

**THE INDIRA GANDHI NATIONAL
OPEN UNIVERSITY ACT, 1985**

(No.50 OF 1985)

[2nd September, 1985]

An Act to establish and incorporate an Open University at the national level for the introduction and promotion of open university and distance education systems in the educational pattern of the country and for the co-ordination and determination of standards in such systems.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:

1. (1) This Act may be called the Indira Gandhi National Open University Act, 1985.
(2) It shall come into force on such date as the Central Government may be notification in the Official Gazette.* appoint.
2. In this Act, and the Statutes made hereunder, unless the context otherwise requires.
 - (a) "Academic Council" means the Academic Council of the University;
 - (b) "Board of Management" means the Board of Management of the University;
 - (c) "Board of Management" means the Board of Recognition of the University;
 - (d) "College" means a College or other academic institution established or maintained by, or admitted to the privileges of the University;
 - (e) "Distance education systems" means the system of imparting education through any means of communication, such as broadcasting, telecasting, correspondence course, seminars, contact programmes or the combination of any two or more of such means;
 - (f) "Employee" means any person appointed by the University, and includes teachers and other academic staff of the University;
 - (g) "Finance Committee" means the Finance Committee of the University;
 - (h) "Governing Body", in relation to a College, means any body (by whatever name called) charged with the management of the affairs of the College and recognized as such by the University;
 - (i) "Planning Board" means the Planning Board of the University;
 - (j) "Regional Centre" means a centre established or maintained by the University for the purpose of co-ordinating and supervising the work of Study Centres and recognized and for performing such other functions as may be conferred on such centre by the Board of Management;

*Vide notification No.SO.678(E) dated 19.9.1985 Gazette of India: Extraordinary, Part II.Sec.3(ii)

(k) “Regulations” means the Regulations made by any authority of the University under this Act for the time being in force;

(l) “School” means a School of Studies of the University

(m) “Statutes” and “Ordinances” mean, respectively, the Statutes and Ordinances of the University for the time being in force;

(n) “Student” means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;

(o) “Study Centre” means a centre established, maintained or recognized by the University for the purpose of advising, counseling or for rendering any other assistance required by the students;

(p) “Teachers” means Professors, Readers, Lecturers and such other persons as may be designated at such by the Ordinance for imparting instruction in the University or for giving guidance or rendering assistance to students for pursuing any course of study of the University;

(q) “University” means the Indira Gandhi National Open University established under this Act;

(r) “Vice-Chancellor” and “Pro-Vice-Chancellor” mean, respectively, the Vice-Chancellor and a Pro-Vice-Chancellor of the University;

3. (1) There shall be established a University by the name of “the Indira Gandhi National Open University”;

(2) The headquarters of the University shall be at Delhi and it may establish or maintain Colleges, Regional Centres and Study Centres at such other places in India as it may deem fit.

Provided that the University may, with the prior approval of the Visitor, also establish Study Centres outside India.

(3) The first Vice-Chancellor, the first Pro-Vice-Chancellors and the first members of the Board of Management, the Academic Council and the Planning Board and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of “the Indira Gandhi National Open University”.

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

4. The objects of the University shall be to advance and disseminate learning and knowledge by a diversity of means, including the use of any communication technology, to provide opportunities for higher education to a larger segment of the population and to promote the educational well being of the community generally, to encourage the Open University and distance education systems in the educational pattern of the country and to coordinate and determine the standards in such systems, and the University shall, in organizing its activities, have due regard to the objects specified in the first Schedule.

5. (1) The University shall have the following powers, namely:

(i) to provide for instruction in such branches of knowledge, technology,

Vocations and professions as the University may determine from time to time and to make provision for research;

(ii) to plan and prescribe courses of study for degrees, diplomas, certificates or for any other purpose;

(iii) to hold examinations and confer degrees, diplomas, certificates or other academic distinctions or recognitions on persons who have pursued a course of study or conducted research in the manner laid down by the Statutes and Ordinances;

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

(v) to determine the manner in which distance education in relation to the academic programmes of the University may be organized;

(vi) to institute professorships, readerships, lectureships and other academic positions necessary for imparting instruction or for preparing educational material or for conducting other academic activities, including guidance, designing and delivery of course and evaluation of the work done by the students, and to appoint persons to such professorships, readerships, lectureship and other academic positions;

(vii) to co-operate with, and seek the co-operation of, other universities and institutions of higher learning, professional bodies and organizations for such purposes as the University considers necessary;

(viii) to institute and award fellowships, scholarships, prizes and such other awards for recognition of merit as the University may deem fit;

(ix) to establish and maintain such Regional Centres as may be determined by the University from time to time;

(x) to establish, maintain or recognize Study Centres in the manner laid down by the Statutes;

(xi) to provide for the preparation of instructional materials, including films, cassettes, tapes, video cassettes and other software;

(xii) to organize and conduct refresher courses, workshops, seminars and other programmes for teachers, lesson writers, evaluators and other academic staff;

(xiii) to recognize examinations of, or periods of study (whether in full or part) at, other universities, institutions or other places of higher learning as equivalent to examinations or periods of study in the University, and to withdraw such recognition at any time;

(xiv) to make provision for research and development in educational technology and related matters;

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

(xvi) to receive benefactions, donations and gifts and to acquire, hold, maintain and dispose of any property movable or immovable, including trust and Government property, for the purposes of the University;

(xvii) to borrow, with the approval of the Central Government whether on the security of the property of the University or otherwise, money for the purposes of the University;

- (xviii) to enter into, carry out, vary or cancel contracts;
- (xix) to demand and receive such fees and other charges as may be laid down by the Ordinances;
- (xx) to provide, control and maintain discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their codes of conduct;
- (xxi) to recognize any institution of higher learning or studies for such purposes as the University may determine and to withdraw such recognition;
- (xxii) to appoint, either on contract or otherwise, visiting Professors, Emeritus Professors, Consultants, fellows, scholars, artists, course writer and such other persons who may contribute to the advancement of the objects of the University;
- (xxiii) to recognise persons working in other universities, institutions or organizations as teachers of the University on such terms and conditions as may be laid down by the Ordinances;
- (xxiv) to determine standards and to specify conditions for the admission of students to courses of study of the University which may include examination, evaluation and any other method of testing;
- (xxv) to make arrangements for the promotion of the general health and welfare of the employees;
- (xxvi) to confer autonomous status on a College or a Regional Centre in the manner laid down by the Statutes;
- (xxvii) to admit to its privileges any College in or outside India subject to such conditions as may be laid down by the Statutes;

Provided that no College shall be so admitted except with the prior approval of the Visitor;

(xviii) to do all such acts as may be necessary or incidental to the exercise of all or any of the powers of the University as are necessary and conducive to the promotion of all or any of the objects of the University.

(2) Notwithstanding anything contained in any other law for the time being in force, but without prejudice to the provisions of sub-section (1), it shall be the duty of the University to take all such steps as it may deem fit for the promotion of the open university and distance education systems and for the determination of standards of teaching, evaluation and research in such systems, and for the purpose of performing this function, the University shall have such powers, including the power to allocate and disburse grants to Colleges, whether admitted to its privileges or not, or to any other university or institution of higher learning, as may be specified by the Statutes.

6. The University shall in the exercise of its powers have jurisdiction over the whole of India and to the Study Centres outside India.

7. (1) The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any

Person any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or admitted as a student in the University, or to graduate there at, or to enjoy or exercise any privilege thereof.

(2) Nothing in sub-section (1) shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of persons belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes or Scheduled Tribes.

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

(2) Subject to the provisions of sub-sections (3) and (4), the Visitor shall have the right to cause an inspection to be made, by such person or persons as he may direct, of the University, its buildings, laboratories and equipment, and of any College, Regional Centre, a Study Centre and also of the examination, instruction and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the administration and finances of the University.

(3) The Visitor shall, in every case, give notice to the University of his intention to cause an inspection or inquire to be made and the University shall, on receipt of such notice, have the right to make, within thirty days from the date of receipt of the notice or such other period as the Visitor may determine, such representations to him as it may consider necessary.

(4) After considering the representations, if any, made by the University, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (2).

(5) Where an inspection or inquiry has been caused to be made by the Visitor, the University shall be entitled to appoint a representative who shall have the right to appear in person and to be heard on such inspection or inquiry.

(6) The Visitor may address the Vice-Chancellor with reference to the results of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon as the Visitor may be pleased to officer and on receipt of the address made by the Visitor, the Vice-Chancellor shall communicate forthwith to the Board of Management the results of the inspection or inquiry and the views of the Visitor and the advice tendered by him upon the action to be taken thereon.

(7) The Board of Management shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken by it upon the results of such inspection or inquiry.

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

(9) Without prejudice to the foregoing provisions of this section, the Visitor may, by an order in writing, annual any proceedings of the University which is not in conformity with this Act, the Statutes or the Ordinances.

Provided that before making nay such order, he shall call upon the University to show cause why such an order should not be made and, if any cause is shown within a reasonable time, he shall consider the same.

(10) The Visitor shall have such other powers as may be specified by the Statutes.

9. The following shall be the officers of the University

- (1) The Vice-Chancellor;
- (2) The Pro-Vice-Chancellors;
- (3) The Directors;
- (4) The Registrars;
- (5) The Finance Officer; and
- (6) Such other officers as may be declared by the Statutes to be the officers of the University.

10. (1) The Vice-Chancellor Shall be appointed by the Visitor in such manner, for such term and on such emoluments and other conditions of service as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal academic and executive officer of the University, and shall exercise supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellors may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter:

Provided 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 Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action on the Board of Management within ninety days from the date on which such action is communicated to him and thereupon the Board of management may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor, if he is of the opinion that any decision of any authority is beyond the powers of the authority conferred by the provisions of this Act, Statutes or Ordinances or that any decision taken is not in the interests of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review its decision either in whole or in part or no decision is taken by it with in the said period of sixty days, the matter shall be referred to the Visitor whose decision thereon shall be final:

Provided that the decision of the authority concerned shall remain suspended during the period of review of such decision by the authority or the Visitor, as the case may be, under this sub-section.

(5) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes and the Ordinances.

11. Every Pro-Vice-Chancellor shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed by the Statutes.

12. Every Director shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed by the Statutes.

13. (1) Every Registrar shall be appointed in such manner, on such emoluments and other conditions of service as may be prescribed by the Statutes.

(2) A Registrar empowered by the Board of Management shall have the power to enter into, and sign, agreements and authenticate records on behalf of the University.

(3) Every Registrar shall exercise such powers and perform such functions as may be prescribed by the Statutes.

14. The Finance Officer shall be appointed in such manner, on such emoluments and other conditions of service and shall exercise such powers and perform such functions as may be prescribed by the Statutes.

15. The manner of appointment, emoluments, powers and duties of the other officers of the University shall be prescribed by the Statutes.

16. The following shall be the authorities of the University:

- (1) The Board of Management;
- (2) The Academic Council
- (3) The Planning Board;
- (4) The Board of Recognition;
- (5) The Schools of Studies;
- (6) The Finance Committee; and
- (7) Such other authorities as may be declared by the Statutes to be the authorities of the University.

17. (1) The Board of Management shall be the principal executive body of the University.

(2) The constitution of the Board of Management, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

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

(2) The constitution of the Academic Council and the term of office of its members shall be prescribed by the Statutes.

19. (1) There shall be constituted a Planning Board of the University which shall be the principal planning body of the University and shall also be responsible for the monitoring of the developments of the University on the lines indicated in the objects of the University.

(2) The constitution of the Planning Board, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

20. (1) The Board of Management shall be responsible for admitting Colleges to the privileges of the University.

(2) The constitution and the other powers and functions of the Board of Recognition shall be prescribed by the Statutes.

21. (1) There shall be such number of Schools of Studies as the University may determine from time to time.

(2) The constitution, power and functions of the School of Studies shall be prescribed by the Statutes.

22. The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

23. The constitution, powers and functions of the other authorities which may be declared by the Statutes to be authorities of the University shall be prescribed by the Statutes.

24. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:

(a) the manner of appointment of the Vice-Chancellor, the term of his appointment, the emoluments and other conditions of his service and the powers and functions that may be exercised and performed by him;

(b) the manner of appointment of Pro-Vice-Chancellor, Directors, Registrars, the Finance Officer and other officers, the emoluments and other conditions of their service and the powers and functions that may be exercised and performed by each of the officers.

(c) The constitution of the Board of Management and other authorities of the University, the terms of office of the members of such authorities and the powers and functions that may be exercised and performed by such authorities;

(d) The appointment of teachers and other employees of the University, their emoluments and other conditions of service;

(e) The constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the employees of the University;

(f) The principles governing the seniority of service of the employees of the University;

(g) The procedure in relation to any appeal or application for review by any employee or student of the University against the action of any officer or authority of the University, including the time within which such appeal or application for review shall be preferred or made;

(h) The procedure for the settlement of disputes between the employees students of the University, and the University;

(i) The conferment of autonomous status on Colleges and Study Centres;

(j) The co-ordination and determination of standards in the open University and distance education systems and the allocation and disbursement of grants to Colleges and other universities and institutions;

(k) The conditions that are required to be fulfilled for admission of the Colleges to the privileges of the University;

(l) All other matters which by the Act are to be, or may be, provided by the Statutes.

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

(4) The Board of Management may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1):

Provided that the Board of Management shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given a reasonable opportunity to express its opinion in writing on the proposed changes and any opinion so expressed has been considered by the Board of Management.

(3) Every new Statute or addition to the Statutes or any amendment or repeal thereof shall require the approval of the Visitor, who may assent thereto or withhold assent or remit to the Board of Management for re-consideration in the light of the observations, if any, made by him.

(4) A new Statute or a Statute amending or repealing an existing Statute shall not be valid unless it has been assented to by the Visitor

(5) Notwithstanding anything contained in the foregoing sub-section, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1), during the period of three years immediately after the commencement of this Act.

(6) Notwithstanding anything contained in the foregoing sub-section, the Visitor may direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Board of Management is unable to implement such a direction within sixty days of its receipt, the Visitor may, after considering the reasons, if any, communicated by the Board of Management for its inability to comply with such directions, make or amend the Statutes suitably.

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

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

(b) the conduct of examinations, including the terms and conditions and appointment of examiners;

(c) the management of Colleges admitted to the privileges of the University; and

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

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

28. (1) The annual report of the University shall be prepared under the directions of the Board of Management which shall include, among other matters, the steps taken by the University towards the fulfillment of its objects.

(2) The annual report so prepared shall be submitted to the Visitor on or before such date as may be prescribed by the Statutes.

(3) A copy of the annual report, as prepared under sub-section (1) shall also be submitted to the Central Government which shall, as soon as may be, cause the same to be laid before both the Houses of Parliament.

29. (1) The annual accounts and the balance sheet of the University shall be prepared under the directions of the Board of Management and shall, once at least every year, and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India or such person or persons as he may authorize in this behalf.

(2) A copy of the accounts together with the audit report shall be submitted to the Visitor along with the observations, if any, of the Board of Management.

(3) Any observations made by the Visitor on the annual accounts shall be brought to notice of the Board of Management and the views of the Board of Management, if any, on such observations shall be submitted to the Visitor.

(4) A copy of the accounts together with the audit report, as submitted to the Visitor, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both the Houses of Parliament.

(5) The audited annual accounts, after having been laid before both the Houses of Parliament, shall be published in the Gazette of India.

30. (1) Every employee of the University shall be appointed under a written contract and such contract shall not be inconsistent with the provisions of this Act, the Statutes and the Ordinances.

(2) The contract referred to in sub-section (1) shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

31. (1) Any dispute arising out of a contract of employment referred to in section 30 between the University and an employee shall, at the request of either party, be referred to a Tribunal of Arbitration which shall consist of one member nominated by the Board of Management, one member nominated by the employee concerned and an umpire to be nominated by the Visitor.

(2) Every such reference shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940, and all the provisions of that Act, with the exception of section 2 thereof, shall apply accordingly.

(3) The procedure for regulating the work of the Tribunal of Arbitration shall be prescribed by the Statutes.

(4) The decision of the Tribunal of Arbitration shall be final and binding on the parties, and no suit shall lie in any court in respect of the matters decided by the Tribunal.

32. (1) The University shall constitute for the benefit of the employees such provident or pension funds or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where such provident or pension fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 shall apply to such funds, as if it were a Government Provident Fund.

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

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

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

36. No suit or other legal proceedings shall lie against any officer or employee of the University for any thing which is in good faith done or intended to be done in pursuance of any of the provisions of this Act or the Statutes or the Ordinances.

37. A copy of any receipt, application, notice, order, proceedings, resolution of any authority or committee of the University, or other documents in the possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar so designated shall, notwithstanding anything contained in the Indian Evidence Act, 1872, or in any other law for the time being in force, be admitted as evidence of the matters and transactions specified therein, where the original thereof would, if produced, have been admissible in evidence.

38. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Gazette of India, make such provisions, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

39. Notwithstanding anything contained in this Act and the Statutes:

(a) The first Vice-Chancellor, the first Registrars and the first Finance Officer shall be appointed by the Visitor and they shall be governed by the terms and conditions of service specified by the Statutes:

Provided that the first Vice-Chancellor shall be eligible for appointment in the manner specified in the Statutes for another term;

(b) The first Board of Management shall consist of not more than fifteen members who shall be nominated by the Visitor and they shall hold office for a term of three year; and

(c) (i) The first Planning Board shall consist of not more than ten members who shall be nominated by the Visitor and they shall hold for a term of three years;

(ii) The planning Board shall, in addition to the powers and functions conferred on it by this Act, exercise the powers of the Academic Council, until the Academic Council is constituted under the provisions of this Act and the Statutes, and in the exercise of such powers, the Planning Board may co-opt such members as it may decide.

40. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

(2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.

THE FIRST SCHEDULE

(See Section 4)

THE OBJECTS OF THE UNIVERSITY

1. The University shall endeavour through education, research, training and extension to play a positive role in the development of the country, and, based on the rich heritage of the country, to promote and advance the culture of the people of India and its human resources. Towards this end, it shall:

(a) strengthen and diversify the degree, certificate and diploma courses related to the needs of employment and necessary for building the economy of the country on the basis of its natural and human resources;

(b) provide access to higher education for large segments of the population, and in particular, the disadvantaged groups such as those living in remote and rural areas including working people, housewives and other adults who wish to upgrade or acquire knowledge through studies in various fields;

(c) promote acquisition of knowledge in a rapidly developing and changing society and to continually offer opportunities for upgrading knowledge, training and skills in the context of innovations, research and discovery in all fields of human endeavours;

(d) provide an innovative system of university level education, flexible and open, in regard to methods and pace of learning, combination of courses, eligibility for enrolment, age of entry, conduct of examination and operation of the programmes with a view to promote learning and encourage excellence in new fields of knowledge;

(e) contribute to the improvement of the educational system in India by providing a non-formal channel complementary to the formal system and encouraging transfer of credits and exchange of teaching staff by making wide use of texts and other software developed by the University;

(f) provide education and training in the various arts, crafts and skills of the country, raising their quality and improving their availability to the people;

(g) provide or arrange training of teachers required for such activities or institutions;

(h) provide suitable post-graduate courses of study and promote research;

(i) provide the counseling and guidance to its students; and

(j) promote national integration and the integrated development of the human personality through its policies and programmes.

2. The University shall strive to fulfil the above objects by a diversity of means of distance and continuing education, and shall function in cooperation with the existing Universities and Institutions of higher learning and make full use of the latest scientific knowledge and new educational technology to offer a high quality of education which matches contemporary needs.

THE SECOND SCHEDULE
(See Section 24)

STATUTES OF THE UNIVERSITY
(as amended upto 31.3.1998)

1. *The Vice-Chancellor*

- (1) The Vice-Chancellor shall be a whole-time salaried officer of the University.
- (2) The Vice-Chancellor shall be appointed by the Visitor from out of a panel of not less than three persons recommended (the names being arranged in the alphabetical order) by a committee constituted under clause (3):
- (3) *Provided that if the Visitor does not approve of any of the persons so recommended he may call for fresh recommendations.*
- (4) *The committee referred to in clause (2) shall consist of three members of whom two shall be nominated by the Board of Management and one by the Visitor, and the person nominated by the Visitor shall be the Convener of the committee:*
- (5) *Provided that no person who is an employee of the University of any affiliated College or a member of any authority of the University shall be nominated to be a member of the Committee.*
- (6) *The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office, or until he attains the age of sixty-five years, whichever is earlier, and he shall not be eligible for re-appointment:*
- (7) *Provided that the Visitor may require any Vice-Chancellor after his term has expired, to continue in office for such period, not exceeding a total period of one year as may be specified by him.*
- (8) *The emolument and other conditions of service of the Vice-Chancellor shall be as follows:*
 - (i) There shall be paid to the Vice-Chancellor a salary of Rs.7600/- (fixed) (pre-revised) per month and he would be entitled to the free use of the University car and without payment of rent, to the use of furnished residence throughout his term of the office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.

Note: The above will be effective from 1.1.1986.

- (ii) In addition to the salary specified in sub-clause (i), the Vice-Chancellor shall be entitled to such other allowances as are admissible to University employees from time to time.

Amendment regarding salary of Vice-Chancellor in Sub-clause (i) of Clause (5) of Statute 1 is approved by the Board of Management at its Meeting held on December 31, 1987 and modified in its Meeting held on August 30, 1988 (Resolution No.6.11.1 and 11.17.1 respectively) received the approval of the Visitor vide MHRD letter No.F.5-16/88-U.I.(Desk) dated November 10,1989)

(iii) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Board of Management with the approval of the Visitor from time to time:

Provided that where an employee of the University or a College or of any other university or any institution maintained by or affiliated to such other university is appointed as the Vice-Chancellor, he may be allowed to continue to contribute to any provident fund of which he is a member and the University shall contribute to the account of such person in that provident fund at the same rate at which such person had been contributing immediately before his appointment as Vice-Chancellor.

Provided further that where such employee had been a member of any pension scheme, the University shall make the necessary contribution to such scheme.

(iv) The Vice-Chancellor shall be entitled to Leave Travel Concession, Medical Facilities and Traveling Allowance at such rates as may be fixed by the Board of Management.

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

(vi) In addition to the leave referred to in sub-clause(v), the Vice-Chancellor shall be entitled to half pay leave at the rate of twenty days per year of every completed year of service and the half pay leave may be availed of as commuted leave on full pay on medical certificate.

(6) If the Office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise, or if he is unable to perform his duties due to ill health or any other cause, the senior-most Pro Vice-Chancellor, shall perform the duties of the Vice-Chancellor, and if there is no Pro Vice-Chancellor, the Senior-most Professor from amongst Directors of the Schools shall perform the functions of the Vice-Chancellor until the new Vice-Chancellor assumes his office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

2. Powers and functions of the Vice-Chancellor

(1) The Vice-Chancellor shall be *ex officio* Chairman of the Board of Management, the Academic Council, the Planning Board and the Finance Committee.

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

(3) It shall be the duty of the Vice-Chancellor to see that this Act, the Statutes, Ordinances and Regulations are duly observed and he shall have all the powers necessary to ensure such observance.

(4) The Vice-Chancellor shall exercise control over the affairs of the University and shall give effect to the decisions of all the authorities of the University.

(5) The Vice-Chancellor shall have all the powers necessary for the proper maintenance of discipline in the University and he may delegate any such powers to

Amendment to Sub-clause (iv) of Clause (5) of Statute 1 regarding Vice-Chancellor is made by the BOM at its meeting held on 18.02.1991, received the approval of the Visitor vide MHRD letter No.F.5-25/91-u.1.(Desk) dated 14.08.1991.

Amendment to Clause (6) of Statute 1, regarding Vice-Chancellor in made by the BOM at its 74th meeting held on 28-2-03, received the approval of the Visitor vide MHRD letter No. F-5-24/2003-Desk (U)(A) dt. 22-11-04.

such person or persons as he may deem fit.

(6) The Vice-Chancellor shall be empowered:

(i) to grant leave to any officer of the University and make necessary arrangements for the discharge of the functions of such officer during his absence;

(ii) to make necessary arrangements for discharging the functions of an officer whose position falls vacant due to resignation, retirement, death or any other reason till regular appointment to such positions is made.

Provided that arrangement made under sub-clause(ii) of Clause (6) may be for a period not exceeding 6 months at a time. Further extension exceeding 6 months is to be reported to the Board.

(7) The Vice-Chancellor shall grant leave of absence to any employee of the University in accordance with the rules and if he so desires, delegate such powers to another officer of the University.

(8) The Vice-Chancellor shall have the power to convene or cause to be convened the meetings of the Board of Management, the Academic Council, the Planning Board and the Finance Committee.

(9) The Vice-Chancellor shall have the following further powers, namely:

(i) to appoint such Professors, Readers, Lecturers and other teachers as may be necessary with the prior approval of the Board of Management;

(ii) to appoint course writers, script writers, counsellors, programmers, artists and such other persons as may be considered necessary for the efficient functioning of the University;

(iii) to make short-term appointments for a period not exceeding six months at a time, of such persons as may be considered necessary for the functioning of the University;

(iv) to arrange for the establishment and maintenance of Regional and Study Centres at different places as may be required from time to time and delegate to any employee such powers as are necessary for their efficient functioning.

3. *The Pro-Vice-Chancellors*

(1) Every Pro-Vice-Chancellor shall be appointed by the Board of Management on the recommendation of the Vice-Chancellor:

Provided that if any recommendation of the Vice-Chancellor is not accepted by the Board of Management, the matter shall be referred to the Visitor who may either appoint the person recommended by the Vice-Chancellor or request the Vice-Chancellor to recommend another person for consideration by the Board of Management:

Provided further that the Board of Management may, on the recommendation of the Vice-Chancellor, appoint a Professor or a Director of a School/Division to perform the functions of a Pro-Vice-Chancellor in addition to his own functions as a Professor or a Director of a School/Division.

(2) The term of office of a Pro-Vice-Chancellor shall be such as may be decided by the Board of Management, but it shall not in any case exceed three years or until the expiration of the term of office of the Vice-Chancellor, whichever, is earlier and he shall be eligible for re-appointment:

Provided that a Pro-Vice-Chancellor shall retire on attaining the age of sixty-five years:

Amendment to second proviso to Clause (1) of Statute 3 regarding the Pro-Vice-Chancellors is made by the Board of Management at its meeting held on 18.02.1992 is approved by the Visitor vide MHRD letter No.F.5-72/91-U.1(Desk) dated 16.7.1992.

Amendment to Clause 6 of the Statute 2 adding sub clauses (i) and (ii), made by the Board of Management at its meeting held on 6.8.01, approved by the Visitor vide MHRD letter No. F.5-73/2001-Desk (U)(A) dated 26.2.2002.

Provided further that a Pro-Vice-Chancellor shall, while performing the functions of the Vice-Chancellor under clause (6) of Statute 1, continue in office notwithstanding the expiration of his term of office as Pro-Vice-Chancellor until a new Vice-Chancellor assumes his office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

(3) (a) The Salary of a Pro-Vice-Chancellor shall be fixed in the scale of pay of Rs.5900-200-7300 (pre-revised) subject to a minimum of Rs.6500 per month. Where a Professor/Director of School/Division is appointed to perform the functions of a Pro-Vice-Chancellor in addition to his own function as such Professor/Director of School/Division he shall draw his pay in his substantive post plus a special pay of Rs.500 per month, or Rs.7300 (pre-revised) whichever is less.

- (b) Every Pro-Vice Chancellor during his tenure shall be entitled, without payment of rent, to the use of a furnished residence throughout his term of office and no charge shall fall on the Pro-Vice-Chancellor personally in respect of maintenance of such residence.
- (c) In addition to the salary specified in sub-clause (a), a Pro-Vice-Chancellor shall be entitled to such other allowances as are admissible to the employees of the University from time to time.
- (d) The Pro-Vice-Chancellor during his tenure shall be entitled to leave, as admissible to the employee of the University from time to time. Provided further that where an employee of the University or a College affiliated to it or of any other University or institution maintained by or affiliated to such other University, is appointed as a Pro-Vice-Chancellor he shall continue to be governed by the same Leave Rules to which he was entitled prior to his appointment as Pro-Vice-Chancellor till he continues to hold his position on that post.
- (e) The Pro-Vice-Chancellor shall be entitled to Travelling Allowance, Leave Travel Concession and Medical Concession as are admissible to the employees of the University from time to time.

(h) Every Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters as may be specified by the Vice-Chancellor in this behalf from time to time and shall also exercise such powers and perform such functions as may be delegated to him by the Vice-Chancellor.

4. The Directors

(1) Every Director shall be appointed by the Board of Management on the recommendation of

(i) the Vice-Chancellor, in case the candidate to be appointed is already a teacher of the University; and

(ii) a Selection Committee constituted for the purpose as per the qualifications prescribed by the Board of Management in each case.

“Provided that

(a) A Director of a School shall be appointed from among the Professors of the School by the Board of management on the recommendation of the Vice-Chancellor;

(b) The rotation of directorship among the disciplines of a School be kept in view while making the recommendation;

(c) The Director of STRIDE and the Director, Regional Services Division shall be appointed by the Board of Management on the recommendations of the Vice Chancellor from amongst the Professors in STRIDE and the Regional Directors in Professors scale, respectively; and

(d) A Director shall hold office for a period of the years and that he shall be eligible for re-appointment.”

(2) **Every Director shall be a whole-time salaried officer of the University:**

Provided that one of the Directors shall be in charge of the administrative affairs of the teachers.

(3) The emoluments and other conditions of service of the Director shall be prescribed by the Ordinances;

Provided that a Director shall retire on attaining the age of sixty two years.

(4) A Director shall exercise such powers and perform such functions as may be prescribed by the Ordinances.

5. The Registrar

(1) Every Registrar shall be appointed by the Board of Management on the recommendation of a Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University.

(2) The emoluments and other conditions of service of a Registrar shall be prescribed by the Ordinances:
Provided that a Registrar shall retire on attaining the age of sixty years.

(3) A Registrar designated by the Board of Management shall have power to take disciplinary action against such of the employees, excluding teachers and other members as may be specified by the Board of Management by order.

(4) An appeal shall lie to an officer so designated by the Board of Management against any order made by the Registrar in pursuance of clause (3).

(5) In cases where an inquiry discloses that a punishment beyond the powers of a Registrar is called for, the Registrar shall, consequent to the enquiry, make a report to the Vice-Chancellor along with his recommendations for such action as the Vice-Chancellor may deem fit:

Provided that an appeal shall lie to the Board of Management against an order of the Vice-Chancellor imposing any penalty.

(6) Such of the Registrar as is designated by the Board of Management shall be:

- (i) The Secretary to the Board of Management;**
- (ii) Member of the Academic Council;**
- (iii) Member of the Planning Board.**

Addition to Clause (1)(ii) of Statute 4 was approved by the Board of Management at its meeting held on 27.12.95 and assent of the Visitor was conveyed vide Ministry of HRD's letter No.F.5-16/96-U.1(Desk) dated 23.04.96.

Amendment to Clause (1)(ii) (c) and addition of Sub Clause (ii) (d) and Clause (3) of Statute 4 approved by the Board of Management at its meeting held on 28.2.03 and assent of the Visitor conveyed vide MHRD letter No. F.5-2/2003-Desk (U)(A) dt. 6.10.04.

Amendment to Clause (6) (i)(ii) and (iii) of Statute 5 regarding the Registrar approved by the Board of Management at its meeting held on 28.2.03 and assent of Visitor conveyed vide MHRD letter No.F-5-25/2003-Desk(U)(A) dated 15.3.04.

- trust and immovable properties for fulfilling any of the objects of the University;
- (b) ensure that the limits fixed by the Finance Committee for recurring and non recurring expenditure for a year are not exceeded and the money is expended or spent for the purposes for which it was granted or allotted;
- (c) be responsible for the preparation of the annual accounts and the budget of the University and for their presentation to the Board of Management after they have been considered by the Finance Committee;
- (d) keep a constant watch on the cash and bank balances and investments;
- (e) watch the progress of collection of revenue and advise on the methods of collection employed;
- (f) ensure that the registers of properties of the University are maintained properly and that stock checking is conducted of equipments and other materials in the offices of the University including Regional Centres, Study Centres and other institutions maintained by the University;
- (g) bring to the notice of the Vice-chancellor any unauthorized expenditure or other financial irregularities and suggest appropriate action against persons at fault;
- (h) call from any office of the University, including Regional Centre, Study Centres and other institutions maintained by the University, any information or reports that he may consider necessary for the performance of his functions.

(6) Any receipt given by the Finance Officer or by the person or persons duly authorized in this behalf by the Board of Management shall be a sufficient discharge for payment of moneys to the University.

6.1 Librarian and Information Officer

(1) The Librarian and Information Officer shall be appointed by the Board of Management on the recommendation of a Selection Committee constituted for the purpose under Statute 12 (2)(i) and he shall be a whole-time salaried officer of the University.

(2) The emoluments and other conditions of service of the Librarian and Information Officer shall be prescribed by the Ordinances.

Provided that the Librarian and Information Officer shall retire on attaining the age of sixty years.

6A. The Board of Management

(1) The Board on Management shall consist of the following members, namely;

- (i) Vice-Chancellor;
- (ii) Senior-most Pro-Vice-Chancellor;
- (iii) Three employees of the University who shall be nominated by 'the Vice-Chancellor, of which one shall be from the Directors of School of Studies; and the other two from the teachers and other academic staff other than the Directors of School;

Statute 6A on Board of Management, made by the Board of Management at its meeting held on October 7, 1988 and October, 5, 1989 received the approval of the Visitor vide MHRD letter No. F.5-81/88-U.I.(Desk) dated April 20, 1990. Statute 6.1 on Librarian and Information Officer, made by the Board of Management at its meeting held on 28.3.97 received the approval of the Visitor vide MHRD letter No. F.5-33/97-Desk(U)(A_ and dated 20.3.97.

(iv) Five persons, who are not employees of the University, to be nominated by the Visitor, representing the following areas of specialisation:

- (a) Two eminent educationists;
- (b) One person from the non-formal/voluntary sector;
- (c) One person representing Commerce/Industry; and
- (d) One person representing learned Profession.

(v) Two representatives of the Government of India; Secretary, Department of Education and Secretary, Information and Broadcasting, to be nominated by the Visitor; and

(vi) Three persons to be co-opted by the Board of Management from among the following;

- (a) A Vice-Chancellor of a State Open University;
- (b) One expert on Distance Education; and
- (c) One person who has knowledge of, or experience in, media/communication field.

(2) Members of the Board of Management, other than ex-officio members, shall hold office for a term of three years. Provided, however, that persons nominated/appointed from the University shall hold office for a term of two years.

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

(4) Six members of the Board of Management shall form the quorum for a meeting of the Board.

7. Powers and functions of the Board of Management

(1) The Board of Management shall have the power of management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for:

(2) Subject to the provisions of the Act, the Statutes and the Ordinances, the Board of Management shall, in addition to the other powers vested in it under the Statutes have the following powers, namely:

(a) to create teaching and other academic posts and to define the functions and conditions of service of Professors, Readers, Lecturers and other teachers and other academic staff employed by the University;

(b) to prescribe qualifications for teachers and other academic staff;

(c) to approve the appointment of such Professors, Readers, Lecturers and other teachers and academic staff as may be necessary on the recommendations of the Selection Committees constituted for the purpose;

(d) to approve appointments to temporary vacancies of any academic staff;

(e) to specify the manner of appointment to temporary vacancies of academic staff;

(f) to provide for the appointment of visiting Professors, Emeritus Professors, Fellows, artists and writers and determine the terms and conditions of such appointments;

(g) to manage and regulate the finances, accounts, investments, property of the University and all other affairs of the University and to appoint such agents as may be considered fit;

(h) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares or securities as it thinks fit or in the purchase of immovable property in India with like power of varying such investment from time to time, provided that no action under this clause shall be taken without consulting the Finance Committee;

(i) to create administrative, ministerial and other necessary posts after taking into account the recommendations of the Finance Committee and to specify the manner of appointment thereto;

(j) to regulate and enforce discipline amongst the employees in accordance with the Statutes and Ordinances;

(k) to transfer or accept transfers of any immovable or movable property on behalf of the University;

(l) to entertain, adjudicate upon, or redress the grievances of the employees and the students of the University who may, for any reason, feel aggrieved;

(m) to fix the remuneration payable to course writers, counsellors, examiners and invigilators, and traveling and other allowances payable, after consulting the Finance Committee;

(n) to select the common seal for the University and to provide for the use of such seal;

(o) to delegate any of its powers to the Vice-Chancellor, Pro-Vice-Chancellor, Registrar, the Finance Officer or any other officer, employee or authority of the University, or to a committee appointed by it.

(p) to institute fellowships, scholarships, studentship; and

(q) to exercise such other powers and perform such other functions as may be conferred or imposed on it by the Act or the Statutes.

(3) 'The Board of Management shall exercise all the powers of the University not otherwise provided for by the Act, Statutes, Ordinances and the Regulations for the fulfillment of the University.

8. *Omitted*

9. *The Academic Council*

(1) The Academic Council shall consist of the following members, namely;

(i) Vice-Chancellor - Ex-Officio Chairman;

Statute 8 Omitted by the Board of Management at its meetings held on October 7, 1988 and October 5, 1989, received the approval of the Visitor vide MHRD letter No. F.5-81/88-U.I.(Desk) dated April 20, 1990.

Statute 9 on the Academic Council made by the Board of Management at its meeting held on October 7, 1988 (Resolution No. 12.1.2) received the approval of the Visitor vide MHRD letter No. F.5-46/88-U.I (Desk) dated 25.1.1989 and 16.3.1989. The existing statute 9 'Powers of the Academic Council', stands renumbered as 9A.

Amendment to clause (1) of Statute 9 was approved by the Board of Management at its meeting held on 17-5-1996 and the assent of the visitor is conveyed 'vide MHRD letter No. F.5-50/96-U.I. (Desk)/Desk(U)(A) dated 4.11.1996.

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(ii) Pro-Vice-Chancellor (s) - Ex-officio Member(s);

(iii) Directors of Schools of studies - Ex-officio members;

(iv) Three Professors, three Readers and three Lecturers, other than Director of Schools of Studies, to be nominated by the Board of Management on the recommendations of the Vice-Chancellor on a rotation basis according to seniority;

Provided that while making these nominations, the principle of rotation among schools and also among disciplines within the Schools shall be taken into account;

(v) Librarian - Ex-officio member;

(vi) Three Directors, other than the Director of Schools of studies, to be nominated by the Board of Management on the recommendations of the Vice-Chancellor;

(vii) Director Academic Co-ordination Division shall be the Member Secretary of the Academic Council;

(viii) Not less than ten persons who are not employees of the University, co-opted by the Academic Council for their special knowledge including representatives of employers' organizations, industries, trade and commerce, academic and professional organization, communication field etc.;

(ix) Two members from among the academics other than teachers, to be nominated by the Board of Management on the recommendations of the Vice-Chancellor. and

(x) Such of the Registrar as is designated by the Board of Management shall be a Member - (Ex-officio)

(2) The members of the Academic Council, other than ex-officio members, shall hold office for a term of two years from the date of their appointment or co-option, as the case may be.

(3) Ten members of the Academic Council shall form the quorum for a meeting.

9A. Powers of the Academic Council

Subject to the Act, the Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it under the Statutes, shall 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, evaluation or research or improvement in academic standards;

Provided that all matters relating to research shall under the overall guidance and supervision of the Academic Council, be the responsibility of a Research Council whose functions and composition shall be provided in the Ordinances.

(b) to consider matters of general academic interest either on its own initiative or on a reference from the Planning Board of a School of Studies or the Board of Management and to take appropriate action thereon; and

(c) to frame such regulations and rules consistent with the Statutes and the Ordinances regarding the academic functioning of the University, including

Addition of Proviso to Clause (a) to Statute 9A was approved by the Board of Management at its 48th meeting held on 30.7.96 and assent of the Visitor was conveyed vide MHRD's letter No. F.5-65/96-U. 1 (Desk)/Desk (U)(A) dated 21-11-96

Amendment to Clause (1) Sub Clause (vii) and adding sub Clause (x) under the Statute 9 was approved by the Board of Management held on 28.2.03 and approved by the Visitor vide MHRD letter No. F.5-25/2003/Desk(U)(A) dated 15.3.04.

discipline, admissions, award of fellowships and studentships, fees and other academic requirements.

10. *The Planning Board*

(1) The Planning Board shall consist of the following:

- (i) Vice-Chancellor;
- (ii) Four persons to be nominated by the Vice-Chancellor from amongst the academic staff of the University;
- (iii) Five persons, who are not employees of the University, to be nominated by the Visitor, one each representing the following sectors:
 - (a) Vocational/Technical Education;
 - (b) Media/Communication;
 - (c) Manpower Planning;
 - (d) Agriculture/Rural Development and allied activities; and
 - (e) Women's Studies.
- (iv) Five persons, who are not employees of the University, to be nominated by the Board of management, for their expertise, one each of the following areas of specialization:
 - (a) Management;
 - (b) Learned Professions;
 - (c) Education
 - (d) Distance Education; and
 - (e) Commerce and Industry
- (v) **Such of the Registrar as is designated by the Board of Management shall be a Member - (Ex-officio)**
- (vi) **Director, Planning & Development Division shall be the Member Secretary of the Planning Board.**

(2) All the members of the Planning Board, other than the Vice-Chancellor, shall hold office for a term of three years.

(3) It shall be the responsibility of the Planning Board to design and formulate appropriate programmes and activities of the University, and it shall, in addition, have the right to advise the Board of Management and the Academic Council on any matter which it may deem necessary for the fulfillment of the objects of the University:

Provided that in case there is any difference of opinion between the Planning Board and the Academic Council on any matter, it shall be referred to the Board of Management whose decision shall be final.

(4) The Planning Board may constitute such committees as may be necessary for planning and monitoring the programmes of the University.

Substitution of Clause (1) and addition of Clause (6) to Statute 10 on the Planning Board, made by the Board of Management at its meeting held on October 7, 1988 (Resolution No. 12.9.1) received approval of the Visitor vide MHRD letter No. P.5-80/88-U.I. (Desk) dated 30.1..89.

Amendment to Sub-Clause (iv) of Clause (1) of Statute 10 (the word 'co-opted' in the first line of the Clause substituted with the word 'nominated') was made by the Board of Management at its meetings held on Aug. 17, 1990 and Dec. 14, 1990 respectively and received the approval of the Visitor vide MHRD letter No. F.5-55/90-U.I. (Desk) dated April 18, 1991.

Addition to Clause (1) Sub Clauses (v) and (vi) of the Statute 10 regarding the Planning Board approved by the Board of Management at its meeting held on 28.2.03 and as sent of the visitor was conveyed vide MHRD letter No. F.5-25/2003-Desk (U)(A) dated 5.3.04.

(5) The Planning Board shall meet at such intervals as it shall deem expedient, but it shall meet at least twice in a year.

(6) Six members of the Planning Board shall form the quorum for a meeting of the Board.

10A. The Schools of Studies

(1) The University shall have the following Schools of Studies, namely:

1. School of Humanities;
2. School of Social Sciences;
3. School of Sciences;
4. School of Education;
5. School of Continuing Education;
6. School of Engineering and Technology;
7. School of Management Studies;
8. School of Health Sciences;
9. School of Computer and Information Sciences; and
10. Such other Schools as may be set-up by the Statutes.

(2) Every School of Studies, hereinafter called "School", shall have a Board, which shall comprise of the following;

(a) Director of the School - Chairman

(b) All Professors of the disciplines assigned to the School of Studies, as may be determined by the Academic Council, from time to time;

(c) At least four Reader/Lecturers assigned to the School, nominated by the Vice-Chancellor;

(d) Not more than four Professors/Readers/Lecturers from disciplines not assigned to the School, nominated by the Vice-Chancellor; and

(e) Not more than five person, who are not the employees of the University, co-opted by the Board for their specialized knowledge in any discipline assigned to the School or in any allied branch of knowledge.

(3) All members of the Board, other than the ex-officio members, shall hold office for a term of two years. The term of members will commence from such date as may be notified.

(4) Board of a School shall have the powers to perform the following functions:

(i) To organise developmental and research work in the School;

(ii) To approve the course structure of the academic programmes of the School, in accordance with the directions of the Academic Council, in pursuance of Statute 9A, on the recommendation of the Expert Committee(s) constituted by it;

Statute 10A on Schools of Studies, made by the Board of Management at its meetings held on May 20, 1988 and August 30, 1988 (Resolution No. 11.29.1) received the approval of the Visitor vide MHRD letter No F.5-42/88-U.I(Desk) dated November 1, 1988.

Amendment to Clause (1) of Statute 10A made by the Board of Management at its meeting held on February 18, 1991 is approved by the Visitor vide letter No. F.5-26/91-U.I. Desk dated 6.5. 1991.

(iii) To approve the syllabus in accordance with the course structure on the advice of Expert Committee(s) nominated by the Director;

(iv) To recommend to the Vice-Chancellor names of course writers, examiners and moderators for different courses on the proposal of the Director of the School prepared in consultation with the Professors of the disciplines assigned to the School;

(v) To formulate proposals for orientation programmes for course writers in collaboration with other Schools;

(vi) To formulate proposals for orientation programmes/summer Schools for tutors and counsellors;

(vii) To prepare general instructions for counseling to students for different programmes;

(viii) To review methodologies adopted for preparation of educational materials for the courses in the disciplines assigned to the School, to evaluate the educational material, and to make suitable recommendations to Academic Council;

(ix) To review, from time to time the courses already in use with the assistance of outside experts, if necessary, and to make such changes in the courses, as may be required;

(x) To review the facilities of the Study Centres and arrangements for Laboratory/field work periodically, as may be determined by the School;

(xi) To perform all other functions, which may be prescribed by the Act, the Statutes, the Ordinances and to consider all such matters, as may be referred to it by the Board of Management, the Academic Council, the Planning Board or the Vice-Chancellor; and

(xii) To delegate to the Director or to any other members of the Board or to a Committee such general or specific powers, as may be decided upon by the School, from time to time.

(5) The Board shall meet, as and when necessary, but shall meet at least twice a year. One-third of the total membership of the Board shall form a quorum for a meeting of the School.

11. The Finance Committee

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

(i) Vice-Chancellor;

(ii) a Pro-Vice-Chancellor of the University, by rotation according to seniority;

(iii) a Director of School of the University by rotation according to seniority;

(iv) one person to be appointed by the Board of Management, from among its members other than an employee of the University;

(v) one person, who is not an employee of the University nominated by the Board

Amendment to Clause(5) of Statute 10(A) made by the Board of Management with the approval of the Visitor conveyed vide Letter No. F.5-9/94-U.I. Desk dt. 22.3.95.

Addition of Clauses (1) & (1) (a) to Statute 11 approved by the Board of Management at its second meeting held on March 19, 1987 and approved by the Visitor, vide MHRD letter No. F.5-22/87.U.I. (Desk) dated June 8, 1987.

of Management,

- (vi) two persons to be nominated by the Visitor,
- (1) (a) The Finance Officer shall be ex-officio Secretary of the Finance Committee, but he shall not be deemed to be a member of that Committee.
- (2) All the members of the Finance Committee, other than the Vice-Chancellor, shall hold office for a term of three years from the dates on which they become members of the Committee.
- (3) Four members of the Finance Committee shall form a quorum for a meeting of the Committee.
- (4) The Finance Committee shall meet at least thrice a year to examine the accounts and scrutinize the expenditure.
- (5) All proposals relating to revision of grade, upgradation of the scales and those items which are not included in the budget, shall be examined by the Finance Committee before they are considered by the Board of Management.
- (6) The annual accounts and the financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments, and thereafter submitted to the Board of Management within the overall ceiling fixed by the Committee.
- (7) The Finance Committee shall fix the limits for the total recurring and non-recurring expenditure for the year, based on income and resources of the University, and no expenditure shall be incurred by the University in excess of the limits so fixed.

12. Selection Committee

- (1) There shall be Selection Committees for making recommendations to the Board of Management for appointments to the post of Professors, Readers, Lecturers and other academic staff and heads of institutions maintained by the University.
- (2) (i) Each of the Selection Committees for appointment to the post of Professors, Readers, Lecturers and the academic staff shall consist of the following members, namely:
 - (a) the Vice-Chancellor;
 - (b) Pro-Vice Chancellor associated with the School/Division/Centre nominated by the Vice-Chancellor;**
 - (c) a person nominated by the Visitor;
 - (d) three experts not in the service of the University to be nominated by the Vice-Chancellor in such manner as may be specified in the Ordinances; and
 - (e) Director of the School/Division/Centre concerned/Professor of the Discipline nominated by the Vice-Chancellor;**
- (ii) The Selection Committees for the appointment of Registrars and Finance officer referred to in Statutes 5(1) and 6(1) respectively, shall consist of the following members, namely:
 - (a) the Vice-Chancellor:

Clauses (1), (2) and (3) of Statute 12 amended by the Board of Management at its meetings held on October 7, 1988 and March 8, 1989 respectively and received the approval of the Visitor vide MHRD letter no. F.5-7/88-U.(Desk) dated March 8, 1989.

Amendment to Sub-Clause, 2(i)(d) of Statute 12 regarding Selection Committees is approved by the Visitor vide Ministry of HRD's letter No. F-5-26/93. U-1 (Desk) dated 20th October 1994.

Amendment to Clause 2 Sub Clause (i)(b) and addition of Sub Clause (i)(e) of the Statute 12 was approved by the Board of Management at its meeting held on 28.2.03 and assent of the Visitor conveyed vide MHRD letter No.F-2/2003-Desk(U)(A)

- (b) a Pro-Vice-Chancellor to be nominated by the Vice-Chancellor;
- (c) a person nominated by the Visitor
- (d) two members of the Board of Management nominated by it; and
- (e) one person not in the service of the University nominated by the Board of Management.

(3) The quorum for a meeting of a Selection Committee shall be four, which will include at least two experts in the case of the Selecting Committee mentioned in Sub-clause (2)(i) of this Statute.

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

(5) If the Board of Management is unable to accept the recommendations made by a Selection Committee, it shall record its reasons for such non-acceptance and submit the case to the Visitor for final orders.

13. *Special mode of appointment*

(1) Notwithstanding anything contained in Statute 12, the Board of Management may invite a person of high academic distinction and professional attainments to accept the post of a Professor or a Reader or equivalent academic post in the University on such terms and conditions as it may deem fit, and appoint the person to such post.

(2) The Board of Management may appoint a teacher or any other academic staff working in any other university or organisation for teaching or for undertaking a project or any work on such terms and conditions as may be determined by the Board in accordance with the manner specified by the Ordinances.

14. *Appointment for a fixed tenure*

The Board of Management may appoint a person selected in accordance with the procedure laid down in the Statutes for a fixed tenure on such terms and conditions as it may deem fit.

15. *Recognised Teachers*

(1) The qualifications for recognition of persons working in other universities, institutions or organisations as teachers shall be prescribed by the Ordinances.

(2) The manner of recognizing teachers, the period of recognition and withdrawal of recognition shall be prescribed by the Ordinances.

16. *Committees*

(1) Any authority of the University may appoint as many standing or special

Amendment to sub-clause (2)(ii)(e) of Statute 12 regarding Selection Committees is approved by the Visitor vide Ministry of HRD's letter No.F.5-26/93-U.I (Desk) dated 20th October, 1994.

Amendment to clause (2) of statute 13 (the word 'statutes' is substituted by the word 'ordinances') was made by the the Board of Management at its meeting held on August 17, 1990 (Resolution No.19.17.1) and approved by the Visitor vide MHRD letter No.F.6-62/90-U.I (Desk) dated 14.12.90.

Committees as it may deem fit, and may appoint to such committees, persons who are not members of such authority.

(2) Any committee appointed under clause (1) may deal with any subject delegated to it subject to the subsequent confirmation by the authority appointing it.

17. Terms and conditions of service and code of conduct of the teachers and other academic staff of the University

(1) All the teachers and other academic staff of the University shall in the absence of any contract to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes and the Ordinance.

(2) Every teachers and other academic staff of the University shall be appointed on a written contract, the form of which shall be specified in the Statutes.

(3) A copy of every contract referred to in clause (2) shall be deposited with the Registrar.

(4) *Teacher to be a whole time employee*-No whole time salaried teacher of the University shall, without the permission of the Board of Management, engage directly or indirectly in any trade or business whatever or any private tuition or other work to which any emolument or honorarium is attached.

Provided that nothing contained in the Statute shall apply to the work undertaken in connection with the examination of Universities or learned bodies & Public Service Commissions or to any literary work or publication or radio/television talk or extension lectures or with the permission of the Vice-Chancellor to any other academic work.

(5) *Nature of duties* - Every teacher shall take part in the activities of the University and perform such duties as may be required by, and in accordance with the Act, Statutes and Ordinances framed thereunder and in particular his duties shall be:

(a) Preparation of the course material, content editing and scrutiny, linguistic editing etc. from the point of view of requirements of distance education and liaison of the work of outside experts associated;

(b) His academic duties shall be to give guidance, and instruction to students in the form of counseling, conducting of tutorials, seminars, practical and assessment/examination/evaluation and such other work assigned to him relevant to the academic activities of the University by its competent authority. He shall not ordinarily remain absent from work without prior permission or grant of leave;

(c) A teacher in the University shall fully and enthusiastically participate in the corporate life of the University;

(d) Every teacher shall be required to submit a personal appraisal report at the end of each year in the manner prescribed in the Ordinances.

(6) *Probation* - Teachers shall be appointed on probation ordinarily for a period of 12 months, but in no case shall the total period of probation exceed 24 months.

Provided that the Board of Management may, for reasons to be recorded, waive the

Additions to Statute 7 (from Clause(4) to (14) and subsequent amendments to Clauses (12), (13) and (14) of the said statute were made by the Board of Management at its meetings held on

September 2, 1987 and July 22, 1988 respectively and received the approval of the Visitor vide letter No.F.5-54/87.UI(Desk) dated August 1, 1989 and April 4, 1990.

Condition of probation: provided further that the condition of probation shall not apply in the case of teachers appointed by the Board of Management under the provision of Statute 13(1).

Provided also that a Lecturer appointed on probation would be confirmed only after he has satisfactorily completed a proper short-term orientation of programme as may be determined by the University and that his performance appraisal reports and satisfactory.

(7) *Confirmation* - (a) It shall be the duty of the Registrar to place before the Board of Management the case of confirmation of a teacher on probation not later than forty days before the end of period of probation.

(b) The Board of Management may then either confirm the teacher or decide not to confirm or extend the period of probation so as not to exceed twenty four months in all. In case the Board of Management decides not to confirm the teacher whether before the end of twelve months period of his probation or before the end of the extended period of probation, as the case may be, he shall be informed in writing to the effect not later than thirty days before the expiration of that period.

(c) A teacher appointed by the Board of Management under Statute 13(1) shall be deemed to be confirmed with effect from the date he joins duty.

(8) *Increment* - Every teacher shall draw increment in the scale of pay unless it is withheld or postponed by a resolution of the Board of Management on reference by the Vice-Chancellor and after the teacher has been given sufficient opportunity to make his written representation.

(9) *Age of retirement* - (a) Save as otherwise provided in the Act, Statutes and Ordinances all teachers of the University shall retire from service on the afternoon of the last date of the month in which he/she attains the age of 60 years.

(b) The Board of Management if it is satisfied, on the recommendation of the Vice-Chancellor, may, in the interest of the University, re-employ a teacher who has retired after the expiry of his contract.

Provided that no teacher shall be eligible to be re-employed under this clause or on such re-employment to continue as a teacher after he has attained the age of 65 years.

Provided further that a teacher so re-employed shall not be eligible to hold an office which involves administrative work; provided also that the salary of such teachers shall be fixed after taking into consideration the pension or other retirement benefits drawn or to be drawn by him in accordance with the rules prescribed by the Central Government.

(10) *Variation in terms and conditions of service* - Every teacher of the University shall be bound by the Statutes, Ordinances for the time being in force in the University.

Provided that no change in terms and conditions of service of a teacher shall be made after his appointment in regard to designation, scale of pay, increment, provident fund, retirement benefits, age of retirement, probation, confirmation, leave salary and removal from service so as to adversely affect him.

(11) *Resignation* - A teacher may, at any time, terminate his engagement by giving the

Amendment to Sub-clause (a) of Clause (9) of Statute 17 regarding Terms and Conditions of service and Code of Conduct of the teachers and other academic staff of the University made by the Board of Management at its meeting held on 19.8.1992 is approved by the Visitor vide letter No.F.5-85/92-U.I Desk dated 28.1.1993

Board of Management three months notice in writing:

Provided that the Board of Management may waive the requirement of notice at its discretion.

(12) *Members of the teaching staff* - The members of the teaching staff shall be designated as:

- (1) Professor
- (2) Reader
- (3) Lecturer (selection grade)
- (4) Lecturer (senior scale)
- (5) Lecturer

(13) *Scale of pay* - The scale of pay for these posts specified in column (i) of the teachers below shall be those specified against each in column (ii).

Post (i)	Scale of Pay (pre-revised) (ii)
Professor	4500-150-5700-200-7300
Reader	3700-125-4950-150-5700
Lecturer (selection grade)	3700-125-4950-150-5700
Lecturer (senior scale)	3000-100-3500-125-5000
Lecturer	2200-75-2800-100-4000

The teachers shall be entitled to such allowances as the University may decide from time to time.

(14) *Career Advancement* -- The manner and the terms under which a Lecturer may be placed in the lecturer (senior scale) and Lecturer (selection grade) and as Reader will be prescribed through Ordinances.

18. Terms and conditions of service and code of conduct of other employees of the University.

All the employees of the University, other than the teachers and other academic staff of the University, shall, in the absence of any contract to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes and the Ordinances.

19. Removal of employees of the University

(1) Where there is an allegation of misconduct against a teacher, a member of the academic staff or other employee of the University, the Vice-Chancellor, in the case of the teacher or member of the academic staff, and the authority competent to appoint (hereinafter referred to as appointing authority) in the case of other employee, may, by order in writing, place such teacher, member of the academic staff or other employee, under suspension and shall forthwith report to the Board of Management the circumstances in which the order was made.

(2) Notwithstanding anything contained in the terms of the contract of appointment or of any other terms and conditions of service of the employees, the Board of Management in respect of teachers and other academic staff, and the appointing authority, in respect of other employees, shall have the power to remove a teacher or a member of the academic staff, as the case may be, other employee on grounds of misconduct.

(3) Save as aforesaid, the Board of Management, or as the case may be, the appointing authority, shall not be entitled to remove any teacher, member of the academic staff or other employee except for a good cause and after giving three months' notice or on payment of three months' salary in lieu thereof.

(4) No teacher, member of the academic staff or other employee shall be removed under clause (2) or clause (3) unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(5) The removal of a teacher, member of the academic staff or other employee shall take effect from the date on which the order of removal is made:

Provided that where the teachers, member of the academic staff or other employee is under suspension at the time of his removal, such removal shall take effect from the date on which he was placed under suspension.

(6) Notwithstanding anything contained in the foregoing provisions of this Statute, a teacher, member of the academic staff or other employee may resign:

(a) if he is a permanent employee, only after giving three months notice in writing to the Board of Management or the appointing authority, as the case may be, or by paying three months salary in lieu thereof;

(b) if he is not a permanent employee, only after giving one month's notice in writing to the Board of Management or, as the case may be, the appointing authority or by paying one month's salary in lieu thereof;

Provided that such resignation shall take effect only on the date on which the resignation is accepted by the Board of Management, or the appointing authority, as the case may be.

(c) the appointing authority may, however, waive the notice period in respect of a non-academic permanent or temporary employee on technical resignation to take up an appointment in the same or other organisation, if he/she has applied through proper channel.

20. Maintenance of discipline amongst students of the University

(1) The powers regarding discipline and disciplinary action in regard to the students of the University shall vest with the Vice-Chancellor. The Vice Chancellor may delegate all or any of his powers, as he may deem fit.

(2) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action as he may deem appropriate for the maintenance of discipline, the Vice-Chancellor may, in the exercise of his power, by order, direct that any student or students be expelled or rusticated for a specified period and not admitted to a

Addition of sub-clause (c) to Clause (6) of the Statute 19 was approved by the Board of Management at its 46th meeting held on 19.3.96 and assent of the visitor was conveyed vide MHRD's letter No.F.5-39/960U.I (Desk) dated 25.7.96.

Course or courses of study in the University or a recognized institution for a stated period, or be punished with a fine for an amount to be specified in the order, or, debar him from taking an examination or examinations conducted by the University or a recognized institution for one or more years or that the result of the student or students concerned in the examination or examinations in which he or she has appeared to be cancelled.

(3) The heads of recognised institutions shall have the authority to exercise all such disciplinary powers over the students in their respective institutions as may be necessary for proper conduct of such institution.

21. Convocation

Convocations of the University for the conferring of degrees or diplomas or for other purposes may be held in such manner as may be prescribed by the Ordinances.

22. Honorary Degrees.

All proposals for the conferment of honorary degrees shall be initiated by the Vice-Chancellor who, after consultation with the Academic Council and the Board of Management, shall submit the same to the Visitor for confirmation.

23. General Provident Fund-cum-Pension-cum-Gratuity and Contributory Provident Fund-cum-Gratuity.

(1) The management of the following schemes:

- (b) General Provident Fund-cum-Pension-cum-Gratuity Scheme (Appendix A);
- (c) Contributory Provident Fund-cum-Gratuity Scheme (Appendix B) shall be vested in the Board of Management.

(2) The provisions of this Statute shall be deemed to have come into effect from 20th September, 1985. The provisions relating to pension including extraordinary pension and gratuity made in the Schemes shall, however, come into effect with effect from 1.1.1986.

Definitions

(3) In these schemes, unless there is anything repugnant in the subject or context.

(a) “employee” means any person appointed by the University as a member of its staff and includes teachers and other academic staff of the University.

(b) “emoluments” means the pay as defined in clause 3(h), dearness pay which the employee was receiving immediately before his retirement or on the date of his death. It also includes interim relief and ad hoc dearness allowance for the purpose of retirement pension and gratuity.

Statute 21 on Convocation, made by the Board of Management at its meeting held on June 24, 1988 (Resolution No.9.2.1) received the approval of the Visitor vide MHRD letter No.F.5-48/88-U.I.(Desk) dated 26.8.88.

Statute 22 on Honorary Degrees, made by the Board of Management at its meeting held on June 24, 1988 (Resolution No.9.3.1) and December 10, 1988 received the approval of the Visitor vide MHRD Letter No.F.5-47/88-U.I.(Desk) dated 29.12.1988.

Statute 23, made by the Board of Management at its meeting held on June 24, 1988 and received approval of the Visitor vide letter No.F.5-68/88-U.I.(Desk) dated August 26, 1988.

Note

(1) In respect of persons who have come over to the revised scales of pay introduced w.e.f. 1.1.86, emoluments mean basic pa only from that date.

(2) If an employee immediately before his retirement or relinquishment of service, has been absent from duty on leave with allowances, his emoluments for purposes of calculating service gratuity/or death or retirement gratuity shall be taken as what he would have drawn had he not been absent from duty:

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

(3) Pay drawn by an employee while on foreign service shall not be treated as emoluments but the pay which he would have drawn under the University had he not been on foreign service shall alone be treated as emoluments.

(4) Pay includes the pay drawn on tenure appointment(s).

(c) "Average Emoluments" means the average of the emoluments as defined above calculated in respect of the last ten months of serves:

Provided that if, during the last 10 months of service, a person has been absent from duty on leave without allowances or suspended under such circumstances that the period of suspension does not count as service, the period so passed shall be disregarded in the calculation of average emoluments and an equivalent period prior to 10 months being included.

(d) "family" for the purpose of General Provident Fund and Contributory Provident Fund means:

(i) in the case of male subscriber, the wife or wives and children of a subscriber and the widow or widow and children of a deceased son of the subscriber; provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently intimates in writing to the Finance Officer that she shall continue to be regarded;

(ii) in the case of female subscriber, the husband and children of a subscriber and the window or windows and children of a deceased son of a subscriber provided that if a subscriber by notice in writing to the Finance Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels such notice in writing.

Note

Child means legitimate child and includes an adopted child where adoption is recognized by the personal law governing the subscriber.

(e) "Finance Officer" means Finance Officer of the University.

(f) "fund" means the General Provident Fund or the Contributory Provident Fund of the University as per context.

- (g) "leave" means any variety of leave recognized by the University.
- (h) "pay" means the amount drawn monthly by a person as pay which has been sanctioned for the post held by him substantively or in an officiating capacity and includes special pay, personal pay and deputation duty allowance, if any.

Note

In respect of persons who have come over to the revised scale of pay introduced with effect from 1.1.86 pay means "basic pay" only.

- (i) "personal pay" means additional pay granted to a person
 - (i) to save him from a loss of substantive pay in respect of a permanent post owing to revision of pay or to any reduction of such substantive pay other wise than as disciplinary measure; or
 - (ii) in exceptional circumstances on other personal considerations.
- (j) "qualifying service" means service rendered by an employee in a substantive capacity including periods spent on probation. All service rendered in the University on a full time basis in a temporary or officiating capacity without interruption followed by confirmation in the same or another post shall count as qualifying service except in respect of periods of service paid from contingencies.

Explanation I Counting of period of leave as qualifying service:

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

Explanation II Periods not counting as qualifying service:

- (i) Time passed under suspension by a member of the staff pending inquiry into his conduct where on conclusion of the inquiry he has not been fully exonerated or the suspension is not held to have been wholly unjustified; unless the Board of management expressly declares at the time that it shall count, and then it shall count only to such extent as the Board of management may declare.
- (ii) Extraordinary leave without allowances.

Note

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

- (1) if it is taken on appointment in another University institution or any other Authority and that University Institution/Authority or 'the person concerned makes necessary contribution towards his pension;
- (2) it is taken on medical certificates;

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

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

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

(iv) Service below the age of 18 years.

Explanation III Addition to qualifying service:

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

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

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

Provided that this concession shall not be admissible to any such employee unless his actual decision to grant this concession shall be taken by the Board of Management at the time of recruitment of the employee.

Explanation IV

(a) The Board of Management may, by order condone interruption in service up to a period of one year under the following circumstances:

(i) The interruption should have been caused by reasons beyond the control of the employees;

(ii) The total service excluding one or more interruptions, if any, should not be less than five years duration;

(iii) The interruption, including two or more interruptions, if any should not exceed one year.

(k) “special pay” means an addition in the nature of pay to the emoluments of a post or of a person granted in consideration of the specially arduous nature of his duties or of a specific addition to his work or responsibility.

(l) “tenure post” means a permanent post which an individual may not hold for more than a limited period.

(m) “year” means the financial year of the University.

(n) “university” means the Indira Gandhi National Open University.

(o) “Registrar” shall mean the Registrar of the Indira Gandhi National Open University dealing with Administration.

(p) “Vice-Chancellor” means the Vice-Chancellor of the Indira Gandhi National Open University.

(4) (a) Application of Statutes

A person who joins the University service on or after the 20th September, 1985 shall opt for one of the two alternative schemes set out in Appendices A and B to this Statute. The option provided for in this sub-clause shall be exercised and communicated to the Registrar in writing within 3 months of the date of notification of the General Provident Fund-cum-Pension-cum-Gratuity Scheme and Contributory Provident Fund-cum-Gratuity Scheme or within 3 months of joining the University service in the case of a new entrant and, option when once exercised, shall be final.

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

(b) A person who holds a temporary appointment in the service of the University shall, after continuous service of one year, be entitled to the benefits of the General Provident Fund-cum-Pension-cum-Gratuity Scheme set out in Appendix 'A' to this Statute, or according to his option of the Contributory Provident Fund-cum-Gratuity Scheme set out in Appendix 'B' to this Statute, from the date of commencement of service.

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

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

6(i) Transfer of employees from Central Government, Central University or autonomous bodies of Central Government

Where an employee of Central Government/Central University/autonomous body of Central Government including a statutory body is permanently absorbed in the University, such of the past services rendered by him as would have counted for retirement benefits in that Government/organisation shall count for retirement benefits payable by the University subject to the following:

(a) The transfer is with the consent of the parent Government/organisation and is in public interest.

(b) The employee has not opted to receive pro-rata retirement benefits from the parent Government/organisation.

(c) The Central Government/autonomous bodies of Central Government including a statutory body, discharges its pension liability, paying in lumpsum, by a one time payment, the pro-rata pension/service gratuity/terminal gratuity and retirement gratuity for the service up to the date of absorption in the University.

(d) In case the employee is on CPF Scheme the accumulations in the CPF account and the capitalized value of gratuity, if any, is transferred by the parent government/organisation to the University at the time of permanent absorption. I, however, the employee has opted, within one year of permanent absorption, for counting past service rendered in the parent body as qualifying for pension by foregoing employers share of CPF Contribution with interest, such accumulations, along with capitalized value of gratuity, if any, he transferred by the parent organisaion to the University at the time of permanent absorption.

(ii) When an employee of State Government/State University is permanently absorbed in the University.

On his permanent absorption in the University such of the past services of an employee of State Government/State University as would have counted for retirement benefit in State Government/State University should count for retirement benefits payable by the University provided that the transfer is certified to be in public interest of which the Board of Management of the University shall be the sole judge, subject to the following:

(a) The Transfer is with the consent of the State Govt./State Universities;

(b) The State Government/State University concerned pays to the University at the time of his permanent absorption in the University, the capitalized value of the retirement benefits in respect of the past service of the employee in that organisation:

(c) In case the employee in question on Contributory Provident Fund Scheme the accumulations in his Contributory Provident Fund account shall be transferred by State Govt./State University to the University at the time of permanent absorption.

(iii) When an employee of the University is transferred to Central Government, Central Government autonomous bodies, Public sector undertaking and autonomous bodies under the State Government.

The orders issued by the Government of India and as may be amended from time to time, regarding grant of pro-rata retirement benefits or benefits of combined service under autonomous bodies to the employees of Central Government in the event of their transfer/permanent absorption in the autonomous bodies, public sector undertakings etc. will apply *mutatis mutandis* in cases of transfer of employees of the University to Central Govt./autonomous bodies etc.

(iv) In all cases of absorption where the liability of retirement benefits is to be borne by a body other than the University, prior approval of that body to the arrangement proposed should be obtained.

(7) As and when the Central Government mends its rules relating to the General Provident Fund, Contributory Provident Fund, Pension, Gratuity etc., such amendments shall be deemed to have been incorporated in the Statutes with effect from the date such amendments are brought into force by the Central Government with respect to its employees.

General (Miscellaneous)

(8) (i) The sanction and payment of retirement benefits admissible under this Statute shall be regulated by such procedural instructions as would be issued by the Board of Management.

(ii) *Interpretation:* If any question arises relating to the interpretation of this Statute it shall be referred to the Visitor whose decision thereon shall be final.

24. Seniority Lists

(1) Whenever, accordance with these Statutes, any person is to hold an officer or be a member of an authority of the University by seniority, such seniority shall be determined according to length of continuous service of such person in his grade, and in accordance with such other principles as the Board of Management may, from time to time, determine.

(2) It shall be the duty of the Registrar, designated by the Board of Management to prepare and maintain in respect of each class of persons to whom the provisions of these Statutes apply a complete and up to-date seniority list in accordance with the provisions of the foregoing clause.

(3) If two or more persons have equal length of continuous service in a particular grade or the relative seniority of any person or persons is otherwise in doubt, the Registrar, designated by the Board of Management, may, on his own motion and shall, at the request of any such person, submit the matter to the Board of Management whose decision thereon shall be final.

25. Date of Submission of Annual Report

The Annual Report of the University for a financial year prepared in accordance with the section 28 of the Act shall be submitted to the Visitor before December 31, following.

26. Ordinances how made

(1) All ordinances, from the date of commencement of this Statute, shall be made by the Board of Management.

(2) The first Ordinances made under sub-section (2) of Section 26 may be amended or repealed at any time by the Board of management provided that no Ordinances shall be made or amended or repealed, on any matter affecting the academic functioning of the University, except after consultation with the Academic Council, or unless the draft of such Ordinances has been proposed by the Academic Council.

Provided further that if the Board of management considers any amendment necessary to a draft Ordinance proposed by the Academic Council, it may return the draft ordinance with the suggested amendment to the Academic Council for reconsideration. If the Academic Council does not accept the suggestions for amendment, the Board may finalise the ordinance after taking the views of the Academic Council into consideration.

(3) Every Ordinance made by the Board of Management shall come into effect immediately.

Statute 24 on Seniority Lists, made by the Board of Management at its meeting held on 7th October, 1988 (Res. No.12.9.1) received the approval of the Visitor vide MHRD letter No.F.5-77/88-U.I.(Desk) dated 21.12.88

Statute 25 on Date of submission of Annual Report, made by the Board of Management at its meeting held on October 7, 1988 (Res. No.12.9.1) received the approval of the Visitor vide MHRD letter No. No.F.5-77/88-U.I.(Desk) dated August, 1 1989.

Statue 26 was made by the Board of Management at its meeting held on December 14, 1990 and received the approval of the Visitor vide MHRD letter No. No.F.5/16/91-U.I.(Desk) dated April 18, 1991.

(4) All Ordinances made by the Board of Management shall be submitted to the Visitor within three weeks from the date of its adoption. The Visitor may, within four weeks of the receipt of any Ordinance, inform the University about his objection, if any, to that Ordinance, and direct that its operation shall remain suspended until he has had an opportunity of exercising his power of disallowance. The Visitor may, after receiving the Ordinance, and his decision shall be final.

27. Regulation how made

(1) The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances

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

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

(c) Providing for all such matters as are necessary to be provided by Regulations for the functioning of such authorities or committees appointed by them.

(2) Every authority of the University may make Regulations providing for notice for the meetings to be given to its members; the manner in which the business at any meeting shall be conducted; and the manner in which the record of any proceedings of the meeting are kept.

(3) The Board of Management shall have the power to amend or annul, any regulation which is not consistent with the provisions of this Act, the Statutes & the Ordinances.

28. Distance Education Council

(1) Consistent with the duty of the University to take all such steps as it may deem fit for the promotion of the Open University and distance education systems in the educational pattern of the country and for the coordination and determination of standards of teaching, evaluation & research in such systems; and in pursuance of the objects of the University to encourage greater flexibility, diversity, accessibility, mobility and innovation in education at the University level by making full use of the latest scientific knowledge and new educational technology, and to further cooperation between the existing Universities; it is considered necessary and expedient to establish a Distance Education Council as an authority of the University under Section 16 of the Act.

(2) (a) There shall be a Distance Education Council (DEC) which shall, within the frame work of the policies and guidelines laid down by the Board of Management, be responsible for the promotion and coordination of the open university and distance education system, and for the determination of its standards.

(b) The Distance Education Council is declared by this Statute as an authority of the IGNOU under Section 16 of the IGNOU Act.

Statute 27 was made by the Board of Management at its meeting held on December 14, 1990 and received the approval of the Visitor vide MHRD letter No.F.5-15/91-U.I.(Desk) April 18, 1991.

Statute 28 was made by the Board of Management at its meeting held on July 19, 1991 and received the approval of the Visitor vide MHRD letter No.F.5-29/91-U.I.(Desk) dated 16.9.91.

(4) (a) The Distance Education Council shall consist of the following members;

i) The Vice-Chancellor, IGNOU, who shall be its Chairman;

ii) The Secretary, Incharge of Education in the Dept. of Education, Ministry of Human Resource Development or his nominee;

iii) A member of the University Grants Commission to be nominated by the Chairman, UGC;

iv) Secretary, UGC;

iv) (a) Director, NAAC

v) Two members of the Board of Management, who are not employees of the IGNOU, to be nominated by the Board of Management;

vi) Two Vice-Chancellors of Statute Open Universities which have been declared fit to receive assistance under Section 12B of the UGC Act, to be nominated by the Chairman, DEC, by rotation.

vii) Two Heads of institutions of Correspondence/distance education from universities other than open universities which have been declared fit to receive assistance under Section 12B of the UGC Act, to be nominated by the Board of Management;

viii) Three persons to be nominated by the Visitor or whom one may be a Vice-Chancellor of a University other than an open university, one, an expert in vocational/technical education, and one, an expert in mass media/communication.

ix) One teacher from the open university/distance education system to be nominated by the Board of Management on the recommendation of the Chairman, DEC.

(b) A Registrar/Director, of the IGNOU designated by the Board of Management shall be the Secretary of the Distance Education Council.

(c) (i) The members of the Distance Education Council nominated under sub-clauses (3) (a) (iii), (viii) and (ix) shall hold office for a term of three years from the date on which they are nominated;

(ii) The members nominated under sub-clause (3)(a)(v), (vi) and (vii) shall hold office for a period of two years from the date on which they are nominated; provided that one-half of the members nominated under these sub-clauses at the time of the initial constitution of the DEC, shall retire on completion on one year from the date of their nomination according to the alphabetical order of their names;

(d) Six members of the Distance Education Council shall form the quorum for the meeting of the Council.

(4) Powers & Functions of the Distance Education Council

(a) It shall be the general duty of the Distance Education Council to take all such steps as are consistent with the provisions of this Act, the Statutes and the Ordinances for the promotion of the open university/distance education system, its coordinated development, and the determination of its standards, and in particular.

Amendment/addition to the Clause (3a) of Statute 28 was made by the Board of Management at its meeting held on 28.3.97 and received the approval of the Visitor vide MHRD letter No.F.5-54/97-Desk(U)(A) dated 11.11.97.

i) to develop a network of open universities/distance education institutions in the country in consultation with the State Governments, Universities, and other concerned agencies.

ii) to identify priority areas in which distance education programmes should be organized and to provide such support as may be considered necessary for organizing such programmes;

iii) to identify the specific client groups and the types of programmes to be organized for them, and to promote and encourage the organisation of such programmes through the network of open universities/distance, education institutions;

iv) to promote an innovative system of University level education, flexible and open, in regard to methods and pace of learning, combination of courses, eligibility for enrolment, age of entry, conduct of examination and organize various courses and programmes.

v) to promote the organisation of programmes of human resource development for the open university/distance education system;

vi) to initiate and organize measures for joint development of courses and programmes and research in distance education technology and practices;

vii) to recommend to the Board of management the pattern and nature of financial assistance that may be sanctioned to open universities/distance education institutions and the conditions that may have to be fulfilled by them to receive such assistance;

viii) to take such steps as are necessary to ensure the coordinated development of the open university/distance education system in the country;

ix) to establish and develop arrangements for coordinating and sharing the instructional materials prepared by different open universities/distance education institutions, and the student support systems with a view to avoiding duplication of efforts;

x) to evolve procedures for sharing of courses and programmes and for the payment of royalty or other charges to the members of the network whose courses and programmes are used by other members;

xi) to prescribe broad norms for charging fees from students who join various programmes offered by the network of open universities/distance education institutions;

xii) to collect, compile and disseminate information relating to the courses and programmes offered by various open universities/distance education institutions;

xiii) to advise State Government, universities and other concerned agencies on their proposals to set up open universities, or to introduce programmes of distance education;

xiv) to appoint Review Committees from time to time to study and assess the performance-of the open universities/distance education institutions participating in the network on any aspect relevant to the functioning of the network;

xv) to prescribe a broad framework for courses and programmes including their pattern and structure;

xvi) to evolve norms, procedures and practices in respect of admission, evaluation, completion of course requirements, transfer of credits, etc. of students admitted to the programmes of the open university/distance education network and for the award of certificates, diplomas and degrees to them;

xvii) to evolve guidelines for the organisation of student support services for the open university/distance education programmes;

xviii) to take such measures as are necessary, consistent with the objects of the University to provide an innovative, flexible and open system of University education, for the promotion, including introduction and continuation, of courses and programmes which conform to the standards prescribed by the DEC, to maintain such standards in the institutions offering distance education programmes and to prevent, through such measures as are considered appropriate, institutions from offering courses and programmes which do not conform to the standards laid down by the Council;

xix) to appoint Committee for advising and assisting the DEC in the performance of any of its functions or exercise of any of its powers.

(b) The Distance Education Council shall:

i) appoint Committees which shall assess, in consultation with the concerned open universities/distance education institutions, the development grants required by them for a five-year period and make recommendations to the Board of Management for sanctioning such grant;

ii) sanction grants to open universities/distance education institutions for specific projects on the basis of reports by duly appointed committees and in accordance with guidelines prescribed for the purpose and report such approvals to the Board of Management.

(c) Financial assistance under clause (4) (b) may be sanctioned only to the following categories of institutions:

i) An Open University established by or under an Act of, a State Legislature, and declared fit to receive assistance from central sources under Section 12-B of the UGC Act;

ii) Any other university as defined in Section 2(f) of the UGC Act provided that such a university is also declared fit, wherever applicable, under Section 12-B of that Act;

iii) An institution deemed to be a university under Section 3 of the UGC Act.

30. *Procedure for regulating the work of Tribunal of Arbitration*

(1) Definition:

In this Statute, unless the context otherwise requires,

i) “Tribunal” means the Tribunal of Arbitration referred to in Section 31 of the IGNOU Act, 1985, and

ii) “Party” means either the employee or the Indira Gandhi National Open University, as the case may be, whose dispute is referred to the Tribunal of Arbitration.

(2) Equal treatment of parties:

The parties shall be treated with equality and each party shall be given a full opportunity to present his case.

Provided that if a Party so desires, he can present his case through a representative nominated by him with the approval of the Tribunal.

(3) Determination of rules of procedure:

(i) The parties are free to agree on the procedure to be followed by the Tribunal in conducting its proceedings.

(ii) Failing any agreement referred to in sub-clause (i) above, the Tribunal may conduct the proceedings in the manner it considers appropriate and such procedure shall be binding on the Parties.

(iii) The power of the Tribunal under sub-clause (ii) includes the power to determine the admissibility, relevance, materiality and weight of any evidence.

(4) Place of arbitration:

The place of arbitration shall ordinarily be the office of the University at its Headquarters.

Provided that the Tribunal can meet at any other place where the University offices are located for purpose of consultation among its members, for hearing witnesses, experts or the parties, or for inspection of documents etc.

(5) Commencement of arbitral proceedings:

Unless otherwise agreed by the parties, the arbitral proceedings in respect of a particular dispute commence on the date on which a request for that dispute to be referred to arbitration is received by the respondent.

(6) Language:

(i) The parties may agree upon the language or languages to be used in the proceedings of the Tribunal.

(ii) In the absence of such an agreement, the proceedings shall be conducted either in English or in Hindi.

(iii) The Tribunal may direct that any documentary evidence shall be accompanied by a translation into the language or languages agreed upon the parties of determined by the Tribunal.

(7) Statements of claim and defence:

(i) Within the period of time agreed upon by the parties or determined by the Tribunal the claimant shall state the facts supporting his claim. The points at issue and the relief or remedy sought, and the respondent shall state his defence in respect of these particulars, unless the parties have otherwise agreed as to the required elements of those statements.

(ii) The parties may submit with their statements all documents they consider to be relevant or may add a reference to the documents of other evidence they will submit.

(iii) Unless otherwise agreed by the parties, either party may amend or supplement his claim or defence during the course of the proceedings unless the Tribunal considers it inappropriate to allow the amendment or supplement having regard to the delay in making it.

(8) Hearing and written proceedings:

(j) Unless otherwise agreed by the parties, the Tribunal shall decide whether to hold oral hearings for the presentation of evidence or for oral argument, or whether the proceedings shall be conducted on the basis of documents and other materials:

Provided that the Tribunal shall hold hearings, at an appropriate stage of the proceedings, on a request by a party, unless the parties have agreed that no oral hearing shall be held.

(ii) The parties shall be given sufficient advance notice of any hearings and of any meeting of the Tribunal for the purpose of inspection of documents and other relevant material.

(iii) All statements, documents or other information supplied to, or applications made to the Tribunal by one party shall be communicated to the other party, and any expert report or documents on which the Tribunal may rely in making its decision shall be communicated to the parties.

(9) Default of a party:

Unless otherwise agreed by the parties, where, without showing sufficient cause.

(a) the Claimant fails to communicate his statement of claim in accordance with Sub-Clause (i) of Clause (6), the Tribunal shall terminate the proceedings;

(b) the respondent fails to communicate his statement of defense in accordance with Sub-Clause (i) of Clause (6), the Tribunal shall continue the proceedings without treating the failure in itself as an admission of the allegations by the claimant;

(c) a party fails to appear at an oral hearing or to produce documentary

(10) Expert appointment by the Tribunal:

(i) Unless otherwise agreed by the parties. The Tribunal may

(a) appoint one or more experts to report to it on specific issues to be determined by the Tribunal, and

(b) require a party to give the expert any relevant information or to produce, or to provide access to any relevant documents and materials for his inspection.

(ii) Unless otherwise, agreed by the parties, if a party so requests or if the Tribunal considers it necessary, the expert shall, after delivery of his written or oral report, participate in an oral hearing where the parties have the opportunity to put questions to him and to present expert witnesses in order to testify on the points at issue.

(iii) Unless otherwise agreed by the parties, the expert shall, on the request of a party, make available to that party for examination all documents, relevant material in the possession of the expert with which he was provided in order to prepare his report.

(11) The meetings of the Tribunal shall be conducted by the Umpire nominated by the Visitor on a Tribunal.

Statute 30 was made by the Board of Management as its 51st meeting held on 19.6.97 and received the approval of the Visitor vide MHRD letter No.F.5-7/97-Desk(4)(A) dt.30.10.98.

APPENDIX 'A'

[to statute 23-Refer to 23 (i) (a)]

GENERAL PROVIDENT FUND-CUM-PENSION-CUM GRATUITY SCHEME

SECTION 1

GENERAL PROVIDENT FUND

1. Nominations

1.1. A subscriber shall, at the time of joining the Fund, send to the Finance Officer, a nomination in the prescribed form conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death, before that amount has become payable or having become payable has not been paid:

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

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

1.2 If a subscriber nominates more than one person under Rule 1.1 he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

1.3 Every nomination shall be in the Form I appended.

1.4 A subscriber may at any time cancel a nomination by sending a notice in writing to the Finance Officer. The subscriber shall, along with such notice or separately, send a fresh nomination made in accordance with the provisions of this rule.

1.5 A subscriber may provide in a nomination:

- (a) in respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination, provided that such other person or persons shall if the subscriber has other member of his family, be such other member of members. Where the subscriber confers such a right on more than one person under this clause, he shall specify the amount or share payable to each of such persons in such a manner as to cover the whole of the amount payable to the nominees.
- (b) that the nomination shall become invalid in the event of the happening of a contingency specified therein;
Provided that if at the time of making the nomination the subscriber has no

Family, he shall provide in the nomination that is shall become invalid in the event of his subsequently acquiring a family;

Provided further that if at the time of making the nomination the subscriber has only one member of the family he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall become invalid in the event of is subsequently acquiring other member or members of his family.

- 1.6 Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of Rule 1.5 or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of Rule 1.5 or the proviso thereto, the subscriber shall send t the Finance Officer a notice in writing canceling the nomination, together with a fresh nomination made in accordance with the provisions of this rule.
- 1.7 Every nomination made an every notice of cancellation given by the subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Finance Officer.
2. The University will not be bound by, nor shall it recognize, any assignment or encumbrance executed or attempted to be created which affects the disposal of the amount standing to the credit of a subscriber who dies before the amount becomes payable.

3. Subscriber's Account

- 3.1 An account shall be opened in the name of each subscriber in which will be shown:
 - (i) his subscriptions;
 - (ii) interest as provided in Rule 6 on subscriptions; and
 - (ii) advances and withdrawals from the fund.
- 3.2 If an employee admitted to the benefit of the fund was previously a subscriber to any contributory/non-contributory provident fund of the Central Government /State Government or of a body corporate, owned or controlled by Government or Universities / Institutions, of University Status or an autonomous organisation registered under the Societies Registration Act 1860, the amount of his accumulation in such contributory or non-contributory provident fund shall be transferred to his credit in the fund.

4. Condition of Subscription

- 4.1 Every subscriber shall subscribe monthly to the Fund except during the period when he is under suspension.
 - 4.1.1 Provided that a subscriber may at his option not subscribe during leave which either does not carry any leave salary or carries leave salary equal to or less than half pay.
 - 4.1.2 Provided further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one sum or in instalments any sum not exceeding the maximum amount of arrear of subscription payable for that period.

4.2 The subscriber shall intimate his election not to subscribe during leave by a written communication addressed to the Finance Officer before he proceeds on leave. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe. The option of a subscriber intimated under this sub-rule shall be final.

5. Rates of Subscription

5.1 The amount of subscription shall be fixed by subscriber himself subject to the following conditions:

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

5.1.2 It shall be expressed in whole rupees.

5.2 For the purpose of this rule, the emoluments of a subscriber shall be:

5.2.1 In the case of a subscriber who was in service on 31st March of the preceding year, the emoluments to which he was entitled on that date, provided as follows:

- (i) if the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension of the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;
- (ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India;
- (iii) if the subscriber joined the Fund for the first time on a day subsequent to the said date, his emoluments shall be the emoluments to which he was entitled on such subsequent date.

5.2.2 In the case of a subscriber who was not in service on the 31st of March of the preceding year, the emoluments to which he was entitled on the first day of his service or, if he joined the Fund for the first time on a date subsequent to the first date of his service, the emoluments to which he was entitled on such subsequent date.

5.3 The amount of subscription so fixed may be (a) enhanced twice during the course of the year (b) or reduced one at any time during the course of a year (c) reduced and enhanced as aforesaid provided that when the amount of subscription is so reduced it shall not be less than the minimum prescribed under Rule 5.1.1.

5.4 Provided further that if a subscriber is on leave without pay or leave on half pay for a part of a calendar month and he had elected not to subscribe during such leave, the amount of subscription payable shall be proportionate to the number of days spent on duty inclusive of leave, if any.

5.A. Realisation of Subscription

5A.1 When emoluments are drawn from the University, recovery of subscription on account of these emoluments and of the principal and interest of advances shall be made from the emoluments themselves.

5A.2 When emoluments are drawn from any other source the subscriber shall forward his dues monthly to the Finance Officer.

Provided that the case of a subscriber on deputation to a body corporate owned or controlled by Government, the subscriptions shall be recovered and forwarded to the Finance Officer by such body.

6. Interest

6.1 The University shall pay to the credit of the account of each subscriber, interest for each year at the same rate as may be determined by the Government of India for each year for paying to the credit of the subscribers under General Provident Fund (Central Civil Service) Rules, 1960.

6.2 Interest shall be credited with effect from the last day in each year in the following manner:

6.2.1 On the amount at the credit of a subscriber on the 31st of March of the preceding year less any sums withdrawn during the current year-Interest for twelve months;

6.2.2 On sums withdrawn during the current year-Interest from the 1st of April of the current year up to the last day of the month preceding the month of withdrawal;

6.2.3 On all sums credited to the subscriber's account after the 31st March of the preceding year-Interest from the date of credit up to the 31st of March of the current year;

6.2.4 The total amount of interest shall be rounded to the nearest rupee (50 p. and above counting as the next higher rupee).

