

Nehru Gram Bharati

(Deemed to be University)

Kotwa-Jamunipur, Dubawal, Allahabad, [U.P.]-221505



VOLUME- IV

Ordinance XXXI to XXXVII

ORDINANCE XXXI ACADEMIC STAFF OTHER THAN TEACHERS

ORDINANCE:

I. (a) the provisions in respect of the classification and the designations of the academic staff other than teachers shall be as laid down by the Board of Management by Regulations.

(b)The first Regulations under sub-clause (a) shall be laid down the Vice-Chancellor and shall be reported to the Board of Management

(c)The academic staff other than teachers shall be appointed to approved posts on whole-time basis in permanent or temporary capacity on scales of pay determined by the University Grants Commission.

(d) The procedure for the selection and appointment of the academic staff other than teachers and the qualifications for such appointment shall be as laid down by Ordinance XXXIII

2. (a) The written contract (hereafter in this ordinance referred to as the contract of service) shall for the academic staff other than teachers be in the form prescribed by the Board of Management and every member of the academic staff other than teachers shall sign the contract of service before he enters upon his duties or as soon as possible thereafter

Provided further that the contract of service shall be signed on behalf of the University by the Registrar or such other officer as may be authorized in that regard by the Board of Management .

b) In the case of a member of the academic staff other than teachers in service as such on the date immediately preceding the commencement of the Act and continuing service upon such commencement the contract of service with the University subsisting on the said date shall continue to be in force subject to the provisions of the Act the Statutes, the Ordinances and the Regulations, and shall be deemed to have modified in accordance with such provisions pending the execution of the act of service referred to in sub-clause (a).

c) The terms and conditions of the service of the academic staff other than teachers including emoluments, entitlements or privileges as to leave, leave salary. Allowances and terminal benefits, obligations as to the duties to be performed by him and the disciplinary rules and procedures applicable to him shall be governed by the Rules under Ordinance XXXIII.

Provided that the provisions in the said Rules, in respect of suspension and proceedings for misconduct shall in the case of the academic staff other than teachers be subject to the provisions of Statute, section 6.1 (a).

d) The terms and conditions, referred to in sub-clause (d) shall be integral to the contract of service and shall include such other conditions as may be embodied in such contract of service.

CHAPTER VI

ORDINANCE XXXII CLASSIFICATION AND APPOINTMENT OF THE NON-TEACHING STAFF OF THE UNIVERSITY ORDINANCE:

I. (a) The general classification of the Non-Teaching employees of the University including academic staff other than teachers, shall be in accordance with the provisions in this regard in the Rules laid down under Ordinance XXXIII.

(b) Subject to the provisions-of sub-clause (a) of clause 2 the Non Teaching employees of the university, not being academic staff other than teachers or the employees classified under Group D, shall further be sub-classified as Administrative Staff, Ministerial Staff and Technical Staff:

Provided that the Non-Teaching employees of the University classified under Group D shall further be sub-classified as Non-Technical and Technical Staff.

2. (a) The detailed provisions in respect of the classification and sub-classification of the Non-Teaching employees, and of the academic staff other than teachers of the University shall be laid down by the Board of Management by regulations.

(b) The conditions and qualifications for direct recruitment and the procedure of selection, including the constitution of Selection Committees. in respect of the Non-Teaching employees. including academic staff other than teachers. of the University shall be specified by the Regulations referred to in sub-clause (a).

(c) The Regulations referred to in sub-clause (a) shall also prescribe the conditions. qualifications and procedure of promotion of the Non-Teaching employees other than employees classified under Group D, including academic staff other than teachers of the University, the conditions, qualifications and procedure for the promotion of employees classified under Group D to posts sub-classified as Ministerial Staff under Group C and other matters relevant in this regard.

(d) The provisions in respect of Departmental Examinations for the Non-Teaching Employees, not being academic staff other than teachers. of the University shall be as laid down by the Regulations referred to in sub'-clause (a). ;

(e) The Regulations referred to in clause (a) shall also lay down the ratio direct recruitment to promotion in respect of appointment to specified higher posts in each sub-class of the Non-Teaching employees. not being academic staff other than teachers or the employees classified under Group D, of the University and such ratio may be different for different levels of such higher posts.

3. The first Regulations under clause 2 shall be drawn up by the Vice-Chancellor and shall be reported to the Board of Management . which shall have the power to amend the same from time to time.

ORDINANCE XXXIII TERMS AND CONDITIONS OF SERVICE OF THE NON-TEACHING STAFF OF THE UNIVERSITY ORDINANCE:

1. The Nehru Gram Bharati Vishwavidyalaya Non-Teaching Employees (Terms and Conditions of Service) Rules (hereafter in this Ordinance referred to as "the Rules") as set forth in the Schedule to this Ordinance and amended from time to time, shall govern the terms and conditions of service of the employees of the University other than teachers and such employees as may specifically be exempted from the application thereof by the Board of Management

2. The Rules shall be integral to this Ordinance

3. The Rules shall apply to the employees referred to in clause I without prejudice to

(i) other provisions of the Statutes, Ordinances and Regulations in respect of matters relating to, or otherwise having a bearing on. the terms and conditions of service of the said employees, read with sub-section (a) of section 11 of the Act and sub-clause 6.2 of clause 6 of Statutes

(ii) the provisions of other rules, not inconsistent with the provisions referred to in serial number (i), laid down from time to time by the Board of Management for the said employees of the University.

4. Notwithstanding any other provision of the Ordinances, on and from the date of the commencement of this Ordinance, every such person employed in the University including an institution maintained by it, immediately before the said date, as was not so employed on the date of the commencement of the Act. shall hold his service in the University, including the said institution, by the same tenure, at the same remuneration and upon the same terms and conditions, and with the same rights and privileges as to pension, leave; gratuity, provident fund and other matters. as he would have held the same if this Ordinance had not commenced, and shall continue to do so unless and until his employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by the provisions of the Ordinances:

Provided that if the alteration so made is not acceptable to such employee. His employment may be terminated by the University in accordance with the terms of the contract with the employee or, if no provision is made therein in this behalf. On payment to him by the University of compensation equivalent to three months' remuneration in case of permanent employees and one month's remuneration in the case of other employees:

Provided further that every such person shall, pending the execution of the contract be deemed to have been appointed in accordance with the provisions of a contract consistent with the provisions of the Act, the Statutes and the Ordinances.

5. Matters relating to the service conditions and benefits of the employees referred to in clause] and clause 4, including Inter alia the fixation of pay and other issues regarding pay, and pension, gratuity, General Provident Fund and Contributory Provident Fund, Medical Attendance and Leave Travel Concessions. for which provision has not been made in the Rules, or the provision made in the Rules requires further elaboration, shall be determined by the Board of Management . in consultation with the Finance Committee, where such consultation is called for under the Act, the Statutes and the Ordinances, and pending' such determination by the Board of Management , the said matters shall be dealt with in accordance with the Fundamental Rules and the Supplementary Rules of the Government of India, and such specific Rules, made there under or independently, as are applicable to the employees of the Central Civil Services.

THE SCHEDULE TO ORDINANCE XXXIII

THE UNIVERSITY NON-TEACHING EMPLOYEES

(TERMS AND CONDITIONS OF SERVICE) RULES

CHAPTER I

APPLICATION AND DEFINITIONS

Part 1: Short Title, Application and Commencement

1. These Rules may be called the University Non-Teaching Employees (Terms and Conditions of Service) Rules.
2. These Rules shall apply to the employees of the University except teachers and such other employees as may specifically be exempted from the application thereof by the Board of Management , and shall be read in conjunction with relevant provisions of the Statutes and the Ordinances.
3. These Rules shall come into force with effect from the date of the commencement of Ordinance XXXIII.

Part II: Definitions and Interpretations

4. In these Rules, unless the context requires otherwise

(i) "Authority" means, except in the case of any reference to an authority of the University as defined in the Act, an officer, functionary, employee other person who, or a body which, exercises any administrative adjudicatory or advisory jurisdiction power or control. or performs any function or duty or fulfills any responsibility. or determines any issue or matter, whether substantively or by assignment or delegation for specified purposes;

(ii) "average pay" means the average monthly pay earned during the ten complete months immediately preceding the month in which the event occurs that necessitates the calculation of average pay;

(iii) "cadre" means the strength of service or a part of a service sanctioned as a separate unit

(iv) "compensatory allowance" means an allowance granted to meet personal expenditure necessitated by the circumstances in which duty is performed. and includes a travelling allowance;

(v) "deputation" means the temporary assignment or transfer of an employee by the University with his consent

(1) to a post or service outside his cadre but within the University

(2) to a post or service outside the University on the requisition of the Government or of any other entity, such as an authority, establishment, institution or organization, controlling the post or service concerned, or in pursuance of an agreement or arrangement of the University or the College with such entity, subject to the rules laid down in respect of the entities that may make any such requisition or with which such agreements or arrangements may be made by University.

Provided that the said rules shall be laid down, in the case of the University, by the Board of Management on the basis of the corresponding rules laid down by the Board of Management for the University; '

EXPLANATION: in these Rules, deputation under item (1) is generally "referred to as "local deputation" and deputation under item (2) is generally referred to as "foreign service", "duty" includes service on probation provided that such service is followed by confirmation;

- i. "employee" means, a person, appointed by the University to any post in the University,
- ii. "Board of Management " means the Board of Management of the University, and any reference to the Board of Management shall be construed always in relation only to the employees of the University, "except where the Board of Management is empowered by any of these Rules to lay down provisions applicable to employees of the University
- iii. "fee" means any recurring or non-recurring payment to an employee from a source other than the funds of the University, whether made directly to the employee or indirectly through the agency of the University.-
- iv. "Foreign Service" means service rendered under the Government. or any other entity referred to in item (2) under serial number (v) in which an employee receives his substantive pay from a source other than the funds of the University ;
- v. "honorarium" means a recurring or non-recurring payment granted to an employee from the funds of the University as remuneration for special work of an occasional or intermittent nature.
- vi. "joining time" means the time allowed to join a new post or to travel to or from a station to another to join a post;
- vii. "leave" means it permission granted to an employee to be absent from actual duty;
- viii. "leave salary" means the monthly amount paid by the University to an employee who is on leave; '
- ix. "lien" means the title of an employee to hold substantively. Either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post, to which he has been appointed substantively;

- x. "month" means a Calendar month, and in calculating a period expressed in terms of months and days, complete Calendar months. irrespective of the number of days in each month, shall first be calculated and the odd number of days calculated subsequently;
- xi. "officiating capacity" or "officiation" means the situation, where an employee performs the duty of a post on which another person holds a lien, or the duty of a vacant post on which no other employee holds a lien;
- xii. "pay " means the amount of monthly remuneration, excluding allowances and reliefs of all descriptions, approved, on a fixed rate or a time-scale, for a post and in relation to an employee means the amount drawn monthly by him as

(1) the pay (other than special pay or pay granted in view of his personal qualifications), which has sanctioned for the post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre; and

(2) special pay and personal pay; ' . .

- xiii. "permanent post" means a post, carrying a definite time-scale (or rate) pay, sanctioned without limit of time;
- xiv. "personal pay" means additional pay granted

(1) to save an employee from loss of substantive pay in respect of a permanent post, other than a tenure post, due to revision of pay or to any reduction of such substantive pay, 'otherwise than as a disciplinary measure; or

(2) in exceptional circumstances, on other personal considerations;

- xv. "probation" 'means the period, following the joining of a post (after appointment) by a person, during which the fitness of the person for eventual substantive appointment to the post is determined.
- xvi. "sexual harassment" means any kind of objectionable behavior towards a woman that is incompatible with her dignity, honour or personal freedom and includes such unwelcome sexually determined behaviour directly or otherwise, by any person. either individually or in association with other persons as physical contact and advances. remarks or gestures with sexual connotations. a demand or request for sexual favours, showing pornographic materials or otherwise subjecting to sexually offensive materials. or any other unwelcome physical, verbal or non-verbal conduct of a sexual nature:'
- xvii. "special pay" means an addition. of the nature of pay. to the emoluments of a post or of an employee granted in consideration of-
 1. the specially arduous nature of the duties; or
 2. a specific addition to the work or responsibility;

- xviii. "subsistence allowance" means monthly allowance given to an employee who is not in receipt of pay or leave salary.
- xix. "substantive pay" means the pay, other than special pay or a personal pay or any other emoluments classified as pay to which an employee is entitled on account of a post to which he has been appointed substantively:
- xx. "Temporary post" means a post carrying a definite time-scale (or rate) of pay sanctioned for a limited time;
- xxi. timescale of pay" means pay that rises, by periodical increments, from a minimum to a maximum:
- xxii. "travelling allowance" means an allowance granted to an employee to cover the expenses which he incurs in travelling in the interests of University;
- xxiii. "University" means the Nehru Gram Bharati Vishwavidyalaya, and includes any institution maintained by the University and, except where provided otherwise in any Rule, any reference to the University shall always be construed in relation only to the employees of the University:
- xxiv. "Vice-Chancellor" means the Vice-Chancellor of the University and, except where provided otherwise in any Rule, any reference to the Vice-Chancellor shall always be construed in relation only to the employees of the University.

CHAPTER II

GENERAL

Part I: General Conditions of Service

5. Posts, Recruitment and Appointments:

(a) Categorization of posts:

Cadres and the posts under the University shall be specified in the ANNEXURE to these Rules.

(b) Qualifications for appointment:

The qualifications for appointment to the posts in various cadres in the University shall be such as may be determined, from time to time, by Ordinances or Regulations, or in case provision for the same has not been made therein, by the Board of Management: .

(c) Fitness:

- i. Appointment of persons by direct recruitment for a period of more than 12 months shall be subject to their being found medically fit by the Medical Officer of the University, or any other Medical Officer authorised for the purpose.

- ii. The persons appointed on part-time basis, if any, shall also be required to produce Medical Certificate of fitness in the same manner and under the same conditions as applicable to whole-time employees.
- iii. No person shall be appointed to any post unless the appointing authority is satisfied that he possesses good character and antecedents.

(d) Methods of Recruitment:

Recruitment to the posts may be made

- i. by direct recruitment}
- ii. by promotion; and
- iii. by appointment of employees borrowed from Government Departments and other Institutions.

(e) Recruitment by Promotion:

(i) Where provision has been made for recruitment to a post by promotion, the appointment to a post in any grade by promotion may be made, whether in a permanent or officiating capacity, from amongst employees serving in posts in the next lower grade.

(ii) Every appointment by promotion shall be on the basis of merit and suitability as adjudged on record of service, due regard being paid to seniority.

6. Appointments:

(a) Appointments to the posts shall be made by the Board of Management, or by the authority to whom the power to make such appointments is assigned by the Statutes or the Ordinances or delegated by the Board of Management, in the case of the University; or

Provided that such appointments shall be made on the recommendations of Selection Committees appointed for the purpose, from time to time, in accordance with the prescriptions of the Statutes and the Ordinances, or where provision for the same has not been made therein, on the directions of the Board of Management. ‘

(b) The age, educational and other qualifications for appointment to the post in the University or the College and the methods of recruitment shall be as prescribed, from time to time, by Ordinances or Regulations. or in case provision for the same has not been made therein, by the Board of Management:

Provided that the Rules laid down by the Government of India for reservation of certain percentages of posts in respect of candidates belonging to Scheduled Castes, the Scheduled Tribes or the Other Backward Classes, or persons with disabilities, shall apply mutatis mutandis to such posts as are to be filled by direct recruitment.

7. Appointments in the place of employees dismissed, removed or reduced:

Where an employee has been dismissed, removed or reduced from any cadre in the service, no vacancy caused thereby shall be substantively filled to the prejudice of such person until the appeal, if any, preferred by him against such dismissal, removal or reduction is decided, and except in conformity with such decision or, as the case may be, until the time allowed for preferring an appeal has expired.

8. Appointment or Promotion of employees continuing on their posts on the strength of Stay Orders issued by a competent Court or other authority:

Where an employee is continuing on his current post on the strength of a Stay Order issued by a competent Court or other authority, on the petition or representation filed by him, he shall not be eligible to receive any further service benefit or privilege, except such service benefits or privileges for which specific provision has been made in the Stay Order, and where any such service benefit or privilege has been granted pending the final decision on the said petition or representation, such service benefit or privilege shall be subject to the said final decision:

Provided that in case, in the mean time, the employee has, under the said specific provision, been granted promotion, or has been appointed by direct recruitment to any other post for which he fulfilled the prescribed qualifications inter alia on the strength of his experience on the said current post, the employee shall be deemed to be temporarily promoted or, as the case may be, temporarily appointed, to the post concerned, and such temporary promotion or temporary appointment shall stand withdrawn upon the discharge of the said Stay Order, except where the said petition or representation of the employee has been allowed finally.

9. Employees absent from duty:

The absence of an employee from duty, whether on leave, local deputation or foreign service, or for any other reason and whether his lien in a post borne on the cadre of the service is suspended or not, shall not, if he is otherwise fit, disentitle him to the privileges in respect of appointment, promotion and seniority that he would have enjoyed but for his absence and shall not render him ineligible for such privileges on his return:

Provided that an employee on probation, holding a lien on a permanent post, who has been permitted, in the special circumstances referred to in clause (b) of Rule 46, and also implied in clause (c) thereof, to proceed on foreign service or local deputation, shall be allowed, on his return to complete the period of probation, and his entitlement to the privileges of appointment, promotion and seniority shall be subject to his completing, on his return, the said period of probation satisfactorily.

10. Maximum period of continuous leave and related provisions:

(a) No permanent employee shall be granted leave, whether of a particular kind or of all kinds taken together, for a continuous period exceeding three years.

(b) The lien of an employee shall be deemed to have terminated, and he shall cease to be in the service of the University or the College, in case after remaining on leave, whether of a particular kind or of all kinds taken together, for a continuous period of three years

(i) he does not resume duty, otherwise than

(1) on account of continuing for the time being, with the permission of the leave sanctioning authority, on leave admissible to him or local deputation or foreign service; or

(2) on account of suspension; or

(ii) he remains absent from duty without any intimation, except if the Board of Management or the Governing Body in view of the exceptional circumstances of the case; determines otherwise: '

Provided that this provision shall also apply where such leave is for a continuous period of less than three years and the employee has no further leave at credit in his leave account under Chapter IV.

Part II: Tenure

11. Probation and confirmation;

(a) Every person appointed permanently to a post under the University after the commencement of these Rules, whether by promotion or' by direct recruitment. shall be on probation in such post for a period of one year provided that the appointing authority may. in any individual case, extend the period of probation for a further period not exceeding one year. for reasons to be recorded in writing:

Provided that this provision shall also apply to persons, if any who had on the date of such commencement. not completed one year of service after having been appointed permanently. whether by promotion or by direct recruitment to the post.

(b) Where a person appointed to a post under the University on probation is. during his period of probation, found unsuitable for holding that post or has not completed his period of probation satisfactorily. the appointing authority may

- i. in case of a person appointed by promotion revert him to the post held by' him immediately before such appointment;

- ii. in case of a person appointed by direct recruitment terminate his services under the University without notice; or
- iii. extend his period of probation to the extent necessary. as specified in clause(a)

(c) Every person appointed to a permanent post under the University by promotion' or by direct recruitment shall, on satisfactorily completing his period of probation, be eligible for being confirmed in that post, but shall be deemed to have been so confirmed with effect from such date as may be fixed by the appointing authority in the order of confirmation.

(d) No employee shall be confirmed in any post unless

- i. such post is permanent and no one else holds a lien on the post; and '
- ii. the service of the employee under the University or the College is approved by the appointing authority.

I2. Seniority:

The seniority of employees in a particular cadre or grade shall be determined in accordance with the rules to be prescribed, from time to time. by the Board of Management, provided such rules shall be subject to the provisions of the Statutes and the Ordinances.

I3. Temporary and permanent service: '

(a) An employee shall be a temporary employee of the University, until he is confirmed in a permanent post under the University.

(b) An employee confirmed in permanent post under the University or. the College shall, subject to clause (b) of Rule I4, be a permanent employee of the University or the College. .

I4. Termination of Service:

(a) The services of a temporary employee may be terminated by the appointing authority without assigning any reason

- i. during the period of probation, at any time, without notice
- ii. if the appointment is temporary at any time

(l) by a notice of one month in writing given to the employee by the appointing authority; or

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(2) forthwith, by payment to the employee of a sum equivalent to the amount of his pay plus allowances at the same rates at which he was drawing them immediately before the termination of his service. For the period of the notice; or

(3) by a notice of less than one month, by payment to the employee "sum equivalent to the amount of his pay plus allowances at the same rates at which he would be drawing them immediately before the termination of his service. for the period by which such notice falls short of one month.

(b) The service of a permanent employee may be terminated by a notice of three months or on payment of pay plus allowances drawn by him immediately before the termination of his service for such period as the notice falls short of three months or without notice on payment of three months pay plus allowances drawn by him immediately before the termination of his service, if the post in which he was confirmed is abolished.

(c) An employee who is given notice of termination of service under clause (b) may be granted, during the period of notice, such earned leave, as may be admissible to him and where the leave so admissible and granted is more than three months. his services shall terminate on the expiry of the period of notice and he shall be paid leave salary in lieu of the surplus earned leave (i. e. earned leave at credit after deducting the period of three months).

15. Retirement:

(a) The age of retirement of the employee in the permanent whole-time service of the University shall be sixty years, and such employee shall retire from service on the day immediately preceding his sixtieth birthday: ‘

Provided that ‘where. in the case of specified administrative officers and administrative functionaries of the University, the Statutes or the Ordinances prescribe sixty-two years as the age of retirement, any such administrative officer or administrative functionary shall retire from service on the day immediately preceding his sixty-second birthday: Provided Further that the Board of Management may lay down that, except where the sixtieth birthday, or, as the case may be, the sixty-second birthday. of an employee falls on the first day of a Calendar month, the employee of the University shall retire from service on the last day of the Calendar month within which his date of retirement falls.

(b) Notwithstanding the provisions of clause (a) an employee shall be retired:

(i) on his being declared medically unfit for service by a Medical Board to be appointed, as the case may be, by the Board of Management or, in accordance with the rules laid down by the Board of Management in that regard by the Governing Body; or -

(ii) on the imposition of the penalty of compulsory retirement.

16. Resignation:

Subject to the acceptance of resignation by the Competent Authority. a permanent employee may by notice of three months, or a temporary employee may by notice of one month, in writing addressed to the appointing authority, resign the service of the University or the College, or by payment of a sum equivalent to the amount of his pay plus allowances for the period of the notice at the same rates at which he was drawing them immediately before the acceptance of his resignation:

Provided the appointing authority may, if it deems proper in any case, permit such resignation by a permanent employee on notice of less than three months or by a temporary employee on notice of less than one month.

PART 3: Miscellaneous

17. Provision in respect to certain persons serving or engaged on temporary or other non-regular basis or granted regular or temporary employment before the commencement of Ordinance XXXIII

Subject to the provisions of Clause (b) a person

A. serving in any office or other unit of the University on temporary basis or otherwise engaged on non regular contractual or casual basis on the date immediately preceding the commencement of act on remuneration or wages not charged to the Non-plan grant under the duly approved budget of the University or the status was otherwise altered during the same period in a manner that granted him eligibility for inclusion in the said list of employees as did not possess on the date immediately preceding the commencement of Act shall stand reverted to the status of his service or engagement as it subsisted on the date immediately preceding the commencement of the Act.

B. The provision of clause (a) shall not apply in respect of any person who was engaged by the University in a temporary capacity on non-regular basis and was continuing as such on the date of commencement of the said Ordinance without any break and was classified by the Finance Committee as a person eligible for adjustment on a regular vacancy of the concerned category in the University on contractual basis or any muster roll or on other casual vacancy or was continuing under interim orders of a court or other authority.

C. the services of a person who was during the period from the date of the commencement of the Act to the date of commencement of Ordinance XXXIII, granted substantive or temporary employment in the University on a post borne on the Non-plan budgetary grant there-of without following the procedure prescribed in the provisions in force during the said period shall stand terminated, with effect from the date of commencement of Ordinance XXXIII.

18. Service Books and Character Rolls:

(a) University or the college shall maintain a Service Book and a Character Roll for each employee in such form as may be prescribed by the Board of Management.

(b) The entries in the service book of an employee shall be authenticated in the case of the University by an officer authorized in this behalf by the Vice-Chancellor and in the case of a college by the Principal.

19. Confidential Report

(a) Subject to the provisions of clause (e), the Board of Management shall prescribe for the University the Officers or functionaries or other personnel in a supervisory or similar position who shall function as **(i) the Reporting Officer, (ii) the Reviewing Officer** and **(iii) the Revising Officer**.

(b) **The Reporting Officer** shall draw up confidentially, each year on the Forms prescribed by the Vice-Chancellor, a report (hereafter in this rule referred to as the Confidential Report) on the work and conduct of any employee who had served under him for a period of not less than four months in the immediately preceding calendar year shall forward the same to the Registrar, who shall, where he is himself not the reviewing officer forward such confidential report to the reviewing officer.

(c) **The Reviewing Officer** shall while reviewing the Confidential Report or Reports have the discretion to determine the unfavourable observations of the Reporting Officer that are weighty enough to be entered in the Character Roll of the employee concerned (hereafter in this Rule referred to as "the adverse entry") and all such adverse entries shall be recorded in the said Character Roll.

(d) Any adverse entry, referred to in clause (c) shall be communicated by the Registrar or the Principal, to the employee concerned who may represent against the adverse entry. through the Registrar or the Principal to the Revising Officer and the decision of the Revising Officer in respect of such adverse entry shall be final.

(e) The provision for the writing of Confidential Reports shall apply only in respect of such Group D employees of the University are engaged in sensitive work:

Provided that if there is any shortcoming in the allotted work or any act of indiscipline or violation of the rules of conduct on the part of any Group D employee the University may take recourse to disciplinary action against him:

Provided further that, in the absence of Confidential Reports punishments including recordable warnings, as well as commendations etc conveyed to the Group D employees, shall be entered in the Service Book and the relevant information furnished to the Establishment Committee, or any other authority empowered in that regard, when their cases are considered for promotion. confirmation and the crossing of the Efficiency Bar (if any) and other relevant matters.

Provided also that such Confidential Reports as are maintained shall be made use of by the said Establishment Committee or other authority.

20. Tests or Examinations:

(a) Every employee shall be required to pass such Departmental and other tests or examinations as may be prescribed by» the Board of Management for employees of the University.

(b) The Board of Management may also lay down rules regarding the periods within which the tests or examinations referred to in clause (a) shall be passed by the employees, the consequences of not passing the same and other cognate matters.

21. Residuary Conditions of Service and Power to Relax:

Any matter relating to the conditions of service of an employee of the University in respect whereof no provision is made in these Rules or in the Statutes and Ordinances, or the provision made therein requires elaboration shall be determined by the Board of Management.

22. Notification of Essential Services

Notwithstanding anything contained in these Rules the Registrar with the concurrence of the Vice-Chancellor, in the case of the University may, upon being satisfied that there exists an extraordinary situation, notify such categories and such number of employees, as he may" deem necessary as essential for the performance of certain duties for maintaining services considered indispensable, for a period not exceeding ninety days and the refusal to attend to such duties shall render the employee concerned liable for major penalty under these Rules including dismissal from service:

Provided that every such employee shall be entitled to compensatory leave for the quantum additional hours of duty performed, subject to a maximum of 15 days or cash payment in lieu thereof, after the notified period is over

23. Removal of doubts:

Where a doubt arises as to the interpretation or application of any of provisions of these Rules, the matter shall be referred to the Board of Management for decision which shall be final.

CHAPTER III PAY AND ALLOWANCES

PART 1 Pay

24. Scales of Pay:

(a) The scales of pay for the posts in the University shall be as specific, from time to time by the Board of Management. in accordance with the directions or advice of the University Grants Commission.

(b) Where any employee of the University was awarded before the commencement of the Act a time-scale of pay to which he was not entitled under the rules then in force, the Board of Management in the case of an employee of the University shall have the power to determine such time-scale of pay and consequential benefits with effect from the date of

such commencement and the amount paid in excess of the entitlement of such employee. under the time-scale of pay as so determined shall be recovered from him with effect from the said date by the University .

25. Initial Pay:

An employee shall, on his appointment to a post on a time-scale of pay draw pay at the minimum of the time-scale unless the appointing authority decides that he shall draw pay at any higher stage:

Provided that when such appointment is made by promotion or by direct recruitment to a higher post involving higher responsibilities. the employee shall be given an option for the fixation of his pay in the higher post by one of the modalities specified at serial number (i) or (ii), as follows

(i) to his pay in the lower scale (i. e. the time-scale of the post he is leaving) one increment shall be added (for purposes of calculation only), and his salary shall be fixed in the higher scale (i. e. the time-scale of the post he is joining) at the stage next above without any further review on accrual of increment in the lower scale; or

(ii) his pay in the higher scale shall be fixed initially at the stage next above the pay he was drawing in the lower scale. and the same shall be re-fixed on the date of accrual of next increment in the lower scale, in the manner laid down in serial number (i), but in such a case the next date of increment in the higher scale shall (if otherwise admissible) fall due on the completion of 12 months' service in the higher scale from the date of fixation of this pay: '

Provided further that such option must be exercised in writing within three months of the date of promotion to the said higher post or appointment thereto by direct recruitment and once exercised shall be final:

26. Increments:

(a) An increment shall ordinarily be drawn as a matter of course. unless it is withheld by the Board of Management on the ground that the conduct of the employee has not been good or his work has not been satisfactory.

(b) Where an Efficiency Bar is prescribed in the time-scale. the increment next above the bar shall not be given to an employee, except with the specific sanction of the Vice-Chancellor after considering the report on the efficiency of the employee in accordance with the procedure laid down in that regard by the Board of Management

27. Counting of Service for increment

The following service shall count for increment on the time-scale of pay

ii) duty in that post or any other post of the same or higher grade, whether continuous or not;

(ii) duty in an equivalent or higher post in local deputation or foreign service:

(iii) duty on a temporary post and on probation; and

(iv) such leave, other than Extraordinary Leave, as is not to be discounted for the purpose under the Rules governing leave:

Provided that the sanctioning authority may direct that Extraordinary Leave shall also count for increments, if it is satisfied that such leave was taken on account of illness or for any other cause beyond the control of the employee.

28. Pay during suspension:

(a) An employee under suspension shall, during the period of suspension, draw subsistence allowance, equivalent to half the rate of pay which was admissible to him immediately before the commencement of the suspension and dearness allowance on the basis of half of the said rate of pay and such compensatory allowances admissible from time to time on the same basis, subject to fulfilment of other conditions laid down for the drawal of such allowances: Provided that where the period of suspension exceeds six months, the authority which made, or is deemed to have made, the order of suspension, shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows

(i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first six months, if in the opinion of the authority, to be recorded in writing, the period of suspension has been prolonged and such prolongation is not directly attributable to the employee:

(ii) the amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period the first six months, if in the opinion of the authority, to be recorded in writing, the period of suspension has been prolonged due to the reasons directly attributable to the University employee;

(iii) the rate of dearness allowance shall be based on increased or, as the case may be, the decreased amount of subsistence allowance admissible under serial numbers (i) and (ii).

(b) No payment under clause (a) shall be made unless the employee furnishes a certificate that he is not engaged in any employment, business, profession or vocation:

(c) The permissible deductions from the subsistence allowance shall be of following two categories

(i) Compulsory deductions, comprising the following

(1) Income Tax and Super Tax or surcharge (provided the yearly income of the employee calculated with reference to subsistence allowance is taxable).

(2) House Rent and allied charges, i.e. charges for electricity, water, furniture, etc.

(3) Repayment of loans and advances, other than from Provident Fund taken from the University at such rates of repayment as the Vice-Chancellor may decide.

(4) Subscription to the Group Insurance Scheme.

(ii) **Optional deductions**, that shall not be made, except with the written consent of the employee, comprising the following

(1) Premia due on Life Insurance Policies,

(2) Amounts due to Co-operative Stores and Co-operative Credit Societies. '

(3) Refund of advance taken from Provident Fund.

(d) The deductions of the following nature shall not be made from the subsistence allowance.

Subscription to Provident Fund

(ii) Recovery of loss to University or the College for which the employee may be responsible.

Special pay, personal pay, honorarium and fee:

The University may sanction to an employee in any special circumstances, such special pay, personal pay, honorarium" or fee and on such conditions as it may deem fit, in accordance with the norms laid down by the Finance Committee.

30. Drawal of Pay:

(a) An employee shall be entitled to draw the pay of the post to which he is appointed from the date on which he assumes charge of the post.

(b) Pay in respect of any month shall become payable on or after the first working day of the following month.

(c) An employee resigning from the service of the University without the notice prescribed shall not, unless the Vice-Chancellor be allowed to draw pay due but not drawn.

Part II: Additional Charge of Post

31. Pay and allowances for holding additional charge of post:

The pay and allowances admissible to an employee placed in charge by the Competent Authority, of the current duties of another post shall be determined as follows-

(i) an employee placed in charge of the current duties of a higher post shall receive pay in the basic post plus 1/10th of the minimum of the scale of pay applicable to the higher post;

(ii) no allowance shall be admissible when an employee holding one post is placed in charge of the current duties of a post of a status equivalent to that of his own basic post, and the employee concerned will receive pay in his basic post only;

(iii) an employee placed in charge of the full duties of a post of a status equivalent to that of his own basic post will receive allowance at 20 percent of the minimum or the scale of the post; and

(iv) an employee holding one post when placed in charge of the current duties of a lower post will not receive any allowance for the additional work: Provided that the additional pay or allowance shall not be admissible if the period of additional charge is 30 days or less.

Part III: Compensatory Allowances

32. The employees shall be eligible for House Rent Allowance, City Compensatory Allowance, Travelling Allowance and other allowances as sanctioned by the University in accordance with the rules in force from time to time.

CHAPTER IV

LEAVE

PART 1: APPLICATION AND INTERPRETATION OF LEAVE

33. Extent of Application and Interpretation:

(a) The Leave Rules contained in this Chapter shall be applicable to the employees from the date of commencement of these Rules.

(b) For the purposes of the Rules of this Chapter, unless the context otherwise requires

ii) "Advance Leave", "Casual Leave", "Commutated Leave", "Compensatory Leave", "Earned Leave". "Extraordinary Leave". "Half-pay Leave".

"Maternity Leave", "Paternity Leave", and "Special Casual Leave" mean leave of these descriptions as provided in the said Rules;

(iii) "completed years of service" means continuous service of the specified duration under the University and includes, except if otherwise provided, periods spent on duty as well as on local deputation or foreign service or Extraordinary Leave;

(iv) "date of retirement", in relation to an employee, means the afternoon of the last day of the month in which the employee attains the age prescribed for retirement under the terms and conditions governing his service.

(v) "dies non" means a day of absence without proper permission, or a day on which an employee on duty left duty without proper permission. or refused to perform duties while in office, and a period of dies non counts neither as service nor as a break in service;

(vi) "Leave Account" means the Leave Account referred to in clause (a) of Rule 35

(vii) "Leave Salary" means pay admissible to employees for periods of leave other than Casual Leave, Special Casual Leave and Duty Leave. as laid down by this Rule, along with Dearness Allowance calculated on the basis of such pay and such other allowances (if any), except House Rent Allowance and City Compensatory Allowance. as payable under the Central Civil Services (Leave) Rules, 1972. as amended from time to time:

(viii) "Leave Year" means the period from January 01 to December 31, every year; and

(ix) "non-working day" means a holiday or a day of weekly closure of the University.

PART II: KINDS OF LEAVE, COMPETENT AUTHORITY AND LEAVE ACCOUNT

34. Kinds of Leave and Competent Authority: ,

(a) The following kinds of leave shall be admissible to the employees

(i) Leave treated as duty, comprising Casual Leave and Special Casual Leave;

(ii) Leave earned by duty, comprising Earned Leave, Halt-pay Leave and Commuted Leave;

(iii) Leave granted on special considerations, comprising Extraordinary Leave, Advance Leave (i. e. Leave not due taken in advance) and Compensatory Leave; and

(iv) Leave not debited to the Leave Account, comprising leave for educational purposes (consisting of Study Leave) and leave on health grounds (consisting of Maternity Leave and Paternity Leave). '

(b) The continuous regular service of an employee on temporary basis, that is followed without any interruption of duty, by permanent service, shall be included in permanent service for the purpose of computation of leave.

(c) Leave shall be sanctioned to the employees of the University by the Competent Authority as specified in the following Table, to the extent of its power indicated therein, and all cases for sanction of leave in excess of the limits laid down in the said table shall be submitted to the Board of Management for orders, accordance with the provisions of the Rules of this Chapter

KIND OF LEAVE	COMPETENT AUTHORITY	EXTENT OF LEAVE
(i) Casual Leave		
(1) to employees under the administrative supervision of the Registrar, the Finance Officer or the Librarian	Registrar, Finance Officer or the Librarian respectively	Full
(2) to employees under the administrative supervision of the Dean of a Faculty or the Head of Department	Dean of a Faculty or the Head of Department respectively	Full
(3) to employees of a University College maintained by the University, a University Institute, an independent Centre or a School	Principal of the University College, Director of the University Institute, Head of the independent Centre or Coordinator of the School, respectively	Full
(ii) SPECIAL CASUAL LEAVE/ COMPENSATORY LEAVE	Competent authority for Casual Leave, under intimation to registrar	Full
(iii) EARNED LEAVE/ HALF PAY LEAVE/ MATERNITY LEAVE or PATERNITY LEAVE		

(1) employees under the administrative supervision of the Principal of a University College maintained by the University	Principal under intimation to registrar	Full
(2) to all employees other than those specified in item (1)	Registrar, on the recommendation of the Competent Authority for Casual Leave	
(iv) COMMUTED LEAVE	Registrar. on the recommendations of the Competent Authority for Casual Leave and with the approval of the Vice-Chancellor	Full
(v) EXTRAORDINARY LEAVE		
(1) Up to extent of entitlement	Vice Chancellor	Full
(2) Up to 90 days, as available, on Behalf of the Board of Management	Vice Chancellor	90 Days
(vi) ADVANCE LEAVE	Vice Chancellor	Full
(vii) STUDY LEAVE	Board of Management/Governing Body	Full

(d) The Competent Authority shall. before sanctioning the leave. ensure that the leave asked for is admissible and. in the case of leave debit to the Leave Account is at the credit of the employee concerned.

35 Leave Account

(a) The Registrar or the Principal shall maintain. or cause to be maintained. the Leave Account of each employee, on a Register in the format prescribed for the University and the Colleges by the Vice-Chancellor, and

(i) all Earned Leave and Half-pay Leave earned by the employee shall be credited to the Leave Account. in the manner specified in clause (b)

(ii) all Earned Leave, Half-pay Leave and Commuted Leave availed by the employee shall be debited to the Leave Account:

(iii) all Advance Leave availed of by the employee shall be recorded in the Leave Account Register, for the purpose of adjusting the debit balance of Half-pay Leave:

(iv) all Extraordinary Leave sanctioned to. and availed of by the employee shall be appropriately entered in the Leave Account Register to enable the same to be offset against the entitlements of the employee to the same: and

(vi) all Maternity Leave, Paternity Leave and Study Leave sanctioned to and availed of by; the employee shall be appropriately entered in the Leave Account Register for purposes of record and determining further entitlements of the employee to the same.

(b) At the beginning of six monthly period of leave commencing on January 01 to July 01, here-after in the rules of this chapter referred to as the half the quantum of the Earned-Leave and of the Half-

pay Leave expected to be earned, in the course of the half-Leave Year shall be credited to his Leave Account.

Provided that where an employee joins the service of the University on a date after the commencement of a half-Leave Year, such credit in advance shall be made with effect from the date of joining service, and shall be to the extent of Earned Leave and Half-pay Leave expected to be earned, on proportionate basis, in the course of the residual part of the half-Leave Year concerned:

(c) In the case of an employee continuing as such, in the University from before the commencement of the Rules of this Chapter, the service prior the date of such commencement shall be treated as integral with the service after the said date for determining the credits and debits of, and entitlements to, various kinds of leave under the said Rules.

(d) The Competent Authority in respect of Casual Leave shall record, or cause to be recorded, the details of the Casual Leave and Special Casual Leave granted to, and availed of by, the employee during each Leave Year, on the Lapsable Leave Register which shall be in the format prescribed, for the University and the Colleges, by the Vice-Chancellor, and the Competent Authority shall duly apprise the Registrar, in the case of the University, the Special Casual Leave so granted to, and availed of by the employee.

(e) The Lapsable Leave Register, referred to in clause (d), shall have a section for recording the details of the Compensatory Leave due to the employee, including the date by which the same has to be availed of, and the Competent Authority shall duly apprise the Registrar, in the case of the University of the Compensatory Leave due to, and availed of by, the employee:

Provided that where any part of the due Compensatory Leave has remained unexhausted by the end of the Leave Year. the entries pertaining to the balance of Compensatory Leave shall be transcribed in the Lapsable Leave Register of the ensuing Leave Year, along with the date or dates by which such balance must be availed of.

Part III: General Conditions governing Leave

36. General Principles:

(a) Leave cannot be claimed as a matter of right. and where the exigencies of service or the interests of the University or the College so demand, leave of any description may be refused or revoked by the Competent Authority without necessarily assigning any reasons:

Provided that where an employee is recalled to duty before the expiry of his leave such recall to duty shall be treated as compulsory in all cases. and the employee shall be treated as on duty from the date he starts for the station to which he is required to report and shall be entitled to draw. for the journey, travelling allowance permissible under the rules: -_

Provided further that such employee shall, upon re-joining duties at the place of his posting and submitting details of the said journey to the Competent Authority. Draw Leave Salary, at

the same rate at which he would have drawn it but for recall to duty. up to the date of commencement of such journey and shall there after draw the regular salary admissible to him.

(b) Subject to the provisions of the Rules of this Chapter

(i) the form and manner of applying for leave, including the extension of leave.- the format and procedure for the maintenance of the Leave Account Register, and the procedure for the sanction or extension of leave the grant of permission to return to duty before the expiry of leave and the submission of medical Certificate while proceeding or returning from leave shall be laid down, for the University by the Vice-Chancellor: and

(ii) the rules governing the payment of Leave Salary, the grant of increment or increments for the period of leave, and the counting of such periods as service for purposes of pension and Contributory Provident Fund, shall be prescribed; for the University, by the Finance Committee or, pending the same, by the Vice-Chancellor.

(c) Leave shall have to be applied for in the prescribed form and manner, and shall have to be sanctioned before it is availed of, except in cases of emergency and for reasons to the satisfaction of the Competent Authority.

(d) Any application for the extension of leave shall be submitted to the Competent Authority in the same manner as in the case of the leave that is sought to be extended.

(e) Subject to the provisions of clause (c), and of clause (f), no employee shall be absent from duty without prior permission, except where the Competent Authority upon being satisfied that such absence was for a valid reason, including unforeseen contingencies, grants leave for such period.

(f) Where an employee

(i) absents himself from duty without prior permission; or

(ii) remains absent from duty after the expiry of his leave, or of the period of his local deputation or foreign service, without any intimation to the Competent Authority, for a continuous period of 90 days. he shall be deemed to be willfully absent from duty and such willful absence shall be treated as misconduct and his services shall be liable to be terminated..

(g) Leave shall ordinarily begin from the date on which the employee who has been granted leave relinquishes his duties and shall ordinarily end 'on the day preceding the date on which he resumes them. '

(h) Non-working days may be prefixed and suffixed to leave:

Provided that where the leave applied for falls between non-working days and is of a duration lesser than the total of the preceding and ensuing non-working days, the Competent Authority shall permit such non-working days to be only either prefixed or suffixed to leave.

(i), Any employee on leave, including leave preparatory to retirement, shall not return to duty during the period of leave except with the permission of the Competent Authority:

(j) The application of an employee for leave on medical grounds, or for leave in continuation with Maternity Leave, shall be supported with a medical certificate from the Medical Officer of the University or the College or, where no such Medical Officer has been appointed, from a Registered Medical Practitioner approved and authorized by the University in that regard:

(k) Subject to the provisions of the first proviso to clause (i), no employee who has been granted leave, other than Casual Leave, on medical grounds shall be allowed to return to duty without producing a medical Certificate of fitness, granted by the Medical Officer or Registered Medical Practitioner who had issued the Certificate referred to in clause (i), or, where "the Competent Authority is satisfied that it is not feasible for such medical certificate of fitness to be secured from him, by any other Registered Medical Practitioner approved or authorized by the University or College in that regard.

(l) Except in the case of Extraordinary Leave granted for the purpose of taking up service elsewhere. an employee on leave shall not, except with the written permission of the Competent Authority, engage directly or indirectly in any trade or business. whatsoever. or in any work to which an emolument or honorarium is attached, but this prohibition shall not apply to creative work or publications (including radio or television broadcasts) of an academic, literary or artistic nature:

(m) The Competent Authority ' may, at the request of the employee concerned, retrospectively convert any kind of leave into such leave of a different kind as was admissible to him at the time the leave was originally granted, but any such conversion cannot be claimed as a matter of right..

(n) Where one kind of leave is converted into another, under the provisions of clause (m), the amount of Leave Salary, and the allowances admissible therewith, shall be re-calculated and, accordingly, the arrears of Leave Salary and allowances shall be paid, or the amount overdrawn in that regard shall be recovered, as the case may be.

(o) No leave shall be granted to an employee whom an authority competent in that regard has decided to dismiss, remove or compulsorily retire from service, nor shall any leave be granted to an employee when he is under suspension.

(p) Subject to the provisions of Rule 39, no leave shall be granted to an employee beyond the date of the final cessation of his duties. whether on account of retirement upon superannuation, voluntary or compulsory retirement or resignation, or other cause and the Leave Account of the employee shall stand exhausted on such date:

37. Conditions of Earning and Grant of Leave

(a) Except as otherwise provided in the Rule of this Chapter, leave shall only be earned by the period spent on duty in the University.

Provided that the period spent by the employee on local deputation or in foreign service shall not count on duty except if contribution towards leave salary and pension or contributory provident fund is paid on his behalf for such period.

Provided further that any period of leave shall not be regarded as interruption of duty for the purposes of the said Rules, but any period of Extraordinary Leave, or of dies non, shall not be included for purposes of computing Earned Leave and Half-pay Leave.

(b) Except as otherwise provided in the said Rules, any kind of leave under the provisions thereof may be granted in combination with or in continuation of any other kind of leave, except Casual Leave and Special Casual Leave, subject to any limit on the aggregate period of absence that may be prescribed in such cases: '

Provided that Casual Leave may be granted in combination with, or in continuation of, Special Casual Leave:

Provided further that Compensatory Leave may be granted in combination with, or in continuation of Casual Leave or Special Casual Leave, or both, except where Compensatory Leave has been granted in combination with, or in continuation of. Any other kind of leave. '

(c) An employee granted Casual Leave or Special Casual Leave or Compensatory Leave taken in combination with, or in continuation of, Casual Leave or Special' Casual Leave, or both, in accordance with the provisions of clause (b), shall not be treated as absent from duty and his pay shall not be intermitted.

(d) The total period of continuous absence of an employee from duty on leave, or on local deputation or foreign service, shall not exceed three years, except in cases where, under the provisions of the said Rules

(i) leave is taken on medical grounds; or

(ii) permission has been granted by the Competent Authority, in special circumstances and for reasons to be recorded, for a longer period of absence. subject to the condition that the said total period of continuous absence does not exceed five years in any case.

e) Without prejudice to the provisions of clause (f) of Rule 36, the lien of an employee shall be deemed to have terminated, and he shall cease to be in the service of the University in case after, remaining on leave, whether of a particular kind or of all kinds taken together, for a continuous period of three years

(f) The Vice-Chancellor shall prescribe the norms, based on the approved strength of employees of any office in the University, for determining the maximum number of employees thereof who may, at any one time or concurrently, be allowed to avail of Extraordinary Leave and Study Leave.

38. Leave Salary, increments during Leave and effects of Leave:

(a) Except as provided elsewhere in the Rules of this Chapter, the Leave Salary during the period of-

(i) Earned Leave. Commuted Leave, Maternity Leave and Paternity Leave shall be equal to the pay drawn immediately before proceeding on such leave; and

(ii) Half-pay Leave or Advance Leave shall be equal to half the amount of the pay drawn immediately before proceeding on such leave; '

(iii) Study Leave shall be calculated in accordance with the permissions of Rule 45

(b) Leave Salary shall not be admissible for any period of Extraordinary Leave.

(c) Subject to the provisions of clause (f) of Rule 36, an employee who remains absent after the end of leave, or the expiry of local deputation or foreign service, shall not be entitled to Leave Salary for the period of such absence, unless leave is extended for such period by the Competent Authority on the application of the employee, and where the Competent Authority does not extend leave for the said period, but permits the employee to rejoin duty, such period shall be debited to his Leave Account as though it were on Half-pay Leave, to the extent such leave is due, and the period in excess of such leave shall be treated and recorded as Extraordinary Leave and shall be offset against the residual entitlement of the employee to Extraordinary Leave: .

Provided that where there is no such residual entitlement to Extraordinary Leave, such period shall be treated as a period of break in service.

(d) if any increment of pay falls due during

(i) any period of Casual Leave, Special Casual Leave or Compensatory Leave, it shall be admissible from the date it is due;

(ii) any period of leave, other than Casual Leave, Special Casual Leave or Compensatory Leave, or any period of local deputation or foreign service, the effect of increase of pay will be given, except in those cases where the leave concerned does not count for increment, from the date the employee resumes duty, without prejudice to the normal date of his increment:

(e) The period of any leave other than Extraordinary Leave and Study Leave, and of absence on local deputation or foreign service. shall count as service for purposes of pension and Contributory Provident Fund:

Provided that a period of Extraordinary Leave that has been permitted to be counted for increment. under clause (d). shall count as service for the said purposes:

Provided that a period of Study Leave shall count as service for the said purposes only if the employee rejoins the University on the expiry of such leave.

(l) An employee who is selected for appointment to a higher post while on leave shall be placed in such post. and the scale of pay assigned thereto, only after submitting the prescribed joining report upon resuming duties in the University upon the completion of the period of leave: -

Provided that in case such employee was on Casual Leave, Special Casual Leave or Compensatory Leave. the said joining report shall be deemed to be with effect from the date he would have submitted the same had he not been on such leave. and in such a case

any period of probation on the concerned post shall be, deemed to have commenced from the said date:

Provided further that an employee on any leave, other than Casual Leave, Special Casual Leave or Compensatory Leave. shall be entitled to be granted permission by the Competent Authority to return to duty before the expiry of the period of leave. In order to join a higher post to which he has been selected for appointment while on leave, but where such leave is on medical grounds such permission shall not be granted, except on the submission of a certificate of fitness: ' -

Provided also that in any case governed by the immediately preceding proviso, the employee shall join such higher post with effect from a date not earlier than the date of resuming duties in the University.

39. Cash equivalent of leave remaining at credit upon cessation of service:

(a) For the purposes of this Rule, the term "Earned Leave" means the number of days of Earned Leave taken together with the number of days of Half-pay Leave converted to Earned Leave at the rate of two days of Half-pay Leave for one day of Earned Leave, and the term "retirement" means retirement on superannuation;

(b) Subject to the provisions of clauses (c) to (h), no leave shall be granted to an employee beyond the date of his retirement.

(c) An employee may apply for, as leave preparatory to retirement, the grant of the whole or part the Earned Leave 'that, would be at credit in his Leave Account on the date of his retirement. subject to a maximum of 300 days, but such application must be submitted to the Competent Authority sufficiently in advance of the date on which the leave applied for is to commence. '

(d) An employee who was prevented from applying for leave preparatory to retirement, under the provisions of clause (c), by reason of being under suspension at the relevant time, but subsequently the authority competent to order re-instatement recorded the opinion or finding that the employee stood fully exonerated of the Charges that led to such suspension and that such suspension was wholly unjustified, may, where he was so re-instated before the date of his retirement, be allowed to apply for leave preparatory to retirement immediately after his re-instatement:

Provided that where such an employee was continuing under suspension on the date of his retirement, he shall be deemed to have applied for leave preparatory to retirement under the provisions of clause (c).

(e) In the interests of the University, the Competent Authority may deny, wholly or in part, the application of the employee for leave preparatory to retirement, under clause (c) or (d), or' may recall an employee, who has proceeded on such leave, to duty at any time before the date of his retirement.

(f) in any of the cases referred to in clause (e), the employee may be granted, after his retirement, the cash equivalent of the leave remaining at credit in his Leave Account on the date of retirement. as computed under the provisions of clause (b) subject to a maximum of 300 days:

Provided that this provision shall also apply to an employee referred to in the proviso to clause (d).

(g) An employee who was prevented from applying for leave retirement. under the provisions of clause (c). by reason of being under suspension at the relevant time. but was re-instated within 300 days preceding the date of his retirement, without the authority competent to order re-instatement recording an opinion or finding that such suspension was unjustified may he allowed to apply for leave preparatory to retirement immediately after his re-instatement. without prejudice to the right of the University to refuse' such application. Wholly or in part or to recall him to duty from such leave and in such case the employee may be granted after his retirement, the cash equivalent of the leave remaining at credit in his Leave Account on the date of retirement. subject to a maximum of 300 days reduced by the number of days between the date of such re-instatement and the date of his retirement.

(h) The basis for computing the cash equivalent referred to in clause (f) and (g) shall be the Leave Salary as on the date preceding the date of retirement by the number of days of leave for which the cash equivalent is being computed:

Provided that where the employee has been granted re-employment after retirement such cash equivalent shall not be paid. except alter the completion of the period of such re-employment.

Provided also that the payment of such cash equivalent shall be subject to the adjustment of the amount if any. due to the University on the part of the employee or recoverable from him. and for this purpose an appropriate part of the cash equivalent may be withheld pending such adjustment.

(i) In case an employee dies while in service. the cash equivalent of the Leave Salary that would have been admissible to the deceased employee had he proceeded on the date immediately following the date of death, on Earned Leave due to him. subject to a maximum of 300 days. shall be disbursed to his family as an ex gratia payment.

(j) Where the services of an employee are terminated by the University on account of the abolition of post or retrenchment. before the date of his retirement, the Earned Leave at credit in his Leave Account may be granted. subject to a maximum of 300 days at the discretion of the Vice Chancellor or the Governing Body as terminal benefit to him even if it has not been applied to or has not been refused in the interests of the University or the College, and in such a case the prescribed period of notice or, where the employee is relieved the expiry of such period the unexpired portion thereof shall run concurrently with the leave so granted:

Provided that such terminal benefit shall not be admissible in the case of dismissal or removal from service.

(k) Where an employee is declared before the date of his retirement by a medical authority to be completely and permanently incapacitated for further service the cash equivalent of the Earned Leave at credit in his Leave Account on the date of his invalidation from service, may be granted. subject to a maximum of 300 days. at the discretion of the Vice Chancellor or the Governing Body. as terminal benefit to him even if it has not been applied for, or has not been refused in the interests of the University.

Provided that the period of leave for which he is granted cash equivalent does not extend beyond the date of his retirement.

(l) Where an employee resigns his post, he shall ordinarily not be granted any leave. either prior or subsequent to the date of his resignation. but in case such resignation is for reasons of health, or for circumstances beyond the control of the employee. The Earned Leave at credit in his Leave Account may be granted. subject to a maximum of 150 days at the discretion of Vice-Chancellor and in such a case the prescribed period of notice or, where the employee is relieved before expiry of such period, the unexpired portion there-of shall run concurrently, with leave so granted.

Provided that the provision shall subject to the rules governing voluntary retirement, also apply to a case of voluntary retirement of an employee.

PART IV: Provisions governing different kinds of leave

40. Casual Leave. Special Casual Leave and Compensatory Leave:

(a) An employee shall be eligible for not more than fourteen days of Casual Leave in Leave Year and non working days falling within any period of Casual Leave shall not be counted as part thereof:

Provided that the Vice-Chancellor may prescribe for the University the maximum number of days of Casual Leave that may be taken at any one time and also prescribe that maximum number of non-working days falling within any period of Casual Leave that may not be so counted:

Provided that where an employee joins the service of the University or the College after the commencement of the Leave Year the quantum of Casual Leave shall be determined on pro rata, i. e. proportionate basis in accordance with the period of service within the Leave Year.

(b) Special Casual Leave may be granted

(i) to an employee for undergoing a sterilisation. or re-canalisation. Operation under the Family Planning programme. for a period not exceeding six days in a Leave Year; or

(ii) to a female employee for undergoing non-puerperal sterilisation. for a period not exceeding ten days in a Leave Year:'

Provided that Special Casual Leave shall not be admissible for a re-canalisation operation. except if the employee has been left with no or only one surviving child. on account of the death of off-spring.

Provided further that where the authorised Medical Officer of the approved Hospital. where the procedure referred to in serial number (ii) is to be conducted certifies that a longer period of leave is essential on medical grounds. the limit of days may be raised to not more than fourteen days in a leave Year.

(c) Special Casual Leave may also be granted to an employee

(i) summoned to serve as Juror or Assessor or to give evidence before a Court of Law as a witness in a civil or criminal case in which his private' interests are not at issue, to an extent sufficient to cover the period of absence necessary:

(ii) deputed. in the interests of the University for attending short-term training, or refresher courses or other such programmes or for work, connected with the University his duties there at in other institutions or establishments; or

(iii) where he is prevented from attending office during civil disturbances, curfews or strikes.

(d) Where an employee has, under the previous orders of the functionary-in-charge, attended office on a non-working day, except in such attendance was imposed on him as a penalty or for clearing, arrears for which he was personally responsible, he may be granted Compensatory Leave for each day of such attendance, and such leave shall be required to be availed of within a period of four months of its becoming due:

Provided that not more than two days of Compensatory Leave may be availed of at a time and non-working days falling within any period of such leave shall not be counted there-of.

41. Earned Leave and Half pay Leave:

(a) To the Leave Account of each employee shall be credited 15 days of Earned Leave at the beginning of each half-Leave Year subject to the following conditions:

(i) in the case of an employee on probation. not being an employee who has a lien on a permanent post in the University or the College, or a temporary employee appointed on regular basis such credit shall be at the rate of 2 ½ days for each completed month of service that is likely to be rendered in the half-Leave Year concerned:

(ii) in the case of an employee who is due to retire or resigns from service in the course of the half-Leave Year concerned. such credit shall be at the rate of 2 ½ days for each completed month of service in such half-Leave Year to the date of retirement or resignation:

Provided that in case the Earned Leave already availed of by an employee who resigns from service is more than the credit so due to him necessary adjustment should be made in respect of Leave Salary overdrawn if any):

(iii) such credit shall be reduced by one-tenth of the period of Extraordinary Leave availed of during the previous half-Leave Year, subject to a maximum reduction of 15 days. and by one-tenth of the period dies-non if any in the previous half-Leave Year.

(iv) in computing such credit. in relevant cases. fractions of a day shall be rounded off to the nearest day:

(v) subject to the provisions of clause (e) of Rule 38. the maximum amount of Earned Leave that may be granted to an employee at a time shall be 180 days and

(vi) Earned Leave at the credit of an employee shall not accumulate beyond 300 days:

Provided that where the Earned Leave at credit at the end of any half Leave Year is 300 days or less but more than 285 days the advance credit of 15 days Earned Leave on the first day of the immediately ensuing half- Leave Year shall instead of being afforded to the Leave Account. be kept separately and first adjusted against the Earned Leave that the employee takes during the said ensuing half-Leave Year and the residue thereof. If any. shall be credited to the Leave Account at the close of the said half-Leave Year. such that the balance in the Leave Account does not exceed 300 days.

(b) The Half-pay Leave admissible to an employee shall be twenty days for each completed year of service and may be granted on medical certificate or for private affairs.

Provided that the principles underlying the provisions of serial numbers (i),(ii) and (iii) of clause (a) shall mutatis mutandis: apply to the credit of Half-pay Leave to the Leave Account:

Provided further that Half-pay leave shall not be admissible to an employee in temporary appointment, except on medical certificate.

42. Commuted Leave and Advance Leave:

(a) Commuted Leave not exceeding half the amount Half pay Leave at credit in the Leave Account may be granted to a permanent employee on medical certificate subject to the following conditions

(a) Commuted leave may be granted at the request of the employee even when Earned Leave is due to him:

(ii) Commuted Leave shall be limited to a maximum of 240 days during the entire service.

(iii) when Commuted Leave is granted. twice the amount of such leave shall debited against the Half-pay Leave at credit in the Leave Account: and

(iv) the total duration of Earned Leave and Commuted Leave taken in conjunction shall not exceed 240 days at a time:

Provided that Commuted Leave shall not be granted. Except till the Competent Authority has reason to believe that the employee shall return to duty on the expiry thereof. ' .

(b) Where an employee who has been granted Commuted Leave resigns from service or is at his request, permitted to retire voluntarily without returning to duty the Commuted Leave shall be treated as Half-pay Leave, and the difference between the Leave Salary in respect of Commuted Leave and Half pay Leave shall be recovered.

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the employee for further service or in the event of his death.

(c) Advance Leave may at the discretion of the Competent Authority, be granted to a permanent employee for a period not exceeding 180 days at a time, and 360 days in all during the entire tenure of his service, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate.

(d) Advance Leave shall be debited against the Half-pay Leave earned by the employee subsequently:

Provided no Half-pay Leave shall be due to an employee after return from Advance Leave until the expiration of a fresh period spent on duty sufficient to earn a credit of leave equal to the debit balance in his Leave Account.

(e) Advance Leave shall not be granted, except if the Competent Authority is satisfied that as far as can reasonably be foreseen, the employee shall return to duty on the expiry of the leave and earn the leave granted.

(f) An employee to whom Advance Leave is granted shall not be permitted to tender his resignation, or seek voluntary retirement, from service so long as the debit balance in his leave account is not wiped off by active service, or he refunds the amount paid to him as pay and allowances for the period of Advance Leave availed of by him

Provided that where retirement is unavoidable for reasons of ill health incapacitating the employee for further service, or in the event of the death of the employee the refund of leave salary for the period of leave still to be earned may be waived by the Competent Authority

Provided further that the Competent Authority may also, in any other exceptional case, waive for reasons to be recorded, the refund of leave salary for the period of leave still to be earned.

(g) The Competent Authority may, at its discretion and with the approval of the Board of Management grant Advance Leave to a temporary employee appointed on regular basis, who is undergoing treatment in a recognized hospital for a chronic or infectious disease of a serious nature or a potentially life-threatening condition for a period not exceeding 180 days in all subject to the provisions of clauses (d) (e) and (f) and to the following further conditions-

(1) that the employee has put in a service of at least one year;

(2) that the post from which employee proceeds 'on leave is likely to last till his return to duty:

(3) that the request for grant of such leave is supported by a medical certificate and

(4) that where the employee is subsequently appointed on permanent basis The leave so granted shall be offset against his entitlement to Advance Leave.

43. Maternity Leave and Paternity Leave:

(a) Maternity Leave may be granted to a female employee with less than two surviving children for a period of not exceeding 180 days from the date of its commencement and shall not be availed of no more than twice in the entire career of the employee

Provided that the female employee who is left with no or only one surviving child on account of the death of off-spring but has exhausted the entitlement to Maternity Leave be granted Maternity Leave under this provision:

Provided further that Maternity leave may also be granted to a female employee in case of miscarriage including abortion on an application supported by Medical Certificate subject to the maximum limit of 45 days during the entire tenure of service.

(b) A male employee with less than two surviving children may be granted Paternity Leave of not more than 15 days during the confinement of his wife to child-birth i.e the period commencing from a date not earlier than 15 days before and not later than two months from the date of delivery of the child:

Provided that Paternity Leave shall be treated as lapsed in case it is not availed to during the said period.

44. Extraordinary Leave:

(a) Any permanent employee may subject to the provisions of clauses (b) to (h) be granted extraordinary Leave when

(i) no other leave is admissible: or

(ii) other leave is admissible but the employee applies in writing for the grant of Extraordinary leave

(b) Subject to the provision of clause (c). a permanent employee including an employee on probation who has a lien on a permanent post in the University may be sanctioned extraordinary Leave at the discretion of the Competent Authority but in no case except where Extraordinary Leave is applied for on Medical Certificate shall the amount of Extraordinary Leave granted to the employee exceed the quantum of the completed years of service put in by him.

(c) Extraordinary Leave shall not be granted for a period of more than two years at a time but such period may be extended for a further period of one year in case the Competent Authority is satisfied that the interests of the University are not prejudiced by such extension:

Provided that the total period Extraordinary Leave including period of absence on deputation or foreign service shall not exceed five years during the entire tenure of service of the employee in the University.

(d) Where an employee on probation is granted Extraordinary Leave the period of such leave shall be excluded in computing the period of service on probation and any such exclusion shall not be regarded as implying the extension of the period of probation.

(e) Extraordinary Leave shall count for increment in the following cases

(i) where such leave was taken on medical certificate:

(ii) where the Vice-Chancellor with the approval of the Chairperson is satisfied that such leave was taken in the absence of any other kind of leave in the Leave Account of the employee due to causes beyond his control such as inability to join or rejoin duty due to civil commotion or a natural calamity: or

(iii) where such leave was taken for prosecuting special studies or training of a technical or professional nature in a field directly related to the work or duties of the employee in the University and the employee submits details affirming the fulfillment of the purposes for which he was granted such leave to the satisfaction of the Competent Authority.

(f) Where an employee applies for Extraordinary Leave for taking employment elsewhere he shall be required to intimate the terms and conditions of such employment along with his application. and in case Extraordinary Leave is granted on such application. such leave. and the lien or the employee. shall not continue beyond the period of probation (included any extension of probation) on the said employment:

Provided that such employee shall be required to forthwith give intimation to the Competent Authority of any extension or termination of his probation. and of his confirmation. as the case may be. in such employment: .

Provided further that where the employee has been denied confirmation in such employment. or has voluntarily relinquished such employment prior to his confirmation thereon. he shall forthwith give intimation to the Competent Authority and shall, with the permission of the Competent Authority. report to the University for resuming duties and his Extraordinary Leave and lien shall continue till the date he resumes service in the University.

(g) An employee who has been granted lien on his substantive post in the University or while on employment elsewhere shall be required to pay lien fees to the University for the duration of such lien. at the rate determined by the Board of Management after consulting the Finance Committee.

(h) Notwithstanding any other provision of the Rules of this Chapter or any other Rule or of any Ordinance where an employee is confirmed in at substantive appointment elsewhere. his lien shall terminate on and he shall cease to be in the service of the University from. the effective date of such confirmation.

(i) In the case of a temporary employee the duration of Extraordinary Leave on any occasion shall not exceed the following limits

(i) three months at a time

(ii) six months in case the employee has completed three years of continuous service and the leave application is supported by a medical certificate:

(iii) eighteen months where the employee is undergoing treatment in a recognized hospital for a chronic or infectious disease of a serious nature or a potentially life threatening condition:

Provided that extraordinary Leave shall not be granted under the provisions of serial number (ii) or (iii) except if the employee has put in continuous service of not less than one year: '

Provided further that in no case except where Extraordinary Leave is applied for on medical certificate shall the amount of Extraordinary Leave granted to a temporary employee exceed the quantum of the completed years of service put in by him.

(j) Where a temporary employee fails to resume duty on the expiry of the extraordinary Leave granted to him for the maximum period permissible under clause (i) he shall unless the Board of Management or the Governing Body in view of the exceptional circumstances of the case. otherwise determines; be deemed to have resigned his appointment and shall accordingly cease to be in the service of the University.

45. Study Leave:

(a) Study leave may be granted to a permanent employee with not less than three years of continuous service in the University for pursuing higher studies in subject or special studies or training of a technical or professional nature, directly related to his work or duties in the University or the College as proposed in the detailed plan work to be submitted with the application for such leave:

Provided that the period during which the employee was on probation. prior to confirmation on his current post may be included in computing the length of such continuous service:

Provided further that in exceptional circumstances for reasons to be recorded the Competent Authority may waive the condition of the required service of three years being continuous.

(b) The detailed plan of work referred to in clause (a). shall inter-alia specify the course of study or programme of training (hereafter in this Rule referred to as "(The Project)" to be pursued by the employee under Study Leave. and the institution or establishment. or institutions or establishments where such project is to be undertaken:

Provided that the project shall be pursued in institutions or establishments in India but in the case of a member of the academic staff classified in Group A or Group B the Competent

Authority may permit the project to be pursued in an institution or establishment outside India in case it is satisfied that facilities for the pursuit of the project are not available within India.

(c) Study Leave shall not be admissible to an employee who is due to retire or superannuation within five years of the date on which he is expected to return to duty after the expiry of Study Leave.

(d) Study Leave shall be granted in the first instance for a period of not more than two years but the Competent Authority may after considering the progress report submitted by the employee, along "with the recommendation in that regard of the supervisor of the project, and being satisfied that such extension is unavoidable on academic grounds and necessary in the interests of the University extend the same for a further period such that the total period of the initial and extended leave does not exceed three years.

(e) Study Leave may be granted not more than twice during the entire career of the employee, subject to the maximum limit of five years for the periods of Study Leave taken together:

Provided that the Competent Authority may, in its discretion deny the grant of Study Leave to an employee who has availed of it earlier. except if such employee has served the University or the College for a period of not less than five years after return to duty from the earlier period of Study Leave:

Provided further that where the number of employees of an office in the University or of a College, who have applied for Study Leave, exceeds the number of employees eligible to be granted such leave under the norms specified in clause (f) of Rule 37 the Competent Authority may give preference to employees who have not availed of Study Leave earlier or have completed the period of not less than five years referred to in the preceding proviso.

(f) The Study Leave granted to an employee shall be deemed to be cancelled in case it is not availed of within four months of its sanction, but such cancellation shall not deprive the employee of the opportunity to apply afresh for such leave.

(g) An employee who has been granted Study Leave shall not be permitted to alter substantially the project for which it has been granted. except with the approval of the Competent Authority.

(h) Where an employee combines Study Leave with any other kind of leave permissible for the purpose under the Rules of this Chapter, the total period of absence from duty, on account of Study Leave and any other leave taken in conjunction with it shall not exceed three years. '

(i) Where the remuneration, i. e. the Scholarship, Fellowship or other stipend to be drawn by the employee for the project

(i) is not more than the pay drawn immediately before proceeding on Study Leave the leave salary during the period of such leave shall be equal to the said pay

or

(ii) exceeds the pay drawn by the employee immediately before proceeding on Study Leave.
and

1. the Study Leave is being availed of in India no leave salary shall be admissible or

2. the Study Leave is being availed of abroad, such remuneration shall be taken into account in determining the leave salary but the amount of the said remuneration shall not be offset against the admissible leave salary except in-case, the said remuneration is above specified amount to be determined for the University Vice-Chancellor from time to time on the basis of the cost of living for a family in the country concerned.

(j) An employee on Study Leave shall submit to the Registrar at intervals of six months reports of his progress in the project endorsed by the supervisor there of and where such report does not reach the Registrar within one month of the date on which it is due the payment of the leave salary of the employee may be deferred till the receipt of such report:

Provided that where the project is not formally under a supervisor the Head of the Institution or establishment there the project is being undertaken. or a person in the service of the institution or establishment specified by the Head in that regard shall be deemed to be the supervisor of the project for the purposes of this clause.

(k) An employee availing of Study Leave shall serve the University after his return to duty upon the expiry thereof for a continuous period of not less than three years from the date of such return:

Provided that the employee shall submit with the application for Study Leave an undertaking to fulfil the requirement of this provision.

(l) An employee granted Study Leave shall before proceeding on such leave execute a bond in favour of the University binding himself for the due fulfilment of the conditions prescribed in clauses (i) and (m) and other clauses and furnish in affirmation thereof, security of immovable property to the satisfaction of the Finance Officer or the Treasurer of the Governing Body or a fidelity bond of an insurance company, or a guarantee by a scheduled bank. or the surety of two confirmed employees of the University or the College including an employee on probation holding lien on a permanent post therein not being employees due to retire within five years of the execution of such surety for the payment of the amount that might become refundable "to the University or the College in accordance with the provisions of clause (O).

(m) Where the project is completed before the end of the period of Study Leave the employee shall, on the conclusion thereof resume duty at the University except if the previous approval of the Competent Authority has been obtained to defer the resumption of duty for the remaining portion of Study Leave. or any part thereof, and in such a case the interval between the date of the completion of the project and the date of resumption of duty shall be treated as a period of Extraordinary Leave.

(n) An employee on Study Leave, who is prematurely discharged from the project by the institution or establishment concerned or by the agency funding the remuneration referred to in clause (i), or withdraws from the project of his own accord

- i. shall forthwith return to duty; and
- ii. shall be deemed as having exhausted one of the admissible periods of Study Leave:

Provided that the condition at serial number (ii) shall not apply where the discharge or withdrawal of the employee from the project is on medical Certificate

(o) An employee who, after proceeding on Study Leave

- i. prematurely withdraws, or is discharged from the project except on medical certificate;
- ii. fails to return to duty after the expiry of Study Leave;
- iii. after returning to duty on the expiry of Study Leave, leaves the service of the University without completing the period of further service prescribed by clause (l) or
- iv. is, on grounds of misconduct, dismissed or removed from the service of the University within the prescribed period referred to in serial number (iii) shall be liable to refund to the University or the College the amount of leave salary and allowances drawn by him and other expenses incurred on him, or paid to him or on his behalf. in connection with the project

(p) An employee who has availed of Study Leave shall submit. upon return to duty. A report affirming the fulfilment of the purposes for which he was granted such leave, including the details of his studies or training during the period of the project, and of any dissertation or report submitted by him and any academic distinction conferred on him for the project, and a testimonial from the supervisor of the project.

46. Deputation:

(a) The Competent Authority for Extraordinary Leave may, on a request to that effect from a foreign Government, or the Central or a State Government, or on such request from, or in pursuance of any agreement or arrangement with, any authority, establishment, institution or organization entitled for the purpose grant permission to a confirmed employee, to serve such Government or such authority, establishment institution or organization, on deputation from the University.

(b) The Competent Authority may, in special circumstances arising from a request from any Government, authority, establishment institution or organization referred to in clause (a) for making available the services of a particular employee on probation holding a lien on a permanent post in the University, permit such employee to proceed on deputation in accordance with the provisions of this Rule.

(c) The grant of permission for service on deputation, under the provisions of clause (a), shall be subject to the following terms and conditions

- i. such permission shall not be available as a rule, or as of right, to an employee, and shall not be granted, except if the Competent Authority is satisfied that it would serve to promote international relations or the larger interest of the country or the cause of higher education or educational or institutional administration:

Provided that such permission shall not be given if the emoluments admissible to the employee on foreign service are much more than his emoluments in the University or the College to the extent that foreign service is rendered appreciably more attractive than the service of the University.

- ii. the total period of service on deputation or foreign service admissible to an employee shall not exceed three years in the entire tenure of service of the employee in the University
- iii. the employee proceeding on deputation shall give an undertaking by executing a bond, in the manner specified in clause (L) of Rule 45, to the effect that he would serve the University after return from deputation, on the post held by him at the time of proceeding on deputation, or in any other post not lower than the same, as may be required by the University for twice the period of deputation, subject to a maximum of five years from the date of resuming duties, and in default pay to the University an amount equal to ten times the monthly pay that he was drawing at the time of proceeding on deputation; and
- iv. the contributions, referred to in the proviso to clause (a) of Rule 37, for the period of deputation or foreign service, shall

for contributory provident fund, be paid by the employee, in respect of his subscription, at the rates at which he would have subscribed while in/the service of the University and by the employer being served by the employee on deputation or foreign service, in respect of the contribution of the University, at the rates at which the contribution of the University to the said fund is payable; and for leave salary and pension, be paid by the employer being served by the employee on deputation or foreign service, at the rates laid down by the Board of Management in consultation with the Finance Committee. for employees of the University and the Colleges.

(d) The principles underlying the provisions of clauses (a), (b) and (c) shall mutatis mutandis shall apply to cases of local deputation of employees.

47 Leave Rules for Part-time Employees and Contractual Engagees:

(a) The provisions in respect of leave for Part-time Employees shall be laid down by the Board of Management

(b) The provisions in respect of leave for contractual engages shall be as determined by the contract of their engagement.

CHAPTER V

CONDUCT

Part I : Interpretation

48. interpretation:

(a) In this Chapter, unless the context otherwise requires

(i) "Employee" means the person appointed by the University to any post in the University and includes an employee on foreign service or an employee whose services are temporarily placed by the University at the disposal of another University or any other authority, notwithstanding that his salary is drawn from sources other than the funds of the University

(ii) "Members of family" in relation to an employee includes

(1) the wife or husband of the employee whether residing with the employee or not; but does not include a wife or husband, as the case may be, separated from the employee by a decree or order of a competent court

(2) the son or daughter or step-son or step-daughter of the employee wholly dependent on him, but does not include a child or step-child who, is no longer in any way dependent on the employee, or of whose custody the employee has been deprived by or under any law; and

(3) any other person related, whether by blood or marriage, to the employee or to the employee's wife or husband and wholly dependent on the employee;

(iii) "Prescribed Authority" means the Vice-Chancellor the authority prescribed by the Board of Management or the Governing Body for the purpose of the Rules of this Chapter as a whole, or for any individual Rule thereof.

(b) If any question arises relating to the interpretation of the Rules of this Chapter, it shall be referred to the Board of Management which shall decide the same.

Part II: Rules

49. General Conditions:

(a) Every employee shall at all times

(i) maintain absolute integrity;

(ii) show devotion to duty;

(iii) desist from committing, or aiding or abetting the commitment of sexual harassment; and

(iv) do nothing that is unbecoming of an employee of the University

(b) Every employee, holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority.

(c) No employee shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgment, except when he is acting under the direction of his official superior and shall, where he is acting under such direction, obtain the direction in writing, wherever practicable and, where it is not practicable to obtain the direction in writing, shall obtain written confirmation of such direction as soon thereafter as possible: ‘

Provided that nothing in this clause shall be construed as empowering an employee to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the delegation of powers and responsibilities.

(d) Unless otherwise stated specifically in the terms of appointment, every whole-time employee may be called upon to perform such duties as may be assigned to him by the Competent Authority, beyond scheduled working hours and on closed holidays and Weekly closed days.

(e) An employee shall observe the scheduled hours of working, during which he must be present at the place of his duty.

(f) Except for valid reason and or unforeseen contingencies, no employee shall be absent from duty without prior permission, and where an employee absents himself from duty without prior permission for a continuous period of 90 days, he shall be treated as absconding from duty and his services be deemed as terminated.

50. Joining of Associations by Employees:

No employee shall join, or continue to be a member of, an association, the objects or activities of which are prejudicial to the interests of the University or of public order, decency or morality.

51. Demonstration and strikes:

No employee shall engage himself or participate in any demonstration, including a sit-in (or dharna), or strike which is prejudicial to the interests of the University or of public order, decency or morality, or in violation of law or the rules made by the Board of Management or the Governing Body, or involves contempt of court or defamation or incitement to an offence.

52. Connection with Press, Radio or other Media:

No employee shall

(i) except with the previous sanction of the University own wholly or in part, or conduct, or participate in the editing or management of any newspaper or periodical publication or other medium of communication and

(ii) except with the previous sanction of the University or of the Prescribed Authority, or in the bona-fide discharge of his duties participate in a radio broadcast, or contribute any article or write any letter to any newspaper or periodical publication or write a book or pamphlet, either in his own name, or anonymously or pseudonymously, or in the name of any organisation: ,

Provided that no such sanction shall be required if such broadcast. or such contribution or writing, is of a purely literary. artistic or scientific character.

Explanation: For the purposes of this Rule, 'Radio broadcast' includes a television telecast and "newspaper or periodical publication" includes the Internet.

53. Representation:

(i) Whenever an employee wishes to put forth any claim or seek redress of any grievance or any wrong done to him, he must forward his case through proper channel and shall not forward any advance copy of his application to any higher authority, unless the lower authority has rejected the claim, or refuse; relief, or the disposal of the matter is delayed by more than three months.

(b) No employee shall, in contravention of the rules made by the Board of Management or the signatory to any joint representation addressed to the authorities for redress of any grievance or for any other matter.

54. Evidence before a Committee for any other authority:

(a) Save as provided in clause (c), no employee shall, except with the previous sanction of the University give evidence in connection with any enquiry conducted by any person, committee or authority.

(b) Where any sanction has been accorded under clause (a), no such employee giving such evidence shall criticize the policy or any action of the University, or the Government.

(c) Nothing in this ,Rule shall apply to

(i) The evidence given at an enquiry before an authority appointed by the Visitor, the Vice-Chancellor, Government and Parliament or any Stage Legislature; or

(ii) The evidence given in any judicial enquiry; or

(iii) The evidence given in any departmental enquiry ordered by authorities subordinate to the Vice-Chancellor.

55. Unauthorised communication of information:

No employee shall, except in accordance with any general or special order of the University or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document, or any part thereof, or information to any other employee or any other person to whom he is not authorised to communicate such document or information.

56. Subscription:

No employee shall, except with the previous sanction of the University or the College or of the prescribed authority, ask for or accept contributions to, or otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance of any object whatsoever except for a bona fide purpose, e. g. for Reception/farewell of a member of the University staff or for financial assistance to such member or his family in distress.

57. Private Trade or Employment:

(a) No employee shall, except with the previous sanction of the University, engage directly or indirectly in any trade or business or undertake any other employment:

Provided that an employee may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer, but shall not undertake, and shall discontinue, such work if so directed by the University

Provided further that canvassing by an employee in support of the business or insurance agency, commission agency, etc., owned or managed by his wife or any other member of his family shall be deemed to be a breach of this clause.

(b) Every employee shall report to the University if any member of his family is engaged in a trade or business or owns or manages an insurance agency, commission agency, etc.

(c) No employee shall without the previous sanction of the University or the College, except in the discharge of the official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force or of any co-operative society for commercial purposes.

Provided that an employee may take part in the registration, promotion or management of a co-operative society, substantially for the benefit of the employees registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force, or a literary, scientific or charitable Society registered under the Societies Registration Act, 1861 (2 of 1861) or any corresponding law in force.

(d) No employee may accept any fee for any work done by him for any public body or any private person without the sanction of the prescribed authority.

58, insolvency and habitual indebtedness:

An employee shall so manage his private affairs as to avoid insolvency or habitual indebtedness, and where any legal proceeding is instituted against an employee for the recovery of any debt due from him, or for adjudging him as an insolvent, he shall forthwith report the facts of such legal proceeding to the University :

Provided that the burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise or ordinary diligence, the employee could not have foreseen, or over which he had no control, and had not proceeded from extravagant or dissipated habits, shall be upon the employee.

59. Vindication of acts and character of employees:

(a) No employee shall, except with the previous sanction of the University, have recourse to any court or to the press for the vindication of an official act which has been the subject matter of adverse criticism or an attack of a defamatory character.

(b) Nothing in this Rule shall be deemed to prohibit any employee from vindicating his private character or any act done by him in his private capacity, and where any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit a report to the prescribed authority regarding such action.

60. Canvassing of non-official or other influence:

No employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the University.

61. Bigamous marriages:

(a) No employee who has a wife or husband living shall enter into another marriage without first obtaining the permission of the University notwithstanding that such subsequent marriage is permissible under the personal law for the time being, applicable to him.

(b) No employee male or female shall marry any person who has a husband or wife, as the case may be, living without first obtaining the permission of the University, and such permission shall not be given where the proposed marriage is not sanctioned by the law.

62. Delegation of Powers:

The Board of Management, may by general or special order, direct that any power exercisable by it under the Rules of this chapter, except the power under clause (b) of Rule 48, shall subject to such conditions, if any as may be specified in the order, be exercisable also by such officer or functionary or authority as may be specified in the order.

CHAPTER VI
PENALTIES & APPEALS
PART I: INTERPRETATION AND APPLICATION

63. Interpretations:

In this Chapter and Chapter VII, unless the context otherwise requires —

(i) Appointing Authority means the authority empowered to –make appointment in a cadre, as categorized under clause (a) of Rule 5, in which the employee is for the time being included;

(ii) “Disciplinary Authority”,_ in relation to the imposition of penalty on an employee, means the authority competent under these rules to impose on him any of the penalties specified in Rule 67; and

(iii) “Employee” means any person

(1) in the service of the University, who is a member of a cadre of one of the categories of posts created under the University, and includes’ any such person, on foreign service or whose services are temporarily placed, by the University, at the disposal of another University, any other authority, notwithstanding that his salary is drawn from sources other than the funds of the University; and

(2) in the service of the Central Government or the State Government, or a local or other authority, or" any other autonomous body, whose services are temporarily placed at the disposal of the University.

64. Application:

(a) The Rules of this Chapter shall apply to all employees except a person engaged on Non-regular, casual or contractual basis.

(b) If any doubt arises whether the Rules of this Chapter, or any of them, apply to any person, or whether any person to whom the said Rules apply belongs to a particular cadre, the matter shall be referred to the Board of Management which shall decide the same. .

65. Protection of rights and privileges conferred by agreement:

Nothing in these Rules shall Operate to deprive an employee, referred to in sub-clause (2) of clause (iii) of Rule 63, of any right or privilege to which he is entitled by the terms of the agreement, subsisting between the University and the entity that has placed his services at the disposal of the University under which his services have so been placed.

66. Suspension:

(a) The appointing authority, or any other authority empowered by the University in that regard, may place any employee under suspension

(i) where a disciplinary proceeding against him is contemplated or is pending;

or

(ii) where a case against him in respect of any criminal offence is under investigation or trial.

(b) An employee shall be deemed to have been placed under suspension by the authority competent to do so .

(i) with effect from the date of his detention, if he is detained in custody. whether on a criminal charge or otherwise, for a period exceeding forty-eight hours;

(ii) with effect from the date of his conviction, if, in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired from service consequent to such conviction:

Provided that the period of forty-eight hours referred to in serial number (ii) of this provision shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any. shall be taken into account.

(c) Where

(i) a case against an employee in respect of any criminal offence is under trial, it shall be the duty of the employee to inform the University about the said fact as soon as he comes to know about it; and ,

(ii) an employee is detained in custody for a period exceeding 48 hours, it shall be the duty of the employee to inform the University about the said detention at the earliest available opportunity.

(d) Failure to supply the information as required under clause (b) shall be regarded as misconduct on the 'part of the employee rendering him liable for disciplinary action on that ground alone. ~

(e) An order of suspension made or deemed to have been made under this Rule shall continue to remain in force until it is modified or revoked by the authority, which made, or is deemed to have made, it, or by any superior authority.

Part III : Penalties and Disciplinary Authorities '

67. Penalties:

(a) The following minor penalties, as specified in sub-clauses (i) to (iv), and major penalties, as specified in sub-clauses (v) to (ix), may, for good and sufficient reasons, be imposed on an employee

(i) censure;

(ii) withholding of increments of pay;

(iii) recovery from pay of the whole or part of any pecuniary loss, caused to the University by negligence or breach of the rules of the University or of orders or directions of superior authorities;

(iv) Withholding of promotion;

(v) reduction to a lower stage in the time-scale of pay for a specified period, with further directions as to whether or not

(1) the employee shall earn increments of pay during the said period;

(2) such reduction shall have the effect of postponing the future increments of the pay of the employee;

(vi) reduction, to a lower timescale of pay, grade or post, which shall ordinarily be a bar to the promotion of the employee, with or without further directions regarding the conditions of the restoration of the employee to the time-scale of pay, grade or post from which he was reduced and his seniority and pay on such restoration;

(vii) compulsory retirement;

(viii) removal from, or termination of, service;

(ix) dismissal from service

(b) The following shall not amount to a penalty within the meaning of this Rule namely

(i) administration of a warning or a caution to exercise due care in future;

(ii) stoppage of an employee at the Efficiency Bar in the time-scale of pay on the ground of his unfitness to cross the Bar; "

(iii) re-determination of the time-scale of pay and consequential benefits of an employee under the provisions of clause (b) of Rule 24

(iv) non-promotion of an employee, whether in a substantive or officiating capacity, after consideration of his case for promotion to a grade or post to which he may be eligible; .

(v) reversion of an employee, appointed on probation to any other grade or post, to his permanent grade or post during, or at the end of the period of probation in accordance with the terms of his appointment, or the rules and orders governing such probation;

(vi) reversion of an employee officiating in a higher grade or post to a lower grade or post, on the ground that the employee is considered to be unsuitable for such higher grade or post or on any administrative ground unconnected with conduct;

(vii) recall of an employee from local deputation or foreign service, in accordance with the exigencies of service or otherwise;

(viii) re-placement of the services of an employee, whose services had been borrowed from an outside authority, at the disposal of such authority;

(ix) compulsory retirement of an employee in accordance with the provisions relating to his superannuation or retirement;'

(x) termination of the services

(1) of an employee appointed on probation during or at the end of the period of his probation, in accordance with the terms of his appointment or the rules and orders governing such probation;

(2) of a temporary employee in accordance with the rules made in this behalf by the University; or

(3) of an employee engaged under an agreement, in accordance with the terms of such agreement.

68. Disciplinary Authorities:

(a) The Board of Management or the Governing Body may impose on an employee any of the penalties specified in clause (a) of Rule 67.

(b) The Vice-Chancellor may impose on an employee of Group D, as categorized under clause (a) of Rule 5, any of the penalties specified in clause (a) of Rule 67:

Provided that the Registrar may impose on such employee any of the penalties specified in sub-clauses (i) and (ii) of the said clause (a).

(c) The Vice-Chancellor may impose on an employee not being on employee referred to in clause (b) any of the penalties specified in sub-clauses (i) to (iv) of clause (a) of Rule 67.

69. Authority to institute proceedings:

(a) The Board of Management may or any other authority empowered by it by general or special order may

(i) institute disciplinary proceedings against any employee

(ii) direct a Disciplinary Authority to institute disciplinary proceedings against an employee on whom that Disciplinary Authority is competent to impose under the Rules of this Chapter any of the penalties specified in clause (a) of Rule 67.

(b) A Disciplinary Authority competent under the Rules of this Chapter to impose any of the penalties specified in sub-clauses (i) to (iv) of clause (a) of Rule 67 may institute disciplinary proceedings against any employee for the imposition of any of the penalties specified in sub-clauses (v) to (ix) of the said clause (a) notwithstanding that such Disciplinary Authority is not competent under the said Rules to impose any of the latter penalties:

Provided that the Vice-Chancellor (or in his absence the person performing his duties) or as the case may be may institute disciplinary proceedings against any employee:

Provided further that the Registrar (or in his absence the person performing his duties) may institute disciplinary proceedings against any employee of Group D. as categorized under clause (a) of Rule 5.

Part IV: Procedure for imposing Penalties

70. Procedure for imposing Major Penalties:

(a) No order imposing on an employee any of the penalties

(i) specified in sub-clauses (i) to (iv) of clause (a) of Rule 67 shall be made. except after informing the employee in writing of the proposal to take action against him, and of the imputations of misconduct or misbehavior on which such action is proposed to be taken. and giving a reasonable opportunity of making such representation as he may wish to make against the proposal:

Provided that where the Disciplinary Authority of the opinion that the case is such that an enquiry is necessary. it shall proceed in the matter in accordance with the provisions of clauses (b) to (w) and of Rule 72:

Provided further that where the Disciplinary Authority is after the completion of the enquiry under the preceding proviso, of the opinion that the case is such that the penalties specified in sub-clauses (v) to (ix) of clause a) of Rule 67 should be imposed, but is not competent to impose any such penalty it shall forward the matter to the competent Disciplinary Authority for further action in the manner laid down in clause (x).

(ii) specified in sub-clauses (v) to (ix) of clause (a) of Rule 67 shall be made, except after such enquiry as may be held, in the manner provided in clauses (b)to (w) and Rule 71:'

Provided that no disciplinary proceeding against an employee shall be stayed or discontinued on the ground that criminal proceedings have been instituted against him on the same (or similar) charge or charges. except where a Court of competent jurisdiction directs otherwise:

Provided further that no penalty imposed on an employee shall be reconsidered or revoked merely on the ground that criminal proceedings instituted against him. on the same (or similar) charge or charges, have led to his acquittal.

(b) Whenever the Disciplinary Authority is 'of the opinion that there are grounds for enquiry into the truth of. any imputation of misconduct or misbehavior against an employee, it may itself enquire into, or appoint an authority, to be known as "the Enquiring Authority"; to enquire into, the truth thereof: ,

Provided that where the Disciplinary Authority itself holds the enquiry, any reference in clause (g) to clause (u) to the Enquiring Authority shall be construed as a reference to the Disciplinary Authority.

(c) Where it is proposed to hold an enquiry against an employee under the first or second provisos of sub-clause (i), or under sub-clause (ii), of clause (a) the Disciplinary Authority shall draw up or cause to be drawn up

(i) the substance of the imputations of misconduct or misbehaviour into definite and distinct articles of charge;

(ii) a statement of the imputations of misconduct or misbehaviour in support of each article of charge which shall contain

(l) a statement of all relevant facts including any admission or confession made by the employee;

(2) a list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained:

Provided that in the circumstances referred to in clause (Y). the identities of specified classes of witnesses. to be known as "the protected witnesses", shall be kept confidential, and such protected witnesses shall be referred to in all-original and appellate proceedings only by specific, pseudonyms assigned to them by the Disciplinary Authority or by the Enquiring Authority.

(d) On behalf of the Disciplinary Authority, the Registrar or the Principal, as the case may be, shall deliver, or cause to be delivered, to the employee a copy of the articles of charge, the statement of the imputations of misconduct or misbehavior and a list of documents and witnesses by which each article of charge is proposed to be sustained, and shall require the employee to submit, within such time as may be specified a written statement of his defense and to state whether he desires to be heard in person:

Provided that it shall be open to the Disciplinary Authority to itself perform the functions assigned by this clause to the Registrar or the Principal: , ‘

Provided’ that in the circumstances referred to in clause (y), the list of witnesses shall not disclose the names of the protected witnesses, but shall indicate them only by the specific pseudonyms assigned to them under the proviso to serial number (2) of sub-clause (ii) of clause (c).

(e) On receipt of the written statement of defense by the employee, referred to in clause (d), the Disciplinary Authority

(i) shall, where all the articles of charge have been admitted by the employee in the ‘said statement, record its findings on each charge, after taking such evidence as it may think fit, and shall act in the manner laid down in clause

(ii) may, in respect of such of the articles of charge as are not admitted by the employee in the said statement, or where no written statement of defence is submitted by the employee, either itself conduct the enquiry into the articles of charge or, if it so considers necessary, appoint, under clause (b), an Enquiring Authority for the purpose:

Provided that if the employee, to whom the copy of the articles of charge has been delivered, does not submit the written statement of defence on or before the date specified for the purpose, or does not appear before the Disciplinary Authority or, in case the Enquiry Authority has been appointed. before the Enquiring Authority. Or otherwise fails or refuses to comply with the provisions of this Rule, the Disciplinary Authority or the Enquiring Authority, as the case may be, may hold the enquiry ex parte

Provided further that where the Disciplinary Authority itself enquires into any article of charge, or appoints an Enquiring Authority for holding an enquiry into such charge, it may by an order, appoint an employee or a teacher of the University or the College, as the case may be, to be known as "the Presenting Officer", to present on its behalf the case in support of the articles of charge.

(f) On behalf of the Disciplinary Authority, where it is not the Enquiring Authority. The Registrar or the Principal, as the case may be, shall forward to the Enquiring Authority:

(i) a copy of the articles of charge and the statement of the imputations of misconduct or misbehavior

(ii) a copy of the written statement of defence, if any. submitted by the employee;

(iii) a copy of statements of witnesses, if any, referred to in clause (c);

(iv) evidence proving the delivery of the documents referred in clause (c) to the employee;

(v) a copy of the order appointing the Presenting Officer:

Provided that it shall be open to the Disciplinary Authority to forward the documents and evidence specified in sub-clauses (i) to (v) to the Enquiring Authority itself, instead of through the Registrar or the Principal:

Provided further that in the circumstances referred to in clause (y), the Disciplinary Authority, if it is itself enquiring into any articles of charge, or the Enquiring Authority, shall keep in secure custody the original statements of the protected witnesses, which shall be recorded in camera, and shall maintain true copies thereof, each duly attested by it, wherein all such indications as may reveal the identity of the protected witnesses have been erased or otherwise hidden, and such attested copies shall be admissible as evidence in all original and appellate proceedings.

(g) The employee shall appear in person before the Enquiring Authority on such day and at such time, within fifteen working days from the date of receipt by him of the, articles of charge and the statement of the imputations of misconduct or misbehaviour, as the Enquiring Authority may, by a notice in writing, specify in this behalf. or within' such further time, not exceeding fifteen days, as the Enquiring Authority may allow.

(h) The employee may, to present the case on his behalf to the Enquiring Authority, take the assistance of any other employee of the University or, as the case may be, the College, as the case may be, who shall be known as "the defense assistant", but shall not be permitted to engage a legal practitioner for the purpose:

Provided that no employee shall be permitted, at a time, to act as the defense assistant in more than one disciplinary proceedings initiated by the University .

(i) if the employee who has not admitted any of the articles of charge in his written statement of defense, or has not submitted any written statement of defense, appears before the Enquiring Authority, such authority shall ask him whether he is guilty or has any defense to make, and if he pleads guilty to any of the articles of charge, the Enquiring Authority shall record the plea, sign the record and obtain the signature of the employee thereon.

(j) The Enquiring Authority shall return a finding of guilty in respect of those articles of charge to which the employee pleads guilty. -

(k) The Enquiring Authority shall, if the employee fails to appear within the specified time or refuses or omits to plead guilty requiring the Presenting Officer to produce the evidence by which he proposes to prove the articles of charge and shall adjourn the case to a later date not exceeding thirty days after recording an order that the employee may for the purpose of preparing his evidence

(i) inspect within five days of the order or within such further time not exceeding five days as the inquiring Authority may allow the documents specified in the list referred to in clause (c): _

Provided that the employee may apply in writing for the supply of copies of the statements of the witnesses mentioned in the list referred to in clause (c) and upon such application the Enquiring Authority shall furnish such copies to the employee as curly as possible and in any case not less than three days before the commencement of the examination of the witnesses on behalf of the Disciplinary Authority:

Provided further that in the circumstances referred to in clause (y)¹ in the case of protected witnesses the Enquiring Authority shall furnish to the employee only copies of the true copies of the concerned statements as maintained under the provisions of the second proviso to clause (f):

(ii) submit a list of witnesses to be examined on his behalf; and

(iii) give a notice within ten days of the order or within such further time not exceeding ten days-as the Enquiring Authority may allow, for the production of any documents, which are in the possession of the University but not mentioned in the list referred to in clause(c):

Provided that the employee shall indicate in such notice the relevance of the documents required by him to be produced by the University.

(l) The Enquiring Authority shall, on receipt of the notice for the production of documents. referred to in clause (k), forward the same or copies thereof, to the authority, or authorities in whose custody or possession such documents are kept with a requisition tor the production of the documents by such date as may be specified in such requisition:

Provided that a copy of any documentary material, including any receipt application or notice or any order of any officer or functionary of the University proceeding or resolution of any authority or other body of the University or any other document in the possession of the University or any entry in any register duly maintained by the University if certified by the Registrar (in the case of any document in the possession of the University) shall be received as prima-facie evidence of such material. and no officer of the University, or functionary. teacher or employee of the University shall, in any proceeding under this Chapter or Chapter VII, be required to produce and prove any such material the contents whereof can be proved by the production of the copies of such material certified by the Registrar.

Provided that in the case of any such proceeding before the University, the copy of such material certified by the Principal shall not be admissible, except if it bears the counter-signature of the Registrar:

Provided also that, the Enquiring Authority may, for reasons to be recorded by it in writing. refuse to requisition such of the documents as are, in its opinion. not relevant to the case.

(m) On receipt of the requisition referred to in clause (l) every authority having the custody or possession of the requisitioned documents shall produce the same before the Enquiring Authority:

Provided that, if the authority having the custody or possession the requisitioned document is satisfied, for reasons to be recorded by it in writing, that the production of all or any of such documents could be against the public interest, it shall inform the Enquiring Authority shall, on being so informed, communicate the information to the employee and withdraw the requisition made by it for the production of such documents.

(n) On the date fixed for the enquiry, the oral and documentary evidence, whereby the articles of charge are proposed to be proved, shall be produced by, or on behalf of, the Disciplinary Authority, and –

(i) the witness shall be cross-examined by the employee, or on his behalf by the defence assistant:

(ii) the Presenting Officer shall be entitled to re-examine the witnesses as it thinks fit.

Provided that in the protected witnesses, under clause (y), shall not appear at the proceedings before the Enquiring Authority, but the employee or his defence assistant may submit to the Enquiring Authority, in writing, relevant questions or points of clarification in respect of the statements of such witnesses and the Enquiring Authority shall cause the replies of the witnesses concerned to be recorded in camera and shall make available copies of such replies to the employee in the manner laid down in the second proviso in clause (f).

(o) If it shall so appear necessary, before the close of the case on behalf of the Disciplinary Authority, the Enquiring Authority may, in its discretion. allow the Presenting Officer to produce evidence not included in the list given to the employee. or itself call for new evidence or recall and reexamine any witness, other than a protected witness under clause

(y), and in such case the employee shall be entitled to have, if he so demands, a copy of the list of further evidence proposed to be produced, and an adjournment of enquiry for at least three days before the production of such new evidence, exclusive of the day of adjournment and the day to which the enquiry is adjourned. and the Enquiring Authority

(i) shall give the employee an opportunity of inspecting such documents before they are taken on the record; and

(ii) may also allow the employee to produce new evidence, if it is of the opinion that the production of such evidence is necessary in the interest of justice:

Provided that no witness shall be recalled to fill up any gap in the evidence, and new evidence shall not be permitted or called for, except when there is an inherent defect in the evidence which has been produced originally. '

(p) When the case for the Disciplinary Authority is closed, the employee shall be required by the Enquiring Authority to state his defence orally or in writing, as he may prefer, and in either case the employee shall be required to sign the record, and a copy of the statement of defence shall be given to the Presenting Officer, if any appointed.

(q) The evidence on behalf of the employee shall then be produced, and in that regard-

(i) if the employee, regardless of the fact that he is 'not obligated to be examined in the manner of a witness, offers himself as his own witness, he may produce evidence in support of his defence by examining (i. e. making a deposition) himself, if he so prefers, or submitting himself to examination by the defence assistant; _

(ii) the employee or his defence assistant shall proceed to examine the defence witnesses, i. e. the witnesses included in the list referred to in sub-clause (ii) of clause (k); and

(iii) the Presenting Officer shall cross-examine the employee (only in case the employee has offered himself as his own witness) and the defence witnesses, and if necessary re-examine them again, and the Enquiring Authority may also put such questions to them as it thinks fit.

(r) The Enquiring Authority may, after the employee closes his case, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling him to explain any such circumstances.

(s) The Enquiring Authority may, after the completion of the production of evidence. hear the Presenting Officer, if any appointed, and the employee or his defence assistant, or permit them to file written briefs of their respective cases, if they so desire.

(t) Whenever any Enquiring Authority, after having heard and recorded the whole or any part of the evidence in an enquiry ceases to exercise jurisdiction therein and is succeeded. by another Enquiring Authority which has, and which exercises, such jurisdiction, the Enquiring Authority so succeeding may act on the evidence so recorded by its predecessor or partly recorded by its predecessor and partly recorded by itself:

Provided that if the succeeding Enquiring Authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interests of justice, it may recall, examine, cross-examine or re-examine any such witnesses as hereinbefore provided:

Provided further that the preceding proviso shall not apply in the case of a protected witness, under clause (y), except in accordance with the special provisions, laid down in the preceding clauses, in respect of such witnesses.

(u) If in the opinion of the Enquiring Authority the proceedings of the enquiry establish any article of charge different from the original articles of charge, it may also record its findings on such article of charge:

Provided that the findings on such article of charge shall not be recorded unless the employee has either admitted the facts on which such article of the charge is based, or has had a reasonable opportunity of defending himself against such article of charge.

(v) After the conclusion of the enquiry, subject to the provisions of clause (u), the Report of the enquiry shall be prepared, which shall contain —

- (i) the articles of charge and statement of the imputations of misconduct or misbehaviour;
- (ii) the defence or admission, as the case may be, of the employee in respect of each article of charge; .
- (iii) an assessment of the evidence in respect of each article of charge; and
- (iv) the findings on each article of charge and the reasons therefor.

(w) The Enquiring Authority, where it is not itself the Disciplinary Authority, shall forward to the Disciplinary Authority the records of enquiry, which shall include

- (a) the report prepared under clause (v);
- (b) the written statement of defence, if any, submitted by the employee;
- (c) the oral and documentary evidence produced in the course of the enquiry, subject to the special provisions, as hereinbefore provided, in the case of protected witnesses; _
- (d) written briefs, if any, filed by the Presenting Officer or the employee or both during the course of the enquiry; and
- (e) the orders, if any, made by the Disciplinary Authority and the Enquiring Authority in regard to the -enquiry.

(x) Where a Disciplinary Authority competent to impose any of the penalties specified in sub-clauses (i) to (iv) of clause (a) of Rule 67, but not competent to impose any of the penalties specified in clauses (v) to (ix) of the said clause (a), has enquired into the articles of any charge that is liable to the imposition of any of the penalties specified in the said sub-clauses (i) to (iv), either itself or through an Enquiring Authority appointed by it, and with

regard to its own findings, or to its decision on any of the findings of such Enquiring Authority, is of the opinion that any of the penalties specified in the said sub-clauses (v) to (ix) should be imposed on the employee, it shall forward the records of the enquiry to the Disciplinary Authority that is competent to impose the latter penalties, and such competent Disciplinary Authority -

(i) may act on the evidence on record; or

(ii) may, if it is of the opinion that further examination of any of the witnesses is necessary in the interests of justice, recall and examine, cross-examine and re-examine such witness or witnesses and may impose on the employee such penalty as it may deem fit in accordance with the Rules of this Chapter.

(y) In any disciplinary proceeding relating to.

(i) an imputation of sexual harassment, the Disciplinary Authority shall; or

(ii) any other imputation of misconduct or misbehaviour, where it appears to the Disciplinary Authority to be necessary to protect the identity of any female witness, or where a request to that effect has been made b/a female witness, the Disciplinary Authority may, notwithstanding any provision to the contrary in this Rule or Rule 71 or Rule 72, take steps to maintain the anonymity, and thereby security from pressures, social stigmatisation or victimisation, of any female witness. -

71. Action on the Enquiry Report:

(a) If the Disciplinary Authority, where it is not itself the Enquiring Authority, after considering the Report referred to in clause (v) of Rule 70

(i) is of opinion that a further enquiry and report is called for, it may remit the case, for reasons to be recorded in writing, to the Enquiring Authority for such further enquiry and report, and the Enquiring Authority shall thereupon proceed to hold further enquiry, as far as may be, according to the provisions of Rule 70; or

(ii) disagrees with the findings on all or any of the articles of charge and is of the opinion that any of the penalties specified in clause (i) to (iv) of Rule 67 should be imposed on the employee, it shall, notwithstanding anything contained in Rule 72, make an order imposing such penalty.

(b) If the Disciplinary Authority, having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in clauses (i) to (iv) of Rule 67 should be imposed on the employee, It shall notwithstanding anything contained in Rule 72 make an order imposing such penalty.

(c) if the Disciplinary Authority, having regard to its findings on all or any of the articles of charge, is of the opinion that any of the penalties specified in clauses (v) to (ix) of Rule 67 should be imposed on the employee, it shall:

(i) furnish to the employee a copy of the report of the enquiry held by it and its findings on each article of charge, or where the enquiry has been held by an Enquiring Authority appointed by it, a copy of the report of such authority and a statement of its findings on each article of charge together with brief reasons for disagreement, if any, with the findings of the Enquiring Authority; ~

(ii) give the employee a notice stating the penalty proposed to be imposed on him and calling upon him to submit within fifteen days of receipt of the notice, or such further time, not exceeding fifteen days, as may be allowed, such representation as he may wish to make on the proposed penalty on the basis of the evidence adduced during the enquiry held under Rule 70.

(d) The Disciplinary Authority shall consider the representations if any, made by the employee in pursuance of the notice given to him under sub-clause (ii) of clause (c), and determine what penalty, if any, should be imposed on him and make such order as it may deem fit.

72. Procedure for imposing Minor Penalties: ' '

(a) Subject to the provisions of clause (b) of Rule 71, no order imposing on an employee any of the penalties specified in sub-clauses (i) to (iv) of clause (a) of Rule 67 shall be made by the Disciplinary Authority except after

(i) taking the representation, if any, submitted by the employee under sub-clause (i) of clause (a) of Rule 70. into consideration: or

(ii) taking the record of the enquiry held under the first proviso to sub-clause (ii) of clause (a) of Rule 70. into consideration and recording a finding on each imputation of misconduct or misbehaviour.

(b) The record of the proceedings in the cases referred to in clause (a) shall include

(i) a copy of the intimation to the employee of the proposal to take action against him;

(ii) a copy of the statement of imputations of misconduct or misbehavior delivered to him;

(iii) his representation, if any;

(iv) the evidence produced during the enquiry, subject to the provisions of Rule 70 in respect of the evidence of protected witnesses;

(v) the findings on each imputation of misconduct or misbehaviour: and

(vi) the orders on" the case together with the reason there for.

73. Communication of Orders:

Orders passed by the Disciplinary Authority shall be communicated to th employee, who shall also be supplied with a copy of the report of the enquiry If any held by the Disciplinary Authority and a copy of its findings on each article of charge or where the Disciplinary

Authority is not the Enquiring Authority, a copy of the report of the Enquiring Authority and a statement of the findings of the Disciplinary Authority together with brief reasons for its disagreement, if any with the findings of the Enquiring Authority unless they have already been supplied to him.

74. Common Proceedings:

(a) Where two or more employees are concerned in any case

(i) in the case of the University, the Board of Management or any other authority competent to impose the penalty of dismissal from service; or .

(ii) any other authority competent to impose the penalty of dismissal from service; on all such employees may make an order directing that disciplinary action against all of them may be taken in a common proceeding:

Provided that if the authorities competent to impose the penalty of dismissal on such employees are different, an order for taking disciplinary action in a common proceeding may be made by the higher of such authorities with the consent of the others.

(b) Subject to the provisions of clauses (b) and (c) of Rule 68, an order under clause (a) shall specify

(i) the authority which may function as the Disciplinary Authority for the purpose of such common proceeding;

(ii) the penalties specified in Rule 67 such Disciplinary Authority shall be competent to impose; and

(iii) whether the procedure laid down in Rule 70 and Rule 71, or in Rule 72, shall be followed in the proceeding.

75. Special procedure in certain cases:

Notwithstanding anything contained in Rule 70 to Rule 74

(i) where any penalty is imposed on an employee on the ground of misconduct, which has led to his conviction on a criminal charge; or

(ii) where the Disciplinary Authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold any inquiry in the manner provided in these Rules, the Disciplinary Authority may consider the circumstances of the case and make such order thereon as it deems fit.

76. Provision regarding an Employee lent to outside authority:

(a) Where the services of an employee are lent to an outside authority (hereinafter in this Rule referred to as "the borrowing authority"), the borrowing authority shall have the power of the appointing authority for the purpose of placing such employee under suspension and for instituting disciplinary proceedings. '

(b) In the light of the findings in the disciplinary proceedings conducted against the employee

(i) if the borrowing authority is of the opinion that any of the penalties specified in sub-clauses (i) to (iv) of clause (a) of Rule 67 should be imposed on the employee. it may after consultation with the University make such orders on the case as it deems necessary:

Provided that in the event of a difference of opinion between the borrowing authority and the University , the services of the employee shall be re-placed at the disposal of the University.

or .

(ii) if the borrowing authority is of the opinion that any of the penalties specified in sub-clauses (v) to (ix) of clause (a) of Rule 67 should be imposed on the employee, it shall replace his services at the disposal of the University or the College and transmit to it the proceedings of the enquiry, and thereupon the Board of Management or the Governing Body may, if it is the Disciplinary Authority, pass such orders thereon as it may deem necessary or, if it is not the Disciplinary Authority, submit the case to the Disciplinary Authority which shall pass such orders on the case as it may deem necessary:

Provided that the Disciplinary Authority may pass such orders on the record of the enquiry' transmitted to it by the borrowing authority or after holding such further enquiry as it may deem necessary. as far as may be In accordance with Rule'70:

Provided further that before passing any such order the Disciplinary Authority shall comply with the provisions of clauses (a), (c) and (d) of Rule 71

77. Provisions regarding persons borrowed from outside authorities:

(a) Where an order of suspension is made or a disciplinary proceeding is conducted against an employee whose services have been borrowed from an outside authority, the authority lending his services (hereinafter in this Rule referred to as "the lending authority shall forthwith be informed of the circumstances leading to the order of the suspension of the employee or of the commencement of the disciplinary proceedings as the case may be.

(b) in the light of the findings in the disciplinary proceedings conducted against the employee. if the Disciplinary Authority is of the opinion

(i) that any of the penalties specified in sub-clause (i) to (iv) of clause (a) of Rule 67 should be imposed on him, it may, subject to the provisions of clause (a) of Rule 72, pass, alter consultation with the lending authority, such orders on the ease as it may deem necessary:

Provided that in the event of a difference of opinion between the University and the lending authority, the services of the employee shall bere-placed at the disposal of the lending authority; or

(ii) that any of the penalties specified in clauses (v) to (ix) of clause (a) of Rule 67 should be imposed on the employee. it shall re-place the services of such employee at the disposal of the lending authority and transmit to. it the proceedings of the enquiry for such action as the lending authority may deem necessary.

Part V: APPEALS

78. Orders against which an appeal does not lie: ‘

Notwithstanding anything contained in the Rules of this Part. no appeal shall lie, except if otherwise provided in these Rules or in the Statutes or the. Ordinances, against:

- (i) any order made by the Board of Management on an appeal made to it;
- (ii) any order of an interlocutory nature or of the nature of a step-in-aid for the final disposal of the disciplinary proceedings other than an order of suspension; and
- (iii) any order passed by an Enquiring Authority in the course of an enquiry under Rule 70.

79. Orders against which appeal lies:

Subject to the provisions of Rule 78 an employee, including a person who has ceased to be in the service of the University or the, College, may prefer an appeal against all or any of the following orders, namely:

- (i) an order of suspension made or deemed to have been" made under Rule 66: and
- (ii) an order imposing any of the penalties specified in Rule 67, whether made by the Disciplinary Authority or by any appellate or reviewing authority;
- (iii) an order enhancing a penalty imposed under Rule 67;
- (iv) an order
 - (1) denying, or varying to his disadvantage, his pay, allowance, pension or other conditions of service as regulated by rules or by agreement; or
 - (2) reverting him while officiating in a higher grade or post to a lower grade or post, otherwise than as a penalty; '
 - (3) determining the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to be under suspension or for any portion thereof;
 - (4) determining his pay and allowances for his period of suspension;
 - (5) determining his pay and allowances for the period from the date of his dismissal, removal, or compulsory retirement from service, or from the date of his reduction to a post of lower grade or time-scale of pay, or lower stage in a time-scale of pay, to the date of his reinstatement or restoration to his grade or post; or

(6) determining whether or not the period from the date of his suspension, or from the date of his dismissal, removal, compulsory retirement, or reduction to a lower grade post or time-scale of pay or stage in a time-scale of pay, to the date of his reinstatement, be treated, for any purpose, as a period spent on duty.

80. Appellate Authorities: .

(a) An employee, including a person who has ceased to be in the service of the University, may prefer an appeal against all or any of the orders specified in Rule 79 to the authority specified in this behalf by a general or special order of the University or the Governing Body, or where no such authority is specified:

(i) to the appointing authority, where the order appealed against is made by an authority subordinate to it:

Provided that the appeal shall lie to the Vice-Chancellor where the order appealed against has been made by the -Registrar, or to the Chairperson of the Governing Body where the order appealed against has been made without the approval of such Chairperson, by the Principal: or

(ii) to the Board of Management, where such order is made by the Vice-Chancellor. or to the Governing Body.

(b) Notwithstanding anything contained in clause (a)

(i) an appeal against an order in common proceeding held under rule 74 will lie to the authority to which the authority functioning as the Disciplinary Authority for the purpose of that proceeding is immediately subordinate; or

(ii) where the person who made the order appealed against becomes by virtue of his subsequent appointment or otherwise. the appellate authority in respect of such orders, an appeal against such order shall lie to the authority to whom such person is immediately subordinate;

Provided that the Board of Management or the Governing Body may, in accordance with the provisions of clause (d), appoint a Committee of Appeals, to which all appeals against the major penalties, referred to in sub-clauses (viii) and (ix) of clause (a) of Rule 67. imposed by the orders of the Board of Management or -the Governing Body would lie for final decision.

(c) Where the person who made the order appealed against becomes by virtue of his subsequent appointment or otherwise, the appellate authority in respect of such orders, an appeal against such order shall lie to the authority to which such person is immediately subordinate.

(d) The Committee of Appeals shall consist of five members, as follows

(i) three persons, not connected with the University by the Board of Management from a panel drawn up by the Vice-Chancellor and approved by the Board of Management.

Provided that one of the said persons shall be a person with judicial experience, who shall be the Chairperson of the Committee;

(ii) one person of eminence, not connected with the University, nominated by the Vice-Chancellor.

(iii) one member nominated by the Board of Management from amongst its members.

(e) There may be more than one Committee of Appeals for considering different classes of cases, and the term of office of the Committee and the rules for the conduct of its business shall be prescribed by the Board of Management.

81. Period of limitation for appeals:

No appeal preferred under the Rules of this Part shall be entertained except if it is preferred within a period of forty-five days from the date on which a copy of the order appealed against was delivered to the appellant: ‘ .

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that appellant had sufficient cause for not preferring the appeal in time.

82. Form and contents of appeal:

(a) Every person preferring an appeal shall do so separately and in his own name.

(b) The appeal shall be presented to the authority to whom the appeal lies with a copy being forwarded by the appellant to the authority which made the order appealed against, and

(i) shall contain all the material statements and arguments on which the appellant relies;

(ii) shall not contain any disrespectful or improper language; and

(iii) shall be complete in itself.

(c) The authority which made the order appealed against shall, on receipt of a copy of the appeal, forward the same with its comments thereon, together with the relevant records, to the appellate authority without any avoidable delay, and without waiting for any direction from the appellate authority.

83. Consideration of appeals

(a) In the case of an appeal against an order of suspension, the appellate authority shall consider whether, in the light of the provisions of Rule 66 and having regard to the circumstances of the order of suspension is justified or not, and confirm or Revoke the order accordingly.

(b) In the case of an appeal against an order imposing any of the penalties specified in Rule 67, or enhancing any penalty imposed under the said Rule, the appellate authority shall consider whether the procedure laid down in these Rules has been complied with, whether

the findings of Disciplinary Authority. are warranted by the evidence on the record and whether the penalty or enhanced penalty imposed is inadequate, adequate or severe and pass orders

(i) confirming, enhancing, reducing, or setting aside the penalty; or

(ii) remitting the case to the authority which imposed or enhanced the penalty, or to any other authority with such direction as it may deem fit in the circumstances of the case.

Provided that

(l) if the enhanced Penalty, which the appellate authority proposes to impose is one of penalties specified in sub-clauses (v) to (ix) of clause (a) of Rule 67 and an enquiry under Rule 70 has not already been held in the case, the appellate authority shall subject to the provisions of Rule 75, itself hold such enquiry or direct that such enquiry be held in accordance with the provisions of Rule 70, and thereafter on a consideration of the proceedings of such enquiry and after giving the appellant a reasonable opportunity, as far as may be in accordance with provisions of clause (d) of rule 71, of making a representation against the penalty proposed on the basis of the evidence adduced during such inquiry make such orders as it may deem fit, and

(2) no order imposing an enhanced penalty shall be made in any case, except if the appellant has been given a reasonable opportunity, as far as may be in accordance with the provisions of Rule 71, of making a representation against such enhanced penalty.

(c) In an appeal against any other order specified in Rule 79, the appellate authority shall consider all the circumstances of the case and make such orders as it may deem just and equitable.

(d) Implementation of Orders in appeal:

The authority which made the order appealed against shall give effect to the orders passed by appellate authority.

CHAPTER VII
REVIEW AND MISCELLANEOUS PROVISIONS

Part 1: Discretionary Review

84. Review Procedure

(a) Notwithstanding anything contained in these Rules, the Board of Management or the Governing or the appellate authority, may at any time within six months of the Orders proposed to be reviewed, either on its own motion or otherwise, call for the records of any enquiry, and review an order made under the said Rules from which an appeal is allowed but no such appeal has been preferred, or from which no appeal is allowed, and may

(i) confirm modify or set aside the order; or 2

(ii) confirm, reduce, enhance or set aside the penalty imposed by the order or impose any penalty where no penalty has been imposed; or

(iii) remit the case to the authority which made the order or to any other authority, directing such authority to make such further enquiry as, it may consider proper in the circumstances of the case; or

(iv) pass such other order as it may deem fit:

Provided that no order imposing or enhancing any penalty shall be made by any reviewing authority, except if the employee concerned has been given a reasonable opportunity of making a representation against the penalty proposed:

Provided further that where, upon review, it is proposed, in case no penalty had been imposed by the order sought to be reviewed, to impose any of the penalties specified in sub-clauses (v) to (ix) of Clause (a) of Rule 67, or to enhance the penalty imposed by such order to any of the penalties specified in the said sub-clauses, no such penalty shall be imposed except after an enquiry in the manner laid down in Rule 71 and after giving reasonable opportunity to the employee concerned of showing cause against the penalty proposed on the evidence adduced during the enquiry.

(c) An application for review shall be dealt with in the same manner as if it were an appeal under these Rules.

Part II Miscellaneous Provisions

85. Service of orders, notices, etc.

Every order notice other process made or issued under these Rules shall be served in person on the employee concerned, or communicated to him by registered post or speed post.

86. Power to relax time-limit and to condone delay: .

Save as otherwise expressly provided in these Rules, the authority competent under these Rules to make any order may, for good and sufficient reasons, or if sufficient cause is shown, extend the time specified in these Rules or condone any delay.

87. Provisions regarding settled and pending matters:

(a) Where any penalty had been imposed on any employee on any date prior to the commencement of the Act, no application for re-opening the matter concerned shall be entertained under these Rules:

Provided that where an employee had, within the time specified in that behalf in the rules in force immediately prior to such commencement, filed, before the Competent Authority, an appeal against such penalty, or an application for the review thereof. On which no orders had been passed by the Competent Authority up to the date immediately preceding the commencement of these Rules, further proceedings on such appeal or application for review shall be conducted in accordance with the relevant provisions of these Rules. -

(b) In the case of an employee against whom any disciplinary proceeding is liable to be instituted for any act of commission or omission prior to the date of the commencement of these Rules, such disciplinary proceeding shall be instituted and conducted in accordance with the relevant provisions of these Rules.

88. Removal of doubts:

If any doubt arises as to the interpretation of any of the provisions or, the Rules of this Chapter, the matter shall be referred to the Board of Management, which shall decide the same.

THE ANNEX URE TO THE RULES IN THE SCHEDULE TO ORDINANCE XXXIII

CLASSIFICATION OF POSTS

Subject to the provisions of clause 2, and sub-clause (a) of clause I of Ordinance XXXIII, the classification of posts of employees governed by these Rules shall be as follows —

SI No	Description of Post	Classification	of
1	A post of the status or description of a civil post under the Central Civil Services that is classified as a post of Group A	Group A	
2	A post of the status or description of a civil post under the Central Civil Services that is classified as a post of Group B	Group B	
3	A post of the status or description of a civil post under the Central Civil Services that is classified as a post of Group C	Group C	
4	A post of the status or description of a civil post under the Central Civil Services that is classified as a post of Group D	Group D	

2. The classification specified in clause 1 may, from time to time, be revised or elaborated by the Board of Management.

CHAPTER VII

ORDINANCE XXXIV

ACADEMIC PROGRAMMES AND ORGANIZATION AND CONDUCT OF TEACHING

ORDINANCE

1 (a) The University shall for the provision of instruction and the pursuit of research in different branches of learning, offer academic programmes, of specified durations, that lead to degrees, Diplomas, Certificates of Proficiency, Special Certificates and other academic distinctions.

(b) An academic programme that leads to a Bachelor's degree, a Master's Degree, other than the Degree of Master of Philosophy (M. Phil) or the degree of Doctor of Laws (LL. D.), Doctor of Letters (D. Litt.) or Doctor of Science (D. Sc.) shall be classified as a research degree programme.

2. (a) Academic programmes shall be instituted by Ordinances, and the detailed provisions, including inter alia the qualifications for admission of student. the syllabi, instructional arrangements, curricular work and requirements other than class-room teaching, the standards of instruction and examination, and other relevant aspects, in respect thereof, may be specified by, or under Regulations made under such Ordinances.

(b) The nomenclatures of degrees, awarded upon the successful completion of academic programmes by candidates duly admitted to, and enrolled for, the same, shall be in accordance with the Notification, as revised, or supplemented, from time to time, issued by the University Grants Commission, in exercise of the powers conferred by Sub-Section (3) of Section 22 of the University grants Commission Act, 1956.

(c) Where the nomenclature of a degree, instituted before the commencement of this Ordinance, is at variance with the provisions of the Notification referred to in sub-clause (b), the University shall, within a period of one year from such commencement, take all necessary steps to ensure either the inclusion of such variant nomenclature in the ' list of nomenclatures for degrees specified under such Notification, or the approval of such variant nomenclature by the University Grants Commission.

(d) The detailed provisions, referred to in sub-clause (a), shall be in conformity with the minimum standards. of instruction, and also with the prescribed norms, including the minimum essential academic inputs, the qualifications of the teaching staff assigned with academic duties, for the-grant of the relevant degree, the academic and physical infrastructure and facilities, and other mandatory requirements, for the award of the relevant degrees, as laid down by the Notification referred to in sub-clause (b).

(e) An academic programme may not be offered by any academic unit, i. e. the Faculties (other than a Faculty constituted by a University College, the departments under such Faculties, the institutions maintained by the University, and the institutions admitted to the privileges of the University (hereafter in this Ordinance referred to as "the academic unit"), except if such academic unit is duly authorized by the Academic Council, in accordance with the provisions of the Ordinances and Regulations, to conduct the same, and no such academic unit shall be so authorized, except if, in reference to such academic programme, it fulfils the prescribed norms specified in sub-clause (d)

Provided that such academic programmes, as are being offered by any academic unit on the date immediately preceding the commencement of this Ordinance, shall be deemed to be authorised for such academic unit for the purposes of this sub-clause, but the Academic Council shall have power, at any time, to review and, in appropriate cases, in pursuance of such review, or otherwise, withdraw such authorisation.

3. (a) Courses of study leading to Diplomas, Certificates of Proficiency, Special Certificates or other approved academic distinctions, may be offered, by students, on whole-time basis or as add-on courses, i. e. courses offered by regular students of an academic programme along with, and in addition to, such academic programme.

(b) Courses of study, or segments thereof} may be organized on regular or self- financing basis, but the entire course of study, i. e. all subjects or all Papers, for a degree shall not continue on self-financing basis in an academic unit beyond a period of three years from the academic year immediately following the academic year of the commencement of this Ordinance, or beyond such lesser period there-from as may be specified in the relevant Ordinances or Regulations: .

Provided that a course of study organized on regular basis may have segments organized on self-financing basis.

(c) The rules and norms for the organisation and conduct of courses of study, or segments thereof on self-financing basis shall be as laid down by the Board of Management, in consultation with the Academic Council, by Regulations, and such Regulations shall inter-alia provide for the number of seats, the determination of fees and other charges, the assignment or engagement of faculty or other staff, infrastructural provisions, academic, administrative and financial management and regulation, and other relevant matters, in respect of such courses of study, or segments thereof:

Provided that the first Regulations in respect of such rules and norms shall be laid down by the Vice-Chancellor, and shall be reported to the Board of Management and the Academic Council. »

4. (a) Instruction, and other curricular work, for courses of study in the academic units shall be offered in' accordance with the provisions of the Ordinances and the Regulations, under the overall control of the Academic Council.

(b) The functionaries responsible for organizing instruction for courses of study in the academic units shall be as follows

(i) in the case of courses of study for a graduate degree in the Departments under a Faculty, other than a Faculty constituted by a University College, the Head of the Department on behalf of the Dean of the Faculty;

(ii) in the case of all courses of study in a University institute or an independent Centre, the Director or the Head, as the case may be;

(iii) in the case of all courses of study in a School, the Coordinator on behalf of the Advisory Committee;

(iv) in the case of all courses of study in a Constituent Institute, the Director;

(v) in the case of courses of study for a Diploma, Certificate of Proficiency or a Special Certificate, assigned exclusively to a specific Department, excluding a Department of a University College maintained by the University, the Head of the Department, or assigned to more than one such Department, the Dean of the Faculty; and

(vi) in all other cases, the functionary specified in that regard by the Academic Council.

(c) instruction for courses of study, and other curricular work, shall not be offered in any academic unit, except through teachers appointed or recognized by the University, in accordance with the provisions of the Statutes, the Ordinances and the Regulations, and through such other faculty as may be approved for the purpose under the provisions of the Ordinances and Regulations:

Provided that in the case of an institution admitted to the privileges of the university such instruction may be offered through a regularly appointed teacher.

Thereof who may for the time being not be at teacher recognized by the University Provided further that the provisions of this sub-clause shall not apply to incidental instruction in the form of extra-mural lectures or co-curricular programmes given by experts or other persons with knowledge or experience in the concerned fields.

5. (a) Subject to the provisions of sub-clauses (b) and (c) the Medium for instruction and examinations for courses of study shall be —

(i) English in the case of courses of study of a professional nature except Education, Music, Law; Physical Education, Visual Arts or such other professional subjects as may be specified by the Academic Council:

(ii) Hindi and English in the case of courses of study of a professional nature not governed by serial number (i)

(iii) the Language concerned Hindi and English. in the case of courses of study in a Classical or Modern Indian Language or Classical Oriental Language other than Arabic, Hindi, Persian and Urdu:

(iv) the Language concerned, Urdu and English. in the case of courses of study in Arabic and Persian:

- (v) Hindi for instruction and examinations both in the case of courses of study in Hindi:
 - (vi) Urdu for instruction and examinations both in the case of courses of study in Urdu:
 - (vii) the Language concerned or English. in the case of courses of study in a Language other than the Languages related to in serial numbers (ii) to (vi)
 - (viii) Hindi and English. for instruction and examinations both in all other subjects.
- (b) The Academic Council may direct the variation from the specification of Languages in sub-clause (a) for purposes of instruction or examinations or both
- (c) In the case of such courses of study for a Diploma or a Certificate of Proficiency in a Language as are aimed at offering basic proficiency in the Language to persons not familiar with it the Board of Studies concerned may determine the Language or Languages for instruction or examinations or both.
- (d) Subject to the provisions of sub-clauses (b) and (c) the question Papers shall be provided in the Language or Languages specified for the subjects concerned in sub-clause (a):

Provided that in respect of the subjects specified in serial numbers (iii) and (iv) of sub-clause (a), the question Papers may be provided in one or two of the three Languages specified therein. as determined by the Board of Studies concerned:

Provided further that where, in the context of the provisions of the preceding proviso the question Paper has been provided in only one Language. other than the Language concerned. and a candidate is not familiar with such Language the Head of the Department concerned shall make available to such candidate a translation of the question Paper in one of the other two Languages specified for instruction and examinations:

Provided also that in the case of a Language specified in serial number (iv) or (vi) of sub-clause (a) provision may be made for a Foreign Student upon an application by him to that effect to the Head of the Department concerned, to be provided instruction. and to attempt the question Papers, in English.

6. (a) The Vice-Chancellor shall cause the Academic Calendar for each academic year to 'be announced. as far as possible not 'less than one month prior to the date of commencement of such academic year, and such Academic Calendar shall be binding on all academic units, except where any such academic unit has been permitted by the Vice-Chancellor, for good and sufficient cause, to vary the same.

(b) The Academic Calendar, which shall be in conformity with the provisions of the Regulations and other notifications of the University Grants Commission in that regard, may be different for courses of study or subjects under the Annual and the Semester Systems, and shall be reported to the Academic Council.

(c) The Academic Calendar shall specify the date of the commencement of the academic year concerned, the schedule of public holidays, recesses and the vacation, the dates of the commencement and completion the admissions and the examinations. and, as far as possible, the dates proposed for the meetings of the authorities and academic bodies of the University.

ORDINANCE XXXV

GENERAL PROVISIONS ON ADMISSIONS

ORDINANCE

1. For the purposes of this Ordinance, except where the context otherwise requires, the term

- a) "academic programme" means any programme that leads to a degree, Diploma, Certificate of Proficiency or Special Certificate of the University;
- b) "course of study" means an academic programme that leads to a Bachelor's degree, a Master's degree, other than the degree of Master of Philosophy (M. Phil.), or to a Diploma, Certificate of Proficiency or Special Certificate;
- c) "course offered on add-on basis" means the course of study for a Diploma, Certificate or Special Certificate of the University that may be offered, in accordance with the provisions of the relevant Ordinances or Regulations, by a regular student of any academic programme along with, and in addition to such academic programme;
- d) "ex-student" means a student who, having failed a University examination or, having not appeared at the same, for a valid cause, after having been permitted to so appear, is eligible to re-appear subsequently thereat, subject to the fulfillment of the requirements, and; within the period, prescribed for the purpose by the relevant Ordinances or Regulations;
- e) "higher research degree" means the degree of Doctor of Letters (D. Litt.), Doctor of Laws (LL. D.) or Doctor of Science (D. Sc.);
- f) "research degree programme" means an academic programme that leads to the degree of Master of Philosophy (M. Phil.) or Doctor of Philosophy (Ph.D.); and
- g) "University system" means the University and the institutions maintained by it and admitted to its privileges, taken together.

2. (a) The general conditions applicable to admissions to, and enrolments in, academic programmes, and other matters relevant thereto, shall be regulated by this Ordinance, and subject to the provisions thereof, as well as of the Ordinances and Regulations on specific academic programmes, the criteria, norms and procedures of admission shall be determined

(i) in the case of courses of study, in accordance with the provisions of the ordinance XXXV

(ii) In case of other academic programmes, in accordance with the provisions of the ordinances and regulations governing each such academic programmes.

Provided that admissions to courses of study and academic programmes in the institutions maintained by the University and in Constituent Institutes, shall also be subject to the specific Ordinances and Regulations in respect thereof.

(b) No candidate shall be eligible for admission to an academic programme. except if he has passed the Qualifying Examination laid down by the Ordinance or Regulations governing the

same (hereafter in this Ordinance referred to as "the Qualifying Examination") and holds such further qualifications and fulfils such further requirements, as may be prescribed thereby or there-under.

(c) Further to the provisions of sub-clause (b) -

(i) admissions to courses of study in professional disciplines shall also be subject to the norms and conditions that may be laid down, from time to time, by the Apex Body for each such professional discipline:

Provided that the first Regulations under the preceding proviso shall be laid down by the Vice-Chancellor and 'reported to the Academic Council, which may supplement the same and amend them from time to time;

(ii) admissions to research degree programmes and to the higher research degrees in respect of which an 'admission process is prescribed, shall be subject to the provisions of the Ordinances and Regulations governing the same.

3 (a) The University shall have, for purposes of admission to an academic programme. or assessing eligibility in respect of higher research degrees, the power to recognize —

(i) as equivalent to its own degree, any degree conferred by such. University or other institution of higher education as is accredited by the University in that regard; or

(ii) as equivalent to the intermediate Examination of the Uttar Pradesh Board of High School and Intermediate Examination or the Senior School Certificate Examination of the Central Board of Secondary Education, the plus-two (i.e. Intermediate or Senior Secondary or) level Examination, or any other Examination, conducted by a University, or by a Board or authority either established by, or under, any law or by Government, or recognized in that by any agency or entity empowered by, or under, any law or by Government:

Provided that it shall be open to the University to refuse or withdraw any such recognition or accreditation.

(b) All recognitions of degrees or examination, and accreditations of institutions. referred to in. sub-clause (a), that had been accorded prior to the commencement of this Ordinance, and were subsisting as such on the date immediately preceding such commencement, shall be deemed to have been accorded, and may be withdrawn, under the provisions of this Ordinance.

(c) All matters relating to the grant or withdrawal of the recognitions and accreditations, referred to in sub-clause (a), shall be decided by the Academic Council suo-moto or on the recommendations of the Standing Committee on Equivalence constituted by it thereafter in this ordinances and regulations referred to as the Equivalence Committee constituted by it (here-after in this Ordinance and in other Ordinances and Regulations referred to as the Equivalence Committee.

Provided that no such matter shall he considered by the Equivalence Committee. except on a reference made by the Board of Management, the Academic Council, the Dean of a

Faculty on behalf of the Board thereof, Admission Committee, the Director of University Institute on behalf of the Academic Committee thereof, the Head of an independent Centre or the Coordinator of School on behalf of the Advisory Committee thereof or the Director of a Constituent Institute or on the application for recognition submitted by a University Board or authority referred to in sub-clause (a) and placed before the Academic Council or the Equivalence Committee with the concurrence of the Vice-Chancellor, by the Registrar.

(d) The Qualifying Examination shall be

(i) in the case of an academic programme that does not require the candidate to hold a degree of a University or an equivalent qualification, the intermediate Examination of the Uttar Pradesh Board of High School and Intermediate Examination or the Senior School Certificate Examination of the Central Board of Secondary Education, or any other Examination recognised by the University as equivalent thereto:

(ii) in all other cases, the degree of this University prescribed by the relevant Ordinances or Regulations, or an academic distinction recognised by the University as equivalent thereto, awarded by a University, authority or other academic body accredited by the University in that regard:

Provided that the University may prescribe, by Ordinances or Regulations at Qualifying Examination, or an equivalent academic distinction; lower than a degree but not lower than the Qualifying Examination referred to in serial number (i) for purposes of admissions to an academic programme to which the provisions of serial number (ii) apply

4. (a) Admissions to a course of study in the University system shall be-

(i) in the case of It course of study extending over a period of more than one academic year or more than one Semester to the initial (i. e. Part I or Previous or First Year or First Professional class or the first Semester thereof:

Provided that this requirement shall not preclude the operation of any provision of the Ordinances or Regulations in respect of entry to a class or Semester, of any course of study, higher than the initial Class or the first Semester thereof but any such provision shall not entitle a student of any other University or institution to be transferred to this University or to an institution maintained by it or admitted to its privileges, for continuing his studies in the academic programme being pursued by him;

(ii) integral to the entire duration of such course of study, subject to the provisions of the Ordinances or Regulations in respect of the maximum permissible period of enrolment of the student therein or in the University system; and

(iii) specific to the University, or to the institution maintained by it or admitted to its privileges, to which the student has been admitted.

(b) The rules governing the enrolment, re-admission and re-enrolment of students admitted to any course of study in the University system, and the enrolment of non-regular students

for attending courses of Special Lectures in the University shall be prescribed by the Academic Council by Regulations

Provided that the first such Regulations shall be laid down by the Vice-Chancellor and reported to the Academic Council which may supplement the same and amend them from time to time:

Provided further that the rules in force in the University in respect of enrolments, admissions and re-enrolments, on the date immediately preceding the commencement of this Ordinance, shall continue to apply to the extent of their consistency with the provisions of the Ordinances and Regulations. up to the promulgation of the said first Regulations.

EXPLANATION: For the purposes of this Ordinance-

(i) "non-regular student" means a person enrolled for attending. courses of Special Lectures leading to a Special Certificate and an ex-student granted permission to attend theory or practical classes in one or more of their subjects for the Examination concerned;

(ii) readmission means the special provision in respect of a course of study in a professional discipline under the Ordinance or Regulations for the same whereby regular students

(1) who having failed the Examination of the initial class, or the first or second Semester, of such course of study, are not eligible. or entitled to be promoted to the next higher class or Semester or to re-appear for such Examination as ex-students, may be granted the privilege up to a specified number in the order of merit. of being admitted to the initial class or the first Semester in the immediately ensuing academic year without, recourse to the admission process prescribed for fresh candidates, or to the second semester thereof as the case may be; or

(2) who have Failed to earn eligibility to appear in the Examination for a particular academic year or Semester. may be granted the privilege under such conditions as may be prescribed. of being admitted to the course of study for the same Examination the academic year or Semester concerned in the immediately ensuing academic year; and

(ii) "re-enrolment" means the process whereby a candidate who has passed as an ex-student, any Examination of a course of study, other than the Final or terminal Part, Year or Semester Examination, is granted enrolment in the next higher class or Semester of such course of study.

(c) Every student who has been granted admission to a course of study (not being a Diploma or Certificate of Proficiency course offered on add-on basis or a course of study leading to a Special Certificate) in the University system or to a research degree programme in the University, a University, a University Institute (not being the Institute of' Correspondence Courses and Continuing Education), an independent Centre, shall be required to be duly registered as a member of the University, and such registration shall be governed by the following conditions'

(i) a student granted admission to the University system for the first time or a former student, who had earlier taken the Migration Certificate from the University to attend another institution. granted such admission Shall submit, to the body that is conducting the admission process. the original Transfer Certificate or Migration Certificate from the immediately preceding institution attended by him: -

Provided that where, for good and sufficient cause, such student-does not so submit the said Certificate, he may be granted provisional admission, which shall not be regularized and shall stand terminated except if he submits the said original Certificate to the Registrar. or the functionary or office authorized by him for this purpose. within such time as may be allowed in this regard:

(ii) the Registrar shall cause the student referred to in serial number (i), who has submitted the required Transfer or Migration Certificate, to be registered as a member of the University, in token whereof the student shall be assigned an Enrolment Number, which shall subsist for so long as he does not take the Migration Certificate from the University:

Provided that where such student had formerly been a member of the University, he shall intimate, to the body that is conducting the admission process. the Enrolment Number earlier' assigned to him. and such student shall, upon being re-registered as a member of the University. be assigned. as far as possible, the same Enrolment Number as earlier:

(iii) a student who fails a University Examination for the course of study for which he is enrolled, or for any Part, Year or Semester thereof shall ipso facto stands suspended from the membership of the University and shall in order to be eligible to re-appear at such Examination (subject to the provisions governing re-admission to the Examinations in a subsequent academic year (or Semester) be required to pay to the University the prescribed annual (or for courses of study on the Semester pattern the prescribed Semester-wise) membership fees for each intervening academic Session (or Semester) during which he stood suspended from the membership of the University:

Provided that this provision shall not apply, or shall apply subject to appropriate modifications in accordance with the provisions of the concerned Ordinances or Regulations, in the case of a courses of study that requires' a failed 'student to take up enrolment on regular basis for the Part, Year or Semester concerned, or permits such student to be promoted to the next higher Part, Year or Semester pending the clearance by him of the Examination so failed;

(iv) a student who has been rusticated or expelled on, disciplinary grounds shall Ipso facto stand excluded from the membership of the, University but where he has duly been permitted' to resume studies after such rustication or expulsion, he shall upon such permission pay the membership fees, referred to in serial number (iii), for the preceding academic years or Semesters during which he stood excluded from the membership of the University:

Provided that the provisions of this serial number shall apply mutatis mutandis to the case of a student who has been suspended from the membership of the University on disciplinary grounds;

(v) a student shall not be entitled to appear, or re-appear, at the Examinations for any course-of study, or to submit a Project Report, dissertation or thesis for any academic programme, after the date with effect from which the Migration Certificate has been issued to him, except upon re-registration as a member of the University in accordance with the provisions of serial number (ii), subject to the other rules governing the course of study or research degree programme concerned;

(vi) it shall be the duty of the person or body responsible for admissions in the Faculties of Arts, Social Science, Business Administration & Computer Application, Teacher Education, Commerce, Law, Science, and Engineering & Technology and the Departments there-under, and of the Directors of University institutes, the Heads of independent Centres, the Coordinators of Schools and the Principals of University Colleges to forward to the Registrar all necessary particulars, and the original Transfer or Migration Certificate, of such of the admitted students of their respective units as have joined the University system for the first time, or are former students who had earlier taken the Migration Certificate from the University, for purposes of their registration (or re-registration) as members of the University.

(vii) the provisions of serial numbers (i) to (vi) shall not apply to

(1) such non-regular students as are enrolled for attending courses of Special Lectures leading to a Special Certificate;

(2) trainees enrolled for such short-term courses offered by any unit of the University system as do not lead to a Diploma or Certificate of Proficiency; or

(3) students enrolled for a Diploma, Certificate of Proficiency or Special Certificate course under the Institute of Correspondence Courses and Continuing Education, except in accordance with the rules approved in that regard by the Academic Council;

(viii) the Registrar shall cause a Master Enrolment Register of the University to be maintained, and a separate page thereof shall be assigned (under the said Enrolment Number) to each student registered as a member of the University, and all his particulars, including inter alia the academic programme and, welfare relevant, any Diploma or Certificate of Proficiency course offered on add-on basis, in which he has been admitted and enrolled in each academic year, the examinations at which he has appeared in each academic year and the results thereof, such disciplinary action or actions as may have been taken against him, the issuance of the Migration Certificate to him, his re-registration (if any) after having migrated from the University, and such other particulars as may be relevant under the provisions of serial numbers (i) to (vii), shall be entered in the said Master Enrolment Register; and

(ix) the fees chargeable for different matters relating to the registration or re-registration of students as members of the University, and for the renewal or continuation of the membership of the University, shall be laid down, and revised from time to time by the Board of Management, in consultation with or on the recommendation of the Finance Committee.

5. (a) No student of the University system shall simultaneously take up admission to, or maintain enrolment in, more than one degree-granting or other whole-time academic programme in the same or different units of the University system, or be admitted to, or enrolled in, for any degree granting or other whole-time academic programme in any institution external to the University system during the pendency of his admission to, or enrolment in, any such academic programme in the University system.

(b) Where a student of any unit of the University system admitted and enrolled in a degree-granting or other whole-time academic programme takes up admission' in any such academic programme in the same or any other unit thereof, his earlier admission and enrolment shall stand cancelled with effect from the date he takes up admission in the latter academic programme.

(c) Where a student of the University system admitted and enrolled in a degree-granting or other whole-time academic programme takes up admission in any such academic programme in any institution external to the University' system, his admission and enrolment in the University system shall stand cancelled with effect from the date he takes up admission in such institution, and he shall be deemed to have migrated from the University system with effect from the said date.

(d) A student of the University system who had, at the time of the cancellation of his admission and enrolment in an academic programme for a Post-graduate degree, or for a Bachelor's degree that open only to graduates, under clause (b), earned eligibility to re-appear (as an ex-student) at any Part of the Examination of such academic programme may, upon the completion or termination of the admission and enrolment that had led to such cancellation apply to the Examinations Committee permission to reappear as an ex-student in the Examination of the said Part:

Provided that the Examinations Committee shall not grant such permission except if the record establishes that the applicant had, at the time of such cancellation, earned the said eligibility and that he would have been entitled to so re-appear in the Examination of the academic year concerned, under the provisions determining the maximum duration of such eligibility, had the said cancellation not been made.

(e) No student of the University system shall appear, whether as a regular candidate or as an ex-student, or both together in the same academic year (or in the case of a Semester-based academic programme, the same Semester at the University Examination of more than one degree-granting academic programme).

(f) A student who has been on the rolls of the University system for a period of eight academic sessions or more (excluding the actual period of enrolment in a research Degree programme in not more than one subject, subject to a maximum of five years) shall not be eligible for admission to any academic programme requiring whole-time enrolment.

(g) No student of the University system, excluding the Institute of Correspondence Courses and Continuing Education, other than a student sponsored or permitted by his employer to attend, and fulfil the attendance requirements of the academic programme concerned shall engage in whole-time employment or whole-time self-employment.

(h) A candidate holding a graduate degree shall not be eligible for admission to an academic programme for a graduate degree, except where such academic programme is open only to graduates.

(i) A candidate who, holds a Post-graduate degree in a subject shall not be eligible for admission to a Post-graduate course of study in the same subject.

(j) The Academic Council may prohibit candidates holding a Masters or a Doctoral degree from being granted admission to an academic programme for the same degree subject to such exceptions in that regard as it may prescribe in respect of such degrees in professional disciplines.

(k) The Academic Council may prescribe minimum and maximum age limits for admissions to specified academic programmes. ' _

(l) Where it is found that a student has secured admission to any academic programme by fraud, misrepresentation or concealment of relevant facts or in violation of rules such admission may, after considering such explanation as the student may offer in that regard, be cancelled with retrospective effect at any stage.

(m) Where a student is convicted by a Court of law for an offence involving moral turpitude. his admission to an academic programme shall stand cancelled upon such conviction and no candidate who has been convicted for such offence shall be eligible for admission, re-admission or re-enrolment, except upon the passage of two years after the completion of the sentence awarded to him and subject to the fulfilment of the requirements of eligibility for such admission or re-admission, as laid down in the Ordinances. Regulations or rules.

(n) Admission to any academic programme in the University system is not a matter of right but a privilege, and it shall be open to the admitting authority or the unit of the University system concerned, to refuse admission to any candidate in the institutional interest, without necessarily disclosing the reasons for 'such refusal. and to the University to direct the concerned unit to so refuse admission.

6. (a) The rules and procedures in respect of the admission and enrolment of Foreign Students in the academic programmes of the University shall be such as may be framed from time to time, by the International Students Advisory Board.

Students in the academic programmes of the University shall be such as may be framed, from time to time, by the International Students' Advisory Board.

(b) The Ordinances or Regulations governing academic programmes may provide for earmarking seats therein for candidates sponsored by approved institutions or organisations.

(c) No student admitted to the University. including an institution' maintained by it, or to an institution admitted to the privileges of the' University, in contravention of the provisions of this Ordinance, other Ordinances on admissions or the general or particular Ordinance or Regulations governing the course of study concerned. shall be permitted to take up any

Examination conducted by the University, and the Vice-Chancellor shall have the power to cancel any admission made in such contravention.

(d) Any student whose work or conduct is unsatisfactory may be removed from the University or an institution maintained by it or admitted to its privileges In accordance with the provisions of the Ordinances or Regulations in that regard.

**ORDINANCE XXXVI: ADMISSIONS TO COURSES OF STUDY
UNDER THE UNIVERSITY
ORDINANCE**

I. The admission of candidates to courses of study in the University. including the institutions maintained by it. and in the institutions admitted to the privileges of the University shall not be made. except in accordance with the provisions of this Ordinance.

2. (a) Subject to the provisions of sub-clause (b), admissions to a course of study shall be made in the order of merit of

(i) the marks obtained at the Qualifying Examination; or

(ii) the score at an Admission Test, comprising one or more written Papers, and. where so provided in the rules. a Group Discussion or Personal Interview or other presentation. or more than one of them: or

(iii) the marks, referred to in serial number (i). and the score. referred to in serial number (ii), taken together. as such or proportionately, as notified, in accordance with the provisions of the rules, by the application of weightages, premia and discounts, and of special considerations for specified categories of candidates:

Provided that in the case of a course of study that is offered by the University the admissions to the same may be made on the basis of one common admission procedure for the University.

Provided further the admissions of Foreign Students, and of candidates sponsored by any approved institution or organisation against earmarked seats for such institutions or organisations, shall be governed by the special rules in that regard.

(b) Notwithstanding anything to the contrary contained in this Ordinance. or in the general or particular Ordinances or Regulations governing the courses of study to which this Ordinance applies, seats shall be revised in each course of study for different categories of candidates; in accordance with the directions of the University Grants Commission and the Government of India.

3. (a) There shall be an Admissions Committee of the University for courses of study, which shall comprise -.

- I. the Vice-Chancellor (Chairperson);
- II. the Pro-Vice-Chancellor or, where there is no Pro-Vice-Chancellor, a Professor nominated by the Vice-Chancellor, for such period as he may determine;
- III. the Deans of the Faculties;
- IV. the Directors of University institutes, the Heads of independent Centres and the Coordinators of such Schools as offer courses of study;
- V. Dean of the College development as the case may be.
- VI. The International Students Advisor;

(b) The Registrar shall ex officio be the Secretary of the Admissions Committee, but shall not be deemed to be a member thereof.

(c) The Dean of Students Welfare and the Proctor shall be specially invited to all meetings of the Admissions Committee.

(d) The authority of the Admissions Committee in respect of admissions to courses of study in any University College, University Institute, independent Centre, School or autonomous statutes that are within the ambit of its additional privileges under such status, shall be in accordance with the provisions of the relevant Ordinances or Regulations.

4. (a) Subject to the provisions of this Ordinance and the general or particular Ordinances or Regulations governing courses of study in the University, including the institutions and in the institutions admitted to its privileges, the Admission Committee shall, in respect of the courses of study within their respective jurisdictions:

- I. lay down the principles or norm: governing the policy of admission and determine the criteria, programme and procedure of admissions thereto, in general or for each academic year
- II. frame the Admission Rules and revise them from time to time;
- III. except in cases where the seats in a course of study have been specified in the Ordinance or the Regulations governing it, determine, for each academic year, the seats in the courses, of study concerned including the seats in different subjects under each such course of study:

Provided that in the case of a professional discipline, such seats shall be in conformity with the provisions of the Regulations of Guidelines or the Apex Body for such professional discipline:

- IV. lay down the last date for admissions to the courses of study concerned, which shall, in the case of academic programmes on the Annual system} not be more than five weeks after the date of commencement of the academic year or, in the case of an academic programme on the Semester system, not be more than three weeks after the date of commencement of the concerned Semester;
- V. appoint such number of sub-committees as it thinks fit and nominate a person or a Committee as the admitting authority in respect of each such course of study; and '
- VI. consider matters referred to it by any authority or other body of the University, or the Vice-Chancellor, and perform such other functions as may be assigned to them by the Ordinances or Regulations, the Board of Management, the Academic Council or the Vice-Chancellor.

(b) The rules and procedure of admissions, including the structure, organisation and conduct of Admission Tests, in respect of different courses of study in the University, including the institutions maintained by it, and in the institutions admitted to its privileges, as subsisting on the date immediately preceding the commencement of this Ordinance ,shall continue in force upon such commencement, pending the framing and implementation of the rules and procedure in that regard under the provisions of the Ordinances and Regulations, subject to such adaptations or modifications therein, as the Vice-Chancellor may direct; in order to

bring the same into accord with the Ordinances and Regulations, or as may appear to the Vice-Chancellor to be expedient or necessary in the circumstances:

Provided that all such adoptions and modifications shall be reported by the Registrar to the Admissions Committee.

(c) While deciding any matter in respect of the rules, procedure and programme of admissions to degree-granting courses of study, under the provisions of sub-clause (a), the Admissions Committee shall give due consideration to the recommendations made in respect thereof by, or may seek the advice of, the Boards of Admissions for the said courses of study for degree programmes in the University under the Faculties, and in the case of such courses of study under the Faculties, also in respect of the seats in the courses and subjects.

(d) The constitution of the Boards of Admissions, referred to in sub-clause (c), shall be as follows -

(i) in the case of the Faculties of Arts, Science, Social Science, Education

(1) the Dean of the Faculty concerned (Chairman);

(2) the Heads of the Department assigned to the Faculty; and

(3) "the two" senior-most Professors of the 'Faculty (not being the Dean or the Head, of a Department), by rotation in the order of seniority, for a period of two years.

(ii) In the case of Faculty of Teacher Education

(1) the Dean of the Faculty concerned (Chairman);

(2) the Heads of the Department assigned to the Faculty; and

(3) the two senior-most Professors of the 'Faculty (not being the Dean or the Head, of a Department), by rotation in the order of seniority, for a period of two years.

(iii) In the case of the Faculty of Business Administration and Computer Application:

(1) the Dean of the Faculty of Commerce (Chairman);

(2) the Heads of Departments assigned to the Faculty of Commerce;

(3) the two senior-most Professors of each Department assigned to the Faculty of Commerce (not being the Dean or the Head of the Department), by rotation in the order of seniority, for a period of two years.

(iv) In the case of the Faculty of Commerce:

(1) the Dean of the Faculty of Commerce (Chairman);

(2) the Heads of Departments assigned to the Faculty of Commerce;

(3) the two senior-most Professors of each Department assigned to the Faculty of Commerce (not being the Dean or the Head of the Department), by rotation in the order of seniority, for a period of two years.

(v) in the case of the Faculty of Law:

(1) the Dean of the Faculty of Law (Chairman);

(2) the Head of the Department of Law; and

(3) the three senior-most Professors of the Department of Law (not being the Dean or the Head of the Department), by rotation in the order of seniority for a period of two years.

(vi) in the case of the Faculty of Engineering & Technology:

(1) the Dean of the Faculty concerned (Chairman);

(2) the Heads of the Department assigned to the Faculty; and

(3) the two senior-most Professors of the 'Faculty (not being the Dean or the Head, of a Department), by rotation in the order of seniority, for a period of two years.

(e) The Director of the Institute of Correspondence Courses and Continuing Education shall be a member of the Boards of Admissions of the Faculties to which the courses of study in the said institute are assigned.

(f) While deciding any matter in respect of the rules, procedure and programme of admissions to, and seats in, courses of study for Diplomas, Certificates of Proficiency or Special Certificates, in the University under the Faculties, the Admissions Committee shall give due consideration to the recommendations made in respect thereof by, or may seek the advice of, the Board of Admissions for Diploma Courses, which shall be constituted as follows — ,

(i) the Deans of the Faculties of Arts, Social Science, Commerce, Business Administration and Computer Application, Engineering & Technology, Teacher Education, Law, and Science of whom the senior-most Dean shall be the Chairperson;

(ii) the Heads of the Departments to which such courses of study are assigned;

(g) Every student admitted to a course of study in the University system shall be required, to complete the prescribed formalities of enrolment, in the ' Faculty, Department or Departments, University College, University Institute, independent Centre, School, Constituent Institute or Constituent College concerned, not later than one week from the date of his admission

Provided that the Dean, in the case of a Faculty and the Departments there under, the Director, in the case of a University institute or a Constituent institute, the Head' in the case of an independent Centre, the Coordinator in the case of a School, may extend the last date for-the completion of such formalities, but no such extension shall be granted beyond' two weeks of the last date for admissions specified under serial number (iv) of sub-clause (a).

(h) Within two weeks of the last date for completing the formalities of enrolment by the admitted students, referred to in sub-clause (g), the person or Committee responsible for admissions to courses of study in the Faculties and Departments of the University, and the functionaries referred to in the proviso thereto, in respect of admissions to other units of the University system, shall submit to the Registrar the final list of students admitted to different courses of study for the academic year concerned, in the format approved by the Vice-Chancellor, specifying in such list inter alia the name, other personal and academic particulars, and the score on which the order of merit was determined, in respect of each admitted candidate, and shall submit therewith the Transfer or Migration Certificate of such students as have been admitted to the University system for the first time or have rejoined the University system after having migrated there from earlier, for purposes of their registration or re-registration as members of the University.

(i) Within one month of the last date for completing the formalities of enrolment by the admitted students, referred to in sub-clause (g), the persons or functionaries specified in sub-clause (h), shall submit to the Admissions Committee, through the Registrar, a report, in such format as may be approved by the Vice-Chancellor, on all aspects of admissions to the courses of study concerned for the academic year.

5. (a) The Admissions Committee shall function under the general superintendence of the Academic Council, and their proceedings shall be reported to Academic Council, which may review any decision taken by them and issue directions to them.

(b) The Academic Council may constitute a Standing Committee on Admissions, to deal, on its behalf, with matters relating to admissions.

ORDINANCE XXXVII: GENERAL PROVISIONS ON COURSES OF STUDY

ORDINANCE

1. The Ordinances and Regulations governing courses of study for degrees, Diplomas, Certificates of Proficiency and Special Certificates as were in force on the date immediately preceding the commencement of this Ordinance, or as had been approved by the Academic Council on or before the said date, shall continue to apply, or shall apply, as the case may be, to the courses of study concerned, up to their amendment, modification or repeal by the Board of Management on the recommendations of the Academic Council. '

2. (a) The Academic Council may constitute a Committee to review the Ordinances and Regulations referred to in clause 1, and recommend such changes in them as may be appropriate to effect structural rationality and uniformity in the same, and also to recommend the norms that may be followed in the framing of such Ordinances and Regulations and the distribution of the subject-matter thereof between each such Ordinance and the related Regulations.

(b) The Vice-Chancellor shall take all necessary steps towards the application and observance of the recommendations of the Committee referred to in sub-clause (a), as approved by the Academic Council and Board of Management. ~