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Human Resource Development Department

NOTIFICATION

25th May 2011

No. 15/M1-51/06 (part-1)-1396—For proper functioning of Arayabhata Knowledge University, Bihar, in exercise of powers conferred under Section 28 of Arayabhata Knowledge University, Act 2008, the Governor of Bihar is pleased to issue the first Statutes of Arayabhata Knowledge University, as under-

THE ARYABHATTA KNOWLEDGE UNIVERSITY, PATNA

Objects and Reasons of the A. K. University Act 2008

The A. K. University Act 2008 provides for the establishment of a University at Patna to conduct and facilitate affiliations of Institutions in the conventional as well as new frontiers of professional education. All the colleges and institutions imparting professional education for example Engineering & Technology including Information Technology, Nanotechnology and Biotechnology, Management, Medicine, Health Technology, Public Health, Pharmacy, Optometry, Nursing, Education, Law etc. is to be affiliated to this University. The object is to achieve excellence in teaching, research and extension work in these areas and other matters connected therewith or incidental thereto.

THE ARYABHATTA KNOWLEDGE UNIVERSITY, PATNA

(Vide Sec.27 of the Act.)

THE STATUTES OF THE UNIVERSITY

CHAPTER – I

SECTION

1. *Chancellor.* – The Governor of Bihar by virtue of his office shall be the Chancellor of the University and shall exercise his powers as vested upon him under sub section (2) to (11) of Section 8 of the Act.

2. *The following shall be the officers of the University .-* The emoluments of the officers, except teachers appointed as officers, shall be as fixed by the State Government from time to time.

- (a) The Vice Chancellor
- (b) The Deans of Faculties
- (c) The Registrar
- (d) The Finance officer
- (e) The Examination Controller
- (f) The Librarian
- (g) Such other officers as may be declared by the Statutes from time to time.

3. *Vice-Chancellor.-*

(a) The Vice Chancellor shall be appointed by the Chancellor from out of a panel recommended by a committee constituted under sub section 2 of section 10 of the Act. Provided that if the chancellor does not approve of for appointment of any of the persons included in the Panel, he may call for an extended fresh Panel.

(b) The committee referred to in sub-section (a) above shall consist of three persons, out of whom one shall be nominated by the Executive council, one by the Chancellor and one by the State government, and the member nominated by the government shall be Convener of the

(c) committee.

Provided that none of the member of the committee shall be an employee of the University or a College or an Institution maintained by the University or Government or member of the Governing body or of any Authority of the university.

Provided further that the Panel shall be prepared from out of candidates who submit their curriculum vitae or is sponsored by some reputed person or Institution in the field of science, medicine, dental science, technology, Law, management or any other relevant fields.

(d) The Vice-Chancellor shall be a whole time salaried officer of the university

(e) The Vice – Chancellor shall hold office for a term of three years except the first Vice-Chancellor who will hold office for four years from the date on which he assumes charge of office or until he attains the age of 70 years, which ever is earlier, and he may be reappointed for another term within the prescribed age limit.

Provided that the chancellor may require the Vice-chancellor after his term has expired, to continue in office until the new V.C. assumes office or for such period not exceeding a total period of one year, as may be specified by him.

(f) Notwithstanding any thing contained in sub-section (d), the chancellor may at any time for reasons to be recorded in writing and in consultation with the State Government require the vice-chancellor to resign his post from the date as may be specified in the order on grounds of incapacity, misconduct, or violation of the provisions of the Act or Statutes.

Provided that no such order shall be made by the Chancellor unless the Vice-chancellor has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

Provided further that the Chancellor shall consult the State Government before passing such order.

Provided also that the chancellor may for sufficient reasons before making such order, place the Vice-Chancellor under suspension, pending enquiry for a term not exceeding one month.

(g) The emoluments and other conditions of service of the vice-chancellor shall be as follows: -

(i) The Vice-Chancellor shall be a whole time officer and shall be paid pay and allowances other than house rent allowance, at the rates fixed by the state government from time to time and he shall be entitled to rent free, furnished residence during his term of office and no charge shall fall on the Vice-chancellor in respect of the maintenance and security of such residence. Where the person appointed as Vice-chancellor gets pension from the Central or the State government or any University or from any other source, the amount of pension due to him from such source shall be deemed to be the part of his salary as vice-chancellor.

(ii) The Vice-Chancellor and his/her spouse and dependent sons and daughters shall be entitled to free medical treatment and the University shall reimburse their medical bills.

(iii) The Vice-Chancellor shall also be entitled to other benefits and allowances such as free fuel for staff car, telephone electricity, newspapers and magazine, etc. as may be fixed by the Executive Council.

Provided that where an employee of the University, or a college or an Institution maintained by the university, or of any other university, or any college or institution maintained by or admitted to the Privileges of such other University, is appointed as the Vice-chancellor he may be allowed to contribute to provident fund of which he is a member and the previous employer shall transfer the balance standing to the credit of the employee in his Provident Fund Account to his present employer/university and the V. C. shall continue in the same scheme in which he was member in the former organisation.

(h) The Vice – Chancellor shall be entitled to various kinds of Leave as per Leave Rules framed under this statute.

(i) The Vice-Chancellor shall be entitled to Travelling allowance and Daily allowance at the rate prescribed by the State Government.

(j) If the office of the Vice-Chancellor becomes Vacant due to death, resignation or otherwise, or if he becomes unable to perform his duties due to ill-health or any other cause, the senior most professor of the university shall perform the duty of the Vice-Chancellor with the approval of the Chancellor till new Vice-Chancellor joins.

4. Power and duties of Vice-Chancellor.—

(a) The Vice-Chancellor shall be the Chief Executive and Academic officer of the university and in the absence of the Chancellor shall preside at meetings of the Court and convocation of the university.

(b) The Vice-Chancellor shall be ex-officio chairman of the Executive Council, the Academic Council, Selection Committee, Finance Committee and such other committee constituted under this Statute.

- (c) The Vice-Chancellor shall be entitled to be present and address, any meeting of any Authority or other body of the university, but shall not vote in the first instance but shall have and exercise a casting vote in the case of equality of votes.
- (d) The Vice-Chancellor shall be responsible for the proper administration of the university and for a close coordination and integration of teaching, research and extension work and other matters connected therewith or incidental thereto.
- (e) It shall be the duty of the Vice-Chancellor to see that this Act., the Statute, the Ordinances and the Regulations are duly observed and he shall have all the powers necessary to ensure such observance.
- (f) The Vice-Chancellor shall have all the Powers necessary for the proper maintenance of discipline in the university and he may delegate any such power to such officer or officers as he may deem proper.
- (g) The Vice-Chancellor shall have the power to convene or cause to be convened the meetings of the Court, the Executive Council, the Academic Council, the Finance Committee, Selection Committee and any Authority and Body constituted under the provisions of the Act of the university.
- (h) The Vice-Chancellor shall exercise general supervision and control over the affairs of the university and shall ensure the faithful observance of the provisions of the Act and Statute and Regulations.
- (i) Except when the Executive council or Academic council is in Session, the Vice-Chancellor if he is of the opinion that immediate action is necessary on any matter, may exercise any power conferred on any Authority of the university by or under this Act and shall apprise the authority concerned at its next meeting of the action taken by him on such matter.
 Provided that such exercise of power shall be made only in emergent situation and in no case in respect of creation, and up gradation of posts and appointments thereto.
 Provided further that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Chancellor whose decision thereon shall be final.
- (j) Where any action taken by the Vice-chancellor under sub section (i) of section 4 of this Statute affects any person in the service of the university to his disadvantage such person may prefer an appeal to the Chancellor within thirty days from the date on which such person has been served with a notice of the action taken.
- (k) The Vice-Chancellor shall exercise such other power and perform such other duties as may be assigned to him by the Statutes or the ordinances.
- (l) The Vice-Chancellor shall appoint Dean Students welfare and Proctor from amongst the teachers and paper setters and examiners from the panel of names submitted by the Board of moderators.
- (m) The Vice-Chancellor shall be responsible for the presentation of the budget and Accounts to the court.

5. *The Schools (Faculties) and Deans of School-*

- (a) The university shall have the following Schools-
 - (i) *School of Engineering & Technology.*—This will include Information Technology, Nanotechnology and Biotechnology, Renewable energy etc.
 - (ii) *School of Management Teachings.* This will include all streams connected with the management and administration of business or public undertakings.
 - (iii) *School of Health & Medicine.*—This will include Medicine, Health Technology, Public Health, Pharmacy, Optometry, Nursing and such other streams.

- (iv) School of Educational Training & Research. This will include educational training of different grades and intellectual and social Instructions.
 - (v) School of Law & Legal Science.
 - (vi) School of Art ,Culture and Sports,
 - (vii) And such other Schools as may be declared by the Statute to be School of the university.
- (b) Dean of School shall be appointed by the Vice-Chancellor from amongst the professors in the School concerned by rotation in order of seniority for a period of two years.
- Provided that in case there is only one professor or no professor in a School, the Dean shall be appointed, for the time being from amongst the Associate professors by rotation in order of seniority.
- Provided further that a Dean on attaining the age of superannuation shall cease to hold office as such.
- (c) The seniority shall be reckoned with effect from the date of appointment as university professor or as Associate professor as per merit list decided by the Selection Committee on the original post as the case may be.
- Provided that : -**
- (i) Among two or more such teachers appointed in the same rank on the same date whose inter-se-seniority can not be decided by relevant provisions of Statutes the seniority shall be determined according to their seniority decided by the University at the time of appointment.
- (d) When the office of the Dean is vacant or when the Dean is on leave by reason of illness, or any other cause and is unable to perform duty of his office, the Senior most professor or Associate professor, in that School as the case may be shall perform the duties of the Dean with the approval of the Vice-Chancellor.
- (e) The Dean shall be Academic officer of the school and shall be responsible for the conduct and maintenance of the standards of teaching and research in the school and shall have such other functions as may be prescribed by the ordinances.
- (f) The Dean shall have the right to be present and to speak at any meeting of the Boards of Studies or committee of the school, as the case may be but shall not have the right to vote thereat unless he is a member thereof.
- (g) Each School shall subject to the control of the Academic council, have charge of the courses of studies, conduct courses and Research work in such subjects as may be assigned to such school by Regulation.
- (h) Subject to the provisions of the Act each school shall have the following powers:
- (i) To constitute the Board of the Courses of study of the Departments allotted to it.
 - (ii) To exercise such powers as may be assigned to it by the Academic council from time to time.

6. Registrar.—

- (a) A Master's degree with at least 55% of the marks or its equivalent.
 - (b) At least 15 years of experience as Lecturer / Asstt. Professor with eight years in Reader's grade along with experience in educational administration.
- Or
- Comparable experience in research establishment and / or other institutions of higher education.
- Or
- 15 years of administrative experience of which 8 years as Deputy Registrar or an equivalent post.

- (c) The Registrar shall be appointed by the Executive council on the recommendation of Selection committee of the university and shall be a whole time salaried officer of the university.
- (d) The Registrar shall be appointed for a term of 5 years and shall be eligible for re-appointment.
- (e) The emoluments shall be such as approved by the State Government from time to time and other terms and conditions of service of the Registrar shall be such as may be prescribed by the Executive Council from time to time .
 Provided that the Registrar shall superannuate on attaining the age as prescribed by the State Government.
- (f) Notwithstanding any thing contained in the Act or the Statute, the Executive council may appoint an officer of the Central or State Government to be the Registrar on such terms and conditions as may be prescribed by the Executive Council in consultation with the State Government.
- (g) When the office of the Registrar is vacant or when the Registrar is by reason of illness, absence or any other cause, unable to perform the duties of his office the duties of the office shall be performed by such officer as the Vice-chancellor may appoint for the purpose.
- (h) (i) The Registrar shall have power to take disciplinary action against such of the employees, excluding teachers and officers, and to suspend the employees and to initiate enquiry into the charges, and impose penalty as provided in this Statute.
 Provided that no such penalty shall be imposed unless the person has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.
- (ii) An appeal shall lie to the vice-chancellor against any order of the Registrar imposing any of the penalties specified in the Statute.
- (iii) In a case where the inquiry discloses that a punishment beyond the power of the Registrar is called for, the Registrar shall upon the conclusion of the inquiry as provided in the Regulation make a report to the vice-chancellor along with his recommendations.
 Provided that an appeal shall lie to the Chancellor against an order of the Vice-chancellor imposing any penalty within a period of sixty days.
- (i) The Registrar shall be ex-officio secretary of the Executive Council and the Academic Council, but shall not be deemed to be a member of either of these authorities and he shall be ex-officio member-secretary of the court.
- (j) **It shall be the duty of the Registrar:-**
- (i) To be the custodian of the records, the common seal and such other property of the university as the Executive council shall commit to his charge;
- (ii) To issue all notices convening the meeting of the Court, the Executive council, the Academic Council and of any Committee appointed by these Authorities;
- (iii) To keep the minutes of all the meetings of the Court, the Executive Council, the Academic Council and of any Committee appointed by these Authorities;
- (iv) To conduct the official correspondence of the Court, the Executive council and the Academic Council and other Statutory committees;
- (v) To supply to the Chancellor, copies of the agenda of the meetings of the Court and Executive council as soon as they are issued and minutes of such meetings;

- (vi) To represent the university in suits or proceedings by or against the university, sign powers of attorney and verify pleadings or depute his representative for the purpose; and
- (vii) To perform such other duties as may be specified in the Statutes, the Ordinances or the Regulations or as may be required from time to time by the Vice-Chancellor or the Executive council.

7. *Finance officer.*—

- (a) The Finance officer shall be appointed by the Executive council on the recommendations of the Selection committee of the university either on deputation or by re-employment from amongst the officers of the office of the Accountant General, Bihar or Bihar Account Service or Bihar Finance Service and he shall be a whole time salaried officer of the university.
- (b) The Finance officer shall be appointed for a term of 5 years and shall be eligible for re-appointment, and shall retire at the age as prescribed by the State Government.
- (c) The emoluments shall be such as approved by the State Government from time to time & other terms and conditions of service of the Finance officer shall be such as may be prescribed by the Executive council from time to time.
- (d) When the office of the Finance officer is vacant or when the Finance officer is by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.
- (e) The Finance officer shall be ex-officio secretary of the Finance committee, but shall not be deemed to be a member of such committee.
- (f) In all proposals having financial implications the advice of the Finance officer shall be obtained.
- (g) The Finance officer shall-
 - (i) Exercise general supervision over the funds of the university and shall advise as regards its financial policy; and
 - (ii) Perform such other function as may be assigned by the Executive council or prescribed by the Statutes or Ordinance.
 - (iii) Work under Administrative control of the Vice-Chancellor.
- (h) Subject to the control of the Executive council, the Finance officer shall-
 - (i) Hold and manage the property and investments of the university including trust and endowed property;
 - (ii) ensure that the limits fixed by the Executive council for recurring and non-recurring expenditure for a financial year are not exceeded and that all moneys are expended on the purpose for which they are granted or allotted;
 - (iii) be responsible for
 - (1) Preparation of annual Accounts and budget of the university,
 - (2) Maintenance of Accounts,
 - (3) Audit of Accounts from time to time,
 - (4) Compliance of Audit-objection,
 - (5) Timely receipt of grants from the State Government or the UGC and submission of Utilisation certificates.
 - (iv) Keep a constant watch on the State of the cash and bankbalances and on the State of investments;
 - (v) watch the progress of the collection of revenue and advise on the methods of collection employed;
 - (vi) ensure that the registers of buildings, land, furniture and equipment are maintained up to date and that stock checking of equipments and other

consumable materials in all Offices, Departments, Centres and specialized laboratories is conducted.

- (vii) bring to the notice of the Vice-Chancellor unauthorized expenditure and other financial irregularities and suggest disciplinary action against persons at fault; and
- (viii) call for from any Office, Department, Centre, Laboratory, College or Institution maintained by the university any information or returns that he may consider necessary for the performance of his duties.
- (i) Any receipt given by the Finance officer or the Person or persons duly authorized in this behalf by the Executive council for any money payable to the university shall be sufficient discharge for payment of such money.

8. *Controller of Examinations-*

- (a) The controller of Examinations shall be appointed by the Executive council on the recommendations of the University Selection committee and he shall be a whole – time salaried officer of the university.
- (b) The controller of Examinations shall be appointed either on deputation or by direct appointment for a term of 3 years or as decided by the Executive council and shall be eligible for re-appointment.
- (c) The emoluments shall be such as approved by the State Government from time to time and other terms and conditions of service of the controller of Examinations shall be such as may be prescribed by the Executive Council.
- (d) The Controller of Examination shall be assisted by the Assistant Controller of Examination in conducting examination of various courses.
Provided that the controller of Examinations shall retire on attaining the age as prescribed by the Government.
- (e) When the office of the Controller of Examinations is vacant or when the Controller of Examinations is by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.
- (f) The Controller of Examinations shall arrange for and superintend the Examinations Conducted by the University in the manner prescribed by Statutes, ordinances, or regulations.

9. *Librarian.—*

- (a) The Librarian shall be appointed by the Executive council on the recommendation of the Selection committee and he shall be a whole time salaried officer of the University.
- (b) The qualification of the Librarian shall be such as prescribed by the University Grants Commission.
- (c) The emoluments of the Librarian shall be such as approved by the Government from time to time.
- (d) The Librarian shall exercise such power and perform such function and duties as may be assigned to him by the Executive council or by the Vice-Chancellor from time to time.
- (e) The Librarian shall superannuate on attaining the age as prescribed by the Government.

10. *Other officers of the University.*—

(a) Subject to the provision of sub section (7) of section 9 of the Act. the following shall also be the officer of the university in addition to the officers mentioned at section 2 of the Statutes : -

- (i) The Dean, Students' welfare
- (ii) Proctor
- (iii) Development officer
- (iv) Budget & Accounts officer
- (v) Deputy Registrar
- (vi) Assistant Registrar
- (vii) Inspector of the Colleges
- (viii) Pension & Retirement Benefits officer
- (ix) Medical officer
- (x) University Engineer
- (xi) Planning officer
- (xii) Assistant Controller of Examination 02 (Two)

NOTE:- The Vice-Chancellor with the approval of the State Government may retain the services of any legal practitioner as "Legal Consultant" on fixed monthly professional fee or otherwise for time to time consultation on legal issues as also for defending cases in Court.

Vice-Chancellor may also appoint one Liaison officer as per need.

(b) The Dean of Students' Welfare : -

- (i) The Dean of Students' Welfare shall be appointed by the Vice-Chancellor for a period of two years from amongst the University professors.
Provided that if the Vice-Chancellor thinks it necessary for administrative reasons he may revert the Dean to his original post and appoint another person as Dean for the unexpired period.
- (ii) The teacher appointed as the Dean, Students' Welfare under sub-section (1) shall hold lien on his original post, and he shall be eligible for all the benefits which would have otherwise accrued to him, in case he would not have been appointed as Dean, Students' Welfare. Duties, Powers And Functions of Dean, Student's Welfare:

Duties, Powers and Functions of Dean. Student's Welfare:

- (iii) Subject to the provisions of the Act, the Statutes and general supervision and control of the Vice-Chancellor, the Dean, Students' Welfare shall exercise powers and perform duties as under : -
 - (1) To supervise and generally guide the activities of the Executive council of Students' Union of the University and Colleges.
 - (2) To promote and encourage cultural, social and literary activities with a view to fostering health, corporate life in the student community.
 - (3) To establish and direct programme of students guidance and counseling.
 - (4) To act as a liaison between the Government of India, State Government, the University, other Universities and national and cultural organisations on the one hand and the students executive council, University Departments, colleges and institutions on the other, for purposes of planning and executing different scheme, programmes and activities relating to students welfare.
 - (5) To take initiative for the institution and award of scholarships, free studentship and half-free studentships and be responsible for timely disbursement of all types of scholarships to students of the University and Colleges and to administer the funds and operate the accounts sanctioned for the purpose. Also to correspond with the State

- Government, Central Government, U.G.C. and such other bodies and persons from whom the grants for scholarships are to be received.
- (6) To take steps to provide for proper amenities in the hostels attached to the University including the working of the messes, canteens consumer's co-operative stores and to exercise general supervision in respect of the hostels attached to colleges.
 - (7) To take proper steps in respect of the grievances of students regarding the facilities available to them in the libraries, hostel's common rooms and health centres.
 - (8) To perform such other duties as may be assigned to him from time to time by Vice-Chancellor.
 - (9) To promote extra-curricular activities such as games, sports, N.C.C. etc.
- (iv) The Dean, Students' Welfare shall submit a detailed report about the activities of the Students Union of the University and colleges during the academic year to the Executive council on or before 31st May, following the close of the financial year.
- (c) Proctor :-**
- (i) The Vice-Chancellor shall appoint 'Proctor' from amongst such teachers of the University as are not below the rank of Associate Professor.
 - (ii) His tenure shall be of two years and on the expiry of his tenure, he may again be appointed:
Provided that if at any time the Vice-Chancellor thinks it proper on administrative grounds, he may send the Proctor back to his original post and appoint another person as Proctor for the unexpired period of his term.
 - (iii) In case of vacancy of the Proctor caused due to resignation or illness or any other reason his duties shall be discharged by person appointed for the purpose by the Vice-Chancellor.
- (d) Duties, Powers and Functions of The Proctor.**—Subject to the provisions of the Act and Statutes and general supervision and control of the Vice – Chancellor, the Proctor shall exercise the powers and perform duties as under:-
- (i) The Proctor shall be responsible for maintenance of discipline amongst students in the University, office, departments and institutes and colleges in and around the University campus and for that he shall exercise such powers as may be delegated to him by the Vice-Chancellor from time to time and shall perform such other duties as may be assigned to him by the Vice-Chancellor from time to time.
 - (ii) All complaints relating to students' indiscipline brought to the notice of the Proctor shall be investigated by him and he shall make necessary recommendations to the authorities concerned.
 - (iii) Without prejudice to the powers vested in the Vice-Chancellor or the Principal of a college or the Head of University Department or Institute but subject to approval of the Vice-Chancellor, the Proctor shall have powers to
 - (i) fine any student for breach of discipline,
 - (ii) suspend any student and prohibit him from entering the premises of the Department or college or institution or hostel or other places of residence extending up to period of onemonth, or
 - (iii) order legal action to be taken against a student;
 Provided that before taking any such action against a student the Proctor shall make such enquiry as he may consider necessary and satisfy himself about the gravity of the

offence and involvement of the student concerned and recommend to the authority considered, for award of proper punishment. The Principal of the college concerned, the Head of the University Department or Institute or the Superintendent of the Hostel concerned shall implement the order and send compliance report to the Proctor within the time stipulated.

- (iv) The Proctor shall be entitled to visit any University Department or Institute or college or Hostel or any other place or student's residence or any other place where the occurrence of breach of discipline on the part of student or students has taken place or is likely to take place and he shall have the authority to interrogate any student on relevant matters and the student shall furnish all information required of him;

Provided that Proctor shall visit any such place only with the prior permission of the Vice-Chancellor except that in case of emergency, he may visit such a place on his own accord and inform the Vice-Chancellor thereafter as soon as possible.

- (v) Heads of the University Departments or Institutes or Principals of Colleges shall report to the Proctor every case of students indiscipline brought to their notice and action taken by them or recommended to be taken against the student concerned in the matter.
- (vi) The Proctor shall maintain a register of all cases of indiscipline on the part of students stating therein the name and other details of the student concerned and action taken against him either by the Head of the Department or Institute or Principal of college or by any other authority.

11. *Authorities of the University.*—The following shall be the authorities of the University, namely : -

- (a) The Court;
- (b) The Executive council;
- (c) The Academic council;
- (d) The Schools (Faculties);
- (e) The Examination Board;
- (f) The Finance Committee;
- (g) The Planning and Evaluation Committee; and
- (h) Such other authorities as may be declared to be the authorities of the University by the Statutes.

12. *The Court:* -

- (a) The Court shall be constituted by the State Government which shall consist of the following persons, namely –
- (1) The Minister, HRD-Chairman ;
 - (2) The Vice-Chancellor;- Vice-Chairman
 - (3) The Principal Secretary/Secretary, Human Resource Development Department;
 - (4) Dean Students' Welfare
 - (5) Proctor
 - (6) Principal Secretary/Secretary, Health and Family Welfare;
 - (7) Principal Secretary/Secretary, Science and Technology;
 - (8) The Director of Technical Education, Bihar;

- (9) The Deans of Schools;
- (10) Five Principals of Colleges maintained by the University as are not Deans to be nominated by the Vice-Chancellor in rotation;
- (11) Four persons to be selected by the Speaker of the Assembly from amongst the members of the Bihar Legislative Assembly, one of whom shall be from Scheduled Caste/ Scheduled Tribe, one from other Backward Classes and one from women;
- (12) Two persons, to be selected by the Chairman of the Council from amongst the members of the Bihar Legislative Council.
- (13) One employee of the University / College elected by the University / and College employees Association.
- (14) One student from amongst the students of University to be elected by the members of the Students' Union;
- (15) Such members of the Executive council as are not members of the Court under the above provisions.
- (16) Four persons to be nominated by the State Government who are known for their academic interest.

(b) Meeting of The Court:-

- (i) Annual meeting of the Court shall be held once a year on the date to be fixed by the Executive council either in the month of August or September every year for such number of days as it is necessary.
The meetings of the Court shall be presided over by the Chairman and in his absence, by the Vice-Chairman.
- (ii) At the annual meeting of the Court, a report on the working of the University during the previous year, together with budget and a statement of the receipts and expenditure, the balance-sheet as audited, and the financial estimates for the next year shall be presented.
- (iii) A copy of the statement of receipts and expenditure, the balance-sheet and the financial estimates referred to in sub section (2) of section 10 of the Statute shall be sent to every member of the Court at least seven days before the date of the annual meeting.
- (iv) Special meeting of the Court may be convened by the Executive council upon a requisition in writing signed by not less than one third of the total number of members of the Court, only one special meeting in a year.
- (v) One third members of the Court shall form a quorum for a meeting of the Court.

(c) Term of office of members of the Court:-

- (i) The term of office of members of the Court other than the ex officio member, the members whose terms have not been specified under this Act, shall be three years from the date of their notification:
Provided that a member elected, or nominated as a representative of anybody shall be deemed to have vacated office with effect from the date on which he ceases to be a member of the body which elected or nominated him:
- (ii) The Court shall have perpetual succession and any of its acts or proceedings shall not be invalid merely because of any vacancy or vacancies in its membership.

(d) Powers and duties of the Court:-

- (i) Subject to the provisions of this Act and Statutes, the Court shall be the supreme governing body of the University, and shall exercise control over all the affairs and properties of the University, and shall exercise all such powers as are not otherwise specified by this Statute.

- (ii) In particular and without prejudice to the generality of the foregoing powers, the Court shall exercise the following powers and perform the following duties, namely -
- (1) of making the Statutes
 - (2) of passing resolution after having considered the annual report, the annual account, the financial estimates and audit report on such accounts;
 - (3) of exercising the powers for the purpose of control in Colleges, and of superintendence which include affiliation and disaffiliation of Colleges:
Provided that affiliation or disaffiliation of Colleges shall not take effect, unless it is approved by the State Government. Before granting such an approval, the State Government shall consider the financial viability of the College, the nature and form of the proposed management of the college, the viability of the academic standard and all other conditions which are likely to have adverse effect on the interests of students admitted to such a college
 - (4) of instituting and conferring such degrees, titles, diplomas and other academic distinctions as may be prescribed by the Statutes; and
 - (5) of exercising such other powers and of performing such other duties as are conferred or imposed upon it by the Act or the Statutes.
- (e) For participating in the meeting of the Court, local members shall be entitled to conveyance allowance as applicable to State Government employees. Members coming from outside shall get Daily allowance in addition to Travelling allowance as per State Government Rule”.
- (f) (i) In addition to the fees, grants, donations, gifts and contributions received from UGC, State Government, and other Agencies, the University shall endeavor to augment its resources with the cooperation of corporate house etc. for meeting requirement of fund for Research & Development, construction work, and for awarding scholarships.
- (ii) The State Government may consider to provide Grant for development of the University and promotion of academic activities.
- (iii) Fund received from the State Government from time to time shall be expended / disbursed with the approval of the Executive Council as per direction of the State Government.

13. *The Executive council.*—The Executive council shall be the principal Executive body of the university and shall consist of the following persons-

(a) Ex-officio members of the Executive Council

- (i) The Vice-Chancellor (Chairman)
- (ii) Director, Higher Education
- (iii) Director, Health Services
- (iv) Director, Science and Technology
- (v) Deans of the faculty of Engineering, Medicine, Education, Law, and Management,
- (vi) Dean Students Welfare
- (vii) Proctor

(b) Other members

- (i) Two Principals of Colleges and two Heads of the university Department by rotation for a period of one year.
- (ii) One reputed educationist nominated by the Chancellor:

Provided that if in the foregoing sub section of section 13 of the Statute there be no scheduled caste member, then in that case the Chancellor shall nominate a scheduled caste member having academic interest.

- (iii) Fifty percent of members of the Executive council shall form a quorum for meeting of the Executive council.

(c) Powers and functions of Executive council-

- (i) The Executive council shall be the chief Executive body of the university and shall hold office for a period of three years.
- (ii) The Executive council shall hold, control and administer property and fund of the university including endowments, donations and such other transfer made for the benefit of the university and dispose of any such property for the purpose of the university:

Provided that no property shall be disposed of except with the prior approval of the State Government.

- (iii) Subject to the provisions of this Act, the Statutes and the ordinances, the Executive council shall in addition to all other powers vested in it, have the following powers namely:-

- (1) Determine and regulate all matters concerning the university.
- (2) To create teaching and other academic posts including chairs, to determine the number and emoluments of such posts as approved by the State Government and to define the duties and conditions of service of officers (other than the Vice-Chancellor and teachers of the university).

Provided that no action shall be taken by the Executive council in respect of the number and qualifications of teachers and other academic staff otherwise than after consideration of the

- (3) To appoint such Professors, Associate Professors, Assistant Professors and other academic staff including chairs, as may be necessary on the recommendation of the Selection committee of the University.
- (4) The Executive council may appoint a teacher or any other academic staff working in any other university or organization for undertaking a joint project in accordance with the manner laid down in the ordinances.
- (5) The Executive council may appoint a person selected in accordance with the procedure laid down in Statute for a fixed tenure or such terms and conditions as it deems fit.

Provided that appointment on any post shall be made only after the prior sanction of the post by the State Government.

Provided further that if at any time circumstances warrant immediate action in the interest of the university the appointment may be made against the post (s) already proposed to the State Government for sanction but such appointments shall be subject to the sanction by the State Government and pending sanction shall not Continue for more than six months.

- (6) To promote inter-facial research by making joint appointments of teaching staff in different Schools, Departments and centres,
- (7) To create administrative ministerial and other posts and to define their duties and conditions of service and make appointments thereto in the manner prescribed by the ordinances;
- (8) To grant Study leave to teachers of the university and to make necessary arrangements.
- (9) To regulate and enforce discipline among employees in accordance with the Statutes and the ordinances;

- (10) To manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the university and for that purpose to appoint such agents as it may think fit;
- (11) To fix limits on the total recurring and the total non-recurring expenditure for a year on the recommendation of the Finance committee;
- (12) To invest any money belonging to the university, including any unapplied income in such stocks, funds, share or securities from time to time as it may think fit or in the purchase of immovable property with the like powers of varying such investment from time to time;
- (13) To transfer or accept transfers of any movable or immovable property on behalf of the university;
- (14) To provide building premises, furniture and apparatus and other required infra structure for carrying out the work of university;
- (15) To enter into, vary, carryout and cancel contracts on behalf of the university;
- (16) To entertain adjudicate upon and if deemed proper to redress grievances of the employees and students of the university who may for any reason may feel aggrieved;
- (17) To fix remuneration and traveling and other allowances for paper setters and examiners and Board of moderators in consultation with the Academic council;
- (18) To select a common seal for the university and provide for the use of such seal;
- (19) To make such special arrangements as may be necessary for the abode of women students;
- (20) To institute fellowships, scholarships, studentship madals and prizes;
- (21) To provide for the appointment of visiting professors, professor Emeritus, consultants and scholars and determine the terms and conditions of such appointments;
- (22) To enter into partnership with industry and non-governmental agencies for the advancement of knowledge and establish a corpus of funds out of the profits of such partnership; and
- (23) To exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the Statutes.

14. *The Academic Council:* -

- (a) The Academic Council shall consist of : -
 - (i) The Vice-Chancellor;
 - (ii) The Deans of Faculties;
 - (iii) The Director, Higher Education, Bihar;
 - (iv) All Heads of University Departments;
 - (v) All Principals of colleges / maintained by the State Governments;
 - (vi) Not more than two experts outside the University service, to be co-opted by the Academic Council for specific purposes according to needs;
 - (vii) The President of the University Students' Union.
- (b) The term of office of members, other than the *ex-officio* members, shall be for a period of three years with effect from the dates of their respective election or nomination and shall include any further period which may elapse between the expiration of the said period of three years and the date of the next succeeding election or nomination, as the case may be, not being an election or nomination to fill up any casual vacancy;

Provided that any member elected or nominated shall be deemed to vacate office with effect from the date on which he ceases to be a member of the body which elected or nominated him.

15. *Power and functions of Academic Council.*—Subject to the provisions of this Act the Statutes and the Ordinances, the Academic council shall in addition to all other powers vested in it have the following powers, namely : -

- (a) To exercise general supervision over the academic policies of the university and to give directions regarding methods of instruction, coordination of teachings among the colleges and the institutions, evaluation of research and improvement of academic standards;
- (b) To bring about and promote inter-school coordination and to establish or appoint such committees or boards as may deem necessary for the purpose;
- (c) To consider matters of general academic interest either on its own initiative or a reference by a school or the Executive council, and to take appropriate action thereon ; and
- (d) To frame such Regulations and Rules consistent with the Act and Statutes and the ordinances regarding the academic functioning of the university, discipline, residence, admissions, award of fellowship and studentship fees, concessions, corporate life and a attendance.
- (e) One third of the Members of the Academic council shall form a quorum for a meeting of the Academic council.

16. *Finance Committee.*—

- (a) The Finance Committee shall consist of the following members namely:-
 - (i) The Vice-Chancellor as the Chairman
 - (ii) An officer of the State Government of the rank of Joint Secretary or above to be nominated by the State Government.
 - (iii) One person to be nominated by the Court;
 - (iv) Three persons to be nominated by the Executive council, out of whom at least one shall be a member of the Executive council;
 - (v) Three persons to be nominated by the Chancellor from amongst teachers not below the rank of university professor.
- (b) Five members of the Finance Committee shall form a quorum for a meeting of the Finance Committee.
- (c) All the members of the Finance Committee other than ex officio members, shall hold office for a term of three years.
- (d) A member of the Finance committee shall have the right to record a minute of dissent if he does not agree with any decision of the Finance Committee.
- (e) The Finance Committee shall advise the university on any question affecting its finance.
- (f) The Finance Committee shall prepare the annual estimate of income and expenditure of the university and colleges and study centers.
- (g) The Finance Committee shall have power to scrutinise the estimates of the colleges and Study Centers.
- (h) The Finance Committee shall be responsible for maintenance of Accounts of income and expenditure of the university.
- (i) The Finance Committee shall meet at least thrice every year to examine the accounts and to scrutinise proposals of expenditure.
- (j) All proposals relating to creation of Posts, and those items which have not been included in the Budget, shall be examined by the Finance Committee before they are considered by the Executive Council.

(k) The Finance Committee shall recommend limits for the total recurring expenditure and the total non-recurring expenditure for the year, based on the income and resources of the university (which in the case of productive works, may include the proceed of loans).

(l) The Finance Committee discharges such other functions of financial nature as may from time to time be entrusted to it by the Executive Council.

17. *The Research Council .—*

(a) In each School of the university there shall be a Post Graduate Research Council for registration and for imparting proper guideline of research work and the council shall work under the general control of the Academic council.

(b) The Research Council shall consist of the following persons

- (i) The Vice-Chancellor
- (ii) The Dean of the concerned school.
- (iii) All Heads of the Department of the concerned school and
- (iv) Four teachers of the concerned school to be nominated by the Vice-Chancellor in each academic year.

(c) The Research council shall meet at least three times a year.

18. *Board of Planning.—*

(a) The Board of Planning shall consist of the following members, namely:-

- (i) The Vice-Chancellor;
- (ii) One person to be nominated by the Court;
- (iii) Three persons to be nominated by the Executive council, out of whom at least one shall be a members of the Executive council;
- (iv) One person to be nominated by the State Government ; and
- (v) One person to be nominated by the Chancellor.

(b) Five members of the Board of Planning shall form a quorum for a meeting of the Board of Planning.

(c) All members of the Board of Planning, other than ex officio members, shall hold office for a term of three years.

(d) The Board of Planning shall meet at least twice every year for the purpose of preparing plan and programme for development and improvements of the university and its courses study, for reviewing and evaluating the progress achieved in such plan and programme, testing and evolving new methods of teaching, and for consultation and exchange of information with similar organization, other universities and research institutes for these purposes.

(e) The Registrar shall act as secretary to the Committee.

19. *Board of Affiliation.—*

(a) The Board of Affiliation shall consist of the following members namely :-

- (i) The Vice-Chancellor
- (ii) Principal Secretary/Secretary, Department of Human Resource Development , Government of Bihar.
- (iii) The Director of Higher Education, Bihar;
- (iv) The Director of of the Department concerned;
- (v) One person to be nominated by the Court;
- (vi) Two Person to be nominated by the Executive Council;
- (vii) Two Person to be nominated by the Academic Council; and
- (viii) One Person to be nominated by the Vice-Chancellor.

(b) Four members of the Board of Affiliation shall form a quorum for a meeting of the Board of Affiliation.

- (c) The Board of Affiliation shall meet at least thrice every year depending upon number of cases to examine and scrutinise proposals for admitting colleges and institutions to the privileges of the university.
- (d) All the Colleges and institutions covered by the Act shall be required to seek affiliation from the A.K.University.
- (e) The Board shall constitute team from amongst its members who will as and when required visit the Colleges and will examine and assess their status regarding their claim for the grant of autonomy and will submit report to the Affiliation committee in the light of the criteria laid down by the UGC as to what extent autonomy can be considered.
- (f) Fee for affiliation of Colleges/Institutions shall be decided with fine structure therein by the Executive council.
The details of admission and exclusion of colleges shall be prescribed by the

ordinances.

20. *Board of Studies.*—

- (a) Each Department shall have a Board of Studies.
- (b) The constitution of the Board of Studies and the term of office of its members shall be prescribed by the ordinances.
- (c) Subject to the overall control and supervision of the Academic Council, the functions of a Board of Studies shall be to approve subject for research for various degrees and other requirements of research degrees and to recommend to the concerned School in the manner prescribed by the ordinances-
 - (i) Courses of Studies and appointment of Examiners for courses, but excluding research degrees;
 - (ii) Appointment of supervisors for research; and
 - (iii) measures for the improvement of the standard of teaching and research.
 Provided that the above functions of a Board of Studies shall, during the period of three years immediately after the commencement of this Act, be performed by the Department.

21. *Other Authorities of the university (vide section 17 of the Act.)*

- (a) The Examination Board The Vice Chancellor shall be the Chairman of the Examination Board and Deans of all Schools shall be its members.
- (b) The Examination Board shall give advice in respect of conduct of Examinations, appointment of Examiners, setting and moderating question papers, preparation, moderation and publication of examination results, submission of such examination results to the Academic Council and generally regulating the methods of improvement in the procedure of correct evaluation of achievements of Students. The final decision, however shall be of the vice-chancellor in the above matter.
- (c) The Examination Board shall submit to the Vice-Chancellor panel of names for appointment of question setters and examiners and the Vice-Chancellor shall make appointment from the panel.
- (d) The Vice-Chancellor shall be competent to order for re-evaluation of the answer books if he is satisfied that the evaluation of the answer book has not been fairly done or evaluation has been done in violation of the provisions of the Statute Regulations, Ordinance, or Rules.

22. *Selection Committee.*—

- (a) There shall be a Selection committee for making recommendations to the Executive council for appointment to the posts of professor, Associate professor, Assistant professor, officers of the university, Librarian and Principals of colleges and Institutions maintained by the university. The Selection Committee shall also decide cases relating to the seniority promotion and establishment

matters of the teachers and officers of the university under the provisions contained in the Statutes.

- (b) The Selection Committee for appointment to the posts specified in column 1 of the table below shall consist of the Vice-Chancellor as chairman of the committee, one nominee of the chancellor and one member of the SC/ST/OBC having academic interest to be nominated by the State Government and such other members specified in the corresponding entry in column 2 of the said Table. The qualification for appointment to the posts shall be such as prescribed by the University Grants Commission.

1	2
(i) Professor	(1) The Dean of the School. (2) The Head of the Department, concerned if he is a professor. (3) Three persons of the concerned subject not below the rank of University professor not in active service of the University to be nominated by the Vice-Chancellor out of a panel of names recommended by the Vice-Chancellor and HOD of the subject concerned with the approval of the Chancellor for their special knowledge of or interest in the subject with which the appointment of professor concerned.
(ii) Associate Professor / Assistant Professor	(1) The Head of the Department of the concerned subject. (2) One Professor of the subject nominated by the Vice-Chancellor. (3) Two persons not in active service of the university, nominated out of a Panel of names recommended by the Vice-Chancellor with the approval of the Chancellor.

Provided that in the case of appointment of Asstt. Professor if teacher in the concerned subject of the rank of Professor of this University or any other University is not available, other teacher not below the rank of Associate Professor may be appointed.

1	2
(iii) Officer of the University other than librarian	(1) Two members of the Executive council nominated by the Vice-Chancellor. (2) One person not in active service of the university nominated by the Executive council.
(iv) Librarian	(1) Two Persons not in active service of the university who have special knowledge of the subject of the Library science or Library Administration nominated by the Executive council. (2) One person not in active service of the university nominated by the Vice-Chancellor.
(v) Principal of College or institution maintained by the university	(1) Three persons not in active service of the university to be nominated by the Executive council for their special knowledge of or interest in the subject in which instruction is being provided by

the college or institution not below the rank of university professor. Provided that out of the three specialists one shall be a Vice-Chancellor of the outside university. or ex-Vice Chancellor of any University.

- (c) The appointment of officers other than the (Dean, Students welfare, Proctor) shall be made on the recommendation of the Selection Committee constituted for the purpose and the officers shall be a whole time salaried officer of the university.

The appointment of Dean, Students welfare, Proctor shall be made by the Vice-Chancellor for a period of two years from amongst the university professor / Associate Professor, Readers or Principal of the College under the university.

Provided that if the Vice-Chancellor for administrative reasons or thinks it necessary otherwise he may revert the DSW/Proctor to their original posts and appoint another person on the post for the unexpired period. The duties, powers and functions of the officers shall be prescribed by the Statutes.

- (d) The meeting of the Selection Committee shall be fixed after prior consultation with, and subject to the convenience of chancellors nominee, the State Government nominee and the experts nominated by the Executive council.

Provided that the Proceedings of the Selection committee shall not be valid unless :-

- (i) where the number of chancellor's nominee, the State Government nominee and the persons nominated by the Executive council is five in all, at least four of the them attend the meeting and
- (ii) where the number of Chancellor's nominee, the State Government nominee and the persons nominated by the Executive council is four in all atleast three of the them attend the meeting.
- (iii) The Vice-Chancellor or in his absence the person delegated by him shall preside at the meeting of the selection committee.

- (e) The procedure to be followed by the selection committee shall be laid down in the ordinances.

- (f) If the Executive council is unable to accept the recommendations made by the Selection Committee, It shall record its reasons and submit the case to the Chancellor for final orders.

- (g) If the Vice-Chancellor is satisfied that in the interests of work it is necessary to fill any vacancy, the appointment may be made on a purely temporary basis subject to maximum period of six months.

- (h) No teacher or officer appointed against temporary vacancy by the Vice-Chancellor shall continue beyond six months unless his appointment is approved by the Executive Committee.

23. *Special mode of appointment.*—

- (a) Notwithstanding anything contained in Statutes the Executive council may invite a person of high academic distinction and professional attainments to accept a post of professor or Associate professor or any of the equivalent academic post in the university on such terms and conditions as it deems fit and on the person agreeing to do so appoint him to the post;
- (b) The Executive council may appoint a teacher or any academic staff serving in other university or organisation for undertaking any joint venture project in accordance with the manner prescribed by the ordinance.

- (c) Subject to the provisions contained in Sub-Sections (2) and (9) of section 6 of the Act, the Vice-Chancellor in case of necessity may appoint some person having experience and proficiency in administrative, legal, academic, and financial work as officer on special duty (OSD) for a period of six months for providing required support services, which with the approval of the Executive council may be extended for further six months. It shall not be necessary in such cases to advertise the post or for the person concerned to apply for the post. The emoluments payable to the O.S.D. shall be such as approved by the Government. Provided that the Executive council may also create supernumerary posts for a specified period for appointment of such persons;
 Provided further the number of supernumerary posts so created shall not exceed five percent of the total posts in the university.

24. *Settlement of disputes / Arbitration.*—If any dispute or difference or claim of any nature whatsoever arises between employees or Students and the University connected with or in connection with arising out of any academic issue or otherwise then the representatives of employees or students and the university shall meet together promptly, at the request of any party, in an effort to resolve such dispute, differences, by discussion between them.

Failing amicable settlement between the parties, the dispute or differences shall at the request of the employee/student, be referred to a tribunal of Arbitration consisting of one member nominated by the employee / student concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final, and no suit shall lie in any Civil Court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this clause within the meaning of the Arbitration and Conciliation Act 1996.

25. *Conferment of Honorary degrees—*

- (a) The Executive Council may on the recommendation of the Academic Council and by a resolution passed by a majority of not less than two thirds of the members present and voting, make proposal to the Chancellor for the conferment of honorary degree of Doctor of literature or Doctor of science which shall be conferred upon a person on the ground that he is by reason of eminent position and attainments or in recognition of his contribution to learning or eminent services to the cause of education, research and development, a fit and proper person to get such a degree.
 Provided that in case of emergency, The Executive Council may on its own motion make such proposal.
- (b) The Honorary degree shall be conferred at a convocation, or at a special convocation, and may be taken in person or in absentia.
- (c) Representation of persons at the convocation, on whom the Honorary degree is to be conferred, shall be made by the Vice-Chancellor.
- (d) If evidence is laid before the Executive council to show that any person on whom a degree, diploma, license, title or mark of honour has been conferred by the Executive council, has been convicted of what is in their opinion an offence involving, moral turpitude or financial irregularity, the Executive council may propose to the court that the degree, diploma, license, title or mark of honour should be cancelled, and if the proposal is accepted by not less than two thirds of the members present and voting at a meeting of the court, and is confirmed by the Chancellor, the degree, diploma, license, title or mark of honour shall be withdrawn and cancelled accordingly.

26. *Withdrawal of degrees, etc.*—The Executive council may, by a resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw a degree or academic distinction conferred on or any certificate or diploma granted to, any person by the University for good and sufficient cause.

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

specified in the notice as to why such a resolution should not be passed and until his objection, if any, and any evidence he may produce in his support, have been considered by the Executive council.

27. *Maintenance of discipline amongst students and employees of the University.*—

- (a) The Vice-Chancellor shall have the authority and power to take action for maintaining discipline and disciplinary action in relation to the students and employees of the university as per provisions contained in this Statute.
- (b) There shall be a proctor of the University to assist the Vice-Chancellor in the exercise of the Powers referred to in sub section (a) above, who shall be appointed by the Vice-Chancellor from amongst the Professors and Associate Professors.
- (c) The Vice-Chancellor may delegate all or any of the Powers referred to in sub section (a) above as he may specify in this behalf.
- (d) Without Prejudice to the generality of his powers relating to the maintenance of discipline and taking such action, as may seem to him appropriate for the maintenance of discipline, the Vice – Chancellor may, in exercise of such powers, by order, direct that any student or students be expelled or rusticated, for a specified period, or be not admitted to any course of study in a College, Institution or Department or a school of the university for a stated period, or be punished with fine for an amount to be specified in the order, or be debarred from taking an examination or examinations conducted by the University, College, Institution or Department or a School for one or more years, or that the results of the student or students concerned in the examination or examinations in which he or they have appeared be withheld or cancelled.
- (e) The Principals of Colleges, Institutions, Deans of Schools of studies and Head of teaching Departments in the university shall have the authority to exercise all such disciplinary powers over the students in their respective colleges, Institutions, School and teaching Departments in the university, as may be necessary for the proper conduct of such Colleges, Institutions, Schools and teaching Departments.
- (f) Without prejudice to the powers of the Vice-Chancellor and the Principals and other persons specified in sub section (e) above elaborate rules of discipline and proper conduct shall be made by the university and principals of the Colleges, Institutions, Deans of school of studies and Head of teaching Departments in the university may also make such supplementary rules as they deem necessary for the purposes stated therein.
- (g) At the time of admission, every students shall be required to sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and other authorities of the university.

28. *Convocations.*—Convocations of the university for the conferment of degrees or for other purposes shall be held in such manner as may be prescribed by the ordinances.

29. *Acting chairman of meetings.*—Where no provision is made for a president or chairman to preside over a meeting of any authority of the university or any committee of such authority or when the President or Chairman so provided for is absent the members present shall elect one from among themselves to preside at such meeting.

30. *Resignation from membership.*—Any member, other than an ex-officio member of the court, the Executive council, the Academic council or any other authority of the university or any committee of such authority may resign by letter addressed to the Registrar and the resignation shall take effect as soon as such letter is accepted by the Vice-Chancellor.

31. *Disqualification from membership.*—

- (a) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities, or for being appointed as, and for being, an officer, of the university if -
- (i) he is of unsound mind; or
 - (ii) he is an undischarged insolvent; or
 - (iii) he has been dismissed / discharged from the service of the University, or State or Public undertakings.
 - (iv) he has been convicted by a court of law of an offence involving moral turpitude or financial irregularity and sentenced in respect thereof to imprisonment.
- (b) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in sub section (a) above, the matter shall be referred to the Chancellor and his decision shall be final and no suit or other proceeding shall lie in any Civil Court against such decision.

32. *Resident condition.*—Notwithstanding anything contained in the Statutes, a person who is not ordinarily resident in India shall not be eligible to be an officer of the University or a member of any authority of the University.

33. *Membership of authorities by virtue of membership of other bodies.*—Not with standing anything contained in the Statutes, a person who holds any post in the university or is a member of any authority or body of the university by virtue of being a member of a particular authority or body or as the holder of a particular appointment, shall hold such office or membership only for so long as he continues to be a member of that particular authority or body or the holder of that particular appointment as the case may be.

34. *Ordinance how made.*—

- (a) The ordinance made under section 29 of the Act may be amended, repealed or added to at any time by the Executive council in the manner specified in the following sub-sections.
- (b) No ordinance in respect of the matters enumerated in sub-section (d) of section 29 of this Act shall be made by the Executive council unless a draft of such ordinance is proposed by the Academic council.
- (c) The Executive council shall not have power to amend any draft of any ordinance proposed by the Academic council under sub-section (a) above, but may reject the proposal or return the draft to the Academic council for re-consideration, either in whole or in part, together with any amendment which the Executive council may suggest.
- (d) Where the Executive council has rejected or returned the draft of an ordinance proposed by the Academic council, the Academic council may consider the question afresh and in case the original draft is reaffirmed by a majority of not less than two-thirds of the members present and voting and more than half of the total number of member of the Academic council, the draft may be sent back to the Executive council which shall either adopt it or refer it to the State Government whose decision there on shall be final.
- (e) Every ordinance made by the Executive council shall come into effect immediately.
- (f) Every ordinance made by the Executive council shall be submitted to the State Government within two weeks from the date of its adoption.
- (g) The State Government shall have the power to direct the university to suspend the operation of any ordinance.
- (h) The State Government shall inform the Executive council about his objection to the ordinances referred to in sub-section (g) and may, after receiving the

comments of the university, either withdraw the order suspending the ordinances or disallow the ordinances, and decision of the State Government shall be final.

35. *Regulation.*—

- (a) The authorities of the university may make regulations consistent with this Act, the Statutes and the ordinances for the following matters, namely:-
- (i) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;
 - (ii) Providing for all matters which are required by this Act, the Statutes or the Ordinances to be prescribed by Regulations; and
 - (iii) Providing for all other matters solely concerning such authorities or committees appointed by them and not provided for by this Act, the Statutes or the Ordinances.
- (b) Every authority of the university shall make Regulations providing for the giving of notice to the members of such authority of the dates of meeting and of the business to be considered at meetings and for keeping of a record of the proceedings of meetings.
- (c) The Executive council may direct any amendment in such manner as it may specify of any Regulation made under the Statutes or the annulment of any such Regulation.

36. *Statutes How Made.*—Every new Statute or addition to the Statute or any amendment or repeal thereof in the Statute shall require the assent of the Chancellor who shall accord his/her assent on the advice of the State Government.

37. *Delegation of powers.*—Subject to the provision given at the foot of section 45 of the Act and provision of the Statutes, any officer or authority of the university may delegate his or its powers to any other officer or authority or person under his or its respective control but subject to the condition that overall responsibility for the exercise of the powers so delegated shall remain with the officer or the authority delegating such powers.

38. *Transitional provision.*—Subject to the provision of section 45 of the Act, the following officers and authorities shall be appointed / nominated by the State Government for a term of four years:-

(a) **Appointment**

- i. The first Vice-Chancellor - for four years
- ii. The first Registrar - for four years
- iii. The first finance officer - for four years

(b) **Nomination**

- iv. The first member of the court - for four years
- v. The first member of the Executive council - for four years

Provided that if any vacancy occurs in the above mentioned offices or authorities, the same shall be filled by appointment or nomination, as the case may be by the Government, and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he is appointed or nominated would have held office, if such vacancy had not occurred.

39. *Committees.*—

- (a) An authority of the University may appoint as many standing committees as it may deem fit, and may appoint to such committees persons who are not members of such authority.
- (b) A committee appointed under sub-section (a) above may deal with any subject delegated to it, subject to subsequent confirmation by the authority appointing it.

There shall be the following standing committees in the university:-

- (i) Affiliation and new teaching programme committee
- (ii) Post creation, absorption and confirmation committee (for teachers and officers)
- (iii) Approval, Seniority and pay fixation committee

- (iv) Promotion committee (officer & non teaching staff)
- (v) Students residence and welfare committee
- (vi) Scholarship and stipend Committee
- (vii) Study Leave Committee
- (viii) Equivalence Committee
- (ix) Statutes Committee
- (x) Library Committee
- (xi) Building Committee
- (xii) Purchase and Sale Committee
- (xiii) Press Committee
- (xiv) Discipline Committee
- (xv) Admission Committee
- (xvi) Students Discipline Committee
- (xvii) Academic Calendar Committee
- (xviii) Sports Committee
- (xix) Cultural activities Committee

The composition, powers and functions of these committees shall be as follows:-

- (c) *Affiliation & new teaching programme committee.—The Committee may consist of following :-*

- (i) The Vice-Chancellor – Chairman
- (ii) Deans of Schools concerned
- (iii) Two representatives of the Executive Council
- (iv) Two representatives of the Academic Council
- (v) The Registrar of the University - Member Secretary

The following shall be the powers and functions of the Committee :-

- (1) To scrutinise the applications for grant of fresh affiliation or extension of a affiliation to colleges and to make its recommendations.
- (2) To scrutinise the applications for starting new teaching programmes in Constituent Colleges or P.G. Departments and to make its recommendations.
- (3) To recommend the names of Inspectors for inspection of the colleges and the departments for the above purposes.

- (d) *Post creation, absorption and confirmation Committee.—The Committee shall consist of the following:-*

- (i) The Vice-Chancellor-Chairman
- (ii) One senior Principal to be nominated by the Vice-Chancellor
- (iii) One senior Head of the University department to be nominated by the Vice – Chancellor
- (iv) The Director, Higher Education, Government of Bihar, Patna
- (v) Two members to be nominated by the Executive council
- (vi) The Registrar-Member Secretary

The following shall be the powers and functions of the Committee:-

- (1) To consider the need for creation of new posts of teachers and officers and to make its recommendations.
- (2) To consider the cases of absorption of temporary teachers and officers (other than the purely temporary lecturers) for absorption in permanent service of the University and to make its recommendations.
- (3) To consider the cases of teachers and officers and to make its recommendations for their confirmation.

(e) *Approval, seniority and pay fixation Committee* .—*The Committee shall consist of the following:-*

- (i) The Vice-Chancellor-Chairman
- (ii) Three members to be nominated by the Vice-Chancellor
- (iii) Two senior teachers to be nominated by the Vice-Chancellor
- (iv) One member to be nominated by the Finance Committee
- (v) The Registrar-Member Secretary.

The following shall be the powers and functions of the Committee:-

- (1) To consider the cases and to make its recommendations for appointments in affiliated colleges.
- (2) To consider representations and to make its recommendation in regard to seniority in respect of teachers and officers of the University.
- (3) To consider the cases and to make its recommendation for fixation of pay of teachers, officers and other employees of the University.

(f) *Promotion Committee*.—*The Committee shall consist of the following:-*

- (i) The Vice-Chancellor-Chairman
- (ii) Two members to be nominated by the Executive Council
- (iii) Senior most Dean of the School.
- (iv) The Registrar-Member Secretary

The Committee shall consider the cases and make its recommendations for promotion of officers and other non-teaching staff of the University.

(g) *Student's Residence and Welfare Committee*.—*The Committee shall consist of the following :-*

- (i) The Vice-Chancellor-Chairman
- (ii) Four Deans of Faculties to be nominated by the Vice-Chancellor
- (iii) Two senior Principals to be nominated by the Vice-Chancellor
- (iv) The senior most Warden
- (v) Two members to be nominated by the Executive Council
- (vi) The Dean, Student's Welfare-Member Secretary
- (vii) The Proctor

The Committee shall look after the management and maintenance of Students' residence and make its recommendations for their proper up keep including the appointments of Warden, Superintendents, Assistant Superintendents and other staff. The Committee may also look after the other welfare activities of students.

(h) *Scholarship and Stipend Committee*.—*The Committee shall consist of the following: -*

- (i) The Vice-Chancellor-Chairman
- (ii) The senior most Dean of School
- (iii) One senior most Principal
- (iv) A senior teacher to be nominated by the Vice-Chancellor
- (v) Dean Students Welfare

The Committee shall examine the castes of Students for award of scholarships and stipends by the University and take such steps as may be necessary for timely disbursement of scholarships and stipends.

(i) *Study Leave Committee*.—*The Committee shall consist of the following: -*

- (i) The Vice-Chancellor-Chairman
- (ii) Senior most Dean of School
- (iii) Two members to be nominated by the Executive Council
- (iv) Two members to be nominated by the Academic Council
- (v) The Registrar- Members Secretary

The Committee shall consider the applications of teachers and make its recommendations for grant of Study Leave.

- (j) *Equivalence Committee*.—*The Committee may consist of the following :-*
- (i) The Vice-Chancellor-Chairman
 - (ii) Two Deans of School
 - (iii) Two Heads of University Departments (as are not Deans of School) to be nominated by the Vice-Chancellor.
 - (iv) The Registrar-Member Secretary
- The Committee shall scrutinise the cases for giving equivalence to the ex-aminations conducted by other Universities/autonomous Institutions and make its recommendation for consideration of the Academic Council.
- (k) *Statutes Committee*.—*The Committee shall consist of the following:-*
- (i) The Vice-Chancellor-Chairman
 - (ii) Two members to be nominated by the Vice-Chancellor
 - (iii) Three teachers to be nominated by the Vice-Chancellor
 - (iv) University Legal Counsel
 - (v) The Registrar-Member Secretary
- The Committee shall prepare draft Statutes, Ordinances, Regulations and Rules of the University and amendments relating thereto, take steps for printing of University Calendar containing laws of the University and consider proposals for making amendments in the Statutes, Ordinances, Regulations and Rules of the University and make its recommendations.
- (l) *Library Committee*.—*The Committee shall consist of the following:-*
- (i) The Vice-Chancellor-Chairman
 - (ii) All Deans of Schools
 - (iii) Two senior University Professors to be nominated by the Vice-Chancellor
 - (iv) The University Librarian-Member Secretary
- The Committee may look after the proper maintenance and management of the University Library including purchase of books, periodicals, journals etc.
- (m) *Building Committee*.—*The Committee shall consist of the following:-*
- (i) The Vice-Chancellor-Chairman
 - (ii) The Superintending Engineer, P.W.D.
 - (iii) One member to be nominated by the Executive Council
 - (iv) One member to be nominated by the Finance Committee
 - (v) Development officer of the University
 - (vi) The Registrar
 - (vii) The University Engineer-Member Secretary
- The committee shall consider all matters relating to location and construction of new buildings in University and Colleges and repair and maintenance of existing buildings. It shall also consider tenders received for such construction repairs and make its recommendations.
- (n) *Purchase and Sales Committee*.—*The committee shall consist of the following: -*
- (i) The Vice-Chancellor-Chairman
 - (ii) Three members to be nominated by the Executive Council
 - (iii) The Finance officer-Member Secretary
- The Committee shall consider annual requirements of University's stores including Examination stores, shall open and consider tenders and the samples and makes its recommendations for purchases to be made from time to time.
- The Committee shall conduct auction and make arrangement for the sale of saleable articles or for settlement of land, orchard etc. of the University Estate.

- (o) *Press Committee.—The Committee shall consist of the following:-*
- (i) The Vice- Chancellor-Chairman
 - (ii) Two members to be nominated by the Executive Council
 - (iii) Three senior teachers to be nominated by the Vice-Chancellor
 - (iv) The Superintendent of the Government Press, Patna
 - (v) The University Press in-charge / Manager-Member Secretary
- The Committee shall look after the management, maintenance and functions of the University Press including purchases to be made for the Press.
- (p) *Discipline Committee (for teachers, officers and other staff of the University).—The Committee shall consist of the following:-*
- (i) The Vice-Chancellor-Chairman
 - (ii) Three members to be nominated by the Executive Council
 - (iii) One seniormost teacher amongst the Deans of School
 - (iv) The Proctor
 - (v) The Registrar-Member Secretary
- The Committee shall consider all cases of indiscipline on the part of teachers, officers and other staff of the University and make its recommendations for decision by the authorities concerned.
- (q) *Admission Committee.—The Committee shall consist of the following: -*
- (i) The Vice-Chancellor-Chairman
 - (ii) Three senior Deans of School to be nominated by the Vice- Chancellor
 - (iii) Two Heads of University Departments to be nominated by the Vice-Chancellor.
 - (iv) Two Principals of Colleges to be nominated by the Vice-Chancellor
 - (v) The Dean, Students' Welfare-Member Secretary
- The Committee shall consider the cases for admission of students in the University Departments and Colleges, consider amendments to the Rules of admission and take such steps as may be necessary to ensure admission according to rules on general and reserved seats.
- (r) *Students Discipline Committee.—The Committee shall consist of the following:*
- (i) The Vice-Chancellor
 - (ii) The senior most Dean of School
 - (iii) The senior most Warden
 - (iv) Two Heads of University Departments nominated by the Vice-Chancellor
 - (v) One Principal of the College located at the University head-quarter to be nominated by the Vice-Chancellor.
 - (vi) The Dean Students Welfare
 - (vii) The Proctor-Member Secretary
- The Committee shall examine and consider all cases of indiscipline on the part of students and make its recommendations.
- (s) *Academic Calendar Committee .—The Committee shall consist of the following:-*
- (i) The Vice-Chancellor
 - (ii) All Deans of Faculties
 - (iii) Two Heads of University Departments to be nominated by the Vice-Chancellor
 - (iv) Two senior principals to be nominated by the Vice-Chancellor
 - (v) The Dean, Student's Welfare-Members Secretary.
- The Committee shall prepare University Academic Calendar each year for the full duration of the course in respect of the students to be admitted in following academic session. The academic calendar

should contain the date of starting the teaching, the courses to be covered in each area of each academic year and the dates of University examinations.

(t) *Sports Committee.*—*The Committee shall consist of the following: -*

- (i) The Vice-Chancellor
- (ii) The Director Prof-in-Charge of Sports
- (iii) Two Heads of University Departments to be nominated by the Vice - Chancellor
- (iv) Two Principals of colleges of whom one shall be Principal of a Women's College, to be nominated by the Vice-Chancellor.

The Committee shall look after all the works relating to development and holding of games or sports in the University and Colleges.

The term of membership of the Committee other than ex-officio members shall be three years from the date of their nomination provided that a member nominated as a representative of any body, shall be deemed to vacate office with effect from the date on which he ceases to be the member of the body.

40. *Sponsored Research and Resource Mobilisation.*—The university shall strive to encourage teachers and faculties to pursue research activities and enhance interaction with industry for supporting the faculty, teachers and students of the university to work on sponsored research and industrial projects and consultancy. The university may offer short term courses as well as training programs for industry, institutes and organisations, under the guidelines of the University Grand Commission/AICTE/MCI etc.

(a) Provided that the University would endeavour to generate fund also through public-private partnership under the direction of Executive Council and try to meet a considerable part of its expenses through the system.

(b) Other sources of income shall be from -

- (i) Application fee from colleges/institutions seeking affiliation based on intake capacity and number of courses.
- (ii) Registration fee (one time) per student.
- (iii) Examination fee per semester per student
- (iv) Donations and charity.

(c) In addition various Government and non-Government Agencies shall be encouraged and persuaded to sponsor projects to discover new facts and information.

41. *Work Load.*—

(a) The work load of the Teachers of the University/Colleges and Institutions for teaching and research inter alia shall be as prescribed by the U.G.C. from time to time.

(b) Provided that at least one paper shall be published by every teacher in six month period and after approval by the UGC to be published in referred journal.

42. *Accountability.*—If a teacher is found lacking in achieving prescribed academic standards inter alia by not taking interest in research work or is found deficient in engaging classes or otherwise if he neglects his assignments or duty, the Executive Council shall be competent to stall his promotion and also to initiate disciplinary action under the provisions contained in section 30 to 33 of Chapter II of the Statute of the University.

43. *Academic Calendar.*—The University shall prepare and publish Academic Calendar as approved by the Academic Council and the Executive Council.

CHAPTER II
GENERAL CONDITIONS OF SERVICE

Name of the Statutes.

Section:

1. These Statutes may be called Service Statutes of the University and they shall apply to all such persons as are in the service of the University.

2. *Unless there is anything repugnant to the subject or context, the terms used in these Statutes, shall have the meaning as set forth below:-*

- (a) "Average Pay" means the average monthly pay earned during the ten complete months immediately preceding the month in which the event occurs which necessitates the calculation of average pay. If no pay was earned during a portion of the aforesaid ten months, such portion shall be excluded from the calculation and the average pay shall be determined by the pay earned during the remaining portion.

NOTE: - The expression "the ten complete months immediately preceding" used in this definition should be interpreted literally. Thus any period or periods, during which a University servant may have been on leave, or on joining time, should be excluded, if no "pay" is drawn during such period or periods. But the emoluments drawn during vacations by a University Servant of a vacation department should be treated as pay drawn on duty, and should be taken into account in calculating the average pay.

- (b) "Foreign Service" means a service in which a University servant receives his substantive pay, with the sanction of the Executive Council, from any other employer.
- (c) "Holiday" means a holiday prescribed or certified by the Executive Council of the University; and in relation to any particular office, department, institute or college a day or days on which it is ordered by the Vice-Chancellor to be closed.
- (d) "Leave Salary" means the monthly amount paid by the University to a University servant on Leave.
- (e) "Lien" means the title of a University servant 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.
- (f) "Month" means a Calendar month. In calculating a period expressed in terms of month and days, complete calendar month, or months, irrespective of the number of days in each should first be calculated and the odd number of days calculated subsequently.
- (g) "Officiate" : - A University Servant officiates in a post when he performs the duties of a post on which another University servant holds a lien. A University servant may, however, be appointed to officiate in a vacant post on which no other person holds a lien, by the authority competent to make a substantive appointment on the vacant post.
- (h) "Pay" means the amount drawn monthly by a University servant as
- (i) The pay to which he is entitled by reason of his position in a grade of pay
 - (ii) Special pay
 - (iii) Any other recurring emoluments which may be specifically classed as pay by the Statutes.
- (i) "Permanent post" means a post carrying a definite rate of pay and sanctioned without limit of time.
- (j) "Personal pay" means pay granted to a University servant;
- (i) To save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to any reduction of such substantive pay otherwise than as a disciplinary measure;
- or
- (ii) In exceptional circumstances on other personal considerations.
- (k) "Probationer" means a University servant employed on probation in or against a substantive vacancy in a particular cadre.

NOTE: - The term does not include a University servant who holds a permanent post substantively and is merely appointed on probation to another post.

- (l) "Special Pay" means an addition to the emoluments of a post or to the pay of a University servant, granted in consideration of -
 - (i) The specially arduous nature of the duties; or
 - (ii) A specific addition to the work or responsibility; or
 - (iii) The unhealthiness of the locality in which the work is performed.
- (m) "Substantive Pay" means the pay other than special pay, personal pay, or emoluments classed as pay to which a University servant is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a grade of pay.
- (n) "Temporary post" means a post carrying a definite rate of pay and sanctioned for a limited time.
- (o) "Tenure post" means a permanent post which an individual University servant may not hold for more than a specified period.
- (p) University employee – means a person in the employment of the University other than casual workers. "University servant – entitled to vacation" means teachers in the employment of the University.
- (q) "Allowance" means C.L.A., H.R.A., Medical allowance, Conveyance allowance and such other allowance as may be specifically sanctioned by the Government from time to time.
- (r) "Presumptive pay of a post" means the pay to which a University servant would be entitled if he held the post substantively.
- (s) "Honorarium" means a recurring or non-recurring payment of temporary nature granted to a University servant or to persons temporarily employed for support services by the Vice-Chancellor for special work of an occasional nature.

3. *Appointment* : -

- (a) (i) Post for appointment other than D. S. W., Proctor and O. S. D. shall not be created without prior sanction of the State Government.
- (ii) Except where otherwise provided in the Statutes, no person may be substantively appointed to a permanent post in the University service unless he produces, on payment of a medical examination fee to be fixed by the Executive council, a medical certificate of good and satisfactory health, signed by such qualified person or persons composing a Board as may be appointed by the Executive council for the purpose from time to time.
- (iii) The form of medical certificate to be used in case of appointment of officers, teacher and other servants of the University shall be prescribed by the Executive council.
- (iv) The production of a fresh medical certificate will not be necessary unless specially required by the appointing authority, if the person selected for appointment is a University servant, who has already produced a medical certificate before, and has been in the university service since then without a break.
- (b) (i) More than one person can not be appointed substantively to the same permanent post at the same time.
- (ii) A University servant can not be appointed substantively, except as a temporary measure, to two or more permanent posts at the same time.

4. Whenever a permanent post in any grade and pay-scale is available for substantive appointment, the claim of a University servant who has been holding a tenure or temporary post for not less than two years and possesses the requisite qualifications prescribed for the post, and his work is found to be satisfactory, may be considered in the first instance for substantive appointment to that permanent post;

Provided that: -

- (a) In case of a Teacher or Registrar or Finance Officer or Inspector of Colleges, the temporary or tenure appointment which he may be holding must have been made on the recommendation of the Selection Committee on the basis of open advertisement and ;
 - (b) In case of any other post the temporary or tenure appointment which the employee is holding must have been made in accordance with the provisions of the Act and Statutes, for substantive appointment on a permanent post.
5. (a) Save as otherwise provided in the Act or the Statutes, the posts of University Professors, Readers, Lecturers, Principals, Registrar, Inspector of Colleges and Finance Officer shall be filled by open advertisement.
- (b) When a vacancy occurs or new post is sanctioned by the Government, the Registrar shall submit a note to the Vice-Chancellor for taking steps to fill the post.
 - (c) The Vice-Chancellor after careful consideration of the report of the Registrar shall order for advertisement.
 - (d) The Executive Council shall be competent to make appointment on the vacant post of lecturer for a period not exceeding six month in accordance with the provisions contained in the Statutes.
6. (a) When a vacancy occurs or new post is sanctioned by the Government other than those specified in section (4) above, the Registrar shall submit a note to the Vice-Chancellor for taking steps to fill the post.
- (b) The Registrar shall, along with the note, submit to the Vice-Chancellor the names of all those persons in the University Service and holding substantive appointment in the immediate lower grade, and who satisfy the prescribed qualifications.
 - (c) In case of officers other than those specified in section 4 above the Vice-Chancellor shall, with the approval of the Chancellor, decide whether the post is to be filled by promotion or by direct recruitment after proper advertisement.
 - (d) The Vice-Chancellor shall, after the above steps are taken,
 - (i) Where he is empowered to do so without reference to the Selection Committee or Executive Council, order the appointment of a University Servant to the vacant post by promotion or order the vacancy to be advertised;
 - (ii) Where the appointment is to be made by the Executive Council, without reference to the Selection Committee, place the papers with such recommendations, if any, before the Executive Council for orders, which may appoint the University servant by promotion or order the vacancy to be advertised;
 - (iii) Where reference to the Selection Committee is obligatory, order the submission of necessary papers to the Selection Committee.
 - (e) The Registrar shall, thereafter, prepare the draft of the advertisement, giving the terms and the qualifications requisite for the vacant post, get the same approved by the Vice-Chancellor, and,
 - (i) Where the appointment is to be made by the Vice-Chancellor or the Executive council, without reference to the Selection Committee, publish the approved advertisement;
 - (ii) Where the appointment is to be made on the recommendation of the Selection Committee, in case it is decided to fill a post by promotion, the Registrar shall send to the Selection Committee a list of all eligible candidates for promotion accompanied by all papers relating to them for necessary action, and in case it is decided to make appointment by direct recruitment, he shall advertise the vacancy after obtaining approval of the Vice-Chancellor.
 - (f) (i) All applications received in pursuance of the advertisement published by the Registrar, under sub-section (e) (i) of section 6 shall be placed before the proper appointing authority for orders.

- (ii) The recommendations of the Selection Committee received in pursuance of steps taken under sub-section (e) (ii) of section 6 with all connected papers, shall be placed before the Executive Council for orders ordinarily at its next meeting.

7. The Vice-Chancellor shall, subject to the provisions of the Act, have power to make appointment to posts within the grade and scale of pay and within sanctioned strength of such staff and servants who are not teachers, academic staff and officers of the University and have control and full disciplinary powers over such staff and servants.

8. *Joining date*

- (a) In all letters of appointment the date by which the persons appointed is to join his post shall be mentioned.
- (b) The joining date may be extended by the appointing authority.
- (c) If a University servant takes charge of a post in the afternoon, he shall, for the purpose of calculation of pay and allowance, be regarded as having taken charge of it on the subsequent date.
- (d) If any person appointed to any University service fails to join his post by the joining date, including extension, if any allowed, the appointing authority may cancel his appointment and proceed to appoint the next person if any, selected for the post, or order steps to be taken afresh according to the prescribed procedure, for filling the vacancy.
- (e) If a person, anyhow, joins before the prescribed date his joining shall be taken into account only from the prescribed date for all purposes.

9. *Joining time*

- (a) Joining time may be granted by the Vice-Chancellor to a University servant to enable him : -
- (i) to join a new post to which he is appointed while on duty in his old post; or
- (ii) to join a new post -
- (1) on return from leave on average pay of not more than four months duration; or
- (2) when he has not had sufficient notice of his appointment to the new Post, on return from leave other than that specified in sub-section (i); or
- (b) The joining time admissible under this chapter may be reduced or refused by the University.
- (c) Not more than one day is allowed to a University servant in order to join a new post, when the appointment to such post does not necessarily involve a change of residence from one station to another.
- (d) The joining time of a University servant in cases involving a transfer from one station to another is subject to a maximum of 7 days,
- (e) The joining time allowed to a University servant returning from leave out of India, exceeding four months, shall be subject to a maximum of fifteen days.
- (f) If a University servant is authorized to make over, or to take over, charge of a post elsewhere than its headquarter, his joining time shall be calculated from and to the place at which he makes over or takes over charge.
- (g) If a University servant is appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the fresh order of appointment.
- (h) If a University servant takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave, unless the leave is taken on medical certificate. In the latter case the period may be treated as joining time.
- (i) The following provisions apply to vacation department only: -
- (i) A University servant, who is directed to join a new post on the expiry of a period of vacation of which he has not been allowed to avail himself, is

- entitled to the number of days joining time ordinarily admissible with effect from the date on which he is relieved of the duties of his former post.
- (j) The joining time of a University servant, who is directed to join a new post on the expiry of a period of vacation of which he has availed himself, is regulated as follows:-
- (i) If he received the order of transfer before the period of the vacation commences; he must make over charge of the duties of his former post on the last working day before such period, and must take over charge of his new duties on the first working day after such period.
 - (ii) If he receives the order of transfer during the period of vacation, he shall not be entitled to any joining time, and must take over charge of his new duties on the first working day after such period of vacation, provided that, if the number of days, from the date on which he receives the order of transfer to the end of the period of vacation, is less than the number of days joining time ordinarily admissible, he shall be entitled to joining time to the extent of the difference in continuation of the period of vacation. If he receives the order of transfer at some place other than his headquarter, the time spent in returning to his headquarter shall not be included in calculating the number of days from the date of receipt of the order of transfer to the end of the period of vacation.
 - (iii) A University servant joining a new post in the circumstances specified in sub-section (j) (ii) of section 9 shall, for the purpose of this section, be held to have been precluded from enjoying the vacation during the time actually spent in traveling from the old station to the new.
 - (iv) A University servant returning from leave, to which vacation is suffixed, is not entitled to any joining time, and shall not be held to have been precluded from enjoying any portion of the vacation.
- (k) In the circumstances mentioned below the University authority may, on such condition as it thinks fit, extend the joining time admissible to any University servant under these rules, provided that the prescribed maximum shall not be exceeded except for very special reasons, which should be recorded :-
- (i) When the University servant has been unable to use the ordinary mode of travelling or, notwithstanding due diligence on his part, has spent more time on the journey than is allowed by the rules; or
 - (ii) When such extension is considered necessary for the public convenience or for the saving of such public expenditure as is caused by necessary or purely formal transfers;
 - (iii) When the rules have in any particular case operated harshly as, for example, when a University servant has through no fault on his part, missed a plane / train etc. or fallen sick on the journey.
- (l) A University servant on joining time shall be regarded as being on duty and shall be entitled to be paid as follows :-
- (i) If on joining time under sub-section (a) (i) of section 9, he is entitled to the pay which he would have drawn if he had not been transferred or the pay which he will draw on taking charge of his new post, whichever is less;
 - (ii) If on joining time under sub-section (j) (iii) (iv) of section 9 he is entitled :-
 - (1) When returning from extra-ordinary leave, other than extra-ordinary leave not exceeding fourteen days granted in continuation of other leave, to no payment at all;
 - (2) When returning from leave of any other kind, to the leave salary which he last drew on leave at the rate prescribed for the payment of leave salary in India.

- (iii) Leave cannot be claimed as of right. When exigencies of the University service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

10. *LEAVE*.—University servants in permanent employment and those who are in temporary employment continuously for more than two years.

The general principles which should ordinarily be observed in granting or refusing leave will be as follows: -

- (a) Leave should not be granted to an extent which would unduly deplete the strength of a service or department available for duty. When the duty strength has been reduced to an essential minimum, no further leave of any description should be granted except in cases of the most absolute necessity. When it is impossible in the interests of the University service, to grant all applications for leave, the following considerations should be taken into account in deciding which applications should be granted: -
- (i) The University servants who can, for the time being, best be spared due regard being paid to the facility with which they could, if necessity arose, be recalled from leave;
- (ii) The amount of leave due to the various applications;

11. *Earned Leave*.—

- (a) (i) The Earned Leave admissible to a University servant excluding teacher and Academic staff will be one eleventh of the period on duty, subject to the following conditions.
- (ii) University servant will cease to earn such leave when the accumulated earned leave due amounts to 300 days or as revised by the Government from time to time.
- (iii) If an University servant applied for leave at short intervals on the score of health, leave should be refused except on medical certificate. In such a case the frequency of the leave taken in the past should be brought to the notice of the medical examiners and they should be asked to advise with special care on the time required to establish a complete recovery.
- (iv) The authority competent to grant leave for going out of India shall satisfy itself that the applicant for leave has adequate financial backing to enable him to meet the expenses connected with his stay abroad and the grant of leave is not likely to involve the University in any form of financial liability beyond what is admissible under the Statutes applicable to the case.

NOTE: - In calculating “earned leave” the actual number of days of duty performed should be counted and then divided by 11. Fraction of a day should not appear in the calculation, fraction below half being ignored and those of half and more reckoned as one day.

- (b) The following provisions apply to University servants entitled to vacation (i.e. teachers)
- (i) The E. L. admissible to a teacher shall be 1/30 of the period on duty, subject to maximum of 12 days in a year.
- Explanation*: - For the purpose of this Statute vacation counts as duty.
- (ii) Accumulation of unutilised E.L. in entire service period shall be maximum of 300 days or as revised by the Government from time to time for its employees.
- (c) A University servant may at any time be granted the whole or any part of the earned leave due to him.
- (d) Earned leave may be combined with vacation provided
- (i) No additional expenses shall be incurred by the University for a period of the vacation.
- (ii) Vacation shall not be both prefixed and suffixed to leave.
- (iii) Leave will not be both prefixed and suffixed to vacation; and

- (iv) The combined period of such leave and vacation shall not exceed the limit upto which leave may be accumulated by the University servant concerned under sub – section (a) (i) of section 11.

12. *Half pay leave.*—Half pay leave will be earned without any restriction to the limit of accumulation, in the course of service, at the following rates for each completed year of service:-

- (a) 20 days for each completed year of service.
 (b) Such leave can be availed of on private affairs as well as on medical certificate. There will be no limit on the half pay leave that can be availed of at a time on medical certificate or on private affairs, and this will apply even when such leave is taken preparatory to retirement:

Provided that no half pay leave may be granted unless the authority competent to sanction leave has reason to believe that the University servant will return to duty after its expiry.

Explanation: The term “completed year of service” used in this Statute means continuous service of specified duration under the University and includes period spent on duty as well as on leave (including-extra-ordinary leave).

- (c) Half pay leave may be combined with vacation provided that : -
 (i) no additional expense shall be incurred by the University for the period of vacation;
 (ii) vacation shall not be both prefixed and suffixed to leave;
 (iii) leave will not be both prefixed and suffixed to vacation;
 (iv) the combined period of leave and vacation taken at any one time shall not exceed the total amount admissible under Statute above; and
 (v) no vacation or portion of vacation will be prefixed or suffixed during which the University servant was ill and unfit to perform duties.

13. *Commuted leave.*—At his option a University servant can have the half pay leave due converted into half the amount of full pay leave. Such converted leave will be termed “commuted leave”. It will be granted only on medical certificate, subject to maximum limit of 300 days during the entire service.

Commuted leave may be combined with earned leave but such combination will be limited to 300 days whether such leave is availed in India or out of India. The Maximum limit of 300 days in the case of a University servant apply also to the combination of earned leave, vacation and commuted leave.

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

14. *Leave not due.*— Save in the case of leave preparatory to retirement, leave not due may be granted on medical certificate, such leave being limited during the entire service to 300 days. This will be debited against the half pay leave which the University servant earns subsequently. Leave not due should be granted only if the authority empowered to sanction leave, is satisfied that there is a reasonable prospect of the University servant returning to duty on the expiry of the leave and earning an equal amount of half pay leave thereafter.

NOTE :- In case where a University servant who has been granted leave not due, under this Statute, applies for permission to retire voluntarily the leave not due, shall, if the permission be granted, be cancelled and his retirement shall have effect from the date on which such leave commenced.

15. *Extra ordinary leave.*—Extra ordinary leave without pay may be granted to a University servant in special circumstances : -

- (a) When no other leave is admissible under these Statutes;
 (b) When other leave being admissible, the University servant concerned applied in writing for the grant of extra ordinary leave.

16. *University servants in continuous temporary employment whose service does not exceed two year*

- (a) The Statutes under this sub-head prescribe the conditions on which leave may be granted to a University servant, who does not hold a lien; or a suspended lien on a permanent post, while officiating in a post, or holding a temporary post.
- (b) For a University servant to whom the Statutes under this sub-head apply, not entitled to vacation, the leave admissible in respect of his service will be:
- (i) *Earned Leave*.—To a University servant in one-twentieth the period spent on duty, provided that he will cease to earn leave while he has to his credit such leave amounting to 80 day;
 - (ii) *Half pay Leave*.—To a University servant 15 days for each completed year of service.
 - (iii) During the first two year of service half pay leave will be admissible to a temporary or officiating University servant on medical certificate only, and he will not be eligible to commute such leave to full pay leave.
- Provided that no half pay leave may be granted unless the authority competent to sanction leave has reason to believe that the University servant will return to duty after its expiry.
- (iv) A University servant entitled to vacation (i.e. teachers) shall not during the first two years of his service earn any leave; provided that if he has been permitted to avail himself of less than 20 days of the vacation and has rendered continuous duty for not less than one year, he may be allowed “earned leave” upto a maximum of 20 days reduced by the number of days of the vacation which he has been allowed to avail; provided further that he shall cease to earn leave while he has to his credit such leave amounting to 20 days.
- (c) The amount of leave due is the amount of earned leave and half pay leave admissible reduced by the amount of earned leave and half pay leave, respectively which have been taken.
- (d) A University servant to whom the Statutes under this sub-head apply, may, during the first two years of service be granted extra-ordinary leave without pay up to a limit of two months at any one time.
- (e) If an interruption of duty other than leave occurs in the service of temporary servant, all leave to his credit shall lapse.
- (f) On completion of two year continuous service a temporary or officiating University servant will be eligible for the leave terms indicated in sub-head (b) (i) except that he will not be eligible for any leave not due. The provisions relating to earned leave or half pay leave will not have any retrospective effect in such cases, i.e. he will begin earning earned leave, or half pay leave at the rates mentioned in Section 11 and 12 respectively, only from the date on which the 3rd year of service commences.
- (g) The grant of leave to a temporary University servant shall be subject to the condition that but for the grant of the leave, he would have continued to hold a post in University service until the expiry of the leave:
- (h) If a University servant to whom the Statutes under this sub-head apply is, without interruption of duty, substantively appointed to a permanent post or has served continuously for more than two years, his leave account shall be credited with the amount of leave which would have been admissible to him under the Statutes if he had been in permanent employment or in continuous temporary service for more than two years in respect of his previous duty, diminished by the amount of all leave which he has already taken prior to his substantive appointment or prior to completion of two years of temporary service as the case may be.

17. *Part time university servant or university servant remunerated by honorarium / fees.*—A University servant whose pay is fixed at a definite rate, but whose whole time is not required for the service of the University may be granted leave as follows:-

- (a) He may be granted leave for such period as will not involve any extra expense to the University. Such leave counts as duty and leave salary shall be equal to the pay drawn at the time of taking leave.

- (b) After not less than six years of duty he may be granted leave for a period not exceeding six months. Such leave shall be granted only once in his service and leave salary shall be equal to half the pay drawn at the time of taking leave.
- (c) He may be granted leave on medical certificate upto a maximum of twenty months at any one time, provided that at least three years of duty shall intervene between any two periods of leave on medical certificate. Leave salary during such leave shall be equal to half the pay drawn at the time of taking leave.
- (d) Leave of only one kind admissible under sub-section (a) of this section may be combined with leave of any other kind admissible under this clause.
- (e) A University servant remunerated by honoraria may be granted leave as provided in section 17 provided that -
 - (i) he shall make satisfactory arrangement for the performance of this duties during his absence.
 - (ii) no extra expense to the University shall be involved.
 - (iii) during leave of the kind contemplated in sub section (b) of section 17 the whole of the honoraria shall be paid to the person who officiates in his post.

18. *Probationers and apprentices and short term inferior staff paid from contingent grant.*—

- (a) Leave may be granted to a probationer on the term which would be applicable to him if he held his post substantively otherwise than on probation.
- (b) Leave may be granted to an apprentice appointed against a substantive post or a post likely to be sanctioned, as follows : -
 - (i) Leave on medical certificate not exceeding one month in any year of apprenticeship. Leave salary during such leave shall be equal to half the pay drawn at the time of taking leave.
 - (ii) Extra-ordinary leave not exceeding one month in any year of apprenticeship.
- (c) If any apprentice is, without interruption of service, appointed substantively or in an officiating capacity to a permanent post, his leave account shall be credited with half the amount of leave which he would have earned had he held a permanent post substantively during the period of apprenticeship and it shall be debited to the amount of leave already taken under this sub head.

19. *Leave Salary.*—

- (a) A University servant on earned leave will be entitled to leave salary at a uniform rate equal to the average monthly pay earned during ten complete months preceding the month in which the leave commences.
- (b) A University servant on half pay leave or leave not due will be entitled to leave salary equal to half the leave salary admissible on earned leave.
- (c) A University servant on commuted leave will be entitled to leave salary equal to twice the amount admissible under sub-section (b) above.
- (d) A University servant on extra ordinary leave is not entitled to any leave salary, except when he takes such leave for purposes of study, in which case the Executive Council may grant leave salary equal to half the salary admissible on earned leave, provided the total period of leave does not exceed three years.
- (e) The University employees on superannuation shall get the amount equal to leave salary of the period of unavailed earned leave subject to the following conditions : -
 - (i) The amount of leave salary will be limited to the unavailed earned leave not exceeding 300 days or as revised by the State Government from time to time for its employees.
 - (ii) The leave salary will be paid in one lump at the time of retirement.
 - (iii) The dearness allowance will be paid equal to the amount of D. A. payable for the period concerned at the time of retirement. The city transport allowance, Medical allowance and house rent allowance and the house rent will, however, not be paid along with the leave salary.

- (iv) The authority competent to sanction earned leave shall sanction such leave salary on superannuation.

20. *Study leave to teachers.*—University and College teachers who have not obtained M.Phil / Ph.D degree shall be allowed Study leave to qualify for M.Phil / Ph.D. degree in accordance with rules framed by the University Grants Commission.

21. *Maternity / paternity leave.*—

- (a) Subject to the conditions hereinafter specified maternity leave / paternity leave be granted to a female / male University servant by the authority empowered to grant Earned leave to the University servant concerned.
- (b) The period of maternity leave granted may extend upto a date of 135 days months subsequent to the date of its commencement or six week subsequent to the date of confinement whichever is earlier.
Provided that such female employees who have already two children shall not be entitled to maternity leave.
- (c) The period of paternity leave relating to the confinement of female employee may extend upto 15 days subsequent to the date of commencement.
- (d) The pay during such leave shall be equal to the pay drawn by the University servant concerned while last on duty.
- (e) Leave of any other kind may be granted in continuation of maternity leave, if the request for grant is supported by a medical certificate for self illness or illness of the newly born baby.
- (f) Maternity leave / paternity leave shall not be debited against the leave account.

Note:- Maternity leave under these Statutes may also be granted in case of miscarriage, including abortion, subject to the following considerations:-

- (i) that the female University servant, if temporary, has been in University service for not less than one year before the commencement of the leave; and
- (ii) that the leave does not exceed six weeks and the application is supported by a certificate from the authorized medical attendant.

22. *Special casual leave to female employees.*—Special C. L. in a month to all female employees shall be sanctioned for two continuous days by the authority competent to sanction Casual Leave. Special C. L. if not utilised shall expire at the end of the month.

23. *Special disability leave.*—

- (a) Subject to the conditions hereinafter specified, the Executive Council may grant special disability leave to a University servant who is disabled by injury, or caused in or in consequence of the due performance of his official duties or in consequence of his official position.
- (b) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed and the person disabled acted with due promptitude in bringing it to the notice of his superior officer. The Executive Council may in its discretion relax this restriction
- (c) The period of such leave shall be such as is certified to be necessary by a medical board. It shall not be extended except on the certificate of a medical board, and shall in no case extend beyond 24 months.
- (d) Such leave may be combined with leave of any other kind.
- (e) Such leave may be granted more than once, if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.
- (f) Such leave shall be counted as duty, and shall not be debited against leave account.

- (g) Leave Salary during such leave shall be equal:-
- (i) for the first four months of any period of such leave including a period of such leave granted under sub-section (e) above as leave salary admissible on earned leave; and
 - (ii) for the remaining period of such leave, to half pay, or at the University servant's option, for a period not exceeding the period of earned leave which would otherwise be admissible to him to such pay as on earned leave.

24. *Special leave.*—University servants, diagnosed to be suffering from Teuberculosis, Laprosy or Cancer, shall be allowed over and above any leave that may be due under the provisions of the Statutes, special leave on half average pay upto a total of 12 months during the whole service, on production of a medical certificate to the satisfaction of the leave granting authority.

25. *Quarantine leave.*—

- (a) Quarantine leave may be granted when an employee is ordered by the competent authority not to attend office in consequence of the presence of any infections disease such as small pox, Diptheria, Plague, Cholera, Meningitis or any other disease which the State Government declares as infections disease, in his family or household. Such leave may be granted on the certificate of the medical officer of the University for a period not exceeding twenty one days which may, in exceptional cases, be raised to thirty days.
- (b) Quarantine leave will be on full pay and will not be debited against the employees leave account.

26. *Casual leave.*—

- (a) Ordinary casual leave is intended to meet special circumstances resulting from illness or urgent private affairs, and will be granted with full pay and admissible allowances. Absence on casual leave shall be treated as duty for the purposes of calculation of other leave.
- (b) Ordinary casual leave may be granted for 12 days incase of teacher & 16 days in case of non teaching employee within one calendar year.
- (c) Ordinary casual leave may be both prefixed and suffixed to holidays but not to vacations, if permission has been granted to join it, provided the resulting period of absence from duty does not exceed twelve days.
- (d) Ordinary casual leave shall always be applied for sanction before it is taken, except in cases of emergency and for satisfactory reasons.
- (e) In exceptional circumstances, for urgent special reasons, the Vice-Chancellor may grant special leave, subject to maximum of 7 days in a year.

27. *Sanction of Leave.*—

- (a) All Kinds of Leave, except Study Leave to officers / Principal / HOD's and Directors of Institutes shall be sanctioned by the Vice-Chancellor.
- (b) Study Leave to teacher shall be sanctioned by the Executive council.
- (c) Earned Leave to teachers shall be sanctioned by the V.C. and all other Leave by the Head of the Department or Institution concerned.
- (d) All kinds of Leave to Non-teaching employees and academic staff shall be sanctioned by the Registrar / HOD's / Principals / Directors of Institute in respect of their establishments.

28. *Lien.*—

- (a) Unless it is otherwise provided, a University servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.
- (b) Unless his lien is suspended under sub-section, (c) of this section or transferred under sub-section (c) of this section, a University servant holding substantively a permanent post retains a lien on that post:
 - (i) While performing the duties of the post;

- (ii) While on deputation, or holding a temporary post or officiating in another post;
 - (iii) While on leave ; and
 - (iv) While under suspension.
- (c) (i) The lien of a University servant on a permanent post which he holds substantively shall remain suspended, if he is appointed in a substantive capacity
- (1) To a permanent post outside the grade of pay on which he is borne, or
 - (2) To a tenure post, or
 - (3) Provisionally, to a post on which another University servant would hold a lien, had his lien not been suspended under this Article.
- (ii) The Executive council may, at its option, suspend the lien of a University servant on a permanent post which he holds substantively, if he is deputed out of India or transferred to foreign service, or in circumstances not covered by sub-section (c) above is transferred, whether in a substantive or officiating capacity, to a post in another grade of pay, and if in any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien for a period of not less than three years.
- (iii) If the lien of a University servant on a post is suspended under sub-section (c), the post may be filled substantively and the University servant appointed to hold it substantively shall acquire a lien on it; provided that the arrangements shall be reversed as soon as the suspended lien revives.
- (iv) The lien of a University servant which has been suspended under sub-section (c) (3) (ii) of section 28 above shall revive as soon as he ceases to hold a lien on a post of the nature specified in sub-section (c) above.
- (v) The lien of a University servant which has been suspended under sub-section (ii) above shall revive as soon as he ceases to be on deputation out of India or on foreign service or to hold a post in any other grade of pay, provide that a suspended lien shall not revive if the University servant takes leave and there is reason to believe that he will, on return from leave continue to be on deputation out of India or foreign service or to hold a post in another grade of pay, and the total period of absence on duty will not fall short of three years, or that he will hold substantively a post of the nature specified in sub section (c) above.
- (d) (i) The lien of a University servant on a post, a may in no circumstances be terminated, even with his consent, if the result will be to leave him without a lien or a suspended lien upon a permanent post.
- (ii) In a case covered by sub-section (c) (i) the suspended lien may not, except on the written request of the University servant concerned, be terminated while he remains in the University service.

29. *Vacation Duty.*—

- (a) A University servant entitled to vacation shall be considered to have availed himself of vacation or a portion of a vacation unless he has been required, by general or special order of the appropriate authority, to perform duty of any kind during such vacation or portion thereof other than routine duties which do not necessitate his personal presence at the place where such duties are normally performed.
- Provided that if he has been prevented by an order from enjoying more than fifteen days of the vacation he shall be considered to have availed himself of no portion of the vacation.
- (b) A University servant entitled to vacation who leaves his place of duty during a vacation is liable to be recalled at his own expense.
- (c) The teachers shall be entitled to 1/3 no. of days of leave of the total no. of days worked during vacation.

30. *Misconduct* .—It is transgression of some established and definite rules of action, where no discretion is left except what necessity demand. It is failure to do what is required of a person to be done. An omission to do what is required of a person to do what is required of a person to do may, therefore, constitute misconduct even though the person has not acted willfully or maliciously.

The following acts inter-alia may be constructed as misconduct which may invite punishment as provided in the Statute,

- (a) Continued neglect of duty
- (b) Habitual absence
- (c) Willful disobedience of oral or written order
- (d) Attempt to circumvent the Statutes and rules of the University
- (e) Inciting staff and taking recourse to agitation
- (f) Indulgence in cognizable offences
- (g) Addiction to use drug or drink during duty hour
- (h) Financial irregularities and causing financial loss to the University / Institutions.
- (i) Continued absence beyond five years.

31. *Termination of Service*.—

- (a) Subject to the provisions of the Act the service of a University servant may be terminated by the Executive council on one or more of the following grounds : -
 - (i) abolition of post;
 - (ii) reduction in establishment;
 - (iii) in consequence of a change in the nature of the duties of his office.
 - (iv) infirmity, either mental or physical, of a permanent nature;
 - (v) continued absence from duty for more than five years.
- (b) If a University servant is selected for discharge except on the ground mentioned in sub-section (a) (iv) and (v) he shall, unless he is appointed to another post, the conditions of which are deemed to be at least equal to those of his own, by the authority competent to discharge him, have the option:
 - (i) of taking any compensatory salary or gratuity to which he may be entitled either in one lump sum or spread over several years to be calculated according to the rules made by the Executive Council; or
 - (ii) of accepting another appointment or transfer to another post, even on a lower pay, if offered, and his previous services may be counted.

NOTE I — In case of termination of service of permanent employee under sub-section (a) (i to iv) of this section the employee shall be entitled to retirement benefits under the provisions of the Retirement benefit statute of the university.

NOTE II— Termination of service under sub-section (a) (v) of this section shall entail forfeiture of past service.

- (c) A permanent servant of the University may at any time terminate his engagement by giving three month's notice in writing or by paying a sum equal to three month's salary to the University provided that the appointing authority may accept shorter notice or a sum equal to the salary for the period.
- (d) Subject to the provisions of the Act and Statutes the engagement of permanent employees, except those removed or dismissed may be terminated on any of the grounds mentioned in section 31 by the appointing authority but only after giving three month's notice in writing or on payment of three month's salary in lieu of notice.
- (e) In the case of employees holding temporary appointments the engagement may be terminated by the employees or by the appointing authority by giving one month's notice in writing or on payment of one month's salary in lieu thereof, except where the appointment is terminable without any prior notice.

32. *Suspension.*—

- (a) A University servant shall be placed under suspension for reasons to be recorded in writing and while doing so the following principles may be observed:-
- (i) If a University servant is being prosecuted on a criminal charge, he should be placed under suspension if he has been refused bail by the court and has been committed to prison,
- (ii) In cases of criminal prosecution, a University servant should be suspended if the charge against him is such that on being found guilty of it, he is likely to be sentenced to a term of imprisonment, or on which he would be dismissed or removed from service, in a departmental enquiry. In such cases however the order of suspension need not be passed in every case immediately after cognizance has been taken. In suitable cases it may be passed after charges have been framed.
- (b) Where a University servant is being proceeded against departmentally on charges of gross misconduct, bribery, corruption or dereliction of duty, the question of suspension should be considered with reference to the prima facie evidence available against him. If there are good reasons to believe, on the basis of the material available at the time of the initiation of the proceedings, that the University servant has been guilty of gross misconduct or dereliction of duty or bribery or financial irregularity or corruption which, if proved, would lead to his dismissal or removal, he should be placed under suspension. In cases in which such prima facie evidence is lacking at the start, the question of suspension of the University servant may be kept pending till the findings of the enquiring officer are available. In such cases he should be required to proceed on such leave as may be due to him, and, if there is no leave to his credit, on extra-ordinary leave. On the conclusion of the enquiry, if it is found that the University servant is guilty of gross misconduct or dereliction of duty or of bribery or financial irregularity or corruption which would entail his dismissal or removal from service, he should be placed under, suspension.
- (c) In all cases where there are reasons to believe that the University servant, if allowed to continue in active service, might attempt to tamper with the evidence, he should be required to proceed on such leave as may be due to him or, if there is no leave to his credit, on extra-ordinary leave. If he refuses to proceed on leave, he may be suspended.

Provided that the period of suspension of such University servant shall not exceed one year from the date of suspension except in circumstances beyond the control of the University.

- (d) (i) Time passed under suspension pending enquiry into conduct will count as service if the suspension is immediately followed by reinstatement, but time passed under suspension when suspension is adjudged as a specified penalty will not so count.
- (ii) If a University servant, who has been suspended pending enquiry into his conduct, is re-instated, but with forfeiture of any part of his allowances for the period of suspension, this period will not count as service, unless the authority which re-instates him expressly declares at the time that it shall so count.

33. *Resignation & dismissal.*—

- (a) Resignation from service, or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age. or failure to pass a prescribed examination entails forfeiture of past service, for purposes other than benefits under contributory pension scheme.
- (b) Any authority, which on revision or appeal, reverses an order dismissing or removing a University servant, may declare that his past service will count.
- (c) An interruption in the service of a University servant entails forfeiture of his past service, except in the following cases :-
- (i) Authorised leave of absence,

- (ii) Unauthorised absence in continuation of authorized leave of absence so long as the office of the absentee is not substantively filled. If his office is substantively filled, the past service of absentee will be forfeited;
- (iii) Suspension immediately followed by reinstatement, which need not be to the same office;
- (iv) Abolition of office or loss of appointment owing to reduction of establishment;
- (v) Time occupied in transit from one appointment to another, provided that the University servant is transferred under the order of the competent authority.

34. *Superannuation.*—

- (a) All teaching and non-teaching employees of University/College shall superannuate on attaining the age of 62 years or as approved by the State Government from time to time.
- (b) A University employee whose date of retirement falls on the first day of a month will retire from service with effect from the afternoon of the last day of the preceding month and if the date of retirement falls on any other date of the month he will retire in the afternoon of the last date of that month.

35. *Penalties.*—

- (a) The following penalties may, for good and sufficient reason and as provided in these Statutes, be imposed by the appointing authority upon members of the University service namely : -
 - (i) Censur;
 - (ii) Withholding of increments or promotion.
- (b) The order withholding increment or promotion shall specify the period for which increment or promotion is withheld and whether withholding increment shall have cumulative effect;
 - (i) recovery from pay of the whole or part of any pecuniary loss caused to the University by negligence or breach of orders;
 - (ii) Suspension;
 - (iii) reduction to a lower post or to a lower stage in a time scale;
 - (iv) removal from the University service which does not disqualify from future employment;
 - (v) dismissal from the University service which will ordinarily disqualify from future employment,

EXPLANATION I - The discharge:

- (a) of a person appointed on probation, during or at the end of the period of probation, on any ground arising out of the specific conditions laid down by the appointing authority, e.g. want of a vacancy, failure to acquire any prescribed special qualification, or to pass any prescribed test;
- (b) of a person appointed otherwise than under contract to hold a temporary appointment, on the expiry of the period of the appointment, and
- (c) of a person engaged under contract, in accordance with the terms of his contract; does not amount to removal or dismissal within the meaning of this article.

Explanation II – The discharge of a probationer, whether during or at the end of the period of probation, for some specific fault or on account of his unsuitability for the service, amounts to removal or dismissal within the meaning of this article.

36. *Disciplinary action.*—

- (a) No order of dismissal, removal or reduction shall be passed on a University servant unless he has been informed in writing of the ground on which it is proposed to take action, and has been afforded a reasonable opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges which shall be communicated to the person charged together with a statement of the allegations on which each charge is based and of any other circumstance which it is proposed to take into consideration in passing orders on the case. He shall be required to put in written

statement of his defence within a month, and to state whether he desires to be heard in person, if he so desires or if the authority concerned so directs, an oral enquiry shall be held. At that enquiry oral evidence shall be heard on such of the allegations as are not admitted by the person charged and he shall be entitled to cross-examine the witnesses, to give evidence in person, and to produce such witnesses as he may wish, provided that the person or persons conducting the enquiry may, for special and sufficient reasons to be recorded in writing, refuse to examine a witness. The examination and cross examination of prosecution and defence witnesses, will be completed ordinarily within a month which may be extended by the Enquiry officer as per requirement subject to maximum of one month. The Enquiry officer shall record his finding if the charges leveled against the delinquent employee has been proved or not proved. He will refrain from suggesting punishment.

- (b) After the enquiry against the person charged has been completed and after the authority competent to impose a penalty has arrived at a provisional conclusion in regard to the penalty to be imposed, the accused University servant shall be supplied with a copy of the report of the enquiring authority and called upon to show cause within two weeks against the particular penalty proposed to be inflicted.

NOTE : - (1) In all cases the Enquiry officer appointed shall be a person not connected with the work of the delinquent employee. After completion of the evidence, the Executive Council shall clearly record his finding on each count and call upon the accused to show cause within two weeks against any proposed punishment.

- (2) When the orders for punishment are passed by the authority, it would be sufficient if the authority passing the orders of punishment definitely records his agreement or disagreement with the person or persons who conducted the enquiry.

(3) A second show cause shall be issued before passing final order of punishment.

- (4) to the advice of the person or the Board conducting the enquiry, the University may appoint a pleader to represent the case on its behalf and like-wise the person being charged may employ a pleader for his defence.

(c) The proceedings shall be drawn up and conducted in the following manner:-

(i) Name, rank and grade of the University servant proceeded against should be clearly stated.

(ii) *Details of charges.*—Each charge must be specified charges should be drawn up and separately numbered and should give the date, occasion and nature of the offence committed. A copy of the charges should normally be given to the person charged within a fortnight from the dates of the first communication to the University servant concerned of the intention to take action against him.

(iii) The authority shall deliver or cause to be delivered to the employee a copy of the Articles of charge, such statement of the imputations of misconduct or misbehaviour 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 15 days statement of his defence and to state whether he desires to be heard in person.

(iv) If the University servant charged is literate, he should submit his defence in writing. The written statement of defence should be submitted within a month from the date of communication of charges to the University servant concerned. It should be attached to the proceedings.

In case of illiterate servants, the defence may be recorded by the enquiring officer.

- (v) *Evidence* : A memorandum of evidence should be prepared, where the full statement of a witness has been recorded in English or Hindi it should be attached to the proceedings.
- (vi) *Character roll of the University servant charged* : - The character roll of the University servant should be examined and a note made regarding the good and hard work done by the University servant in the past.
- (vii) *Findings* : - The officer or authority who is competent to pass orders of dismissal, removal or reduction in rank should consider the findings along with the past record of the person concerned, and if he is of the opinion that any of the above punishments should be imposed, he should supply a copy of the findings to the person concerned and ask him to submit within two weeks a representation, if any, against the proposed punishment. On receipt of the representation an order shall be recorded. If the punishment imposed is other than dismissal or removal, the order should clearly indicate how the period of suspension, if any, should be treated.

Note :- Final order in a case in which a University servant has been prosecuted should issue as soon as the judicial proceedings have concluded without waiting for an appeal, if any, or its result.

- (d) An order-sheet should invariably be used from the beginning and the recent of the proceeding should be prepared as the case proceeds from day in day and not after the case has been decided. The order sheet shall form part of the proceedings.
- (e) When any order of punishment has been passed, the University servant punished shall be entitled to receive a copy of the order of punishment free of cost, and shall also be allowed to take a copy of the rest of the record, on payment of the prescribed fee.
- (f) In order that copies of the whole of the proceedings may, without objection, be supplied to the University servant punished, the authority, conducting such a proceeding must base his findings and orders on facts and inferences appearing in or deduced from the record and should not refer to such confidential papers as cannot be embodied in the record.
- (g) The full procedure indicated above need not be followed in the case of a probationer discharged in the circumstances described in explanation (ii) Art. 15. In such cases it will be sufficient if the probationer is given an opportunity to show cause in writing against his discharge after being apprised of the grounds on which it is proposed to discharge him, and his reply against the discharge is duly considered before orders are passed.
- (h) If from the facts elicited in a criminal case brought against a University servant in which he has not been convicted, or in a civil suit instituted against him, it is apparent that his retention in the University service is prima facie no longer desirable, such facts may be used as the basis of an order calling on him to show cause why he should not be punished by dismissal or otherwise. In such a case the University servant concerned should have an opportunity of submitting his defence and tendering such further evidence as he may deem fit to produce.

37. *Censure, Withholding of Increment Etc. and Recovery from pay—No order imposing the following penalties, viz* : -

- (a) Censure;
- (b) Withholding of increments or promotion including stoppage at the efficiency bar;
- (c) Recovery from pay of the whole or part of any pecuniary loss caused to the University by negligence or breach of orders (other than an order based on facts which have led to his conviction in a criminal court or an order superseding him for promotion to a higher post on the ground of his unfitness for that post) shall be passed on a University servant, unless he has been given adequate opportunity of making such

submission as he may desire to make and the representation/representations if any, has/have been taken into consideration before the order is passed.

Provided that the requirement under this section may, for sufficient reasons to be recorded in writing, be waived where there is difficulty in observing them and they can be, waived without injustice to the University servant concerned.

Note :- The full procedure indicated in section 36 need not be followed. It will be sufficient if the University servant is given an opportunity of explaining the charges made against him and the explanation so submitted is taken into consideration before orders are passed.

38. *Termination of temporary University Servant—The following procedure shall be followed in discharging a temporary University servant :-*

- (a) When the form of appointment of a temporary University servant on a temporary post provides for the termination of service by either party giving notice of a specified period, either party can serve such notice at any time, and the service should be considered to have been terminated on expiry of the specified period of notice. The termination of service in such circumstances does not amount to “removal and dismissal” from service under the relevant Article of the Indian Constitution.
- (b) When a temporary appointment expressly stated to be on a temporary basis for some specified job is sanctioned to continue until further order and is subject to the condition that the service may be terminated at any time without notice, on abolition of post the termination of service does not amount to “removal and dismissal” from service and the service can be terminated at any time without notice.
- (c) In case of a person who is appointed for a particular period and it is necessary to terminate his service before the expiry of that period, full departmental proceedings will not be necessary and it will be sufficient if an explanation is called for from the person concerned asking him to show cause why his services should not be terminated, and the explanation if any, so submitted, is considered before any order is passed.
- (d) In case of persons not covered under sub-section (a), (b) and (c) above, full departmental proceedings will be necessary before the temporary service can be terminated.
- (e) In all other cases which are not covered by the foregoing provisions full departmental proceedings are necessary before temporary services can be terminated.

39. *Appeal.—*

- (a) Every University servant shall be entitled to appeal in the manner hereinafter provided against an order passed by any University authority
 - (i) Imposing upon him any of the penalties specified in Section 36.
 - (ii) Terminating his appointment otherwise than on the expiry of the period of his appointment or on his reaching the age of superannuation.
- (b) An appeal against any order passed under Section 36 shall lie to the Chancellor whose decision shall be final.
- (c) In the case of an appeal against an order imposing any penalty specified in section 36 the appellate authority shall consider :-
 - (i) Whether the facts on which the order was based have been established;
 - (ii) Whether the facts established afford sufficient ground for taking action ; and
 - (iii) Whether the penalty is excessive, adequate or inadequate and after such consideration, shall pass such order as it which thinks proper.

- (d) An authority against whose order an appeal is preferred under this clause shall give effect to any order made by the appellate authority which shall form part of the record.
- (e) Every person preferring an appeal shall do so separately and in his own name ordinarily within sixty days from the date on which the appellant was informed of the order appealed against.
- (f) Every appeal preferred under this Article shall contain all material statements and arguments relied on by the appellant, shall contain no disrespectful or improper language, and shall be complete in itself. Every such appeal shall be submitted through the head of the office to which the appellant belongs or belonged, who shall forward the same to the appellate authority within a fortnight.
40. *Fixation and Regulation of pay of Teachers.*—
- (a) On the recommendation of the University Grants Commission, the payscale of the working teaching employees of the University / Colleges / Institutions have been revised by the State Government w.e.f.1st January 2006.
- (i) There shall be only three designations in respect of teachers in universities and colleges, namely, Assistant Professors, Associate Professors and Professors. However, there shall be no change in the present designation in respect of Library and Physical Education Personnel at various levels.
- (ii) No one shall be eligible to be appointed, promoted or designated as Professor, unless he or she possesses a Ph.D. and satisfies other academic conditions, as laid down by the University Grants Commission (UGC) from time to time. This shall, however, not affect those who are already designated as ‘Professor’.
- (iii) The pay of teachers and equivalent positions in Universities and Colleges shall be fixed according to their designations in two pay bands of Rs.15600 - 39100 and Rs.37400-67000 with appropriate “Academic Grade Pay” (AGP in short). Each pay Band shall have different stages of Academic Grade Pay which shall ensure that teachers and other equivalent cadres covered under this Scheme, subject to other conditions of eligibility being satisfied, have multiple opportunities for upward movement during their career.
- (iv) National Eligibility Test (NET) shall be compulsory for appointment at the entry level of Assistant Professor, subject to the exemptions to the degree of Ph.D. in respect of those persons obtaining the award through a process of registration, course-work and external evaluation, as have been / or may be laid down by the UGC through its regulations, and so adopted by the University. NET shall not be required for such Masters’ programmes in disciplines for which there is no NET.
- (b) Their revised pay shall be as under:

Sl.	Designation	Existing payscale	Revised payscales Pay Band	AGP ¹	New designation
i.	Lecturer	8000-275-13500	15600-39100	6000	Asstt. Professor
ii.	Lecturer (Sr. Payscale)	10000-325-15200	15600-39100	7000	Asstt. Professor (Sr. Payscale)
iii.	Lecturer (Selection Grade)	12000-420-18300	15600-39100	8000	Asstt. Professor (Selection Grade)
iv.	Reader	12000-420-18300	15600-39100	8000	Reader

Sl.	Designation	Existing payscale	Revised payscales Pay Band	AGP ¹	New designation
iv.A	Reader	12000-420-18300	37400-67000	9000	Associate Professor
v.	University Professor	16400-450-20900- 500-22400	37400-67000	10000/ 12000	Professor
vi.	Principal	16400-450-20900- 500-22400	37400-67000	10000	Principal (U.G.) ²
vii.	Principal	16400-450-20900- 500-22400	37400-67000	10000	Principal (P.G.) ³
viii.	Vice- Chancellor	25000 (fixed)	75000+Spl. allowance	5000	Vice Chancellor
ix.	Pro-V.C.	16400-450-20900 500-22400	37400-67000	10000/ 12000 +4000 spl. Allowance subject to max. of 80000 including pay, AGP and spl. pay.	Pro-V.C.

1. Academic Grade Pay

2. Under Graduate

3. Post Graduate

(c) Fixation of pay, increments, etc. under the new scheme shall be done as per rules and orders issued by the State Government.

(d) Allowances

(i) Dearness allowance shall be admissible at the rate notified by the State Government from time to time.

(ii) House rent allowance, city transport allowance, Travelling allowance and Medical allowance shall be admissible at the rate applicable to State Government employees from the date of Notification.

(iii) Blind, handicapped and physically infirm employees shall be entitled to Transport allowance at double rate.

41. *Fixation and Regulation of pay of Non-Teaching Employees.—*

(a) The pay of the Non-Teaching employees of the University / College shall be as prescribed / approved by the State Government from time to time. The State Government have revised the payscale of officers / non teaching employees of the University w.e.f. 1st January 2006 but actual payment shall be from 1st April 2007. Fixation of pay, increments etc. under the new scheme in respect of different categories of officers and employees of the university / college shall be done as per rules and orders issued by the State Government .

(b) Payment of revised pay to the non-teaching employees in the new pay scheme shall be made for the post on which the employees have been legally appointed.

- (c) *Allowances.*—Non-teaching employees of the university shall get Dearness allowance, House Rent allowance, and Medical allowance as admissible to State Government employees.
- (i) Non-teaching employees posted at Patna shall be entitled to City Transport allowance as admissible to State Government employees.
- (ii) Deputation allowance and Travelling allowance shall be admissible at par with State Government employees.
- (iii) Blind, handicapped and physically infirm employees shall be entitled to City Transport allowance at double rate.

Note:- In all matters, not specifically dealt within these Statutes of Chapter II, the rules and orders applicable to the employees of the State Government shall apply to the employees of the University.

42. *Reduction of pay.*—

- (a) The Executive council, if it orders transfer of a University employee from a higher to a lower grade or post as a penalty for misconduct or inefficiency, may allow him to draw any pay, not exceeding the maximum of the lower grade of post, which it may think proper. His date of future increment shall remain the same.
- (b) If a University servant is put on account of misconduct or inefficiency at a lower grade or post or to a lower stage in his pay scale, the Executive council shall state the period for which it shall be effective and whether, on restoration it shall operate to postpone future increments and if so, to what extent.

43. *Pay of Temporary Post.*—

- (a) A person appointed to a temporary post will draw the pay of that post.

- NOTE :- 1. When a temporary post is created which may have to be filled by a person not already in University service, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the service of a persons capable of discharging efficiently the duties of the post.
2. When a temporary post is created which will probably be filled by a person who is already a University servant his pay shall be fixed with due regard to.
- (a) the character and responsibility of the work to be performed ; and
- (b) the existing pay of University servant of status sufficient to warrant his selection for the post.
- (b) The pay of a University servant appointed to hold as a temporary measure, or to officiate in two or more independent posts at the same time shall be regulated as follows: -
- (i) the highest pay to which he would be entitled if his appointment to one of the posts stood alone, may be drawn on account of his tenure on that post.
- (ii) for each other post he may draw such extra remuneration as may be fixed by the Vice-Chancellor which should not ordinarily exceed 20 percent of the presumptive pay of the post whose duties the University servant is performing.
- (iii) if a compensatory allowance is payable for one or more of the posts he may draw such allowance as the Executive council may fix, provided that such allowance shall not exceed the total of the compensatory allowances payable for all the posts.

- NOTE :- 1. “Independent posts” mean posts which are independent of one another, i.e. posts the incumbent of one of which is not expected to do the duties of any of the others.
2. Holding charge of another independent post means discharging the full responsibilities of the post.

44. *Payment in case of Dismissal, Removal or Suspension.*—

- (a) The pay and allowance of a University servant who is dismissed or removed from service cease from and including the date of such dismissal or removal.
- (b) University servant under suspension shall be entitled to the following payments namely : -
- (i) Subsistence grant at an amount equal to the leave salary which the University servant would have drawn, if, he had been on leave, on half average pay, or on half pay and in addition, cost of living allowance based on such leave salary. Provided that where the period of suspension exceeds twelve 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 subsequent to the period of the first twelve months, as follows:-
- (1) The amount of subsistence grant may be increased by a suitable amount, not exceeding 50 percent of the subsistence grant admissible during the period of the first twelve months, if in the opinion of the said authority the period of suspension has been prolonged, due to reasons to be recorded in writing not directly attributable to the University servant.
- (2) The amount of subsistence grant may be reduced by a suitable amount, not exceeding 50 percent of the subsistence grant admissible during the period of the first twelve months, if , in the opinion of the said authority, the period of suspension has been prolonged, due to reasons to be recorded in writing, directly attributable to the University servant.
- (3) The rate of cost of living allowance will be based on the increased or, as the case may be, the decreased amount of subsistence grant admissible under sub-section (1) and (2) above.
- (ii) Any other compensatory allowance to which a University servant may be entitled from time to time on the basis of pay which he received on the date of suspension. Provided that the University servant shall not be entitled to that compensatory allowance unless the authority is satisfied that the University servant continues to meet the expenditure for which he is granted the allowance.
- (c) No payment under sub section (a) shall be made unless the University servant furnishes a certificate that he is not engaged in any other employment, business, profession or vocation.
- (d) When a University servant who has been dismissed, removed, or suspended is reinstated, the authority competent to order the reinstatement shall consider and make a specific order;
- (i) regarding the pay and allowance to be paid to the University servant for the period of his absence from duty ; and
- (ii) Whether or not the said period shall be treated as a period spent on duty.
- (e) Where such competent authority holds that the University servant has been fully exonerated, or in the case of suspension that it was wholly unjustified, the University servant shall be given the full pay to which he would have been entitled, had he not been dismissed, removed or suspended, as the case may be, together with any allowance of which he was in receipt prior to his dismissal, removal, or suspension.
- (f) In other cases, the University servant shall be given such proportion of such pay and allowances as such competent authority may prescribe; Provided that the payment of allowance under sub-section (f) or (g) shall be subject to all other conditions under which such allowances are admissible.
- (g) In a case falling under sub-section (f) the period of absence from duty shall be treated as a period spent on duty for all purposes.

- (h) In a case falling under sub-section (g) the period of absence from duty shall not be treated as period spent on duty, unless such competent authority specifically directs that it shall be so treated for any specified purpose.

Provided that if the University servant so desires such authority may direct that the period of absence from duty shall be converted into leave of any kind due and admissible to the University servant.

45. *Honoraria, fees and reward.*—

- (a) Subject to the provisions of the Act, unless it is otherwise distinctly provided, the service of a whole-time University servant shall be at the disposal of the University during the period of such employment and he shall not engage himself in any trade, business, occupation or in any work other than that of his office without the previous permission of the Vice-Chancellor whose order in the matter shall be final, and he will not, except in case of accident or sickness certified by competent medical authority, absent himself from his said duties without the previous permission in writing of the person authorized in that behalf.
- (b) Unless in any case it be otherwise expressly provided by the University, a University servant shall not without the previous sanction of the Executive Council or the Vice-Chancellor or of the Principal where so authorised, be granted an honoraria or a fee or be permitted to accept an honoraria or a fee.
- (c) *The Executive council may permit a University servant :*
- (i) to perform a specified service or series of services for any person or body outside the University, if it be satisfied that this can be done without detriment to his duties or responsibilities, and to receive a non-recurring or recurring honorarium or fee or rewards,
- (ii) to perform any additional or extra work for the University which is occasional in character and either so laborious or of such special merit as to justify a special honorarium or fee, and which is taken up with the prior consent of the sanctioning authority.
- (d) The amount of an honorarium or fee shall be fixed with due regard to the value of the service in return for which it is given and keeping in view the general principle enunciated in these Statutes.
- (e) No University servant may act as an arbitrator or as a commission or give evidence in any case which is likely to come before him for orders or decision in the course of his official duties.
- (f) A University servant, whose duties involve the carrying out of scientific or technical research under the University shall not apply for or obtain or cause or permit any other person to apply for or obtain a patent for an invention made by such servant in respect of or connected with the subject of his research under the University, or utilize for any personal gain or profit, or alienate his right, in any, relating to such invention, save with the permission of the Executive council, and only on such terms and conditions as the Executive council may impose. If a question arises whether the invention is connected with the subject of the University servant 's research under the University, the decision of the Executive council shall be final.
- (g) Any University servant is eligible to receive without special permission:
- (i) the premium or reward awarded for an essay or plan or scheme in a public competition, or for any invention or publication unconnected with his work under the University;
- (ii) any remuneration or fee payable under the laws of the University for work done for any other University or an examining body by an Act of legislature.
- (iii) any remuneration, admissible and sanctioned by any court or officer, for giving evidence or for acting as a commission on technical matters;
- (iv) A whole-time University servant may be employed in any manner required by the competent authority without claim for additional remuneration.

46. *Service Books.*—A service Book shall be maintained for every University employee. In this book every step in the University employee's official life shall be recorded and each entry shall be attested by such officer as prescribed by the Regulations of the University.

47. Except Vice-Chancellor the age of superannuation shall be Sixty two years for all employees of the University or as decided by the Government from time to time.

These Statutes shall come into force with effect from the

Note : - In all matters not specifically mentioned in the Statutes under this chapter shall be governed by the rules and order issued by the State Government.

48. Holidays

New years day	-	1 One day
Birthday of Guru Govind Singh	-	1 One day
Makar Sankranti	-	1 One day
Basant Panchmi	-	1 One day
Republic day	-	1 One day
Chehlum	-	1 One day
Maha Shivratri	-	1 One day
Birthday of Prophet Mohammad	-	1 One day
Holi	-	3 Three days
Ram Navmi	-	1 One day
Good Friday	-	1 One day
Birthday of Baba Sb Ambedkar	-	1 One day
Birthday of Veer Kunwar Singh	-	1 One day
May day	-	1 One day
Budh Purnima	-	1 One day
Shabe braat	-	1 One day
Raksha Bandhan	-	1 One day
Krishna Janam Ashtmi	-	1 One day
Last Friday of Ramzan	-	1 One day
Idul fitre	-	1 One day
Anant Chaturdasi	-	1 One day
Birthday of Mahatma Gandhi	-	1 One day
Mahalaya	-	1 One day
Durga Pooja	-	9 Nine days
Deepavali and Chhath	-	9 Nine days
Iduzzoha	-	1 One day
Mohurram	-	2 Two days
Christmas day	-	1 One day

	TOTAL	-----	52 days
Summer Vacation only for Teacher	-		26 days
1 st June to 30 th June			

NOTE :— : -

1. In addition to the above holidays, V. C. shall have option to declare 4 days leave.
2. Islamic holidays according to the visibility of the Moon.

Based on Patna University Calendar approved by the Chancellor.

By order of the Governor of Bihar,

K.K. RAI,

Joint Secretary to government.