may sign as proposer only one nomination paper and no more, and if an elector signs as proposer more nomination papers than one, all the nomination papers so signed by such elector shall be invalid.

Provided that this rule shall not apply to a constituency where the number of electors does not exceed five.

Scrutiny of Nominations:–

35. On the day fixed under Clause (c) of Statute 25, for scrutiny of nominations, the Returning Officer shall scrutinize the nomination papers, in the presence of candidates or their authorised agents, it is then published on the notice board in his office a list arranged alphabetically according to surname of candidates whose nominations are found to be valid.

Withdrawal of Candidature:–

36. Any candidate whose name appears in the list may withdraw his candidature by a notice in writing signed by him and deliver to the Returning Officer within the time fixed under Clause (d) of Statute 27.

Conduct of Elections:–

37. (a) If the number of candidates in any constituency whose nominations are found to be valid and who have not withdrawn their candidature, is less than the number of persons to be elected, the Returning Officer shall declare all such candidates duly elected and the seats remaining unfilled shall be deemed to be vacancies for the purpose of Sections 47 and 48 of the Act.

- (b) If the number of such candidates is equal to the number of persons to be elected, the Returning Officer shall declare all such candidates duly elected.
- (c) If the number of such candidates exceeds the number of persons to be elected, the Returning Officer shall forthwith publish in his office a list of candidates for election arranged alphabetically according to surname and a poll shall be taken.

Election for Officers' Constituency:–

- 38.** (1) Election of one Member by the Officers of the University forthwith upon receipt of the order of the Vice-Chancellor under Statute 25, the Returning Officer shall issue a notification stating the content of the order of the Vice-Chancellor and post a copy of the same in the Notice Board of the Registrar's Office or in such other places as may be determined by the Vice-Chancellor for information of the persons concerned in connection with election to the Court under clause (xxvi) of Sub-Section 2(b) of Section 28 of the Act.
- (2) After publication of the preliminary and final Electoral Rolls in accordance with the provisions under Statutes 27, 28 and 29 the Returning Officer shall issue a notice inviting nomination of candidates for the purpose of election under Clause (xxvi) of Sub-Section 2(b) of Section 26 of the Act and specifying the date for scrutiny of nomination and last date of withdrawal of candidates as well as the date of poll in compliance with the procedure laid down in these Statutes.
- (3) subject to the provisions of Statutes, the Returning Officer shall conduct election in compliance with the following procedures :–
- (a) the Returning Officer shall appoint a Teacher of the University as Presiding Officer and such other employees as may be considered necessary as polling assistants well in advance of the date of polling and make necessary arrangements for transportation of the ballot boxes and ballot papers to the polling centres. He shall also supply a copy of instruction relating to rules and procedures of polling to each of the presiding officers;
 - (b) the polling centers shall remain open from 10.00 A.M. to 4.00 P.M. As soon as the clock strikes 4 O'clock in the afternoon the gates of the Polling Station shall be closed, but the voters standing at the queue at that time shall be allowed to enter inside the Polling Station and cast their votes. The Presiding Officer shall not allow any voter to cast his vote if he arrives at the Polling Station after 4.00 P.M.;

- (c) after the polling is over, the Presiding Officer shall prepare a statement of the number of ballot papers used and balance left over. The ballot papers remaining unused shall be packed and sealed. The ballot boxes shall also be sealed in the presence of the candidates or their authorized agents;
- (d) the Presiding Officer and the Polling Agents on duty must accompany the ballot boxes and hand over the same together with the necessary papers as stated in Clause (c) above, to the Returning Officer or his nominee in his office. The Returning Officer shall make necessary arrangements for keeping the ballot boxes in safe custody till the counting begins according to the time schedule mentioned in Clause (f) of Statute 25;
- (4) The Returning Officer shall thereafter count or cause to be counted the valid votes in favour of the candidate concerned and declare the results.

Election of Non-Teaching Staff of the University Constituency:–

- 39.** (1) For the purpose of election of Non-teaching Staff of the University, the Returning Officer, as soon as may be, after receiving the order of the Vice-Chancellor, shall issue notification stating the content of the order and post a copy of such notification on in the Notice Board of the Registrar’s Office or in such other places as may be determined by the Returning Officer.
- (2) After publication of the final Electoral Roll, the Returning Officer shall issue notification inviting nominations of candidates for election and comply all other procedures.
- (3) Subject to provisions of Statutes, the Returning Officer shall then conduct the election in accordance with the procedure laid down in these statutes.
- (4) After the election is held in conformity with the procedure laid down in paragraph (3) above, the Returning Officer shall count or cause to be counted the valid votes recorded in favour of the candidates for election from this constituency and declares the results after completion of counting of votes.

Voting of Non-teaching employees of Government and Government-aided Colleges:–

- 40.** (1) In case of election of members to the Court under clause (xxvii) (b) of sub-section 2(b) of section 26 of the Act, the Returning Officer shall issue a notification, immediately after receiving the order of the Vice-Chancellor and communicate the same to the Principals of the affiliated Colleges who shall post a copy of the same on the Notice Board of the colleges concerned for information of the non-teaching staff of the College. The Principal

of the College shall, forthwith on receipt of the order of the Vice-Chancellor, invite applications for enrolment of voters from amongst the non-teaching staff of the college concerned in preliminary electoral roll. The Principal of each affiliated College shall prepare a preliminary electoral roll of all the eligible employees of his College and send the said preliminary electoral roll in triplicate to the Returning Officer for obtaining his signature and the Returning Officer, after putting his signature on them, shall retain one copy of electoral roll and send the other two copies back to the Principal of the College who shall post a copy of it on the Notice Board for information of the electors. He shall also send the claims and objections, if any, from any elector to the Returning Officer. Similar procedure shall be followed by the Principal for preparation and publication of the final electoral roll in respect of the non-teaching employees of the College.

- (2) Forthwith upon the publication of the final electoral roll by the Principal of the College concerned, the Returning Officer shall issue a notice inviting nominations of candidates for election and specifying the last date fixed for nominations, date of scrutiny of nominations, last date of withdrawal of candidature and the date of poll, if necessary, and the time and place at which and the person to whom such nomination papers are to be delivered. On receipt of such notification, the Principal shall post a copy of the same in the Notice Board of the College or in such other places as may be determined by the Returning Officer. The Returning Officer shall comply with all other procedures in this respect as provided in these Statutes.
- (3) For the purpose of conducting election of member to the court from this constituency, the Returning Officer shall appoint the Principal of the respective College as the Presiding Officer. The Returning Officer shall also appoint such other employees of the university or the affiliated Colleges (Government colleges and Government-aided colleges) as may be necessary as polling assistants for the purpose. The Returning Officer shall make necessary arrangements for transportation of the ballot boxes together with a copy of instruction relating to rules and procedures for conducting election to each of the Presiding Officers. Following all other procedure relating to conduct of election in respect of Non-Teaching Staff of affiliated Government and Government-sponsored Colleges, the Presiding Officer then conduct the election in accordance with the procedure laid down under these Statutes.

- (4) The Returning Officer shall thereafter count or cause to be counted the valid votes in favour of the candidate concerned and declare the result by applying the provisions of these Statutes mutatis mutandis.

Election of members of the E.C and Academic Council for Teachers' Constituency:–

41. (1) In case of election under clause (xviii) of sub-section 2 (b) of section 29 of the Act for choosing members of the Executive Council, under sub-section 2 (e) of section 32 relating to the Academic Council, the Returning Officer shall notify the venue, the date of election, the time and the duration of polling which shall be between 10.00 A.M. and 4.00 PM. The date of polling shall be fixed in the notification in accordance with clause (e) of Statute 25. A copy of such Notification shall be posted on the Notice Board of the Registrar's Office and in such other places as may be determined by the Returning Officer.
- (2) For the purpose of conducting election, the Returning Officer shall appoint Presiding Officers from amongst teachers or officers of the University or a Principal of an affiliated Government and Government Sponsored Colleges and the polling assistants from amongst employees of the University. The Returning Officer shall arrange for transportation of the ballot papers and ballot boxes to the polling centres. He shall also supply a copy of instruction relating to rules and procedures for the conduct of election to each of the Presiding Officers.
- (3) Following all other procedures relating to conduct of election in respect of Teachers' Constituency of the University, the Presiding Officer then conduct the election in accordance with the procedures under clauses of these Statutes.
- (4) After the election is held in conformity with the procedure laid down in paragraph (3) above, the Returning Officer shall count or cause to be counted the valid votes recorded in favour of the candidates for election from this constituency and declare the results after completion of counting of votes in the manner provided in these Statutes.

Election of Student Representative Pursuing Postgraduate Studies in the University:–

42. (1) As soon as may be, after the results of election of students in respect of electoral Colleges are received, the Registrar shall compile a consolidated list containing the names and other particulars of the electors of the Postgraduate Departments of the University which shall constitute an electoral College for election of Postgraduate students of the University under Sub-Clause 2(g) of Section 32, relating to the Academic Council.

- (2) Immediately after compilation of the list of names of Postgraduate students who are electors of the electoral College, the Returning Officer shall issue notification inviting applications calling for nominations of candidates from amongst the electors of the electoral College, and specifying the date of nomination, the date of scrutiny of nominations and the date of withdrawal of candidature as provided in these Statutes. For the purpose of filing nomination for election to Academic Council from the constituency only, the electors of the Electoral College shall be entitled to be nominated as candidates.
- (3) Subject to provisions of Statute 39 the Returning Officer shall make necessary arrangement for printing of ballot papers arranged in alphabetical order according to surname of the eligible candidates. The Returning Officer shall send the ballot boxes together with ballot papers to the Presiding Officers appointed for the purpose of election of student members to the Academic Council from the Postgraduate Students' Constituency. The Presiding Officer shall conduct the election in accordance with the provisions laid down under Statute 38.
- (4) For the purpose of counting votes and declaration of results, the Returning Officer shall follow the relevant provisions of these Statutes.

Explanation: "Regular Postgraduate Student" shall mean a student who has been prosecuting his studies under any Postgraduate Department of the University and who is not in a default of payment of prescribed tuition fees and other dues of the University till such date as may be notified by the University in this behalf.

Election to Academic Council from Research Scholars' Constituency:–

43. (1) As soon as possible after receiving the order of the Vice-Chancellor referred to in Statute 25, the Returning Officer shall issue a notification stating the substance of the order and post a copy of the same on the Notice Board and in such other places as may be determined by the Vice-Chancellor in relation to election of one member of the Academic Council from the Research Scholars' Constituency described in sub-section 2 (g) of Section 32 of the Act.
- (2) For the purpose of conducting election from the Research Scholars' Constituency the Returning Officer shall comply with all the procedures laid down in Statutes 33, 34, 35 and 36 after publication of the final electoral roll.
- (3) Immediately after the election is over in conformity with the provisions laid down under sub-clauses 3 (a), 3(b), 3(c) and 3(d) of Statute 38, the Returning Officer shall count or

cause to be counted the valid votes recorded in favour of the candidates who may contest the election from this constituency and declare the results after completion of counting of votes in the manner provided in Statutes 45, 46, 47.

Explanation: “Research Scholar and Research Fellow of the University” shall mean a whole-time Research Scholar and Research Fellow of the University who receives a stipend from the University or any Funding Agency.

Recording of Vote in Case of Physical Incapacity:–

44. If an elector is unable to record his vote on the ballot paper received by him although he is present at the polling booth because of physical incapacity, such as blindness etc. he may be permitted to do so by the Presiding Officer through a person duly authorised by the elector but such vote shall be recorded in presence of the Presiding Officer and the elector himself.

Competency to Vote:–

- 45.** (1) No person whose name does not appear in the final electoral roll of a constituency shall not be entitled to vote in that constituency.
- (2) A person whose name appears in the final electoral roll of a constituency shall be entitled to vote in that constituency only and in no other.
- (3) No person shall be entitled to vote in any constituency if he is subject to any of the disqualification mentioned in sub-section (1) of Section 43 of the Act.
- (4) Every elector shall have as many votes as there are persons to be elected in the constituency, but shall not have the right to record more than one vote in favour of any one candidate.

Returning Officer to Keep Covers etc. in Safe Custody:–

- 46.** (1) The Returning Officer shall keep all covers received by him in safe custody until the commencement of counting of votes.
- (2) Any cover received by the Returning Officer after 5.00 P.M. on the day fixed for the poll under Clause (e) of paragraph (1) of Statute 25, shall be rejected by him but shall be kept in a separate packet in his office.

Counting of Votes:–

- 47.** (1) On the day fixed under clause (f) of paragraph (1) of Statute 25, for commencement of counting of votes the Returning Officer, shall, at such time and place as may be determined by the Vice-Chancellor and notified in the Notice Board in the office of the

Registrar in this behalf, proceed, in such manner as the Returning Officer may determine and with the help of such persons as the Vice-Chancellor may appoint to assist the Returning Officer in the counting of votes, to open all covers received by post, to open the envelopes containing the ballot papers, to open the ballot boxes and after scrutiny, to separate the ballot papers which the Returning Officer considers valid from those which he considers invalid and finally to count the valid votes given to each candidate and to record in a statement of the total number of valid votes so given to each candidate:

Provided that the Returning Officer may adjourn, at any stage, the proceedings referred in this paragraph until such time or date as he may consider fit and proper.

- (2) The Vice-Chancellor, the person appointed to assist the Returning Officer in counting the votes and the candidates, or, in their absence, their agents duly authorised by them in writing, shall have the right to be present at the counting of votes.

Validity of Ballot Papers:—

48. A ballot paper shall be invalid if –

- (a) it is not duly marked, or
- (b) it contains no record of voting, or
- (c) more than one mark is placed, on it against any candidate's name, or
- (d) the identity of the voter is disclosed, or
- (e) the number of votes recorded therein exceeds the number of seats to be filled, or
- (f) the mark is so placed as to render it doubtful as to which candidate the vote has been given, or
- (g) there is an eraser of voting mark of such a nature that the intension of the elector is not clear, or
- (h) in the case of the constituencies where there are reserved seats the principles of reservation are not fulfilled by the voting marks.

Declaration of results after counting of votes:—

- 49.** (1) When the counting of votes has been completed, the Returning Officer shall, forthwith declare the candidate or candidates to whom the largest number of valid votes has been given duly elected. When two or more candidates received equal number of votes and they cannot be declared elected, the final selection shall be made by the Returning Officer by drawing lots.
- (2) The Returning Officer shall then seal up in separate packets the valid and invalid ballot papers, mark each packet with the description of its contents, the name of the constituency and the date of election and keep them in safe custody for a period of one month after the

date of election, one each case, or if any dispute arises regarding an election, until the dispute is disposed of.

PART - II

Election to Fill Casual Vacancy in any Authority

Filling up of Casual Vacancy:–

- 50.** (1) A casual vacancy in the office of an elected member of any authority of the University shall be filled by that authority by election at a meeting to be convened for the purpose by the Registrar on such date (being not later than three months from the date of vacancy) and at such time and place as the Vice-Chancellor may appoint in this behalf, provided that at least seven days' notice of such meeting shall be given to the members of the authority concerned.
- (2) At the meeting of the authority so convened, members thereof may propose names of persons representing the interest which the member whose seat has become vacant represented. Each such proposal must be seconded by another member of the authority concerned.
- (3) If the number of persons proposed for election to the authority be less than or equal to the number of members to be elected, the Chairman shall declare all persons so proposed duly elected. If the number of persons so proposed for election exceeds the number of members to be elected, a poll shall be taken in such manner as the Chairman may decide and the person securing the largest number of votes shall be declared by the Chairman duly elected. In the case of an equality of votes in respect of the last seat to be filled, the Chairman shall decide the issue by exercising his casting vote.
- (4) Any casual vacancy in the office of a nominated member of any authority of the University shall be filled within a period of not later than three months from the date of occurrence of such vacancy.

Registrar to maintain file of Approved Forms and Other Necessary Papers:–

- 51.** (1) The Registrar shall prepare, in conformity with these Statutes such forms and papers as may be necessary for inviting nominations of candidates for election, nomination papers, notices of withdrawal of candidature, ballot papers, letters of intimation and envelopes for the return of ballot papers and other necessary papers for the conduct of any election and after the forms have been approved in writing by the Vice-Chancellor, they shall be used as approved forms for conducting elections.

- (2) The Registrar shall maintain a file of forms referred to in paragraph (1) together with the orders of approval of the Vice-Chancellor.

Registers:–

52. The University Shall, Subject to Provisions of these Statutes, Maintain or cause to be maintained the following Registers Separately –

- (1) Register of Professors of the University Departments of Postgraduate and Undergraduate studies;
- (2) Register of Teachers other than Professors of the University Departments;
- (3) Register of University Officers of the University;
- (4) Register of Non-Teaching Staff of the University;
- (5) Register of Research Scholars and Research Fellows of the University;
- (6) Register of Regular Postgraduate students of the University;
- (7) Register of regular Undergraduate students of the University;
- (8) Register of Non-Teaching Staff of the affiliated Government and Government-sponsored Colleges of the University;
- (9) Register of Principals of affiliated Colleges;
- (10) Such other Registers as may be required to be maintained for the purpose of carrying out the provisions of the Act.

Power of the Vice-Chancellor to postpone date:–

53. Notwithstanding anything to the contrary elsewhere contained in this chapter the Vice-Chancellor may, at any time, cancel any date or dates fixed in connection with any election, and fix such later date or dates instead thereof as he may think fit.

Vice-Chancellor to Give Necessary Directions for the Proper Holding of Elections:–

54. If on account of any lacuna or omission in the provisions of these Statutes, or any other reason whatsoever, any difficulty arises as to the holding of any election under these Statutes, or otherwise in giving effect to the provisions of these Statutes, the Vice-Chancellor, as occasion may require, may, notwithstanding anything to the contrary contained elsewhere in these statutes give such directions not inconsistent with the provisions of the Act, as may think fit for the purpose of removing the difficulty.

Definitions:–

55. In this chapter, unless the context otherwise requires –

- (1) “Constituency”, means a group or category of electors;

- (2) “Election day”, with reference to any election, means the date fixed for a poll in connection with such election;
- (3) “Elector”, with reference to any constituency, means a person entitled to vote at an election by the constituency;
- (4) “Electoral Roll”, means the register of elector in any constituency;
- (5) “Returning Officer”, means the Registrar and includes any other person appointed by the Vice-Chancellor as the Returning Officer in connection with any election by a general or special order
- (6) “Presiding Officer”, means a person appointed by the Returning Officer for the purpose of conducting election of any authority or academic body of the University;
- (7) “Authorized Agent”, means a person who has been authorised by the candidate contesting the election, to be present inside the polling centre or at the place of counting of votes on behalf of the candidate with the prior permission of the Returning Officer / Presiding Officer; and
- (8) “Officer”, means a person declared to be an officer by the Statutes and Section 11 of the Act.

CHAPTER – V

Procedure of business of various authorities

Meeting of the Court:–

- 56.** (1) In terms of Section 28, the Court shall meet at least thrice in a financial year, other than for convocation, on dates to be fixed by the Vice-Chancellor. One of such meetings shall be held before March and shall be called the Annual Meeting. The Court may also meet at such other time as it may, from time to time, decide.
- (2) The Chancellor, or, in his absence, the Vice-Chancellor shall preside at meetings of the Court. If both the Chancellor and the Vice-Chancellor are absent at any meeting, the members present at the meeting shall elect one from amongst themselves to be the Chairman of the meeting.
- (3) Not less than ten days’ notice in writing shall be given to the members for every meeting of the Court. Not less than five days before the date fixed for meeting, the Registrar shall send to each member agenda paper. No matter other than what is included in the agenda paper and the supplementary agenda paper, if any, shall be considered at the meeting:

Provided that the Vice-Chancellor shall have the power in case of urgency to bring any other matter before the meeting.

- (4) The Vice-Chancellor may, whenever; he thinks fit and shall, upon a requisition in writing signed by not less than fifty percent members of the Court, convene a meeting of the Court. A meeting on such requisition shall be held within fifteen days of the receipt of the requisition by the Vice-Chancellor.
- (5) Not less than seven days' notice in writing shall be given to the members for a special meeting. An agenda paper shall be sent to each member along with such notice. No matter other than that included in the agenda papers and the supplementary agenda papers, if any, shall be considered at the meeting.
- (6) One third of the total number of members of the Court shall be a quorum for a meeting of the Court:

Provided that such quorum shall not be required at convocation:

Provided further that no quorum shall be required for an adjourned meeting.

- (a) If there is no quorum within fifteen minutes of the time appointed for the meeting, the meeting shall be adjourned.
- (b) If, at any time during the progress of a meeting, any member calls attention to the fact that there is no quorum, the meeting shall forthwith be suspended for such time as may be considered necessary by the Chairman to secure quorum, or, if the Chairman so decides, and shall be adjourned to a subsequent date. Such suspension or adjournment shall be recorded in the minutes of the meeting.
- (c) No matter shall be considered at an adjourned meeting other than the matters left over at the meeting when adjourned:

Provided that the Vice-Chancellor, may, with or without notice, bring before an adjourned meeting any new matter which in his opinion is urgent. Save as aforesaid, it shall not be necessary to give notice in respect of an adjourned meeting.

Motions and Amendments:–

57. (1) Any member who wishes to move a motion at a meeting of the Court shall give notice of such motion by forwarding a copy thereof to the Registrar so as to reach him not less than seven days before the date of the meeting.

- (2) No motion shall be admitted by the Chairman or allowed to be moved at a meeting of the Court unless it complies with the following conditions:
- (a) due notice has been given;
 - (b) it shall be clearly and precisely expressed and raise substantially only one definite issue;
 - (c) it shall not raise any issue which does not come wholly within the purview of the Court;
 - (d) it shall not contain any arguments, inferences or defamatory statements;
 - (e) it shall not refer to the character or conduct of any person except in his capacity as an Officer, a teacher or a non-teaching staff of the University;
 - (f) it shall not refer to any matter which is pending before a Court or Tribunal or, unless the Chairman so decides for sufficient reasons, before any Authority of the University; and
 - (g) it shall not call into question the powers of the Chancellor or any order passed or action taken or not taken by him.
- (3) If a motion fails to comply with any of the conditions referred to in paragraph (2), the Chairman shall refuse to admit it or to allow it to be moved in a meeting.
- (4) Every motion which complies with the conditions referred to in paragraph (2) shall be admitted and allowed to be moved in the meeting for which the motion has been tabled. The decision of the Chairman in-
- (a) admitting any motion, or
 - (b) refusing to admit it, or
 - (c) allowing it to be moved, or
 - (d) disallowing it to be moved shall be final.
- (5) In case a motion is disallowed to be moved, the mover shall have the right to read out the motion with the permission of the Chairman.

- (6) When the Chairman refuses to admit a motion under paragraph (3), the Registrar shall intimate the fact to the member who gave notice of the motion, but shall not be bound to intimate the reason for such refusal.
- (7) Any member who desires to move an amendment to a motion included in the agenda papers relating to an ordinary meeting shall forward a copy of such amendment to the Registrar so as to reach him not less than 5 days before the date fixed for the meeting.
- (8) No amendment shall be admitted or allowed to be moved at the meeting.
 - (a) of which due notice has not been given as prescribed in paragraph (1); or
 - (b) which is in effect a direct negative to the original motion; or
 - (c) which is not relevant to the original motion; or
 - (d) which substantially raises a question already disposed of by the meeting or is inconsistent with any motion already passed by it; or
 - (e) which falls to comply with any of the conditions referred to in paragraph (2).
- (9) Every amendment which complies with the provisions of this Statute shall be admitted and allowed to be moved in the meeting. The decision of the Chairman in admitting any amendment or refusing to admit it or allowing or disallowing it to be moved shall be final.
- (10) When the Chairman refuses to admit an amendment, the Registrar shall intimate the fact to the member who gave the notice of the amendment but shall not be bound to intimate the reason for such refusal.
- (11) An amendment, the substance of which has already been disposed of in part, may be modified by its proposer in the meeting so as to retain only the part not so disposed of. The Registrar shall send to each member supplementary agenda papers containing such of the motions or for amendments as have been admitted.
- (12) Any member who desires to move an amendment to a motion included in the agenda papers relating to a special meeting shall forward a copy of such amendment to the Registrar so as to reach him not less than 4 days before the date of the meeting. The Registrar shall send to each member a supplementary agenda paper containing such of the amendments as have admitted.

Order of Business:–

- 58.** At every meeting of the court, matters shall be taken up for consideration in the following order:

- (a) Election of Chairman (if necessary);
- (b) confirmation of the minutes of the previous meeting;
- (c) matters proposed –
 - (i) by the Executive Council,
 - (ii) by the Vice-Chancellor,
 - (iii) by the Academic Council,
 - (iv) by the members of the Court, and
- (d) any other matter.

Motions and Amendments that may be moved without Notice:–

- 59.** (1) Notwithstanding the provisions of the foregoing Statutes, no previous notice shall be required in respect of –
- (a) a motion to change the order of business as stated in the agenda papers; or
 - (b) a motion to adjourn the debate; or
 - (c) a motion to adjourn the meeting; or
 - (d) a motion to dissolve the meeting; or
 - (e) a motion to refer any matter placed before the meeting to any authority for consideration and report; or
 - (f) a motion to remit any matter to an authority for reconsideration of its decision, report or recommendation which has been placed before the meeting; or
 - (g) a motion to pass on to the next item of business; or
 - (h) a motion to appoint a Committee to consider any matter placed before the meeting; or
 - (i) a motion that the question be put; or
- (2) No such motion shall be moved except with the permission of the Chairman.
- (3) A motion to appoint a Committee under clause (h) of paragraph (1) may include directions to the Committee and shall specify a date within which a report shall be submitted by the Committee to the University. Whenever any such Committee is appointed, the Court shall also appoint its Chairman. Half of the total number of members of such Committee plus one shall be a quorum for a meeting of the Committee and its Chairman must be present at every meeting.
- (4) An amendment to a motion may be moved without previous notice only in the following cases.
- (a) an amendment to a motion moved under clause (h) of Paragraph(1);
 - (b) an amendment to a motion brought before the meeting by the Vice-Chancellor; and

- (c) an amendment of a purely verbal or formal nature, if leave is given by the Chairman in that behalf.
- (5) Motions relating to the conferment of honorary degree, vote of thanks, message of congratulation; condolence, address and other matters of like nature may be moved from the Chair.
- (6) the Chairman may without a formal motion correct any clerical or accidental mistake or slip in any paper relating to any matter placed before a meeting.

Procedures in Meetings:–

- 60.** (1) A member who desires to speak shall rise in his place and address the Chairman only. When a member rises to speak, his/her name shall be called out by the Chairman and he/she shall not be entitled to speak until his name has been so called out. If more members than one rise at the same time, only the member whose name is called out by the Chairman shall be entitled to speak.
- (2) Every speech must be relevant to the matter under consideration. The Chairman may direct any member to discontinue his speech if the speaker's argument becomes offensive, embarrassing, scandalous or irrelevant. Save in exercise of a right of reply, a member shall not be entitled to speak more than once on the same matter. A member may, with the permission of the Chair, make a statement on any matter arising out of the debate.
- (3) No member shall rise to speak while another member is speaking:
Provided that a member may, with the permission of the Chair rise even while another member is speaking to explain any expression used by himself which may have been misunderstood by the Speaker but in every such case he shall confine himself strictly to such explanation.
- (4) If the Chairman rises to speak, any member speaking or about to speak, shall sit down at once. No member shall, except with the permission of the Chair, speak for more than seven minutes when moving a motion or amendment or replying to a debate, any member may call the Chairman's attention to a point or order, even while another member is speaking but no speech shall be made on such point of order.
- (5) The Chairman shall be the sole judge of order, and may call any member to order, and shall have all powers necessary to enforce his decisions on all points of order. The Chairman may at any stage of the proceedings, at his discretion, or at the request of a

member, explain the scope or effect of any motion or amendment which is before the meeting.

- (6) Any motion standing in the name of a member who is absent from the meeting may be moved by any other member present but only with the consent in writing from the mover:
Provided that, a motion that has been withdrawn cannot be so moved.
- (7) Every motion which is moved must be seconded. In case it is not seconded, it shall lapse.
- (8) A motion may be withdrawn by the mover at any time before it is moved; and when it has been withdrawn, all amendments to the motion shall lapse. After a motion has been seconded, any member may move an amendment thereto if the Chairman has admitted such amendment or allowed it to be moved. If there be more than one amendment to a motion of which previous notice has been given, the Chairman shall determine the order in which the amendments are to be moved.
- (9) Any amendment standing in the name of a member who is absent from the meeting may be moved by any other member present with prior consent from the mover, provided that an amendment that has been withdrawn cannot be so moved.
- (10) Every amendment which is moved must be seconded. In case it is not seconded, it shall lapse.
- (11) An amendment may be withdrawn by the mover at any time before it is moved.
- (12) After the amendment or amendments have been moved and seconded, a general debate shall follow on the motion and the amendments.
- (13) When the debate is concluded, the Chairman may, if he so desires, sum up the debate and shall put the amendment or amendments to vote. If any amendment or amendments are carried, the motion as amended shall be stated by the Chairman and then put to vote. If no amendment is carried, the original motion shall be put to vote.

Voting:–

- 61.** (1) All matters placed before a meeting shall be decided by a simple majority of votes of the members, unless a particular majority is required by the Act or the Statutes.
- (2) The Chairman shall have one vote, and in the event of an equality of votes, he shall cast the same.
- (3) After putting any question to vote the Chairman shall call for an indication of the opinion of the Court by show of hands, first in the affirmative and then in the negative, and shall declare the result accordingly.

- (4) If any member so demands the names of the members who vote for or against the motion, as well as the names of those who abstain from voting shall be recorded in the minutes.
- (5) If any member demands, the voting shall be by secret ballot and not by showing of hands.

Protest:–

62. Any member who intends to protest against a motion passed at a meeting of the Court to which the assent of the Chancellor is required shall give notice in writing of such intention to the Registrar within two days from the date of the meeting and shall within fourteen days from such date lodge with the Registrar a memorandum setting out the grounds of protest. The Registrar shall forward a copy of the memorandum to the mover of the motion. The mover of the motion shall within fourteen days from the date on which the memorandum was so forwarded, send to the Vice-Chancellor a reply to the grounds of the protest. The memorandum of protest and a reply, together with the copy of the minutes of the meeting, shall then be submitted for the consideration and order of the Vice-Chancellor.

Minutes:–

- 63.** (1) Within ten days after every meeting of the Court, a draft of the minutes of such meeting shall be submitted by the Registrar to the Chairman. After the Chairman has approved and attested the same a copy of the draft minutes shall be forwarded to each member. Any member who was present at the meeting may, within seven days of the issue of the draft minutes, communicate to the Registrar any exceptions he may take to the correctness thereof. The draft minutes and the exceptions taken, if any, shall be laid for consideration before the next meeting of the Court and the minutes in their final form shall then be confirmed.
- (2) The Chairman shall have the right to expunge from the minutes any expression which he considers objectionable or the publication of which is, in his opinion, not in the interest of the University.
- (3) Once every 12 months or at such other intervals as the Court may determine, the final minutes of the meeting of the Court held within the period shall be circulated to each member of the Court.

Miscellaneous:–

- 64.** (1) No matter which has been decided by the Court shall be reconsidered within a period of twelve months from the date of such decision except at a special meeting convened for

purpose prescribed and unless three-fourths of the members present at such a meeting signify their assent in favour of such reconsideration.

- (2) The decision of the Chancellor in every matter which requires such decision shall be reported to the Court and recorded in its minutes.
- (3) The Chairman may direct any member whose conduct is, in his opinion, disorderly to withdraw immediately from the meeting, and any member so ordered shall be deemed to have withdrawn from the meeting.
- (4) The Chairman may, in case of grave disorder occurring at a meeting, adjourn the meeting sine die or to a specified date or dissolve the meeting.
- (5) If the Vice-Chancellor considers it necessary or expedient, he may obtain a decision of the Court or any matter by circulation. In every such case a notice of the motion or proposal on which the decision of the Court is sought, shall be circulated to every member of the Court along with an explanatory memorandum. A member may within fifteen days of such notice communicate to the Registrar his acceptance or otherwise of the motion or proposal. Such motion or proposal will be deemed to have been adopted by the Court if the majority of members have expressed their acceptance of the motion or proposal.
- (6) In any case not provided for by the Statutes under this Chapter, the Chairman may give a ruling as to the procedure to be followed which is not inconsistent with the Act or the Statutes under this Chapter.
- (7) Save as otherwise provided, in case of any dispute or difference of opinion in a meeting, the Chairman's interpretation of any provision of the Act or the Statutes shall be binding.
- (8) No proceedings of a meeting of the Court shall be invalidated merely by reason that any member has not received a notice or agenda paper provided it has been duly issued.

Meeting of the Executive Council:–

- 65.** (1) The Executive Council shall meet as often as necessary.
- (2) In the absence of the Vice-Chancellor, who is the Chairman of the Executive Council, the members present shall elect a Chairman for the meeting from amongst themselves.
 - (3) The Registrar shall, under the direction of the Vice-Chancellor, give not less than seven days' notice in writing to the members for a meeting of the Executive Council and shall send the agenda paper to each member not less than three days before the date of the

meeting. The Vice-Chancellor may shorten the time for giving notice for any such meeting and for circulation of agenda papers.

- (4) All stipulations in respect of the meeting of the Court shall apply mutatis mutandis to the meeting of the Executive Council.
- (5) Within ten days of a meeting of the Executive Council or as soon as possible thereafter the draft minutes of such meeting duly approved by the Chairman of the meeting shall be circulated to all members and such of them as were present in the meeting shall within five days from the date of issue of the draft minutes, communicate to the Registrar any exceptions they may take to the correctness thereof, the draft minutes and exceptions taken, if any, shall be laid before a subsequent meeting of the Executive Council for consideration and the minutes in the final form shall then be confirmed.

Meeting of the Academic Council:–

66. (1) The Academic Council shall meet ordinarily once a month or otherwise as may be determined by the Vice-Chancellor.
- (2) The Vice-Chancellor shall preside over the meetings of the Academic Council or, in his absence; the members present shall elect one of them to be the Chairman of the meeting.
- (3) The Director of School of Studies shall ordinarily give at least seven days 'notice for meeting to the members of the Academic Council with an agenda paper. The Vice-Chancellor may, in special circumstances, abridge the time for such notice. Additional items of business may be issued by the Director of School of Studies, if necessary. Any matter not included in the Agenda already sent but which requires urgent consideration may be placed by the Chairman before the meeting.
- (4) No proceedings of a meeting of the Academic Council shall be invalidated by reason of the vacancy or vacancies existing in the Academic Council or on the ground that a member has not received a notice or agenda paper provided it has been duly issued.
- (5) (i) In any case not provided by these rules the Chairman may give a ruling to the procedure to be followed not inconsistent with the Act, Statutes, Ordinances, Regulations of these rules.
(ii) Save as otherwise provided, in case of a dispute or difference of opinion, the Chairman's decision, if not inconsistent with the provision of the Act, Statutes, Ordinances and Regulations or these rules, shall be final.

- (6) The Resolutions of the Academic Council shall ordinarily be circulated to the members at the next meeting of the Academic Council for confirmation.
- (7) In case a member(s) feel that some important matter, which has not been included in the Agenda, should be discussed in the Academic Council, he may write to the Secretary for inclusion of such matter for discussion in the Academic Council. In case it is not included, the Chairman of the Academic Council shall discuss the matter with the member concerned.
- (8) The Academic Council reserves the right to amend the rules, if and when necessary.

CHAPTER – VI

AFFILIATION AND DISAFFILIATION OF COLLEGES

Terms and Conditions for affiliation of colleges:–

- 67.** (1) The University shall prepare a comprehensive perspective plan having due regard to needs of un-served and underdeveloped areas keeping in view the equitable locational distribution of facilities in Teachers' Training Education within the jurisdiction of the University. Such plan shall be drawn by the Academic Council and placed before the Executive Council for approval and shall be updated after every five years. No application for affiliation of a new College or Institution of higher learning, not being in conformity with such plan, shall be considered by the University. An application for affiliation of a College to the University shall be made in writing by the promoters, or where there is a Governing Body, by the Governing Body, of the College concerned (after getting Recognition Letter from the NCTE in case of B. Ed and M. Ed Programmes) and shall be submitted to the Vice-Chancellor ordinarily not later than the 31st day of August immediately preceding the academic year from which the affiliation is sought -
 - (a) in the case of Government College or a College receiving aid from the State Government, through the Director of Public Instruction of the State, and
 - (b) in any other case, direct
- (2) Every such application shall state the subject or subjects and the standard or standards viz. Postgraduate or Undergraduate level in which affiliation is sought for, and shall, on the face of the application,-
 - (a) Show that -

- (i) where the College is not a Government College or a College within the ambit of Statute 93, it shall be or is under the management of a Governing Body constituted in accordance with the provision of Statute 77;
- (ii) adequate and suitable infrastructural facilities such as building, Laboratories, Libraries, Classrooms, different resource centers, Books and Periodicals, equipment, Hostel and Gymnasium and such other accommodative as specified for the purpose of imparting instruction by the NCTE;
- (iii) adequate financial provision has been made for the continued maintenance of the College as per NCTE norms.
- (iv) the number and qualifications of the Teachers and Non-Teaching Staff shall be as laid down in the NCTE guideline;
- (v) the terms and conditions of service of teaching and non-teaching staff including selection procedure, pay scales, age of superannuation and other benefits shall be as per the policy of the State Government;
- (vi) affiliation of the college will not be injurious to the interest of any other affiliated college in the neighborhood or of the student thereof;
- (vii) that the college shall not charge from the students, fees other than those approved by the University;
- (b) Contain stipulation to the effect that -
 - (i) save as otherwise provided in Statute 77 the college shall abide by the Statutes, the Ordinances and the Regulations of the University in force for the time being;
 - (ii) the working days and holidays of the college shall be such as may be prescribed by the University from time to time;
 - (iii) no student has been or shall be admitted to any course of instruction in the college in anticipation of affiliation;
 - (iv) all changes in the constitution and membership of the Governing Body and all appointments, dismissals, promotion and demotion of the Principal and teachers of the College (with names, qualifications and salaries) shall forthwith be reported to the Executive Council;

- (v) save as otherwise provided in Statute 77 any other condition that may be laid down by the Executive Council from time to time, shall be complied with.

Enquiry and Grant of Affiliation:–

68. (1) Where an application for affiliation of a college to the University complies *prima facie* with the requirements of paragraph (2) of Statute 67, the Academic Council may direct an enquiry to be made into the matters stated in the application, by such person or persons as it may authorize in this behalf and call for such further information, if any, from the applicant as it may consider necessary.
- (2) If upon receipt of the report of the enquiry and if the further information, if any, referred to in paragraph (1), the Academic Council concerned is satisfied that there are suitable buildings and provisions for other requirements necessary to ensure the maintenance of the standard of the proposed educational programme, it may, after such further enquiry, if any, as it may think fit to make and after considering the views of the State Government may recommend to the Executive Council for granting to the college, subject to the terms and conditions of affiliation laid down in the Statutes, the affiliation sought for with effect from such academic year and for such period as may be specified in the order.

Extension of Affiliation:–

69. When an affiliated college desires to add to the subjects or the courses of instruction in respect of which it is affiliated, the procedures laid down in Statutes 52 and 53 shall, so far as may be, be followed.

Statements, Returns and Reports, etc. to be furnished by Affiliated College:–

70. (1) Every affiliated college shall furnish to the Academic Council immediately on the close of each academic year a statement in the prescribed form showing subject-wise the total number of lectures delivered and the total number of practical and tutorial classes held in the college during such year.
- (2) Such statement shall be furnished to the Academic Council on or before the 31st December of each year.

Affiliated Colleges to comply certain orders of Executive Council:–

71. An affiliated college, into the affairs of which an inspection or investigation provided by the Academic Council has been carried out, shall take within such period such action in respect of any matter arising out of the report of the inspection or investigation as may be specified in an order made by the Academic Council in this behalf.

Continuance of Affiliation:–

72. Continuance of affiliation of any affiliated college shall depend upon the fulfillment of all terms and conditions of affiliation laid down in this Statute including those referred to in paragraph (2) of Statute 67 and compliance with such directives as may be issued by the Executive Council from time to time on the recommendations of the Academic Council.

Disaffiliation etc.:–

73. (1) If any affiliated college the total number of lectures delivered or of practical or tutorial classes held in any subject falls, for three consecutive academic years, short of the minimum number of Lectures or classes required under the Regulations to be delivered or held, as the case may be, and/or percentage of passes, for three consecutive years, falls short of thirty percent of the number of students, sent up for examinations, the Executive Council may refuse permission to the college on the recommendation of the Academic Council to send up students for the corresponding examination of the University in such subject.

(2) If any affiliated college fails –

- a) to fulfil any of the terms or conditions, or to comply with any of the directives, referred to in these Statutes;
- b) in particular, and without prejudice to the generality of the provisions of Clause (a) :
 - i) to report to the Executive Council all matters referred to in sub-clause (iv) of clause (b) of paragraph (2) of Statute 67, or
 - ii) to comply with the stipulation referred to in sub-clause. (iii) of clause (b) of paragraph (2) of Statute 67, or
 - iii) to comply with an order of Academic Council referred to in Statute 67.

The Executive Council may pass such orders, including the partial or total withdrawal of affiliation of the college, as it may consider necessary on the recommendation of the Academic Council, provided that no action referred to in paragraph (2) shall be taken without giving –

- i) in the case of a Government College or
- ii) in any other case, the Governing Body of the college concerned, an opportunity of making its representation, if any, in the matter.

Exemption:–

74. Nothing in this chapter shall apply in the case of a college established or proposed to be established or maintained or managed by the University, or by any, other authority in agreement with the University.

**CHAPTER – VII
RECOGNITION OF
PROFESSIONAL COLLEGES**

Eligibility for Recognition as Professional College:–

75. (1) An affiliated college shall be eligible for applying for recognition as a Professional College if it has provided for not less than three years' instruction primarily for courses of studies leading to a degree, diploma or certificate of the University in a professional subject and has the necessary facilities and arrangements for providing such instruction.
- (2) If the Executive Council thinks fit so to do, it may, by order recognise any University College, in which instruction is provided primarily for courses of studies leading to any degree, diploma or certificate of the University in any professional subject, to be a professional college, and may, by similar order withdraw such recognition from any University College.

Conditions for Recognition as a Professional College:–

76. For the purpose of recognition as a Professional College, an affiliated college shall satisfy the following conditions, namely:–
- (1) that there are adequate financial resources for the continued maintenance and efficient working of the college;
- (2) that there is suitable and adequate accommodation for students, staff, libraries, laboratories, museums, scientific equipment, technical appliances and such other resources as may be necessary to ensure that teachers and students may accomplish the purposes to be achieved through professional instruction and that graduates are thoroughly trained and prepared, upon graduation, to serve the professional field in which they have been pursuing courses of studies;
- (3) that members of the teaching staff, are or shall be appointed on the recommendation of the Selection Committee which shall be constituted by the Vice-Chancellor for the purpose, provided that this Clause shall not apply in the case of Government Colleges or Government-aided colleges;

- (4) that the strength and qualification of the teaching staff and the conditions governing the tenure of office are such as laid down in NCTE / University Regulations;
- (5) that the necessary teaching devices, specialized equipment and related materials for use by teachers are available so as to ensure that students are fully grounded in the professional techniques and trained to use the appliances, instruments and other equipment which shall be employed in the satisfactory pursuance of the profession concerned;
- (6) that adequate provision has been made for a properly equipped library;
- (7) that in every branch of science that is included as a part of a professional course of study, arrangement have been made for imparting instruction therein in a properly equipped laboratory or museum and for providing sound training in any branch of experimental science that may be involved; and
- (8) that such other conditions or directions as the, Executive Council may from time to time, lay down for the maintenance of the standard of professional instruction and training will be fulfilled.

CHAPTER – VIII GOVERNING BODIES OF COLLEGES

Governing Body of colleges:–

77. (1) The Governing Body of affiliated Government-aided colleges shall be constituted as per provisions of the West Bengal Universities and Colleges (Administration and Regulation) Act, 2017 and the rules made there under.

Filing up of Casual Vacancy:–

- 78.** (1) Any casual vacancy in the office of a member of the Governing Body of a college other than an ex-officio member shall be filled by the Body or electorate which nominated or elected the member whose seat has become vacant and in the same manner as provided under these Statutes.
- (2) A member nominated or elected to fill a casual vacancy shall hold office for the remainder of the term of office of the member in whose seat the vacancy has occurred.
 - (3) The office of a elected or nominated member of the Governing Body shall become vacant if –
 - (a) he absents himself from four consecutive meetings of the Governing Body without obtaining Leave of Absence from the Governing Body; or

- (b) he is found to be unsound and/or convicted of any offence involving moral turpitude;
or
- (c) he ceases to be a member of the constituency from which he has been elected or nominated.

Actions of Governing Body not to be invalidated by Reason of Vacancies:–

79. No action by the Governing Body shall be invalidated by reason of any vacancy in the office of any member thereof.

Powers and functions of the Governing Body:–

80. (1) The Governing Body of every college shall be responsible for the proper management of the affairs of the college and may exercise all such powers and functions as may be necessary for the purpose.

(2) In particular, and without prejudice to the generality of the provision of the West Bengal Universities and Colleges (Administration and Regulations) Act, 2017 and the rules made thereunder, the Governing Body of a college shall be responsible for ensuring –

- (a) that review is made of the results of the college and the University examinations and measures are adopted for academic improvement and maintenance of academic standards, and that working hours and actual teaching days of the college, workload and number of classes engaged for each course / subject taught are in conformity with University Acts / Statutes / Regulations.
- (b) that steps are taken for creation of posts and appointment of Principal (in the absence of a Principal, or a Vice Principal or a Teacher-in-Charge), teachers and other staff in accordance with the provisions of any law or rule or order in force for the time being to provide the instructional and other services necessary for the efficient and effective operation of the college.
- (c) that the number and qualifications and the method of recruiting of teachers and the conditions of their service are in accordance with the provisions of any law or any rule or order for the time being in force;
- (d) that the Laboratory and other instructional facilities available are adequate for the instructional programme;
- (e) that the buildings in which the college is located are suitable for the purposes for which they are intended and are maintained at a satisfactory state of repair and sanitation;

- (f) that the Library is properly equipped;
 - (g) that the financial resources of the college are sufficient to ensure efficient and effective operation of the college;
 - (h) that all information, returns, reports and other materials required by the University and the State Government are promptly collected, prepared and made available to the University and the State Government;
 - (i) that all books, registers, records and accounts required to be maintained are kept up-to-date;
 - (j) that due provision is made for the well-being of students, management of their hostels and messes, health, recreation and sports;
 - (k) that the students' discipline is maintained;
 - (l) that proper assistance and facilities are given to the University official and other persons appointed by the University for inspection and report;
 - (m) that directions issued by the University from time to time are carried out and compliance with them reported speedily to the University; and
 - (n) that all properties and funds of the college are properly controlled and administered.
- (3) The Governing Body may appoint Academic Sub-Committee, Finance-Sub-Committee and such other Sub-Committees as it may think fit, to advise the Governing Body for the efficient administration of the college. Such Sub-Committees except the Finance-Sub-Committee, may include teachers of the college other than members of the Governing Body. The Principal shall be the Chairman of such Sub-Committees as may be formed.
- (4) The Governing Body of any affiliated college may enter into collaborative arrangement with other authorities such as Open University, established by an Act of the State or Union Government, in setting up study centres of Distance Education and extend necessary co-operation to such authorities as may be required by the latter for its effective functioning.

The Principal of the college, as Secretary to the Governing Body will sign the agreement or Memorandum of Understanding with such authorities and will inform the University.

Meeting of Governing Body:–

- 81.** (1) Meeting of the Governing Body of a college shall be held ordinarily in the college premises, and shall be held four times in a year.

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|------------|---|
| 3. Members | Three academicians, nominated by the sponsoring body, |
| 6. Member | One representative of donor, if any, to be nominated by the sponsoring body. |
| 7. Member | One teacher representative for every ten regular faculty strength, subject to a minimum of one and maximum of two teachers to be elected by the teaching staff, |
| 9. Member | One member of non-teaching staff, to be elected by the non-teaching Employees, |
| 10. Member | One nominee of the affiliating University, |
| 11. Member | One nominee of the State Government who shall be a person interested in education, |
| 12. Member | One nominee of the Director of Public Instruction, West Bengal not below the rank of Deputy Director, |
| 13. Member | One nominee of concerned District Magistrate or his nominee not below the rank of Dy. Magistrate, |
| 14. Member | One representative of the Guardian to be nominated by the Managing Committee. |

Provided that, after commencement of these Statutes, the formation of the Managing Committee requires the approval of the Executive Council.

- (2) The provisions of the Statutes 68 to 74 shall apply to a college referred to in paragraph (1), in so far as such provisions are not inconsistent, as the case may be, with the terms and conditions of the Trust, the Articles and Memorandum of Association of the Registered Society or the Scheme concerned.

Interpretation:–

85. In this chapter, unless the context otherwise requires,–

- (a) ‘College’, means an affiliated college, but does not include a Government College, and
- (b) ‘Donor’, in relation to any college, means any person, which shall include a Body or an Association, who has made payment to such college a donation of a sum of fifty thousand rupees or more and has made full payment of such donation either in a lump or by installments or who has made over to the college property valued, in opinion of the Executive Council, not less than fifty thousand rupees.
- (c) ‘Principal’, means the principal of the college and includes a teacher-in-charge in his absence.

CHAPTER – IX

Appointment of teachers/Principal of Government-aided colleges and their service terms and conditions

PART – I

Appointment of Teachers of Colleges:–

86. Appointment of Teachers, Librarians, including Principals of Government-aided affiliated colleges other than the Government colleges shall be made in accordance with the provisions of the West Bengal College Service Commission Act, 2012 (West Bengal Act XXXIX of 2012), and the West Bengal Universities and Colleges (Administration and Regulations) Act, 2017 and the rules made thereunder.

Commencement of Period of Service:–

87. Subject to the provisions of the West Bengal Universities and Colleges (Administration and Regulations) Act, 2017 and the rules made thereunder, in calculating the period of service of a teacher of a college in any post for any purpose including the operation for a time-scale of pay, service shall be counted from the date of his joining the post on his first appointment as a probationer; provided that if the teacher began his service as a temporary appointee who was afterwards appointed for the same or any other post, service will be counted from the date of his joining the appointment as a temporary appointee, if there is no break in service during the period preceding his permanent appointment.

Explanation: The following shall be treated as ‘break’ in service –

- (a) Unauthorized leave of absence;
- (b) Unauthorized absence in continuation of authorised leave of absence.

Hours of Work:–

88. (1) There will be thirty-six weeks of direct teaching for a college which has to maintain a six-day week so that there are atleast one hundred eighty days of direct teaching for each teacher in each academic year. However, a college remaining open for all the six days in a week, of which one day may be treated as preparatory day for an individual teacher for doing academic work like preparing Lessons, doing Library Work or Research Work or evaluating answer scripts etc., shall be considered as working day for the teacher. But every teacher shall ensure that he has at least one hundred eighty days of direct teaching per academic year. Direct teaching hours shall be for a minimum of sixteen hours per week for all teachers. Two hours of relaxation can be given for those who are actively engaged in research and / or administrative work.

(2) For the purpose of this Statute, 'Direct teaching' means:–

- (a) delivering lectures and holding tutorial classes for effective teaching;
- (b) conducting practical classes and field work as required for the coverage of syllabus;
- (c) holding of class tests;
- (d) any other activity within the class room directly related with academic uplift of the students.

- (3) A teacher must be available in the college for at least five hours on each working day. The administration will make an effective programming of the time of a teacher by taking among others, steps like increasing the number of teaching hours, introducing tutorials, arranging counseling programmes and group discussion with students, holding Departmental meetings etc.-such programming will be essential particularly during the slack session of the college.

It will be obligatory for a teacher to co-operate and assist in carrying out functions relating to educational responsibilities of the college, such as, assisting the Principal in processing the applications for admission, advising or counseling the students and assisting in University and college examinations including invigilation and supervision thereof as and when required by the Principal.

The stipulations regarding the number of working hours will not be applicable when a teacher is engaged in conducting field work, excursions and supervisions of practice teaching approved by the college authority.

Explanation: - The expression 'to co-operate and assist', in relation to University examinations, shall, for the purposes of the Statute, mean to include compulsory and effective participation of the teachers, including Principals, of affiliated colleges in all matters relating to such examinations if and when the services of such teachers, including Principals, are requisitioned by the University for any purpose relating to such examinations.

- (3) (a) Every teacher, including the Principal of a college, shall daily sign an attendance register maintained for the purpose, recording the time of arrival and departure, the number of classes allotted and the number of classes taken as well as other duties performed. The Principal may authorize the senior most teachers to check and countersign the register daily; however, he will personally check the register at least once a week.

- (b) Every teacher has to fill-up an annual Self-Appraisal Report mentioning the number of classes allotted and classes taken throughout the year and other details as prescribed in the approved Proforma of such report.

These reports shall be part of the Service Book of the teacher. The Self-Appraisal Report and Service Book shall be kept in the custody of the Principal of the college.

- (4) In particular and without prejudice to the foregoing provision, a teacher shall perform the following duties:—

- (a) to perform invigilation work in any examination for any course of study taught in the college;
- (b) to draw routines;
- (c) to carry out assignment for such field work may be necessary for the courses taught in the college;
- (d) to assist the Principal with regard to admission of students;
- (e) to participate in N.C.C., N.S.S. and Sports and Games for the well-being of the students;
- (f) to assist the Principal in the management of hostels and messes attached to the college or administered by the college;
- (g) to make the internal assessment of students; and
- (h) to evaluate answer scripts of students and undertake any other duty, related to any examination conducted by the College and the University, on being directed and appointed to do so.

- (5) Duties of Principal:—

- (a) The Principal of a college shall be in overall charge of the administration of a college. Policy matters are to be decided upon by the Governing Body. But details of implementation and day to day administration are to be done by the Principal.

The Principal shall be accountable to the Governing Body for his performance.

- (b) The Principal, as the Secretary of the Governing Body, will call meetings of the Governing Body and place before the Governing Body all the facts and information for taking an appropriate decision.
- (c) The Principal shall be regular in his attendance in the college and shall be present as far as possible, in the college during working hours. He will sign the attendance register to record the time of arrival and departure.

- (d) It is the duty of the Principal to be in overall charge of University Examination and admission held in the college. The members of the Admission / Examination Committee will help the Principal in such matters, under unavoidable circumstances; the Principal may depute a teacher in his place to carry on such duties.
- (e) The Principal shall check or cause to be checked the attendance of the teaching as well as the non-teaching staff of the college. He must also ensure that the attendance register of students are properly maintained. A student, who does not meet the percentage requirement for being treated as a regular student, cannot be allowed to sit for the University examination.
- (f) Departmental meeting shall be regularly arranged by the Principal to review the progress of course coverage by the teachers concerned.
- (g) The Principal shall ensure that at least six meetings of the Teachers' Council are held in an academic year.
- (h) The Principal with the help of the Bursar must see that accounts of the college are regularly maintained and audited. Financial irregularities, if any, must be brought to the notice of the Finance Committee for taking proper action. At least four meetings of the Finance Committee shall be held during a year.
- (i) The Principal must submit each year the list of teachers in the college (subject-wise) along with their residential address to the Controller of Examinations for appointment of Examiners in order to facilitate the publication of results of University Examinations.
- (j) The Principal shall see that vacant posts are filled-up without delay and due financial assistance is obtained and utilized. Papers related to promotion, fixation of pay, claim for retirement benefits, etc. of the members of the staff are to be sent by the Principal to the appropriate authorities in time.
- (k) The Principal shall ordinarily take not less than four periods of class work in a week in his subject.
- (l) Any other duty which may be assigned to the Principal by the Governing Body.

Retirement:–

89. A whole-time teacher of a college enjoying State Government approved scale of pay, shall retire from service with effect from the afternoon of the last day of the month in which he attains the age of superannuation, as may be determined by the State Government from time to time.

Bar from Private tuition:–

90. No teacher (including the Principal) of a Government or Government-aided college shall be permitted to engage himself either in private tuition or any other remunerative assignment under any circumstances.

Resignation:–

91. (1) Subject to the provisions of the West Bengal Universities and Colleges (Administration and Regulations) Act, 2017 and the rules made thereunder and terms and conditions of any existing contract, no permanent teacher of a college shall be entitled to terminate his service by voluntary resignation without filing in writing to the Principal with notice of his intension to resign and such notice shall be so filed -

(a) in the case of a resignation at the end of an academic year, at least one month in advance, or

(b) in the case of a resignation at any other time at least two months in advance :

Temporary or probationary teachers may terminate their service by voluntary resignation by filing with the Principal similar notice in writing at least one month in advance.

Provided that in special circumstances the Governing Body on the recommendation of the Principal, may accept a notice of intension to resign for a shorter period.

(2) Any contravention of the provisions of (1) shall, at the discretion of the Governing Body, entail forfeiture of salary for the period by which the notice falls short of the requirement of clause (a) or clause (b) of paragraph (1) in addition to such disciplinary action as may be taken for such contravention.

Disciplinary Action:–

92. The teachers of a college including the Principal, for reasons stated below and in the manner prescribed, shall be subject to the following disciplinary actions and measures to be imposed by the Governing Body of the college.

(1) Reasons for disciplinary measures:–

(a) Neglect of duty;

- (b) Want of due diligence in the performance of duties;
- (c) Engaging in any unauthorized work, gainful or otherwise;
- (d) Violation of orders regarding attendance and discipline;
- (e) Misappropriation and defalcation of college fund;
- (f) In subordination or disregard of violation of the orders of the superior authority;
- (g) Commission of any offence involving moral turpitude;
- (h) Conviction by a Criminal Court;
- (i) Taking of illegal gratification;
- (j) Tampering with official records;
- (k) Unauthorised absence.

(2) Apart from the above reasons, the University may direct the Governing Body to initiate disciplinary proceedings against a teacher or Principal if the University decides that the concerned person is guilty of dereliction of duty connected with any work related to University Examination or other matters.

Disciplinary Measures:–

93. (1) Following punishments may be imposed in course of disciplinary proceedings:–

- (i) Censure;
- (ii) Recovery of pay, of the whole or part of any pensionary loss caused to the college by negligence or breach of any lawful order of the Governing Body or otherwise;
- (iii) Withholding of increments or withholding of career advancement or both;
- (iv) Suspension;
- (v) Compulsory retirement;
- (vi) Removal from service which shall not be disqualification for future employment;
- (vii) dismissal from service which shall ordinarily be a disqualification for future employment as a teacher.

(2) No order imposing any of the aforesaid measures shall be issued without informing the teacher concerned of the charges against him and giving him an opportunity of being heard and except after an enquiry held as per the principles of natural justice and in a manner prescribed by the Governing Body of the College.

(3) An order of the Governing Body of the college imposing any of the penalties mentioned above shall be communicated to the teacher concerned and shall be reported to the concerned University.

(4) A teacher against whom an order imposing any of the penalties mentioned above has been passed may prefer an appeal within thirty days from the date of receipt of such order to

the Governing Body for penalties at (i), (ii) and (iii) above and to the concerned affiliating University in respect of (v), (vi) and (vii).

- (5) In the latter case, the University shall, after giving the teacher and the Governing Body of the college an opportunity of being heard, pass such order as it think fit. The University may, by order of the Vice-Chancellor, delegate the power to some officer not below the rank of a Class II officer. However, before initiating such disciplinary measures against an earring teacher or Principal, the Governing body shall try to initiate corrective measures. If the injury caused by the offending act is minor, then the offender may be let off with a written caution. The particulars of the offending act, however, shall be recorded in his Service Book for future reference.

Along with disciplinary measures, the Governing Body may also record its appreciation for teachers and Principal for outstanding performance.

Appointment of teachers/Principals/PTT/CWTT's of Self-Financing colleges:-

94. (1) Appointment of teachers including Principals of self-financed colleges shall be made, on the recommendation of a Selection Committee, constituted by the Vice-Chancellor, in accordance with the provisions of the National Council for Teachers' Education and University Grants Commission Regulations and Recruitment Rules made thereunder.
- (2) The provisions of Statutes 81 to 93 shall apply to a college referred to in paragraph (1), in so far such provisions are not inconsistent, as the case may be, with the terms and conditions of the Trust, the Articles and Memorandum of Association of the Registered Society or the Scheme concerned.
- (3) For the selection of Contractual Whole-time or Part-time teachers and Guest Faculties in self-financing Colleges, the Governing Body will constitute a Selection Committee in which one expert will be nominated by the Vice-Chancellor.

PART – II

LEAVE RULES FOR UNIVERSITY EMPLOYEES

Classification of Employees:-

95. (1) For purpose of calculation of leave the employees shall be classified as follows:-
- (i) Teachers of the University;
 - (ii) Officers;
 - (iii) Non-teaching staff.

- (2) The terms and conditions of Service and Leave of all Officers and Non-Teaching Staff of the University shall be guided by the rules laid down by the government orders, mutatis mutandis, and be notified in the University Ordinances.

Transfer of Leave:–

96. When an officer or non-teaching employee enters into the University from other institution on lien or otherwise, his accumulation of earned leave / half-pay leave will be as per previous accumulation of leave i.e. in other words, his leave account will be a continuous procedure.

Leave rules and Leave Salary for Teachers of the University:–

97. (1) These rules may be called “Leave Rules” in respect of whole-time teachers of the University.
- (2) These rules are applicable to all whole-time teachers of the University.
- (3) Subject to the provisions of the order of the State Government as may be issued from time to time the term “leave” shall mean:
- | | |
|--------------------------------------|--|
| (i) Casual Leave; | (ii) Earned Leave; |
| (iii) Absence on Duty; | (iv) Study Leave; |
| (v) Special Study Leave; | (vi) Maternity Leave /Child Adoption Leave |
| (vii) Quarantine Leave; | (viii) Paternity Leave; |
| (ix) Medical Leave / Half-Pay Leave; | (x) Commuted Leave |
| (xi) Extraordinary leave; | (xii) Compensatory Leave; |
| (xiii) Leave not due; | (xiv) Special Disability Leave; |
| (xv) Child Care Leave | |
- (4) Leave of any description cannot be claimed as a matter of right. Authorities granting leave shall have the power to refuse or revoke leave of any description at any time according to the exigency of University service.
- (5) Leave shall be calculated on the basis of calendar year, and not academic year.
- (6) Leave ordinarily shall claim on the day on which the transfer of charge is affected and ends on the day preceding that on which duty is resumed. Leave (except casual and quarantine leave) may either be affixed or prefixed to holidays, but cannot be both affixed and prefixed to holidays; when leave is combined with a holiday by both prefixing and affixing it to the holiday, the holidays shall be reckoned as leave in calculating the amount of leave on full pay that may be admissible at a time.
- (7) A teacher on leave shall not return to duty before the expiry of leave granted to him without permission of the authority, which sanctioned the leave.

- (8) A teacher who has been granted leave on medical ground shall resume duty after producing a certificate of fitness from a registered medical practitioner.
- (9) A teacher who remains absent after the expiry of leave is entitled to no leave salary for the period of such absence and that period shall be debited to leave as though it were leave on full pay.
- (10) All applications for leave of absence and/ or for leaving station should be previously made in writing and sanction obtained before leave is availed of except in case of emergency in which case the report of such absence must be placed before appropriate bodies.
- (11) For a teacher during “appointment on probation”, which means appointment on trial before confirmation and shall be confirmed and made permanent only on satisfactory completion of the period of probation, will be eligible during the period of probation for Casual Leave (maximum fourteen days in a year and which shall not be combined with any other kind of leave) and Extraordinary Leave (on any occasion in excess of three months in a year, and with no leave salary/leave with pay is admissible for this period, and accordingly for this period the date of confirmation will get deferred).
- (12) A female employee of the University will get benefit of 180 days Maternity Leave for maximum two surviving children. Notwithstanding the above, with the extant Government Orders appropriate changes can be made in this Statute by vide notification in the University Regulations from time to time.
- (13) In adoption of the Memorandum of Finance Department, Government of West Bengal, No. 9728-F (P) dated 24th October, 2011, a female employee of the University with less than two surviving children, adopts a child of less than one year, shall be entitled to one hundred thirty five days ‘Child Adoption Leave’, independent and over and above of any other form of leave. In continuation of the same, she may avail leave of any kind due and admissible, for a period of up to one year or till the child is one year old, whichever is earlier.

Herein, leave not due and commuted leave up to sixty days without production of Medical Certificate is admissible. Notwithstanding the above, with the extant Government Orders appropriate changes can be made in this Statute by vide notification in the University Regulations from time to time.

- (14) Special Casual Leave:-

- (i) Special casual leave, not exceeding ten days in an academic year, may be granted to a teacher:-
 - (a) To conduct examination of a University / Public Service Commission / Board of Examination or other similar bodies / institutions; and
 - (b) To inspect academic institutions attached to the University, etc.
- Note:** In computing the ten days leave admissible, the days of actual journey, if any, to and from the places where activities specified above, take place, will be excluded.
- (ii) In addition, special casual leave to the extent mentioned below may also be granted:
 - (a) to undergo sterilization operation under family welfare programme. Leave in this case will be restricted to six working days; and
 - (b) to a female teacher who undergoes non-puerperal sterilization. Leave in this case will be restricted to fourteen days.
 - (iii) Special casual leave cannot be accumulated, nor can it be combined with any other kind of leave except casual leave, it may be granted in combination with holidays or vacation.
- (15) Earned Leave admissible to a teacher shall be one-third of the period subject to a maximum of thirty days in a calendar year provided that the upper limit of accumulation of earned leave shall not exceed three hundred days. Notwithstanding the above, with the extant Government Orders appropriate changes can be made in this Statute by vide notification in the University Regulations from time to time.
- (16) Every teacher shall be entitled to leave salary of the earned leave accumulated at his credit after cessation of his service by way of retirement on superannuation, voluntary retirement or death in harness provided number of accumulated leave and maximum encashable shall be three hundred days.
- (17) Absence from duty of a teacher with the approval of the Registrar on account of duties assigned by the Government or any constitutional authority or the college or the Public Service Commission or the College Service Commission or the School Service Commission etc., or on account of obligations in regard to the NCC or the Social Service Camps and similar other obligations shall be deemed to be on duty absence and shall not be counted towards casual or earned leave. Similar leave can be availed on account of attending Orientation Programme, Refresher Course, Participation and Presentation of Paper in seminar/ workshop/ symposium/ conference at state/ national/ international level

for seminar presentation/appearance in viva-voce in connection with M. Phil/Ph. D Course Work, M. Phil/ Ph. D Registration, M. Phil/ Ph. D Dissertation, and receipt of M. Phil/ Ph. D degree in convocation, or for acting as an expert in any recognized University in connection with recruitment of M. Phil/ Ph. D programme. On duty absence shall not exceed more than thirty working days in an academic year, notwithstanding the additional claim for the same may be admissible under the above Clauses. In cases of such additional claim, the teacher shall be granted due and admissible leave as far as possible by the Vice-Chancellor/ Executive Council, as the case be. On duty absence is admissible with full pay and allowances.

- (18) Leave of absence from duty cannot be claimed as a matter of right and may, on application by a teacher be granted only when satisfactory grounds have been shown. No teacher who is under suspension shall be granted any leave.
- (19) Notwithstanding the above, till such time Government Order from appropriate authority applicable to the University has been issued and has been duly notified in the University Regulations, Child Care Leave cannot be availed of by any teacher of the University.
- (20) Study leave with full pay for advanced study and research directly related to his work in the University may be granted to a teacher by the Executive Council of the University provided the concerned teacher has put in at least three years of service and is not due to retire there from within five years of his return from such leave.

There shall be a gap of at least three years between two periods of such leave. The amount of scholarship, fellowship or other financial assistance that a teacher, has been awarded will not preclude his being granted study leave with pay and allowances provided the scholarships etc. so received shall be taken into account in determining the pay and allowances on which the study leave may be granted. An application of study leave with particulars of international assignments, Scholarship/Fellowship or financial assistance including travel grant, if any statement of nature of works enclosed with supporting documents has to be submitted ordinarily two months before the applicant intends to avail of such leave.

- (21) Study leave on full pay (without allowances in India and with Dearness Allowance outside India) may be granted for a maximum period of twelve months at any one time and twenty four months in all during the entire service period. However, such leave may not be granted by the Executive Council, unless proposed with justification by the Vice-

Chancellor for relaxation as special case without precedent, in case the number of teachers sanctioned study leave in any department in any given period is likely to affect the academic programme of the concerned department.

(22) A teacher granted study leave shall on his return and re-joining the service of the University may be eligible for the benefit of the annual increment (s) which he would have earned in course of time if he had not proceeded on study leave. No teacher shall, however, be eligible to receive arrears of increments. Study leave shall count as service for Pension / Contributory Provident Fund, provided the teacher joins the University on the expiry of his study leave. Study leave granted to a teacher shall be deemed to be cancelled in case it is not availed of within twelve months of its sanction, provided that where study leave granted has been so cancelled, the teacher may apply again for such leave.

(23) A teacher availing himself of study leave shall submit a written undertaking that he shall serve the University for a continuous period of at least three years to be calculated from the date of his resuming duty after expiry of the study leave failing which he shall have to refund the emoluments received from the Government / University /UGC during the period of study leave. If such undertaking not provided and the incumbent leaves the service after availing of the leave, the Registrar of the University will be responsible to get the refund or recompense the University for the same; after the leave has been sanctioned, the teacher shall before availing herself of the leave execute a bond in favour of the University binding herself for the due fulfillment of the conditions laid down in Sub-Clause above:

Provided that if the concerned employee is receiving any pay, allowance, stipend, scholarship, fellowship from any source other than the University while on study leave, leave salary shall be reduced to the extent as per extant Government Order notified in the Regulations from time to time.

(24) A whole-time teacher of University may be granted leave with full pay and Dearness Allowances for pursuing study or research in an institution considered by the Executive Council as suitable for the purpose for such period ordinarily not exceeding twelve months during the whole period of his service, provided that the concerned teacher has put in at least three years of continuous service and not to retire there from within five years of his return from such leave;

Provided that any application for special study leave with particulars of institutional assignments, financial assistance inclusive of travel grants, if any, with supporting documents should be submitted to the Executive Council through the Registrar at least one month before the start of the leave applied for.

- (25) A teacher appointed on substantive basis to any permanent post shall acquire a lien on that post. If the teacher is appointed substantively and confirmed to another permanent post either in the University or post outside, his lien on the permanent post held earlier in the University shall be terminated, unless he indicates in writing his refusal to accept the appointment so made substantively in another permanent post; in such event the concerned teacher shall immediately report back to duty in the post on which he held lien.
- (26) A teacher in the University may be granted lien on his permanent post if he applies for the grant of lien consequent upon his obtaining an appointment offer either in another University or in any other establishment. The period of lien shall initially be for a period of one year which may be renewed or extended in two parts of six months each, thus for maximum one year if the teacher concerned is not confirmed in his service in the new establishment within that period. Provided that the total period of lien, so granted to a teacher / Principal holding substantive appointment in a college, shall not exceed 2 years under any circumstances:

Provided that a teacher is appointed by the Chancellor of any University or by the Government (Central or State) to any post like Vice-Chancellor / Pro-Vice-Chancellor of any University, Chairman / Vice-Chairman / Deputy Chairman / President / Secretary / Joint Secretary / Deputy Secretary of any government body in the interest of public service, the period of lien is flexible and can be granted for the number of years as per requirement on the basis of the appointment letter for this particular assignment / post.

Provided that the period of lien is also flexible if a teacher is elected as people's representative in the Parliament or State Legislative Assembly and / or for similar types of cases.

- (27) Absence without leave may render a teacher subject to such disciplinary action as may be provided in the "Disciplinary Rules" prescribed by Statutes.
- (28) A leave account shall be maintained under the statutory heads by the Registrars' Office for every teacher thereof. The leave of every teacher will be calculated as per calendar year starting from the 1st day of January and end on 31st December of every year.

- (29) The Teachers of the University annually shall have total number of 48 days of holidays and Vacations as notified every year in the University Regulations from time to time. The working days, class-load, teaching recess etc. will be as per extant Government Order notified in the University Regulations from time to time.
- (30) Notwithstanding the above, with the extant Government Orders appropriate changes can be made in these Statutes by vide notification in the University Regulations from time to time.

PART – III
LEAVE RULES FOR TEACHERS OF
GOVERNMENT-AIDED COLLEGES

Leave rules of teachers of affiliated colleges:–

- 98.** Leave rules of teachers of affiliated colleges shall be governed by the extant Order and rules as may be prescribed by the State Government from time to time.

Lien:–

- 99.** (1) A teacher/ Principal/ Teacher-in-Charge of a college appointed on substantive basis to any permanent post shall acquire a lien on that post. If the teacher is appointed substantively and confirmed to another permanent post either in the college or post outside, his lien on the permanent post held earlier in the college shall be terminated, unless he indicates in writing his refusal to accept the appointment so made substantively in another permanent post and in such event the concerned teacher/ Principal shall immediately report back to duty in the post on which he held lien.
- (2) A teacher/ Principal holding substantive appointment in a college may be granted lien on his permanent post if he applies for the grant of lien consequent upon his obtaining an appointment offer either in another college or in any other establishment.
- (3) The period of lien shall initially be for a period of one year which may be renewed or extended in two parts of six months each, thus for maximum one year if the teacher concerned is not confirmed in his service in the new establishment within that period:

Provided that the total period of lien, so granted to a teacher/Principal holding substantive appointment in a college, shall not exceed two years under any circumstances:

Provided that a teacher is appointed by the Chancellor of any University or by the Government (Central or State) to any post like Vice-Chancellor/ Pro-Vice Chancellor of any University, Chairman/ Vice-Chairman/ Deputy Chairman/ President/ Secretary/ Joint

Secretary/ Deputy Secretary of any government body in the interest of public service, the period of lien is flexible and can be granted by Governing Body of the College for the number of years as per requirement on the basis of the appointment letter for this particular assignment/post:

Provided that the period of lien is also flexible if a teacher is elected as a people's representative in the Parliament or State Legislative Assembly, and/or for similar types of cases.

Note:- As per these Statutes, the College shall send requisition for filling up the post to West Bengal College Service Commission not later than 6 months prior to a post being vacant therefore, with extreme care the last part of the lien should be granted by the Governing Body. Against a lien-vacancy, the college will only recruit guest teacher(s), for the vacancy being short term in nature.

Leave Admissible to a Part-time Teacher and a Contractual Whole-Time Teacher:-

100. Leave applicable to Government approved Part-time teachers and Whole-time contractual teachers shall be guided by the extant Order and rules of the State Government as may be issued in this regard from time to time.

Working Days and Holidays:-

101. Every college shall abide by the pattern of holidays and recess as may be determined by the University from time to time. During the period of recess, only classes shall remain suspended. The number of working days in a college shall be at least two hundred days in an academic year. Academic Session of a college shall commence from the 1st day of July of every year and end on the 30th June of the following year. An academic session shall be divided into three different terms as follows:-

(1) **First Term** – The first term of a college shall commence from the first day of July of every year and shall close on the day from which the Puja Holidays commence. Puja Holidays shall be for 24 days commencing from Durga Sasthi and ending on the dew of Kali Puja.

(2) **Second Term** – The second term shall commence from the date of re-opening of the college after the Puja Vacation and shall continue till the 24th day of December of each year. Winter Recess shall be for a period of 8 days commencing on the 25th day of December of every year and ending on the first day of January of the year following.

(3) **Third Term** -The third term shall commence from January 2 and shall continue till May 15 of every year. The summer Recess shall commence on May 16 and shall end on the 30th day of June.

Festival Holidays:–

102. Every Government-aided affiliated college shall enjoy the total number of Festival holidays as mentioned below:–

FESTIVAL HOLIDAYS FOR AFFILIATED COLLEGES

Sl. No.	Occasion	No. of Days
(1)	New Year's Day (English)	1
(2)	Birthday of Swami Vivekananda	1
(3)	FatehDauzDoham	1
(4)	Birth Day of Netaji	1
(5)	University Foundation Day	1
(6)	Republic day	1
(7)	Saraswati Puja	2
(8)	Doljatra	1
(9)	Good Friday	1
(10)	Easter Saturday	1
(11)	Chaitra Sankranti	1
(12)	New Year's Day (Bengali)	1
(13)	May Day	1
(14)	Birth Day of Rabindranath	1
(15)	Buddha Purnima	1
(16)	Id-ul-Fitre	1
(17)	College Foundation Day	1
(18)	Janmastami	1
(19)	Independenc Day	1
(20)	Id-Ud-Zoha	1
(21)	Birthday of Mahatma Gandhi	1
(22)	Mahalaya	1
(23)	Puja Holidays (from Durga Sasti to Kali Puja)	24
(24)	Bhatridiwitiya	1
(25)	Jagaddhatri Puja	1
(26)	Muhurram	1

(27) Birthday of Guru Nanak	1
(28) Rathajatra	1
(29) Principal's Discretion	5
TOTAL HOLIDAYS	57

PART - IV
RULES REGARDING PROVIDENT FUND ETC.

Provident Fund:–

103. Every Principal, whole-time teacher, whole-time librarian and permanent non-teaching staff of the University, affiliated colleges (Government-Aided) other than Government Colleges shall subscribe to the Provident Fund, Gratuities and Pension subject to such rules as may be framed in this behalf by the State Government from time to time.

CHAPTER – X
CONVOCATION

Conferment of Degrees, Certain Medals, Diplomas and Certificates:–

104. Degrees of the University including Honorary Degrees shall be conferred and such medals and postgraduate diplomas and certificates as may be specified in this behalf by the Executive Council shall be awarded, at Convocation of the University:

Provided that degrees may be conferred, and medals, diplomas and certificates, awarded in absentia.

Holding of Convocation:–

105. (1) Convocation of the University shall be held for the purposes referred to in Statute 89 on such date and at such times and places as the Vice-Chancellor may fix in this behalf:

Provided that at least one such Convocation shall be held every year ordinarily in the month of January.

(2) Not less than fourteen days' notice shall be given for the holding of Convocation, but in the case of a Convocation held for the purposes of conferring any honorary degree such shorter notice as the Vice-Chancellor may consider fit and proper may be given.

Order of Conferment of Degrees etc.:–

106. Ordinarily the degree shall be conferred, and the medals and postgraduate diplomas and certificates awarded, on presentation at a Convocation in the following order, namely:–

(a) Honorary degree in the order determined by the Vice-Chancellor,

- (b) Special medals in the order determined by the Vice-Chancellor,
- (c) Doctors' Degree in the order of Departments as enumerated in Section 31,
- (d) Masters' Degrees and postgraduate diplomas and certificates in order of Departments as enumerated in Section 31 and such other postgraduate diplomas and certificates as may be decided by the Vice-Chancellor in this behalf,
- (e) Medals other than special medals as may be decided by the Vice-Chancellor in this behalf.

Explanation: In this chapter "Special Medal" means a medal specified by the Executive Council to be awarded at a Convocation, but does not include a medal to be awarded as the results of any examination or other competition.

Honorary Degrees:–

- 107.** (1) For the purpose of the conferment of Honorary Degrees, the recipients of such degrees shall be presented by the Vice-Chancellor, to the Chancellor or, in the absence of the Chancellor, by the Pro-Vice-Chancellor to the Vice-Chancellor.
- (2) The Officer so presenting the recipient of an Honorary Degree shall address the chair and say, "Sir, I am privileged to present to you.....for the conferment of the Degree of.....honoris causa, which has been recommended by the Executive Council and confirmed by the Chancellor" and may, in his discretion, add such remarks as he may think fit regarding the achievements of the recipient which have led to his being chosen for the high honour.
- (3) The Chancellor or the Vice-Chancellor, as the case may be, shall thereupon, say, "The Court of the West Bengal University of Teachers' Training, Education Planning and Administration is pleased to confer upon you the degree of.....honoris causa," and may, in his discretion, add such remarks as he may think fit regarding the achievements of the recipient which has led to his being for the high honour.

Special Medals:–

- 108.** (1) Following the conferment of Honorary Degrees, special medals shall be awarded by the Vice-Chancellor, on presentation by the Pro-Vice-Chancellor, to those to be thus honoured.
- (2) In presenting the recipient of a special medal, the Pro-Vice-Chancellor shall, identify him and briefly indicate the basis of the award using appropriate words of his own choice. The recipient of the special medal shall there upon proceed to the Vice-Chancellor to receive the medal from him.

Vice-Chancellor to call for Presentation of Candidates for the Degrees, etc. to be conferred on the Results of Examination:–

109. After the conferment of Honorary Degrees and the award of special medals, the Vice-Chancellor shall say, ‘Mr. Chancellor, Distinguished Guests, members of the University community Ladies and Gentlemen, - We now come to the significant and impressive ceremony of conferring degrees and awarding postgraduate diplomas and certificates to those students who have been examined and found qualified to receive them. All of those degrees, diplomas and certificates have been recommended by the appropriate academic authority and by the Executive Council. The candidates for the Doctors’ and Masters’ Degrees and postgraduate diplomas and certificates will be presented by the Pro-Vice-Chancellor.

Doctors’ Degrees:–

- 110.** (1) Candidates for the Doctors’ degrees shall be presented Department-wise in the order laid down in these Statutes by the Pro-Vice-Chancellor.
- (2) The Pro-Vice-Chancellor shall say to the candidates for the Doctors’ degrees, “Will the candidates for the conferment of the Degree of.....please stand up and remain standing until I request them to resume their seats?”
- (3) The Pro-Vice-Chancellor shall then say to the Vice-Chancellor, “Sir, I present to you the candidates for the Degree of doctor of..... (here mention the appropriate degree) and I pray that the degrees for which they have been recommended may be conferred on them.” Thereafter the Pro-Vice-Chancellor shall say to the candidates, “Please be seated”.
- (4) When all the candidates for the Doctors’ Degrees have been so presented by the Pro-Vice-Chancellor, the Vice-Chancellor shall say, : “Will all the candidates who have been presented for Doctors’ Degrees please stand up ? (Pause). The Court of the University is pleased to confer upon you the degree for which you have been recommended and admit you to all the rights and privileges respectively pertaining thereto and I, by virtue of the authority vested in me as Vice-Chancellor of this University, charge you that ever in your life and conversation you show yourselves worthy of the same, Please be seated.”

Masters’ Degrees and Postgraduate Diplomas and Certificates:–

- 111.** (1) Candidates for the Masters’ Degrees and postgraduate diplomas and certificates shall be presented Department-wise, in the order laid down in these Statutes those from the affiliated colleges, by the Pro-Vice-Chancellor.

- (2) The Pro-Vice-Chancellor shall say to the candidates, “Will the candidates who are to be presented for the degree of Master of...../diploma in...../Certificate in.....from the University/affiliated Colleges please stand up and remain standing until I request them to resume their seats?”
- (3) The Pro-Vice-Chancellor shall then say to the Vice-chancellor, “Sir, I present to you the candidates for the degree of master of...../Diploma in...../Certificate in.....and I pray that the degree/diploma/certificate for which they have been recommended may be conferred/awarded on them.” He shall thereafter say to the candidates, “Please be seated.”
- (4) When all the candidates for Masters’ degrees and postgraduate diplomas and certificates have been so presented, the Vice-chancellor shall say, “Will all the candidates who have been presented for Masters’ degrees and Post-Graduate diplomas and Certificates please stand up ? (Pause) The Executive Council of the University is pleased to confer upon you the degrees, diplomas and certificates for which you have been recommended and admit you to all the rights and privileges respectively pertaining thereto and I, by virtue of the authority vested in me as Vice-Chancellor of this University, charge you that ever in your life and conversation you show yourselves worthy of the same. Please be seated.”

Medals:–

112. After the conferment of the degrees and the award of the postgraduate diplomas and certificates, the Registrar shall call the names of recipients of medals to be awarded on the results of “Examinations and other competitions, whereupon each candidate whose name is so called, shall proceed to the Vice-Chancellor to receive his medal from him.

Absence of Specified Presenting Officer from Sessions of a Convocation:–

113. In the absence of the Pro-Vice-Chancellor from a session of a Convocation, the functions of such Pro-Vice-Chancellor, at such session shall be performed by the Registrar.

Academic Procession:–

- 114.** (1) There shall be an Academic Procession which shall include the following personnel, in the order specified below:
- (a) The Registrar,
 - (b) The Chancellor,
 - (c) The Vice-Chancellor,
 - (d) The Guest-Speaker, if any,

- (e) The immediately preceding Vice-Chancellor,
 - (f) The Pro-Vice-Chancellor
 - (g) Members of the Court
- (2) Members of Academic Procession who have degrees from any other University, Indian or foreign, may, if they so desire, wear dresses, if any, appropriate to such degrees.
 - (3) Members of the Academic Procession shall, at the commencement of a session of a Convocation, proceed to the dais in the order referred to in Paragraph (1) and take seats reserved for them. At the end of a session of a convocation, whether on adjournment or on conclusion, the members of the Academic Procession shall leave the dais in the same order.
 - (4) When the Academic Procession enters or leaves the pandal, as the case may be at the beginning or end of a session of a Convocation, all members of the audience shall rise in their seats and remain standing until the members of the Academic Procession have taken their seats on the dais or until the procession has left the pandal, as the case may be.

Opening and Closing of Convocation:–

115. (1) The Chancellor or in his absence, the Vice-Chancellor shall preside at a Convocation. The Chancellor or the Vice-Chancellor, as the case may be, presiding at a Convocation, shall, for the purpose of opening the Convocation, say, when all the participants of the Convocation are properly seated, “I declare the Convocation open,” and for the purpose of closing the Convocation, say, at the conclusion thereof, “I declare the Convocation closed.”
- (2) If a Convocation extends for more than one session, the chancellor or the Vice-Chancellor, as the case may be, presiding thereat, shall say, at the end of each session other than the final session, “I declare this Convocation adjourned until.....”.

Guest Speaker and Convocation Address:–

116. (1) The Vice-Chancellor may invite a Guest-Speaker at a Convocation.
- (2) When a Guest-Speaker is invited at Convocation under Paragraph (1) the Vice-chancellor shall present the Guest-Speaker and shall introduce him in appropriate words befitting the occasion.
- (3) The address at Convocation by the Guest-Speaker and by the Vice-Chancellor, if he so chooses, shall be at such stages as the Vice-Chancellor may deem fit.

- (4) Save as the Chancellor may otherwise decide, the address or remarks of the Chancellor, if any, shall do made immediately before the conclusion of a Convocation.

Admission to Convocation:–

117. No person shall be admitted to Convocation unless he has an invitation card or an “Admit” card issued to him by the Registrar.

CHAPTER – XI

Statutes relating to the terms and conditions of service of non-teaching employees of Government-aided colleges

118. (1) These Statutes may be called the Statutes relating to the terms of employment and conditions of service of non-teaching employees of Government-aided colleges affiliated to the University other than Government Colleges.

(2) These statutes shall apply to non-teaching employees of Government aided colleges affiliated to the University other than Government Colleges.

(3) (i) In these Statutes, unless is anything repugnant to the subject or context –

(a) “Compensatory allowance” means an allowance granted to meet the personal expenditure necessitated by special circumstances in which duty is performed.

(b) ‘Duty’ includes

(i) service as a probationer provided that such service is followed by confirmation;

(ii) attendance in law court in his official capacity as juror or Assessor of appearance before any Court, Tribunal, Committee or Commission as witness in connection with any case, dispute of any other matter in which the college is a party;

(iii) duty in the Territorial Army;

(iv) periods of casual leave, quarantine and maternity leave and paid holidays

(v) leave duly sanctioned by the authorities concerned.

(c) ‘Holidays’ means a holiday declared as such by the college concerned and includes a Sunday:

Provided that in relation to the college or any particular office or branch of it “holiday“ shall include a day on which such college, office or branch is ordered to be closed by the Principal of the college or in his absence by such person who performs the duties of the Principal.

- (d) 'Lien' means the title of an employee to hold a permanent post substantively, either immediately or on the termination of a period or periods of authorised absence from the post.
- (e) 'Medical Certificate' means a certificate from a registered medical practitioner, recognised by the State Government.
- (f) 'Month' means a calendar month unless otherwise specified or made clear by the context. In calculating a period expressed in months and days, complete calendar month, irrespective of the number of days in each should first be calculated and the odd number of days calculated subsequently.
- (g) 'Officiating in a post' means performing the duties of that post during temporary vacancy for any period caused by the non-availability of the permanent incumbent due to some reason or other.
- (h) 'Pay' means the amount drawn monthly by an employee as pay including special pay and personal pay in terms of his employment and conditions of service.
- (i) 'Permanent Post' means a post carrying a definite rate of pay sanctioned without limit of time and declared as such.
- (j) 'Personal Pay' means additional pay granted to the employee either to save him from loss of substantive pay or on the basis of individual and personal consideration.
- (k) 'Probationer' means a person appointed on probation against substantive vacancy or in a post involving work of a permanent nature.
- (l) 'Special Pay' means an addition of the nature of pay to the emoluments of an employee in consideration of (i) the especially arduous nature of duties, or (ii) a specific addition to the work of responsibility.
- (m) 'Subsistence Grant' means a monthly grant made to an employee who is not in receipt of pay or leave salary during a period of suspension.
- (n) 'Substantive Pay' means the pay other than special pay and personal pay which an employee is entitled to an account of a permanent post to which he has been appointed substantively.
- (o) 'Temporary Post' means a post declared as such and sanctioned for a limit period.

- (ii) Words and expressions used but not otherwise defined will have the same meaning as in the Act.

Appointing authority:–

119. Appointments to all the posts referred to in Statute 3 shall be made by the Governing Body in accordance with such rules as may be framed for the purpose by the State Government.

- (a) Whenever a vacancy of non-teaching post occurs in the college, the Principal or the Teacher-in-Charge or the President of the Governing Body of the College shall report to the Director of Public Instruction, West Bengal about the vacancy.
- (b) Promotional post shall also be reported to the Director of Public Instruction, West Bengal and prior approval of the State Government shall invariably be obtained before giving promotion to such post in accordance with the provisions of the relevant Government order as may be issued from time to time.
- (c) The necessary qualifications required for appointment to different non-teaching post shall be such as may be determined by the State Government from time to time.
- (d) A candidate appointed against a permanent vacancy shall be on probation ordinarily for a period of one year from the date of such appointment and the said period of probation, at the discretion of the appropriate authority of the college, be extended for a further period not exceeding one year. If, at any time during the period of probation, the probationer's work is not considered satisfactory, the probationer shall be discharged by the concerned authority. On satisfactory completion of the period of probation to be supported by the report, the concerned employee shall be confirmed with effect from date of his appointment on probation by an order in writing made by the Governing Body of the college in this behalf and the fact of such confirmation shall be communicated to the employee concerned.

Provided that on the completion of the period of probation, no such order of confirmation is made and communicated to the person concerned within a period of two months of the completion for the period of probation, the person concerned shall be deemed to have been confirmed with effect from the date of his appointment on probation.

Promotion:–

120. (a) Whenever a permanent vacancy occurs in any of the posts referred to in sub-clause (i) of Clause (a) of Statute 3, such vacancy shall in the first instance be filled up by promotion

from amongst the employees holding any of the posts referred to in Sub-Clause (ii) of Clause (a) of Statute 3. In the matter of such promotion, efficiency, seniority including academic qualifications, character rolls and attendance shall have to be taken into consideration. In case no suitable candidate for such promotion is available, such permanent vacancy shall be filled, up by direct recruitment in accordance with the procedure laid down for the purpose:

Provided that the provisions relating to recruitment of non-teaching employees of affiliated colleges as laid down in the foregoing Statutes shall not apply in cases where, on compassionate ground, a wife, son, daughter, or dependant of any employee-both teaching and non-teaching-dying in harness is to be offered a job consistent with his qualifications. He shall have precedence over other in the matter of appointment or placement, as the case may be;

Provided further that the provision mentioned above shall also be applied in case of a college employee who is disabled permanently or otherwise incapacitated rendering him unfit to continue in service provided this fact of disablement is certified by a medical officer, authorised by the Director of Health Services.

- (b) Whenever a permanent vacancy occurs in any of the posts referred to in Sub-Clause (ii) of Clause (a) of Statute 3 in the matter of filling up of such vacancy, the procedure as laid down in these Statutes for direct recruitment shall be followed.
- (c) In the case of filling-up of vacancies in the posts referred to in Sub-Clause (ii) of Clause (a) of Statute 3 efficient and experienced members of the lower subordinate staff having the requisite qualifications shall get preference over others.

Explanation: A dependant of an employee shall mean husband, wife, son, unmarried or widowed daughter, unmarried or widowed sister, brother or parent, provided such relation of the employee is solely dependent on him.

- (d) In observing the procedure of filling-up of the posts mentioned in these Statutes, either by direct recruitment or by promotion, the principle of reservation of posts for Scheduled Caste and Scheduled Tribe candidates should be followed as per the orders issued by the State Government from time to time.

Pay and Allowance:–

121. (a) An employee shall begin to draw the pay and allowance attached to a post to which he has been appointed with effect from the date he assumes the duties of that post and shall cease to draw the same when he ceases to discharge these duties.

(b) Unless otherwise provided in a contract, on first appointment to a post, pay is fixed at the minimum of the time-scale applicable to that post:

Provided that an employee of a college who, while having a line on a permanent post, is as appointed to officiate in a higher post in that college shall be eligible to draw in that higher post as initial pay, pay at the stage of the time-scale of pay of the higher post next above his substantive pay in his substantive post:

Provided further that, if he has on any previous occasion or occasions held substantively or officiated in the same post or a post in the same or identical time-scale, his initial pay shall not be less than the pay, other than special pay or personal pay, which he drew on last such occasion.

(c) The holder of a post, whether he holds it in a substantive or officiating capacity, shall be treated as if he was transferred to a new post on the new pay.

Provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment in the old scale or until he vacates his post or ceases to draw pay on that time-scale. The option once exercised shall be final.

(d) An increment shall ordinarily be drawn unless withheld as a punishment. When an efficiency bar has been prescribed in a time-scale, the increment next above shall not be allowed without the specific sanction of the appointing authority.

(e) All duty in a post on a time-scale shall count for increment in that time-scale except in case of efficiency bar, if any.

(f) Officiating or temporary service in another post and leave other than extraordinary leave shall count for increments in the time-scale applicable to the post on which the person concerned holds lien.

(g) Earned leave will count towards increment in the time-scale applicable to a post which an employee holds in an officiating or temporary capacity.

(h) Extraordinary leave will not count towards increment but the authorities concerned may, in any case in which they are satisfied that the extraordinary leave was taken on account of

illness or for any other reason beyond the employees' control, direct that the whole or any portion of such leave may count for increment in the time-scale of the post on which that employee holds a lien.

- (i) When an employee carries on, in addition to his own duties, the duties of a post belonging to a category higher than that on which he holds a substantive appointment, he will draw as additional pay one-fifth of the minimum of the scale of pay of the post, provided that he carries on such duties for a period not less than one month.
- (j) A building owned or taken on lease by the college or any portion thereof may, by general or special order of the Governing Body, be allowed to be used as a residence of any employee on such terms and conditions as it may fix.
- (k) An employee of a department or branch discharging the duties of another employee belonging to the same classification shall not be entitled to any remuneration for such duties.
- (l) The employees of a college shall be entitled to such allowances as may be sanctioned by the Governing Body of the college from time to time.

Lien:–

122. An employee on substantive appointment to a permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

Leave and leave Salary:–

- 123.** (a) Leave cannot be claimed as a matter of right. When the exigencies of service so require discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.
- (b) Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which duty is resumed. Holidays may be prefixed or affixed or both prefixed and affixed to Casual and Quarantine Leave.
- (c) Leave (except casual and quarantine leave) may either be affixed or prefixed to holidays, but cannot both be prefixed and affixed to holidays. When leave(except casual and quarantine leave) is combined with a holiday by both prefixing and affixing it to the holiday, the holiday shall be reckoned as leave in calculating the amount of leave on full pay that may be admissible at a time.

- (d) An employee on leave shall not return to duty before the expiry of leave granted to him without permission of the authority which sanctioned the leave.
- (e) No person who has been granted leave on medical certificate for infectious diseases shall return to duty without producing a medical certificate of fitness.
- (f) Unless extension is granted, a person who remains absent after the end of his leave is entitled to no leave salary for the period of such absence. Willful absence from duty after the expiry of leave may be treated as misconduct calling for disciplinary action.
- (g) Subject to the foregoing general principles the following kinds of leave may be granted to the employees:-
 - (i) Casual leave
 - (ii) Earned leave
 - (iii) Half-pay leave
 - (iv) Commuted leave
 - (v) Medical leave
 - (vi) Leave in extraordinary circumstances
 - (vii) Maternity leave
 - (ix) Quarantine leave
 - (x) Leave preparatory to retirement
 - (xi) Special disability leave
- (h) Casual leave for short period not exceeding four days at a time or fourteen days in a financial year may be granted to an employee. Casual leave cannot be combined with any other kind of leave or vacations and the balance will not be carried from one year to another. An employee on casual leave will be treated as on duty.
- (i) All whole-time employees shall earn as earned leave one-eleventh of the period spent on duty subject to a maximum of thirty days in a calendar year provided that a person shall cease to earn such leave, when the earned leave due amounts to such days as the State Government may, from time to time, determine.
- (j) All whole-time employees may be granted leave on half-pay for twenty days for each completed year of service subject to a maximum period as may be determined by the State Government, from time to time, during the entire period of service on medical grounds on production of medical certificate:

Provided that a permanent employee will be entitled to commute the half-pay leave that he has earned to full-pay leave and such full-pay leave shall not exceed ninety days in the whole period of service.

Provided that no commuted leave may be granted unless the authority competent to sanction the leave has reason to believe that the employee will return to duty on its expiry.

- (k) If no leave is due on any account, an employee may be granted leave for a period not exceeding one hundred eighty days as special leave during the whole period of service for medical treatment of the employee concerned. Such leave may be debited against the half-pay leave which the employee may earn subsequently. Before sanctioning such leave, the appointing authority should satisfy him that the employee concerned is likely to return from leave and continue in service for a sufficient period to earn the leave granted.
- (l) When no other leave is by rule admissible, a permanent employee, in extraordinary circumstances may be granted leave without pay for such period as may be determined by the college authorities, but an employee shall not be allowed to enjoy such leave for more than ninety days at a time.
- (m) An employee who is disabled by injury accidentally sustained in course of the due performance of his official duties or by illness resulting from the performance of any particular duty which has the effect of causing or aggravating his illness or causing injury beyond the ordinary risk attaching to the post may be allowed special disability leave for a maximum period of twenty four months.
- (n) Maternity leave may be granted to a female whole-time employee for a period not exceeding one hundred and eighty days and the application of such leave shall be supported by a certificate from a registered medical practitioner.
- (o) An employee may, on production of a certificate from hospital, be allowed hospital leave for a period up to three months during any period of three years, while undergoing treatment in hospital for illness or injury caused or sustained in course of his official duties if, such illness or injury be caused or sustained because of risks directly involved in the performance of such official duties.
- (p) Quarantine leave may be granted on the basis of a medical certificate for a period not exceeding 21 days, or in exceptional circumstances, 30 days. Any leave necessary for quarantine in excess of these limits will be treated as ordinary leave. Quarantine leave is

not debitable to leave account and may be combined with other kinds of leave. An employee on quarantine leave is not treated as absent from duty and his pay is not intermitted.

- (q) Leave at the credit of an employee in his leave account shall lapse on the date he compulsorily retires. An employee, if he applies at least six weeks before the date of proceeding on leave may be granted leave preparatory to retirement for a maximum period of 120 days provided that he has at his credit in his leave account earned leave for such a period.
- (r)
 - (i) An employee on earned leave is entitled to leave salary as per Government Order from time to time.
 - (ii) An employee on medical leave is entitled to leave salary at the same rate as admissible on half-pay leave.
 - (iii) An employee on leave in extraordinary circumstances is not entitled to any leave salary. Such leave shall not count towards increment.
 - (iv) A female employee on maternity leave is entitled to draw full pay at the rate she was drawing at the time of proceeding on such leave and the said leave is not debitable against the leave account.
 - (v) An employee on hospital leave shall be allowed to draw leave salary equal to either the average monthly pay earned during the 12 complete months preceding the month in which the leave commences or half of such average monthly pay, as the authority granting it may consider proper.
 - (vi) An employee on quarantine leave is not treated as absent from duty and his pay is not intermitted.
 - (vii) If an employee applied for leave preparatory to retirement at least six weeks before the date of proceeding on leave and such leave is refused by the college authority, he shall be granted, after the date of his retirement, leave salary for the period of leave applied for and refused.
 - (viii) An employee on special disability leave shall be entitled to leave salary for the first four months at the average monthly pay earned during the 12 completed month's preceding the month in which the leave commences and for the remaining period at half such average pay.

- (s) For each employee, a leave account in the prescribed form shall be maintained.
- (t) Compensatory allowance should ordinarily be drawn by an employee on duty but college authorities may prescribe the conditions under which an employee on leave may draw such allowance.
- (u) Generally, the Principal of a college is competent to sanction leave and leave salary to any non-teaching employee. An employee not satisfied with the decision of the Principal in this regard, shall have a right to appeal to the Governing Body or its equivalent.
- (v) The Governing Body or its equivalent may, for manifest reasons which it may consider to be adequate, vary, revise or cancel any other pertaining to any kind of leave issued by itself or by the Principal.
- (w) Unless the Governing Body, in view of the special circumstances of a case, otherwise determines, a permanent employee, in the event of his continuous absence without leave, for a period of two years at a stretch shall be deemed to have resigned his post and shall accordingly cease to be in employment of the college.
- (x) Other service terms and conditions including the entitlement of various kinds of leaves to the employees of the college shall be such as may be determined by the State Government by order, from time to time.

Working Hours and Attendance:–

- 124.** (a) The normal working period will be of 7 hours' duration 'with a recess of half-an-hour on week days and on Saturdays it will be of 3.5 hours' duration without recess. The commencement of duty is to be based on fixed routine, but variations may occur if exigency arises.
- (b) Each employee, while reporting for duty, shall sign the attendance register.
- (c) Late attendance beyond 15 minutes, without previous permission, for five days within one month shall entail forfeiture of one day's leave. No one will be allowed to attend office if he is late by 1.5 hours or more in a day, except without prior permission of the Principal or the Superior Officer concerned.
- (d) No employee shall leave the place of work during working hours without permission from the person in charge of the office or department concerned except on official business.
- (e) In special cases Clauses (c) and (d) above may be relaxed by the appropriate authority.

- (f) All absence from duty shall be covered by a prior application or intimation in writing. For absence under unavoidable circumstances, application for condonation of absence should be submitted as early as possible.
- (g) If an employee being present at the place of his duty, abstains from work without permission or refuses to work at any time during the prescribed hours of work on any day, he shall, in addition to being liable to such disciplinary action as may be taken against him for dereliction of duty, be deemed to be absent without leave for such day and shall not be entitled to draw any pay or allowance for such day.

Retirement Age:–

- 125.** (a) An employee shall retire on completing the age as may be determined by the State Government from time to time.
- (b) The date on which an employee attains the age of retirement shall mean the last date of the month in which he attains such age.
- (c) A permanent employee must be given at least three months' notice or three months' pay in lieu thereof, before his appointment is terminated by abolition of his post. Similarly, a college employee in permanent service must give the college at least three months' notice if he wants to resign his appointment in the college.
- (d) A temporary employee shall be given at least one months' notice or One month's pay in lieu thereof, therefore termination of his appointment.

Discipline and Conduct:–

126. A. The following penalties may, for reason of:–

- (a) Neglect of duty,
- (b) Want of due diligence in the performance of duties,
- (c) Violation of orders regarding attendance and office discipline,
- (d) Misappropriation and defalcation,
- (e) Insubordination or disregard or violation of the orders of the superior authority,
- (f) Commission of any offence involving moral turpitude.
- (g) Conviction by a criminal court for an offence involving moral turpitude,
- (h) Taking of illegal gratification,
- (i) Tampering with official records.

- (j) Any other misconduct unbecoming of an employee of the college and for other good and sufficient reasons be imposed upon the employee by the appointing authority or by any authority to which the appointing authority is subordinate, namely:
 - (i) Censure;
 - (ii) Withholding of increments or promotion;
 - (iii) Recovery from pay of the whole or part of any pecuniary loss caused to the college by the employee;
 - (iv) Reduction to a lower stage in the time-scale of pay for a specified period with further direction as to whether or not the employee will earn increments or pay during the period of such reduction;
 - (v) Reduction to a lower time-scale-of pay, grade-post or service which shall ordinarily be a bar to the promotion of the employee to the time-scale of pay grade, post of service from which he was reduced, with or without further directions regarding conditions of restoration to the grade, post or service from which the employee was reduced and his seniority and pay in such restoration to that grade, post or service;
 - (vi) Compulsory Retirement;
 - (vii) Removal or dismissal from service.

B. Explanations:—

- I. The termination of employment of-
 - (a) a person appointed on probation during or at the end of the period of probation in accordance with the terms of appointment, or
 - (b) a temporary employee on the expiry of the period of his appointment, or
 - (c) a person engaged on contract in accordance with the terms of his contract, is not removal or dismissal from service.
- II. Compulsory retirement means that the appointing authority may get the employee retired compulsorily as a measure of punishment before he has attained the retirement age.
- III. Stoppage of any increment of an employee next above the efficiency bar in the time-scale of his pay on the ground of his unfitness to cross the bar does not amount to withholding of increments of promotion within the meaning of this Statute.

C. In all cases of imposition of penalties the grounds on which it is proposed to take action shall be reduced in the form of definite charge or charges and communicated to the employee concerned together with a statement of facts on which the charges are based and other circumstances, if any, which it is proposed to take into consideration in passing orders on the cases. The employee charged may put in a written statement of his defence for which he shall be given a minimum period of two weeks from the date of receipt of charge-sheet by him along with documentary evidence, if any. Upon receipt of the statement of defence from the employee, or at the expiry of the period allowed for submission of his statement of defence, the authority concerned may, after examination of relevant facts and circumstances, either drop the case or decide to proceed further. If it is decided to proceed further, a formal enquiry shall be held informing the employee concerned of the penalty provisionally proposed to be taken against him and asking him to be present at the enquiry thereafter, if he so desires, to produce further evidence in support of his defence. The authority concerned shall thereafter take decision on the findings of the enquiry. If however, it is decided to impose a penalty other than what was communicated to the employee at the state of the formal enquiry, another opportunity will be given to him to submit a written statement against imposition of the other penalty within two weeks from the date of receipt of the above communication by him in this respect and if considered necessary, a fresh enquiry will be made and the evidence of such enquiry shall be taken into account before final orders are passed. In all cases principles of natural justice shall be followed and the employee shall be given adequate opportunity to defend his case:

Provided that no pleader or agent shall be allowed to appear at the enquiry on behalf of the college or the employee concerned.

D. An employee who is removed or dismissed from service shall not draw any pay or allowances from the date such removal or dismissal is ordered to be effective.

E. The order of removal or dismissal from service shall not be given retrospective effect with reference to the date of the order.

F. An employee under suspension shall be entitled to get a subsistence grant at one-half of the pay of the post held by him plus admissible allowances.

G. (a) When the suspension of an employee is held to have been unjustifiable or not wholly justifiable, or when an employee who had been removed or dismissed or suspended from service is reinstated, the authority shall grant to him for the period of his absence from duty:

- (i) If he is honorably acquitted the full pay and allowances to which he would have been entitled if he had not been dismissed, removed or suspended:
 - (ii) If otherwise, such proportion of pay and allowances as the authority concerned may prescribe.
- (b) In a case falling under Clause (i) (a) (G) of this Statute the entire period absence from duty shall be treated as a period spent on duty. In a case falling under item (ii) (a) (G) of this Statute the period may be treated as duty or leave as the authority concerned may direct.
- (c) The amount of subsistence grant, if any, already drawn shall be deducted from the pay and allowance or proportion thereof which may be granted under this Statute.

Appeals:–

- 127.** (a) Any employee aggrieved by an order imposing upon him any penalty or penalties specified in these Statutes may prefer an appeal to the Governing Body within thirty days from receipt of the order imposing the penalty or penalties. The decision of the Governing Body on such appeal shall be final.
- (b) An employee aggrieved by an order imposing upon him any penalty or penalties specified in these Statutes may prefer an appeal to the Vice-Chancellor within thirty days from the receipt of the said order imposing the penalty or penalties. The appeal shall be decided and disposed of by the Vice-Chancellor in the manner as he will consider just on such appeal shall be final.

General:–

- 128.** (a) In any case not expressly provided for in those Statutes, the college authorities may obtain such direction from the University as may be necessary in the special circumstances of the case.
- (b) The power of interpreting these Statutes is reserved to the University whose decision shall be binding on all concerned.

By order of the Chancellor,

Sd/-

Prof. (Dr.) Soma Bandyopadhyay

Vice Chancellor

The West Bengal University of
Teachers' Training, Education
Planning and Administration