



# **ACTS and REGULATIONS**

**The W.B. National University of Juridical Sciences**  
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# THE WEST BENGAL NATIONAL UNIVERSITY OF JURIDICAL SCIENCES ACT, 1999.

[3-8-1999]

(West Bengal Act IX of 1999)

*An Act to establish and incorporate a National University of Juridical Sciences at Calcutta in West Bengal.*

WHEREAS the committee appointed by the Chief Justices' Conference on Legal Education and Training (1993) has recommended the establishment in each State of an institution on the model of the National Law School of India University at Bangalore;

AND WHEREAS the All India Law Ministers' Conference (1995) has resolved to set up in each State a Law School modelled on the lines of the National Law School of India University at Bangalore for improving the quality of professional legal education;

AND WHEREAS it is considered necessary to encourage the establishment of such a national level institution of excellence in higher learning of law in the State of West Bengal;

AND WHEREAS it is deemed expedient to establish the National University of Juridical Sciences for the purpose hereinafter appearing;

It is hereby enacted in the Fiftieth Year of the Republic of India, by the Legislature of West Bengal, as follows :-

Short title  
and  
commencement.

1. (1) This Act may be called the West Bengal National University of Juridical Sciences Act, 1999.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

Definitions.

25 of 1961.

2. In this Act, unless the context otherwise requires,—
  - (1) "Academic Council" means the Academic Council of the University;
  - (2) "Bar Council of India" means the Bar Council of India constituted under the Advocates Act, 1961;
  - (3) "Bar Council" means the Bar Council of West Bengal constituted under the Advocates Act, 1961;
  - (4) "Chancellor" means the Chancellor of the University;
  - (5) "Executive Council" means the Executive Council of the University;
  - (6) "General Council" means the General Council of the University;
  - (7) "Registrar" means the Registrar of the University;
  - (8) "Regulations" means the regulations of the University made under section 13;
  - (9) "Schedule" means the Schedule to this Act;
  - (10) "Chief Justice" means Chief Justice of West Bengal and includes the Judge performing the duties of Chief Justice of High Court;
  - (11) "University" means The West Bengal National University of Juridical Sciences established under Section 3;



Establishment  
and incorpora-  
tion of the  
University.

- (12) "Vice-Chancellor" means the Vice-Chancellor of the University;
- (13) "Finance Committee" means the Finance Committee of the University.

- 3. (1) With effect from the coming into force of this Act, there shall be established, in the State of West Bengal, a University by the name of the West Bengal National University of Juridical Sciences, Which shall consist of the Chancellor, the Vice-Chancellor, the General Council, the Executive Council, the Academic Council and the Registrar.
- (2) The University shall be a body corporate by the name as aforesaid, having perpetual succession and common seal, with power, subject to the provisions of this Act, to acquire and hold property and to contract, and shall, be the said name, sue and be sued.
- (3) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.
- (4) The headquarters of the University shall be at Calcutta.

The objects of  
the University.

- 4. (1) The objects of the University shall be to advance and disseminate learning and knowledge of law and legal processes and their role in national development, to develop in the student and research scholar a sense of responsibility to serve society in the field of law by developing skills in regard to advocacy, legal service, legislation, law reforms and the like. to orgainse lectures, seminars, symposia and conferences, to promote legal knowledge and to make law and legal processes efficient instruments of social development, to promote inter-disciplinary study of law in relation to management, technology, international co-operation and development, to hold examinations and confer degrees including joint degrees in law combined with other disciplines and other academic distinctions, and to do all such things as are incidental, necessary or conducive to the attainment of all or any of the objects of the University.
- (2) The University shall be open to all persons of all religions of either sex irrespective of race, creed, caste or class and it shall not be lawful for the University to impose on any person any test, whatsoever of religious belief or profession, in order to entitle him to be admitted thereto as a teacher or a student or to hold any office therein or to graduate thereat or to enjoy or to exercise any privilege thereof.

Powers and  
functions of  
the University.

- 5. The powers and functions of the University shall be—
  - (i) to administer and manage the University and such centres for research, education and instruction as are necessary for the furtherence of the objects of the University;
  - (ii) to provide for instruction in such branches of knowledge or learning pertaining to law as the University may think fit and to make provision for research and for advancement and dissemination of knowledge of law;

- (iii) to organise and undertake extramural teaching and extension services;
- (iv) to hold examinations and to grant diplomas or certificates, and to confer degrees including joint degrees in law combined with other disciplines and other academic distinctions on persons subject to such conditions as the University may determine and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good any sufficient cause;
- (v) to confer honorary degrees or other distinctions in such manner as may be laid down by regulations;
- (vi) to fix, demand and receive fees and other charges;
- (vii) to institute and maintain halls and hostels and to recognize places of residence for the students of the University and to withdraw such recognition accorded to any such place of residence;
- (viii) to establish such special centres, specialized study centres or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;
- (ix) to supervise and control the residence, and to regulate the discipline, of the students of the university and to make arrangements for promoting their health;
- (x) to make arrangements as aforesaid in respect of the residence, discipline and teaching of women students;
- (xi) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto;
- (xii) to regulate and enforce discipline among the employees of the University and to take such disciplinary measures as may be deemed necessary;
- (xiii) to institute professorships, associate professorships, assistant professorships, readerships, lectureships, and any other teaching academic or research posts required by the University;
- (xiv) to appoint persons as professors, associate professors, assistant professors, readers, lecturers or otherwise as teachers and researchers of the University;
- (xv) to institute and award fellowships, scholarships, prizes and medals;
- (xvi) to provide for printing, reproduction and publication of research and other works and to organize exhibitions;
- (xvii) to sponsor and undertake research in all aspects of law, justice and social development;
- (xviii) to co-operate with any other organization in the matter of education, training and research in law, justice, social development and allied subjects for such purposes as may be agreed upon on such terms and conditions as the University may from time to time determine;



- (xix) to co-operate with institutions of higher learning in any part of the world having objects wholly or partially similar to those of the University, by exchange of teachers and scholars and generally in such manner as may be conducive to the common objects;
- (xx) to regulate the expenditure and to manage the accounts of the University;
- (xxi) to establish and maintain, within the premises of the University or elsewhere, such class rooms and study halls as the University may consider necessary and adequate and to establish and maintain such libraries and reading rooms as may appear convenient or necessary for the University;
- (xxii) to receive grants, subventions, subscriptions, donations and gifts for the purpose of the University and consistent with the objects for which the University is established;
- (xxiii) to purchase, take on lease or accept as gifts or otherwise, any land or building or works, which may be necessary or convenient for the purpose of the University, on such terms and conditions as it may think fit and proper, and to construct, or to alter and maintain, any such building or works;
- (xxiv) to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms as it may think fit and proper without prejudice to the interest and activities of the University;
- (xxv) to draw and accept, to make and endorse, to discount and negotiate, Government of India and other promissory notes, bills of exchange, claques or other negotiable instruments;
- (xxvi) to execute conveyances, transfers, reconveyances, mortgages, leases, licences and agreements in respect of property, movable or immovable, including Government securities belonging to the University or to be acquired for the purpose of the University;
- (xxvii) to appoint, in order to execute an instrument or transact any business of the University, any person as it may deem fit;
- (xxviii) to give up, and to cease from carrying on, any classes or departments of the University;
- (xxix) to enter into any agreement with the Central Government or the State Government or the Government of any other State or the University Grants Commission or any other authorities for receiving grants;
- (xxx) to accept grants of money, securities or property of any kind on such terms as it may deem expedient;
- (xxxi) to raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities



and upon such terms and conditions as it may think fit and to pay, out of the funds of the University, all expenses incidental to the raising of money, and to repay and redeem any money borrowed;

(xxxii) to invest the funds of the University or the money entrusted to the University in or upon such securities and in such manner as it may deem fit and from time to time transpose any investment;

(xxxiii) to make, from time to time, such regulations as may be considered necessary for regulating the affairs and the management of the University and to alter, modify or rescind such regulations;

(xxxiv) to constitute for the benefit of the academic, technical, administrative and other staff, in such manner and subject to such conditions as may be prescribed by regulations, pensions, insurance, provident fund (which shall be governed by the provisions of the Provident Funds Act 1925, as if such fund were a Government Provident Fund) and gratuity as it may deem fit, to make such grants as it may think fit for the benefit of any employees of the University, and to aid the establishment and support of associations, institutions, funds, trusts and conveyance calculated to benefit the staff and the students of the University;

(xxxv) to delegate all or any of its powers to the Vice-Chancellor or any committee, or any sub-committee, constituted by any authority of the University or to any one or more members of the General Council of the University or to any officers of the University;

(xxxvi) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or enlargement of the objects of the University.

19 to 1925.

Teaching of  
the University.

6. (1) All recognized teachings in connection with the degree, diplomas and certificates of the University shall be conducted, under the control of the General Council, by the teachers of the University in accordance with the syllabus prescribed by regulations.

(2) The courses and curricula of, and the authorities responsible for organizing, such teaching shall be such as may be prescribed by regulations.

Chancellor of  
the University

7. (1) The Chief Justice of India shall be the Chancellor of the University.

(2) The Chancellor 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, libraries and equipments, and of any institution maintained by the University, and also of the examinations, teaching 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 Chancellor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made, and the University

shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(4) the Chancellor may address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the General Council the views of the Chancellor along with such advice as the Chancellor may offer on the action to be taken thereon.

(5) The General Council shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it proposes to take, or as has been taken, on the result of such inspection of inquiry.

Authorities of  
the University.

8. The following shall be the authorities of the University:—

- (1) the General Council;
- (2) the Executive Council;
- (3) the Academic Council;
- (4) the Finance Committee; and
- (5) such other authorities as may be declared by the University to be the authorities of the University.

The General  
Council.

9. The General Council shall be the supreme authority of the University.

The Executive  
Council.

- 10.(1) The Executive Council shall be the Chief Executive body of the University.
- (2) The administration, management and control of the University and the income thereof shall vest in the Executive Council which shall control and administer the property and funds of the University.

The Academic  
Council.

11. The Academic Council shall be the academic body of the University, and shall, subject to the provisions of this Act and the regulations, have the power of control and general regulation of, and shall be responsible for, the maintenance of standards of instruction, education and examination of the University, and shall exercise such other powers, and shall perform such other duties, as may be conferred or imposed upon it by this Act or the regulations. It shall also have the right to advise the Executive Council on the academic matters.

Officers of  
the University.

12. The following shall be the officers of the University :—

- (a) the Vice-Chancellor;
- (b) the Heads of the Departments;
- (c) the Registrar; and
- (d) such other officers as may be prescribed by regulations.

Regulations.

13.(1) Subject to the provisions of this Act, the Executive Council shall have, in addition to all other powers vested in it, the power to make regulations to provide for the administration and management of the affairs of the University;



Provided that the Executive Council shall not make any regulation affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council;

Provided further that except with the prior concurrence of the Academic Council, the Executive Council shall not make, amend or repeal any regulation affecting all or any of the following matters :

- (a) the constitution, powers and duties of the Academic Council;
  - (b) the authorities responsible for organizing teaching in connection with the University courses and related academic programmes;
  - (c) the withdrawal of degrees, diplomas, certificates and other academic distinctions;
  - (d) the establishment and abolition of Faculties, Departments, halls and institutions;
  - (e) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;
  - (f) conditions and modes of appointment of examiners, or conduct or standard of examinations, or any other course of study;
  - (g) mode of enrolment or admission of students;
  - (h) examinations to be recognized as equivalent to school examinations.
- (2) The Academic Council shall have the power to propose regulations on all or any of the matters specified in clauses (a) to (h) and matters incidental or related thereto.
- (3) Where the Executive Council has rejected any regulation proposed by the Academic Council, the Academic Council may appeal to the Chancellor, and the Chancellor may, by order, direct that the proposed regulation may be laid before the next meeting of the General Council for its approval and that pending such approval of the General Council, such regulation shall have effect from such date as may be specified in the order:
- Provided that if the regulation is not approved by the General Council at such meeting, it shall cease to have effect.
- (4) All regulations made by the Executive Council shall be submitted, as soon as may be, for approval, to the chancellor and to the General Council at its next meeting, and the General Council shall have, by a resolution passed by a majority of not less than two-thirds of the members present, the power to cancel any regulations made by the Executive Council and such regulations shall, from the date of such resolution, cease to have effect.

- (2) The Commission shall consist of not less than three eminent educationists, one of whom shall be the Chairman of such Commission appointed by the Chancellor in consultations with the State Government.
- (3) The terms and conditions of appointment of the members shall be such as the Chancellor may determine.
- (4) The Commission shall, after holding such enquiry as it deems fit, make its recommendation to the Chancellor.
- (5) The Chancellor may take such action on the recommendations as he deems fit.

Action not invalidated merely on the ground of defect in constitution, vacancy, etc.

- 15.(1) Notwithstanding that the General Council, the Executive Council, the Academic Council or any other authority or body of the University is not duly constituted or there is a defect in its constitution or reconstitution at any time or there is a vacancy in the membership of any such authority or body, no act or proceedings of such authority or body shall be deemed to be invalid on any such ground or grounds.
- (2) No resolution of any authority or body of the University shall be deemed to be invalid on account of any irregularity in the service of notice upon any member, provided that the proceedings of such authority or body were not prejudicially affected by such irregularity.

Removal of difficulties at the commencement.

16. If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in first giving effect to the provisions of this Act or the regulations, the Chancellor or the Vice-Chancellor, if the Chancellor so decides, may, at any time, before all the authorities of the University have been constituted, by order make any appointment or do anything consistent, so far as may be, with the provisions of this Act and the regulations, which appear to him to be necessary or expedient for the purpose of removing the difficulty, and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act or the regulations, as the case may be:  
 Provided that before making any such order, the Chancellor or the Vice-Chancellor, as the case may be, shall ascertain and consider the opinion of the Vice-Chancellor or the Chancellor, as the case may be, and of such appropriate authority of the University as may have been constituted;  
 Provided further that no order shall be made under this section after the expiration of a period of two years from the date on which this Act comes into force.

Transitory provisions.

17. Notwithstanding anything in this Act or the regulations, the Vice-Chancellor may, with the previous approval of the Chancellor and subject to the availability of funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of the Act and



the regulations, and, for that purpose may exercise any power, or perform any duty, which by this Act and the regulations are to be exercised or performed by any authority of the University, until such authority comes into existence as provided by this Act or the regulations.

Authorities  
and officers  
of the  
University.

18. The authorities of the University and their composition, powers, functions and other matters relating to them, the officers of the University and their appointment, powers, functions and other matters relating to them, and all other matters relating to the finances, powers, teaching, administration, and management of affairs of the University shall, subject to the provisions of this Act, be as specified in the Schedule or as may be provided by regulations.

Indemnity.

19. No suit, prosecution or other legal proceedings shall lie against and no damages shall be claimed from, the University, the Vice-Chancellor, the authorities or officers of the University, or any other person in respect of anything which is in good faith done or purported to have been done in pursuance of this Act or the regulations.

Power to  
amend  
Schedule.

- 20.(1) The General Council may, with the prior approval of the Chancellor and the State Government, by notification published in the *Official Gazette*, amend, either prospectively or retrospectively, the Schedule.
- (2) A copy of every notification made under sub-section (1) shall be laid before the State Legislature, as soon as may be, after it is made.

Act to have  
overriding  
effect.

21. The provisions of this Act and the regulations shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

## SCHEDULE

(See Section 18.)

### 1. Definitions.—

In this Schedule, unless the context otherwise requires,—

- (1) "clause" means a clause of this Schedule;
- (2) "teacher" includes a professor, associate professor, assistant professor, reader, lecturer or any other person imparting instructions in the University.

### 2. Memberships of General Council. —

There shall be a General Council of the University which shall consist of the following members:—

- (a) the Chancellor;
- (b) the Vice-Chancellor;
- (c) the Chief Justice, High Court at Calcutta;
- (d) the Speaker, West Bengal Legislative Assembly;
- (e) the Minister for Higher Education, Government of West Bengal;
- (f) the Minister for Law, Government of West Bengal;
- (g) the Minister for Finance, Government of West Bengal;
- (h) the Advocate-General of West Bengal;
- (i) three members from among the jurists and eminent scholars in the fields of science, technology, and social sciences nominated by the Government of West Bengal

Page 10

Clause 2 (i)  
Three members from among the jurists and eminent scholars in the fields of science, technology, and social sciences nominated by the Government of West Bengal

— distinguished lawyers, nominated by the Chief Justice of the High Court at Calcutta;

- (o) two distinguished educationists, nominated by the Vice-Chancellor in consultations with the Chancellor;
- (p) the Director of Indian Institute of Management, Calcutta;
- (q) the Chairman of the West Bengal Human Rights Commission;
- (r) such other members of the Executive Council as are not otherwise members of the General Council;

Provided that an employee of the University shall not be eligible for nomination under sub-clauses (n) and (p).

### 3. Chairman and Treasurer.—

- (1) The Chancellor shall be the Chairman of the General Council.
- (2) A nominee of the General Council form among its members, other than employees of the University, shall be the Treasurer of the University.



**4. Term of office of members of the General Council.—**

- (1) The term of office of the members of the General Council shall, subject to the provisions of sub-clauses (2) and (3), be five years:  
Provided that the term of the first General Council shall be six years.
- (2) Where a member of the General Council becomes such member by reason of the office or appointment he holds or is a nominated member, his membership shall terminate when he ceases to hold such office or appointment or, as the case may be, his nomination is withdrawn or cancelled.
- (3) A member of the General Council shall cease to be a member if he resigns, or becomes of unsound mind, or becomes insolvent, or is convicted of a criminal offence involving moral turpitude, or if a member, other than the Vice-Chancellor, accepts a full time appointment in the University.
- (4) A member of the General Council may resign his office by a letter addressed to the Chancellor, and such resignation shall take effect as soon as it is accepted by the Chancellor.
- (5) Any vacancy in the General Council shall be filled either by appointment or nomination, as the case may be, of a person by the respective authority entitled to make the same and the person so appointed or nominated shall hold office for so long as the member in whose place he is appointed or nominated could have held office if the vacancy had not occurred.

**5. Powers of the General Council.—**

The General Council shall have the following powers:—

- (a) to review from time to time the broad policies and programme of the University and suggest measures for the improvement and development of the University;
- (b) to consider and pass the resolution on the annual report, financial estimates and audit reports on the accounts of the University;
- (c) to perform such other functions as it may deem necessary for the efficient functioning and administration of the University.

**6. Meeting of the General Council.—**

- (1) The General Council shall meet at least once in a year. An annual meeting of the General Council shall be held on a date to be fixed by the Executive Council, unless some other date has been fixed by the General Council in respect of any year.
- (2) The Chancellor shall preside over the meetings of the general Council. In the absence of the Chancellor, the Chancellor shall nominate a member of the Executive Council to preside and, in the absence of both of them, the Vice-Chancellor shall preside.
- (3) A report of the working of the University during the previous year, together with a statement of receipts and expenditure, the balance sheet as audited, and the financial estimates shall be presented by the Vice-Chancellor to the General Council at its annual meeting.

- (4) The meetings of the General Council shall be called by the Chancellor or, in his absence, by the Vice-Chancellor, either on his own or at the request of not less than ten members of the General Council.
- (5) For every meeting of the General Council, 15 days' notice shall be given.
- (6) One-third of the members of the General Council shall form the quorum for the meeting.
- (7) Each member shall have one vote and if there be equality of votes on any question to be determined by the General Council, the Chancellor or the person presiding over the meeting shall, in addition, have a casting vote.
- (8) In the case of difference of opinion among the members, the opinion of the majority shall prevail.
- (9) If urgent action by the General Council becomes necessary, the Chancellor may permit the business to be transacted by circulation of papers to the members of the General Council. The action proposed to be taken shall not be taken unless agreed to by a majority of the members of the General Council. The action so taken shall be forthwith intimated to all the members of the General Council and the papers shall be placed before the next meeting of the General Council for confirmation.

**7. Membership of the Executive Council.—**

- (1) The Executive Council shall consist of the following persons:—

**Amended Constitution of Executive Council**

ominated

inated by

Clause 7 (d)

“Three distinguished educationist members of the General council nominated by the Chancellor”

Clause 7 (h)

“Three members from among the jurists and eminent scholars in the fields of science, technology and social sciences nominated by the Government of West Bengal in consultation with the Chief Justice of Calcutta High Court.”

(cc) the Law Minister, Govt. of West Bengal

(e) Judicial Secretary, Govt. of West Bengal

(f) the Higher Education Secretary to the Govt. of West Bengal

(g) the Principal Finance Secretary to the Govt. of West Bengal

(h) a nominee of the Government of West Bengal from among the members of General Council

(i) two Professors or Associate Professors of the University by rotation

ouncil by reason shall terminate

umber if he resigns is convicted of a r, other than the



Vice-Chancellor or a member of the Faculty, accepts a full time appointment in the University.

- (3) Unless the membership of a member of the Executive Council is previously terminated as provided in the preceding sub-clauses, such member shall relinquish his membership on the expiry of five years from the date on which he becomes member of the Executive Council but shall be eligible for renomination or reappointment, as the case may be;

Provided that the term of the first Executive Council shall be six years.

- (4) A member of the Executive Council, other than an *ex officio* member, may resign his office by a letter addressed to the Chairman of the Executive Council and such resignation shall take effect as soon as it is accepted by the Chairman of the Executive Council.
- (5) Any vacancy in the Executive Council shall be filled, either by appointment or nomination, as the case may be, by the respective authority entitled to make the same, and, on the expiry of the period of the vacancy, such appointment or nomination shall cease to be effective.

9. **Powers and functions of the Executive Council.**— Without prejudice to clause 5, the executive Council shall have the following powers and functions:—

- (1) to appoint, from time to time, the Vice-Chancellor, the Registrar, the Librarian, Professors, Associate Professors, Assistant Professors and other Members of the teaching staff, as may be necessary, on the recommendations of the Selection Committee constituted by regulations for the purpose.

Provided that no action shall be taken by the Executive Council, except in the cases covered by the second proviso, in regard to the number, qualifications and emoluments of teachers, otherwise than after consideration of the recommendations of the Academic Council:

Provided further that it shall not be necessary to constitute any selection committee for making appointments—

- (a) to any supernumerary post ; or
- (b) to the post of Professor of a person of high academic distinction, eminence and professional attainment invited by the Executive Council to accept the post;

- (2) to create administrative, ministerial and other necessary posts, to determine the number and emoluments of such posts, to specify minimum qualifications for appointment to such posts, and to appoint persons to such posts on such terms and conditions of service as may be prescribed by regulations in this behalf, or to delegate the power of appointments to such authority or authorities or officer or officers as the Executive Council may, from time to time, by resolution, either generally or specifically, direct:
- (3) to grant in accordance with the regulations leave of absence, other than casual leave, to any officer of the University and to make necessary

arrangements for the discharge of the functions of such officer during his absence;

- (4) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University and, for that purpose, to appoint such agents as it may think fit;
- (5) to invest any money belonging to the University, including any unapplied income, in such stock, funds, shares or securities, as it may, from time to time, think fit, or in the purchase of immovable property in India, with the like power to vary such investments from time to time;
- (6) to transfer on accept transfers of any movable or immovable property on behalf of the University.
- (7) to enter into, vary, carry out, or cancel contracts on behalf of the University and, for that purpose, to appoint such officers as it may think fit;
- (8) to provide buildings, premises, , furniture and apparatus and other means needed for carrying on the work of the University;
- (9) to entertain, adjudicate upon, and if it thinks fit, to redress any grievances of the officers of the University, the teachers, the students and the University employees, who may, for any reason, feel aggrieved, otherwise than by an act of a court;
- (10) to appoint examiners and moderators, and, if necessary, to remove them, and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;
- (11) to select a common seal for the University and to provide for the custody of the seal; and
- (12) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by or under this Act.

**10. Meeting of the Executive Council.—**

- (1) The Executive Council shall meet at least once in six months and not less than fifteen days' notice shall be given of such meeting.
- (2) Six members of the Executive Council shall constitute a quorum for any meeting thereof.
- (3) In the case of difference of opinion among the members, the opinion of the majority shall prevail.
- (4) Each member of the Executive Council shall have one vote and, if there is equality of votes on any question to be determined by the Executive Council, the Chairman of the Executive Council or, as the case may be, the member presiding over the meeting shall, in addition, have a casting vote.
- (5) Every meeting of the Executive Council shall be presided over by the Vice-Chancellor or, in his absence, by a member chosen by the members present.
- (6) If any urgent action by the Executive Council becomes necessary, the Vice-Chancellor may permit the business to be transacted by circulation



of papers to the members of the Executive Council. The action proposed to be taken shall not be taken unless agreed to by a majority of members of the Executive Council. The action so taken shall be forthwith intimated to all the members of the Executive Council. The papers shall be placed before the next meeting of the Executive Council for confirmation.

**11. Constitution of the Standing Committees and appointment of ad hoc committees by the Executive Council.—**

- (1) Subject to the provisions of this Act and the regulations as may be made in this behalf, the Executive Council may, by resolution, constitute such Standing Committees or appoint ad hoc committees for such purposes and with such powers as the Executive Council may think fit for exercising any power or discharging any function of the University for enquiring into, and reporting or advising upon, any matter relating to the University.
- (2) The Executive Council may co-opt such persons to a Standing Committee or an ad hoc committee as it considers suitable and may permit them to attend the meetings of the Executive Council.

**12. Delegation of powers by the Executive Council.—**

The Executive Council may, by resolution, delegate to the Vice-Chancellor or to a committee, such of its powers as it may deem fit, subject to the condition that the action taken by the Vice-Chancellor or such committee in the exercise of the powers so delegated shall be reported at the next meeting of the Executive Council.

**13. Membership of the Academic Council.—**

- (1) The Academic Council shall consist of the following persons—

**Amended Constitution of Academic Council**

- |     |   |                |
|-----|---|----------------|
| (a) | the Vice-Chancellor ( Chairman)   | among          |
| (b) | a nominee of the Chairman of the Bar Council of India from among the members of its Legal Education Committee | on from        |
| (c) | a nominee of the Chairman of the University Grants Commission from among the members of its Law Panel         | ce-Chancellor; |

(2)

and the Assistant  
not be eligible for  
s, shall be five  
l be six years.

**14. Powers and duties of the Academic Council.—**

Subject to the provisions of this Act and the regulations, the Academic Council shall, in addition to all other powers vested in it, have the following powers:—

- (1) to report on any matter referred or delegated to it by the General Council or the Executive Council;
- (2) to make recommendations to the Executive Council with regard to the creation, abolition or classification of teaching posts in the University and the emoluments and the duties attached thereto;
- (3) to formulate and modify or revise schemes for the organization of the Faculties, and to assign to such Faculties their respective subjects and also to report to the Executive Council as to the expediency of the abolition or sub-division of any Faculty or the combination of one Faculty with another;
- (4) to make arrangements by regulations for the instruction and examination of persons other than those enrolled in the University;
- (5) to promote research within the Universities and to require, from time to time, reports on such research;
- (6) to consider proposals submitted by the Faculties;
- (7) to appoint committees for admission to the University;
- (8) to recognize diplomas and degrees of other University and institutions and to determine their equivalence in relation to the diplomas and degrees of the University;
- (9) to fix, subject to any conditions accepted by the General Council, the time, mode and conditions of competition for fellowships, scholarships and other prizes, and to award the same;
- (10) to make recommendations to the Executive Council in regard to appointment of examiners and, if necessary, their removal and the fixation of their fees, emoluments and travelling and other expenses;
- (11) to make arrangements for the conduct of examinations and to fix dates for holding them;
- (12) to declare the result of the various examinations, or to appoint committees or officers to do so, and to make recommendations regarding the conferment or grant of degrees, honours, diplomas, licences, titles and marks of honour;
- (13) to award stipends, scholarships, medals and prizes and to make other awards in accordance with the regulations and on such conditions as may be attached to the awards;
- (14) to publish lists of prescribed or recommended text-books and to publish syllabus of the prescribed courses of study;
- (15) to prepare such forms and registers as are, from time to time, prescribed by regulations; and
- (16) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of this Act and the regulations.



**15. Procedure of the Meetings of the Academic Council.—**

- (1) The Academic Council shall meet as often as may be necessary, but at least once during an academic year.
- (2) One half of the total number of members of the Academic Council shall form quorum for a meeting of the Academic Council.
- (3) In the case of difference of opinion among the members, the opinion of the majority shall prevail.
- (4) Each member of the Academic Council, including the Chairman of the Academic Council, shall have one vote and if there shall be an equality of votes on any question to be determined by the Academic Council, the Chairman of the Academic Council or as the case may be, the member presiding over the meeting, shall, in addition, have a casting vote.
- (5) Every meeting of the Academic Council shall be presided over by the Chairman of the Academic Council and, in his absence, by a member chosen by the members at the meeting to preside over the meeting.
- (6) If any urgent action by the Academic Council becomes necessary, the Chairman of the Academic Council may permit the business to be transacted by circulation of papers to the members of the Academic Council. The action proposed to be taken shall not be taken unless agreed to by a majority of members of the Academic Council. The action so taken shall be forthwith intimated to all the members of the Academic Council. The papers shall be placed before the next meeting of the Academic Council for confirmation.

**16. Finance Committee.—**

- (1) There shall be a Finance Committee constituted by the Executive Council consisting of the following members:
  - (a) the Treasurer of the University;
  - (b) the Vice-Chancellor;
  - (c) three members nominated by the Executive Council from amongst its members, out of whom at least one shall be from the Government of West Bengal.
- (2) The members of the Finance Committee, other than the Vice-Chancellor, shall hold office for a term of five years.
- (3) The functions and duties of the Finance Committee shall be as follows:—
  - (a) to examine and scrutinize the annual budget of the University and to make recommendations on financial matters to the Executive Council;
  - (b) to consider all proposals for new expenditure and to make recommendations to the Executive Council;
  - (c) to consider the periodical statements of accounts and to review the finances of the University from time to time, to consider reappropriation statements and audit reports, and to make recommendations to the Executive Council;

- (d) to give its views and to make recommendations to the Executive Council on any financial question affecting the University, either on its own initiative or on reference from the Executive Council or the Vice-Chancellor.
- (4) The Finance Committee shall meet at least once every year. Three members of the Finance Committee shall form the quorum for a meeting of the Finance Committee.
- (5) The Treasurer of the University shall preside over the meetings of the Finance Committee, and, in his absence, the Vice-Chancellor shall preside. In the case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

**17. Selection Committee.—**

- (1) The Executive Council shall constitute Selection Committees for making recommendations to the Executive Council for appointment to posts of Professors, Associate Professors and other Teachers of the University.
- (2) The Selection Committee shall consist of the following members :
  - (a) the Vice-Chancellor, who shall be the Chairman of the Selection Committee;
  - (b) the Head of the Department concerned, if any, provided he holds a post not lower than the level of the post for which the selection is to be made;
  - (c) three experts for selecting Professors, Associate Professors and Assistant Professors, nominated by the Vice-Chancellor from amongst a panel of names recommended by the Academic Council and approved by the Executive Council.
- (3) If an endowment from a donor is accepted by the University for instituting a Chair, the donor may be co-opted as a member of the Selection Committee for the purpose of filling up of that particular position.
- (4) The meeting of the Selection Committee shall be convened by the Vice-Chancellor whenever necessary. The Vice-Chancellor shall preside over the meetings of the Selection Committee. Three members of the Selection Committee, of whom one shall form the quorum for a meeting of the Committee.

**18. Vice-Chancellor.—**

- (1) The Vice-Chancellor of the University shall be appointed by the Executive Council in consultation with the Chancellor in accordance with the regulations made in that behalf:

Provided that the first Vice-Chancellor shall be appointed by the Government of West Bengal in consultation with the Chancellor.
- (2) Subject to the specific and general directions of the Executive Council, the Vice-Chancellor shall exercise all the powers of the Executive Council for management and administration of the University.



- (3) The Vice-Chancellor, who shall be a Professor of Law, shall hold office for a term of five years, which shall be renewable for one more term only by a resolution to that effect by the Executive Council. Upon the expiry of his term, he shall continue in office until his successor is appointed and enters upon his office.
- (4) The Vice-Chancellor shall—
  - (a) ensure that the provisions of this Act and the regulations are duly observed, and he shall have all such powers as are necessary for that purpose;
  - (b) convene the meetings of the General Council, the Executive Council, and the Academic Council and shall perform such other acts as may be necessary to give effect to the provisions of this Act;
  - (c) represent the University in suits or proceedings by or against the University, sign powers of attorney and verify the pleadings or depute representatives for the purpose;
  - (d) have all such powers as are necessary for proper maintenance of discipline in the University.
- (5) If, in the opinion of the Vice-Chancellor, any emergency has arisen, and such emergency requires that immediate action should be taken, he shall take such action as he deems necessary; and shall report the same for confirmation to the next meeting of the authority, which, in the ordinary course, would have dealt with the matter.

**19. Head of Departments/Schools.—**

- (1) There shall be a Head of the Department for each of the Departments in the University.
- (2) The powers, functions, appointments and the conditions of service of the Heads of Departments shall be such as may be prescribed by the regulations.

**20. Registrar.—**

- (1) The Registrar shall be appointed by the Executive Council and shall be a whole time officer of the University. The terms and conditions of service of the Registrar shall be such as may be prescribed by regulations.
- (2) The Registrar shall be the *ex officio* Secretary of the Executive Council, the Finance Committee and the Faculties, but shall not be deemed to be a member of any of these authorities.
- (3) The Registrar shall—
  - (a) comply with all directions and orders of the Executive Council and the Vice-Chancellor;
  - (b) be the custodian of the records, common seal and such other property of the University as the Executive Council may commit to his charge;
  - (c) issue all notices convening meeting of the Executive Council, the Academic Council, the Finance Committee, the Faculties, the Board

of Studies, and of any committee appointed by any authority of the University;

- (d) keep the minutes of all meetings of the Executive Council, the Academic Council, the Finance Committee, the Faculties, and any committee appointed by any authority of the University;
  - (e) conduct the official correspondence of the Executive Council and the Academic Council;
  - (f) supply the Chancellor the copies of the agenda of the meetings of the authorities of the University as soon as they are issued, and the minutes of the meetings of the authorities ordinarily within a month of the holding of the meeting;
  - (g) call a meeting of the Executive Council forthwith in an emergency, when neither the Vice-Chancellor nor the officer duly authorized is able to act and to take its directions for carrying on the work of the University;
  - (h) be directly responsible to the Vice-Chancellor for the proper discharge of his duties and functions; and
  - (i) perform such other duties as may be assigned to him, from time to time, by the Executive Council or the Vice-Chancellor.
- (4) In the event of the post of the Registrar remaining vacant for any reason, it shall be open to the Vice-Chancellor to authorize any officer in the service of the University to exercise such powers, and perform such functions and duties of the Registrar, as the Vice-Chancellor deems fit.

**21. Other officers and employees.—**

- (1) Subject to the regulations made in this behalf, every other officer or employee of the University shall be appointed under a written contract setting out the conditions of service as prescribed by regulations, which shall be lodged with the University and a copy thereof furnished to the officer or employee concerned.
- (2) Any dispute arising out of the contract between the University and any of its officers or employees shall, at the request of the officer or the employee concerned, or at the instance of the University, be referred to a Tribunal for arbitration consisting of three members appointed by the Executive Council in such manner as may be prescribed by regulations.

**22. Provident fund, gratuity, pension and other benefit scheme.—**

All permanent employees of the University shall be entitled to the benefit of the provident fund and gratuity in accordance with such regulations as may be made in that behalf by the Executive Council.

**23. Funds of the University.—**

- (1) There shall be a fund for the University to be called University Fund, the Fund shall include—
  - (a) any contribution or grant made by the State Government;



- (b) any contribution or grant made by the University Grants Commission or the Central Government;
- (c) any contribution made by the Bar Council of India;
- (d) any contribution made by the State Bar Councils;
- (e) any bequests, donations, endowments or other grants made by private individuals and trusts, public or private;
- (f) income received by the University from fees and charges; and
- (g) amounts received from any other source.

2 of 1934.  
5 of 1970.  
40 of 1980.  
2 of 1882.

- (2) The amount in the said Fund shall be kept in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934, or in a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1880, or may be invested in such securities authorized by the Indian Trusts Act, 1882, as may be decided by the Executive Council.
- (3) The said fund may be employed for such purpose of the University, and in such manner, as may be prescribed by regulations.

**24. Annual Accounts and Audit.—**

- (1) The Annual Accounts of the University shall be prepared under the directions of the Executive Council.
- (2) The accounts of the University shall, at least once in a year, be audited by the auditors appointed by the Executive Council.

Provided that the State Government shall have the power to direct, whenever considered necessary, an audit of the accounts of the University, including the institutions managed by it, by such auditors as the State Government may specify.

- (3) The accounts when audited shall be published by the Executive Council, and a copy of the accounts together with the audit report shall be placed before the Executive Council and shall also be submitted to the State Government.
- (4) The Annual Accounts shall be considered by the General Council at its annual meeting. The General Council may pass resolutions with reference thereto and communicate the same to the Executive Council. The Executive Council shall consider the suggestions made by the General Council and take such action thereon as it thinks fit. The Executive Council shall inform the General Council at its next meeting all actions taken by it or the reasons for not taking action.

**25. Financial Estimates.—**

- (1) The Executive Council shall prepare, before such date as may be prescribed by regulations, the financial estimates for the ensuing year and place the same before the General Council.
- (2) The Executive Council may, in the case where an expenditure in excess of the amount provided in the budget is to be incurred or in the case of

urgency, for reasons to be recorded in writing, incur expenditure subject to such conditions and restrictions as may be specified in the regulations. Where no provision has been made in the budget in respect of such excess expenditure, a report shall be made to the General Council at its next meeting.

**26. Annual Report.—**

- (1) The Executive Council shall prepare the Annual Report containing such particulars as the General Council may specify, covering each financial year, and submit it to the General Council on or before such date as may be prescribed by regulations. The General Council may pass resolutions thereon and the Executive Council shall take action in accordance therewith. The action taken shall be intimated to the General Council.
- (2) Copies of the Annual Report along with the resolution of the General Council thereon shall be submitted to the State Government. The State Government shall lay the same before the State Legislature at its next earliest session.

**27. Execution of contracts.—**

All contracts relating to the management and administration of the University shall be expressed to be made by the Executive Council and shall be executed by the Vice-Chancellor when the value of the contract is above twenty lakhs of rupees and by the Registrar when its value does not exceed twenty lakhs of rupees.

**28. Eligibility for admission of students.—**

No student shall be eligible for admission to a course of study for a degree or diploma, unless he possess such qualifications as may be prescribed by regulations.

**29. Honorary degree.—**

If not less than two-thirds of the members of the Academic Council recommend that a honorary degree of academic distinction be conferred on any person on the ground that he is, in their opinion, by reason of eminent attainment and position, fit and proper to receive such degree or academic distinction, the General Council may, by a resolution, decide that the same may be conferred on the person recommended.

**30. Residence of students.—**

Every student of the University shall reside in a hostel maintained or recognized by the University or under such conditions as may be prescribed by regulations.

**31. Withdrawal of degree or diploma.—**

- (1) The General Council may, on the recommendation of the Executive Council, withdraw any distinction, degree, diploma or privilege conferred on, or granted to, any person by a resolution passed by the majority of the total membership of the General Council and by a majority of not less than two-thirds of the members of the General Council present and voting at



the meeting, if such person has been convicted by a court of law for an offence, which in the opinion of the General Council, involves moral turpitude or if he has been guilty of gross misconduct.

- (2) No action under sub-clause (1) shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.
- (3) A copy of the resolution passed by the General Council shall be immediately sent to the person concerned.
- (4) Any person aggrieved by the decision taken by the General Council may appeal to the Chancellor within thirty days from the date of receipt of such resolution.
- (5) The decision of the Chancellor in such appeal shall be final.

**32. Discipline.—**

- (1) The final authority responsible for maintenance of discipline among the students of the University shall be the Vice-Chancellor. His directions in that behalf shall be carried out by the Heads of Departments, hostels and institutions.
- (2) Notwithstanding anything contained in sub-clause (1), the punishment of debarring a student from an examination or rustication from the University or a hostel or an institution shall, on the report of the Vice-Chancellor, be considered and imposed by the Executive Council.

Provided that no such punishment shall be imposed without giving the student concerned a reasonable opportunity to show cause against the action proposed to be taken against him.

**33. Sponsored Scheme.—**

Whenever the University receives funds from any Government, the University Grants Commission or other agencies sponsoring a scheme to be executed by the University, notwithstanding anything in this Act or the regulations.—

- (a) the amount received shall be kept by the University separately from the University Fund and utilized only for the purpose of the scheme; and
- (b) the staff required to execute the scheme shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organization.





**THE WEST BENGAL NATIONAL UNIVERSITY  
OF JURIDICAL SCIENCES**

**SALT LAKE CITY, CALCUTTA**

**REGULATIONS MADE UNDER SECTION 13 OF  
WEST BENGAL ACT IX OF 1999 BY  
THE EXECUTIVE COUNCIL FOR  
ADMINISTRATION OF THE  
AFFAIRS OF THE  
UNIVERSITY**

**NOVEMBER, 1999**





## REGULATIONS

### PART - I

#### POWER TO MAKE REGULATION

##### Regulations

13. (1) Subject to the provisions of this act, the Executive council shall have, in addition to all other powers vested in it, the power to make regulations to provide for the administration and management of the affairs of the University: Provided that the Executive Council shall not make any regulation affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council :

Provided further that except with the prior concurrence of the Academic Council, the Executive Council shall not make, amend or repeal any regulation affecting all or any of the following matters :—

- (a) the constitution, powers and duties of the Academic Council ;
  - (b) the authorities responsible for organizing teaching in connection with the University courses and related academic programmes;
  - (c) the withdrawal of degrees, diplomas, certificates and other academic distinctions;
  - (d) the establishment and abolition of Faculties, Departments, halls and institutions;
  - (e) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;
  - (f) conditions and modes of appointment of examiners, or conduct or standard of examinations, or any other course of study;
  - (g) mode of enrolment or admission of students;
  - (h) examinations to be recognized as equivalent to school examinations.
- (2) The Academic Council shall have the power to propose regulations on all or any of the matters specified in clauses (a) to (h) and matters incidental or related thereto.
- (3) Where the Executive Council has rejected any regulation proposed by the Academic Council, the Academic Council may appeal to the Chancellor, and the Chancellor may, by order, direct that the proposed regulation may be laid before the next meeting of the General Council for its approval and that pending such approval of the General Council, such regulation shall have effect from such date as may be specified in the order :  
Provided that if the regulation is not proved by the General Council at such meeting, it shall cease to have effect.
- (4) All regulations made by the Executive Council shall be submitted, as soon as may be, for approval, to the Chancellor and to the General Council at its next meeting, and the General Council shall have, by a resolution passed by a majority of not less than two-thirds of the members present, the power to cancel any regulations made by the Executive Council and such regulations shall, from the date of such resolution, cease to have effect.

## REGULATIONS

### **Section 16. Finance Committee —**

- (1) There shall be a Finance Committee constituted by the Executive Council consisting of the following members :—
  - (a) the Treasurer of the University
  - (b) the Vice-Chancellor;
  - (c) three members nominated by the Executive Council from amongst its members, out of whom at least one shall be from the Government of West Bengal.
- (2) The members of the Finance Committee, other than the Vice-Chancellor, shall hold office for a term of five years.
- (3) The functions and duties of the Finance Committee shall be as follows :
  - (a) to examine and scrutinize the annual budget of the University and to make recommendations of financial matters to the Executive Council;
  - (b) to consider all proposals for new expenditure and to make recommendations to the Executive Council;
  - (c) to consider the periodical statements of accounts and to review the finance of the University from time to time, to consider reappropriation statements and audit reports, and to make recommendations to the Executive Council;
  - (d) to give its views and to make recommendations to the Executive Council on any financial question affecting the University, either on its own initiative or on reference from the Executive Council or the Vice-Chancellor.
- (4) The Finance Committee shall meet at least once every year. Three members of the Finance Committee shall form the quorum for a meeting of the Finance Committee.
- (5) The Treasurer of the University shall preside over the meetings of the Finance Committee, and, in his absence, the Vice-Chancellor shall preside. In the case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

### **Section 23. Funds of the University**

- (1) There shall be a Fund for the University to be called University Fund, the Fund shall include—
  - (a) any contribution or grant made by the State Government;
  - (b) any contribution or grant made by the University Grants Commission or the Central Government;
  - (c) any contribution made by the Bar Council of India;
  - (d) any contribution made by the State Bar Councils;
  - (e) any bequests, donations, endowments or other grants made by private individuals and trusts, public or private;
  - (f) income received by the University from fees and charges; and
  - (g) amounts received from any other source.
- (2) The amount in the said Fund shall be kept in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934, or in a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, or may be invested in such securities authorized by the Indian Trusts Act, 1882, as may be decided by the Executive Council.



## REGULATIONS

- (3) The said fund may be employed for such purpose of the University, and in such manner, as may be prescribed by regulations.

### **Section 24. Annual Accounts and Audit —**

- (1) The Annual Accounts of the University shall be prepared under the directions of the Executive Council.
- (2) The accounts of the University shall, at least once in a year, be audited by Auditors appointed by the Executive Council;  
Provided that the State Government shall have the power to direct, whenever considered necessary, an audit of the accounts of the University, including the institutions managed by it, by such auditors as the State Government may specify.
- (3) The accounts when audited shall be published by the Executive Council, and a copy of the accounts together with the audit report shall be placed before the Executive Council and shall also be submitted to the State Government.
- (4) The Annual Accounts shall be considered by the Executive Council at its annual meeting. The General Council may pass resolutions with reference thereto and communicate the same to the Executive Council. The Executive Council shall consider the suggestions made by the General Council and take such action thereon as it thinks fit. The Executive Council shall inform the General Council at its next meeting all actions taken by it or the reasons for not taking action.

### **Section 25. Financial Estimates —**

- (1) The Executive Council shall prepare, before such date as may be prescribed by regulations, the financial estimates for the ensuing year and place the same before the General Council.
- (2) The Executive Council may, in the case where an expenditure in excess of the amount provided in the budget is to be incurred or in the case of urgency for reasons to be recorded in writing, incur expenditure subject to such conditions and restrictions as may be specified in the regulations. Where no provision has been made in the budget in respect of such excess expenditure, a report shall be made to the General Council at its next meeting.

**PART - II****REGULATIONS RELATING TO FINANCIAL MATTERS****A. Definitions**

- (a) "NUJS" means the West Bengal National University of Juridical Sciences
- (b) "Vice-Chancellor" means the Vice-Chancellor of NUJS (Section 12)
- (c) "Executive Council" means the Executive Council of the NUJS (Section 10)
- (d) "Finance Committee" means the Finance Committee of the NUJS (Section 8)
- (e) "Registrar" means the Registrar of the NUJS (Section 12)
- (f) "University" means the NUJS University

**B. Financial Directives****1. Funds to be spent on the basis of approved budget only**

- (a) The Financial year of the University will be from 1st April to 31st March of the subsequent year.
- (b) The funds of the University shall be utilised only in furtherance of the objectives and functions of the University as stipulated in the Act and accordance with the provisions made in the budget by the Executive Council from time to time.

**2. Management of Funds and Expenditure**

- 1. (a) All moneys received by or on behalf of the University shall be brought into account and the amount so received shall be credited into the account of the University in the bank of the same day or on the next working day following at the latest subject, however, that an imprest amount of Rs. 10,000/- is allowed to be maintained with the officer of the University authorised by the Vice-Chancellor.
- (b) The money received shall be acknowledged by a receipt signed by a duly authorised person.
- 2. No expenditure shall be incurred unless such expenditure has been sanctioned by the authority competent to do so under the Act and the Regulations framed thereunder.
- 3. Refund of deposit on any account shall be made with the sanction of the Vice-Chancellor or any other officer specially authorised by the Vice-Chancellor for this purpose.
- 4. Capital expenditure shall not be incurred without the previous sanction of the Finance Committee and the Executive Council.
- 5. The Vice-Chancellor shall be entitled to incur expenditure sanctioned in the budget save as otherwise directed by the Executive Council.
- 6. The Executive Council may authorise the Registrar to incur expenditure within limits prescribed by the Executive Council.
- 7. All payments should ordinarily be made by cheque only. However, payment upto Rs. 2,000/- may be made in cash for meeting petty expenditures.
- 8. The Vice-Chancellor shall have the authority to spend or incur expenditure of an emergent nature not provided for in the budget not exceeding Rs. 10,000/- at a



## REGULATIONS

time for the purpose of the University subject, however, that the total amount so spent during one year does not exceed Rs. 50,000/-. The expenditure so incurred shall be got ratified from the Executive Council in its earliest meeting following the period during which such expenditure was incurred.

### 3. Funds of the University

All long term investments of the funds of the University shall be invested in Bank Deposits in a Scheduled Bank as defined in the Reserve Bank of India Act, 1938, or in a corresponding bank constituted under the Banking Companies Acts 1970 and 1980, and/or such securities as authorised by the Indian Trust Act, 1882 as may be determined by the Executive Council from time to time.

However to meet day to day expenses of the University a separate bank account with a Nationalised bank may be opened to be operated jointly by the Registrar and the Accounts Officer/Accountant.

### 4. TA/DA of Officials

The Faculty members and staff of the University shall be eligible for travelling and halting allowances according to the rates prescribed in the Regulations. The Vice-Chancellor shall be the authority to sanction travelling allowance and daily allowance bills of the faculty members and staff and will act as Controlling Officer.

### 5. Budget

Budget estimates of income and expenditure for the coming financial year shall be prepared according to the directions of the Finance Committee and be placed before the Executive Council for approval before 30th June of every year and after such approval a copy will be sent to the Government.

## C. Accounting Responsibilities and Procedures

### 1. Accounts Officer to ensure compliance of Accounting Regulations

1. The Accounts Officer shall be responsible for the proper maintenance of all the accounts of the University. The Cash Book shall be balanced at the close of every working day and signed by the Accounts Officer and the Registrar.
2. The University shall keep and maintain such books of accounts, registers, receipt books and files as required, conforming to those maintained by the other Universities in the State of West Bengal. An illustrative list of the same is given in Section 26 of these Regulations.
3. Postage stamp account shall be maintained separately and expenditure on postage incurred in a day shall be posted in the book and signed by the Accounts Officer.
4. The books of accounts and all other books and documents connected with them shall remain under custody of the Accounts Officer/Accountant of the University.
5. The annual audit of accounts shall be conducted by Chartered Accountants appointed by the Executive Council on such terms and conditions as the Executive Council may deem fit and the accounts so audited shall be laid before the Executive Council not later than 31st October of each year.
6. At the end of each financial year, but not later than 31st December of the year, the Vice-Chancellor shall forward a copy of the audited accounts and report of the auditors thereon to the Government of West Bengal through the Department of Law and Judicial Affairs.

7. All the property, buildings, assets, money and securities belonging to the University shall stand in the name of the West Bengal National University of Juridical Sciences, Calcutta.

2. **Creation of Funds**

The Executive Council may establish one or more Funds for identified purposes by transferring such sums as it may deem fit out of the amount of the receipt of the University.

3. **Stock Register**

The University shall maintain a Stock Register in which it shall be entered all pieces of duly labelled and numbered furniture and fixtures, equipments and other articles owned by the University. The said Register shall be maintained upto date by the Accounts Officer. The Accounts Officer shall be responsible for their upkeep, custody and accounting.

4. **Provident Fund**

The University shall maintain a Provident Fund account of each of the eligible employees and open a separate bank account for keeping the PF Fund as authorised by the Executive Council in accordance with the regulations formulated for the purpose.

5. **Supplementary Demands**

The Finance Committee may present not before 6(six) months from 1st April and not more than two times in one financial year, to the Executive Council supplementary demands for grant at any time during the course of a financial year.

6. **Maintenance of Registers and Accounts**

(a) The University shall, inter alia, maintain the following accounts books in English :

- (1) Cash Book/Bill Register
- (2) Ledger
- (3) Register of Investment
- (4) Stock Register
- (5) Property Register
- (6) Register of Books and Periodicals
- (7) Provident Fund Register
- (8) Salary Register
- (9) Attendance Register
- (10) Receipt of Mail Register
- (11) Despatch Register
- (12) Such other books as may be prescribed from time to time.

(b) The Books of Accounts and Registers shall be strongly bound and paged on the first and title page and the number of pages of the book or Register shall be noted and signed by the Registrar. Correction in the entries shall be made in red ink and attested. Erasing, over writing shall be avoided under all circumstances.

(c) Receipt forms shall be numbered consecutively and bound into books of 100 forms each. On the front page of each book shall be entered first and last number of the



## REGULATIONS

receipts in that book. Receipts shall be in duplicate. The first part shall remain in the books and the carbon copy can be given to the payer. Receipt shall be signed by the Accounts Officer or such other person duly authorised by the Vice-Chancellor.

- (d) Property Register should be completed by incorporating details regarding additions, sales and depreciation. Similarly the Accession Register in respect of books be kept and necessary entries made in respect of loss/damage etc. at periodic intervals. Identification marks be provided on the books purchased and other fixed assets of the University.
- (e) Bills presented for payment shall be examined by the Accounts Officer/Accountant and upon his being satisfied that the claim is admissible, he shall make the payment after the payment is authorised by Vice-Chancellor/Registrar. The entry in the Cash Book shall show whether the payment is made in cash or by cheque. The bills and the relevant receipts shall be tagged together and shall be numbered consecutively for the year as payment voucher.
- (f) Salary Bill/Salary Register shall contain the following items or such other items as the authorities may direct :
  - (1) Sl. No.
  - (2) Name and Designation
  - (3) Pay & Scale of Pay
  - (4) D. A.
  - (5) H. R. A.
  - (6) C. C. A.
  - (7) Other Allowances, if any
  - (8) Total Gross Salary
  - (9) Income Tax
  - (10) Provident Fund
  - (11) Recoveries (others)
  - (12) Professional Tax
  - (13) Total Recoveries
  - (14) Net Salary
- (g) All money received and spent shall be immediately brought into account in the cash book and the ledger.



## PART - III

### REGULATIONS RELATING TO SERVICES UNDER THE UNIVERSITY

#### CHAPTER I

##### Title and Definitions

1. **Title :**

These Regulations framed under Section 13 of the Act shall be called "The W. B. National University of Juridical Sciences Employees Service Regulations" and will be applicable to all whole-time employees of the University, unless otherwise distinctly provided under the terms of contract, agreement or letters of appointment.

2. **Definitions :**

In these Regulations unless the context requires otherwise, the following words and phrases have meanings hereby assigned to them :—

- (1) 'Act' means the NUJS Act 1999, West Bengal Act IX of 1999
- (2) "Academic Council" means the Academic Council of NUJS
- (3) 'Absentee' means an employee absent from appointment on which he has a lien either on leave or on deputation to another appointment whether permanent or temporary or on special duty, unconnected with his own appointment or on joining time during transfer to another appointment or under suspension and an employee on suspension is an absentee if the suspension is confirmed.
- (4) 'Average Pay' means the average monthly pay earned during the 12 completed months immediately preceding the month in which the event occurs which necessitates the calculation of the average pay.
- (5) 'Completed years of service' or 'one year's continuous service' means continuous service of specified duration under the University and includes the period spent on duty as well as absence on leave including extraordinary leave on Medical Certificate.
- (6) 'Competent Authority' in relation to exercise of any power, means the Executive Council or any authority to which the power is delegated by or under these Regulations.
- (7) 'Date of Retirement' or 'date of his retirement' means the afternoon of the last day of the month in which the University employee attains the age prescribed for retirement under the terms and conditions governing his services.
- (8) 'Day' means a calendar day, beginning and ending at midnight, but an absence from headquarters which does not exceed 24 hours shall be reckoned for all purposes as one day, at whatever hours the absence begins or end.
- (9) 'Duty' includes (i) services as a probationer provided such service is followed by confirmation; and (ii) joining time.
- (10) 'Vice-Chancellor' means the V. C. of the National University of Juridical Sciences.
- (11) 'Executive Council' means the Executive Council of the University.

## REGULATIONS

- (12) 'Family' means employee's wife or husband, as the case may be, residing with the employee and legitimate children and step children residing with and wholly dependent upon the employee. It includes, in addition, parents, sisters and minor brother, if residing with and wholly dependent upon the employee.

**Note** :-Not more than one wife is included in the term 'family' for the purpose of these Regulations.

- (13) 'Holiday' means : Holiday as declared by the competent authority of the University.
- (14) 'Joining time' means the time allowed to an employee in which to join a new post or to travel to or from a station to which he is posted.
- (15) 'Leave Salary' means the monthly amount paid by the University to an employee on leave.
- (16) 'Lien' means the title of University employee to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post to which he has been appointed substantively.
- (17) 'Pay' means the amount drawn monthly by a University employees as-
- (i) the pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and
  - (ii) Overseas pay, special pay and personal pay, and
  - (iii) any other emoluments which may be specially classed as pay by the Executive Council.
- (18) 'Personal Pay' means additional pay granted to an employee;
- (a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure, or
  - (b) in exceptional circumstances, on other personal considerations.
  - (c) The personal pay will be absorbed in subsequent increase of pay.
- (19) 'Permanent post' means a post carrying a definite rate of pay sanctioned without limit of time.
- (20) 'Special Pay' means an addition, of the nature of pay, to the emoluments of a post or of an employee, granted in consideration of -
- (a) the specially arduous nature of the duties; or
  - (b) a specific addition to the work or responsibility, and includes non-practising allowance sanctioned to a practising professional.
- (21) 'School' means a Department or a specialised centre established under the University.
- (22) 'Tenure Post' means a permanent post which an individual may not hold for more than a limited period without re-appointment or extension.
- (23) 'Time-Scale of Pay' means scale of pay which rises by periodical increments from a minimum to a maximum.

## REGULATIONS

- (24) 'Temporary post' means a post carrying a definite rate of pay sanctioned for a limited period.
  - (25) 'University employee in permanent employ' means an employee who holds substantively a permanent post or who holds a lien on a permanent post or who would have held a lien on permanent post had the lien not been suspended.
  - (26) 'Chancellor' means the Chancellor of the University
  - (27) 'University' means the W. B. National University of Juridical Sciences, Calcutta.
  - (28) 'Year' :
    - (i) Academic year : A 12 month period during this a cycle of academic work is to be completed;
    - (ii) Financial year : A 12 month period commencing from first of April to 31st March of the following year.
29. "Employee" means a person employed in connection with the work of the University on temporary, ad-hoc or permanent basis or academic or non-academic purposes. Provided that persons who are appointed on ad-hoc basis for implementing approved research projects shall not be deemed to be employees of the University.



## REGULATIONS

### CHAPTER - II

#### APPOINTMENTS

##### 3. Number of Posts :

Subject to Section 12 of the Act, the number of posts under each category of employees of the University shall be such as may be determined by the Executive Council from time to time on the recommendations of the Vice-Chancellor in respect of all non-teaching posts and on the recommendations of the Academic Council in respect of teaching and research posts.

##### 4. Grade of pay :

The grade of pay of the Vice-Chancellor shall be such as may be determined by the Executive Council while the grades of pay of all other employees other than the teachers shall be determined by the Executive Council on the recommendations of the Vice-Chancellor. While doing so, pay scales recommended by the Central Government along with corresponding Central Government allowances shall be adopted. In respect of teachers, the grades of pay shall be determined by the Executive Council on the recommendations of the Academic Council in conformity with the UGC pay scales given from time to time, provided that nothing in these Regulations shall affect the inherent rights of the Executive Council at any time to revise the sanctioned grade of pay of any post. Such revision shall, however, not adversely affect the interest of any employee of the University already holding such a post.

##### 5. Qualifications for Posts :

- a. The qualifications for the post of Vice-Chancellor shall be determined by the Executive Council based on the recommendations of a high-level expert committee of three persons constituted by the Executive Council.
- b. The qualifications for the posts of other officers, administrative and ministerial staff shall be determined by the Executive Council based on the recommendations of the

in keeping with the UGC norms prescribed from time to time in this regard.

determined by the Executive Council.

##### 6. Tenure of Appointments :

Provided that no appointment on a permanent basis till the age of superannuation against a substantive post shall be made unless the person concerned has served the University at least for a period of five years on contract.

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Provided further that at the expiry of two consecutive renewal of five year terms of contract an appointment shall be deemed permanent.

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ordinarily be not less than 18 years and not more than 40 years in respect of administrative and ministerial staff and 60 years in respect of officers and teachers provided that the Executive Council shall have the discretion to relax or waive these limits whenever it considers necessary in the interest of the University.

##### 8(1) Mode of Appointment :

###### A. OFFICERS :

###### 1. Vice-Chancellor

- (a) Subject to the proviso to clause 18(1) of the Schedule to the Act, the Vice-Chancellor

## REGULATIONS

of the University shall be appointed by the Executive Council in consultation with the Chancellor based on the recommendations of a high level committee consisting of two persons of eminence nominated by the Executive Council and one distinguished educationist nominated by the Chancellor. The person nominated by the Chancellor shall be the Chairman of the Committee.

- (b) The Committee, after considering scholars and academics of great distinction in the field of legal education who could eminently fit into the post, shall submit a panel of not more than three persons out of whom the Chancellor shall choose one, in consultation with the Executive Council.

Provided that at the time of considering the panel of names submitted by the Committee, the Executive Council shall be presided over by a member of the Executive Council chosen by the members present at the meeting.

- (c) Subject to clause 18(3) of the Schedule to the Act, the salary and other terms of appointment shall be as determined by the Executive Council in consultation with the Chancellor.

### II. Registrar

- (a) The Executive Council shall approve panel(s) of experts for various appointments from which the Vice-Chancellor shall nominate two persons on the Selection Committee.

The Registrar shall be appointed by the Executive Council based on the recommendations of a Selection Committee consisting of the Vice-Chancellor as Chairman and two experts from outside the University nominated by the Vice-Chancellor from among a panel of names approved by the Executive Council as members.

- (b) The Selection Committee, after considering the applications of all eligible candidates received in response to the advertisement for the post, shall submit a panel of not more than three persons suitable for the post from out of whom the Executive Council shall appoint one as the Registrar either on a permanent basis or for a specified term of not less than 5 years at a time.

Provided that the Executive Council shall reserve the right to appoint a person of proven administrative and academic experience as Registrar on a contract basis for a specific period/s on such terms as may be mutually agreed upon, or on deputation from other Universities or Institutes without going through the advertisement and selection process as stipulated above.

Provided further that the Executive Council on recommendation of the Vice-Chancellor may appoint for specified period not exceeding three years a Professor/Additional Professor of the University as the Registrar of the University.

- (c) The post of Registrar shall carry the same pay scale as in the case of a Professor in the University.

### III. Heads of Departments/Schools

The number, qualifications, salary and other service conditions, mode of appointment, powers and functions of Heads of Schools/Departments, shall be determined by the Executive Council on the recommendations of the Academic Council in the form of Regulations.



## REGULATIONS

### IV. Librarian :

- (a) The Librarian shall be a whole time officer of the University in the scale of a Professor.
- (b) The Librarian shall be appointed by the Executive Council based on the recommendations of a Selection Committee consisting of the Vice-Chancellor as Chairman, with two experts from outside the University nominated by the Vice-Chancellor from out of a panel approved by the Executive Council.
- (c) The Selection Committee, after considering the applications of all eligible candidates received in response to the advertisement for the post, shall submit a panel of not more than three persons suitable for the post, one of whom shall be appointed by the Executive Council.

Provided that the Executive Council shall reserve the right to appoint a person of proven ability and experience in the field on a contract basis for a specific period on such terms as may be mutually agreed upon, or on deputation from other Universities/Institutions without going through the selection process stipulated above.

### B. TEACHERS :

The procedure for the appointment of Teachers shall be in accordance with the second proviso to Clause 9 and Clause 17 of the Schedule to the Act.

### C. ADMINISTRATIVE AND MINISTERIAL POSTS

The Administrative and Ministerial posts shall be advertised and/or receive nominations from Employment Exchanges or other sources and filled up by the Executive Council based on the recommendations of a Selection Committee constituted by the Vice-Chancellor, consisting of the Vice-Chancellor as Chairman, with the Registrar and not more than two experts of whom at least one should be from outside the University as members.

Provided that for posts of ministerial nature carrying a basic pay of not more than Rs. 3000/- p. m. the Vice-Chancellor is authorised to make the appointments based on the recommendations of a Selection Committee consisting of Registrar as the Chairman and two experts nominated by the Vice-Chancellor as members.

Provided further it is open to the Executive Council to appoint persons of proven ability and experience to certain administrative posts of technical nature on contract basis on such terms and conditions as may be mutually agreed upon or by deputation without going through the selection process stated above, but based on the recommendations of the Vice-Chancellor.

### 8(2) Proof of Date of Birth

Every person newly appointed in the University shall, if he has had the SSLC or Matriculation Certificate, produce the original of such certificate. In case of those who have not obtained such a certificate, copy of the extract from the Registrar of Births or a certificate from the/Head of the Institution where he studied or a declaration made before a magistrate be produced.

On the acceptance of the date of birth it shall be entered in the service records of the person concerned to be authenticated both by the employer and person concerned and shall not be altered under any circumstances.



**8(3) Agreement of Service :**

Every employee of the University, other than the Vice-Chancellor and those who are appointed on specific terms and conditions appointed to any substantive post the minimum pay scale attached to which is not less than Rs. 1000/- p.m. or to such other posts as may be determined by the Executive Council from time to time shall sign an agreement of service in the prescribed form (Annexure I) accepting in writing the terms and conditions of appointment before joining duty.

**8(4) Commencement of Service :**

All appointments shall take effect from the dates on which the appointee reports himself for duty at the University or the place prescribed in his order.

**8(5) Probation :**

- (a) Every person appointed in the University against substantive posts, other than the Vice-Chancellor and those appointed by invitation, unless otherwise, provided for in the appointment order of the person concerned, shall be on probation for a period of not less than one year. In computing the period of probation, extraordinary leave, if any, granted to an employee on probation shall be omitted.
- (b) There will be no automatic confirmation. It can only be done by specific order.
- (c) Well before the termination of the period of probation, the Registrar shall call for the report of work and conduct from the immediate superior of the employee. If, at the end of the period of probation, the work and conduct of the employee continues to be unsatisfactory, a report to the Vice-Chancellor shall be made by the immediate superior of the employee as certifying officer as to whether the services of the employee should be terminated or the period of probation extended.
- (d) Any extension of the period of probation shall not be longer than one year and there shall be only one such extension except as provided under clause (f) below :  
The following shall be the officers empowered to certify satisfactory completion of the period of probation :
  - (i) Heads of Departments or Schools in respect of all teachers and service personnel, if any, working in their respective Schools or departments;
  - (ii) Librarian in respect of all employees working in the Library;
  - (iii) Registrar in respect of all other administrative and ministerial staff working in the rest of the office;
  - (iv) The Vice-Chancellor in respect of all officers.
- (e) As soon as possible after completion of the prescribed period of probation, orders of declaration of probation shall be issued by the Registrar based on the report of the certifying officer and approved by the Vice-Chancellor. The certifying officers shall base their decisions on the evaluation reports and such other additional evidence as may be available to them.
- (f) If the work of an employee is found to be unsatisfactory even after the extended period of probation, the Executive Council shall have the right to terminate the services of the employee on the recommendation of the Vice-Chancellor and discharge him from the service of the University provided, however, that in the event of the Executive Council desiring to give one more chance to the employee recommended by the Vice-Chancellor for termination of his probation, the executive Council for reasons recorded, cause the issue of a final warning with a special extension of probation for a period not exceeding

## REGULATIONS

six months. If after this extension, his performance is still not satisfactory as reported by the certifying officer, the Vice-Chancellor shall terminate his services automatically. No appeal shall lie against the order of discharge of a probationer.

- (g) Any delay in the issue of an order either extending the period of probation or discharging a probationer shall not entitle an employee to claim that he has satisfactorily completed such probation.
- (h) All employees shall be eligible for the grant of first increment in the time scale in which they are appointed only from the date of confirmation or declaration of probation.
- (i) Notwithstanding anything contained in the foregoing, if a probationer's work or conduct is terminated at any time, he shall be entitled to receive the increment due to him with one

### 8(6) Career Advancement of Social Science Teachers

Only substantive post of Lecturer is envisaged under existing rules for teachers teaching social science subjects. However, keeping in view, the desire for improving academic standards and avoid stagnation of teachers in the employment of the University, there shall be Merit Promotion Scheme for such teachers according to rules laid down hereunder for that purpose :

1. From Lecturer to Assistant Professor after eight years of continuous service  
Provided that the initial appointment on a five year contract has been renewed by the University
2. From Assistant Professor to Associate Professor after six years of continuous service as Assistant Professor.  
Provided that the contract of service for a period of five years has been renewed for a second consecutive term without an intervening break.
3. From Associate Professor to Additional Professor after six years of continuous service as Associate Professor.  
Provided that the contract of service for a period of five years has been renewed consecutively without any intervening break.
4. From Additional Professor to Professor selection and appointment are purely on merit basis through open selection

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### 8(7) Career Advancement of Law Teachers :

The University shall advertise for various faculty positions in law from time to time under section 5(xi) (xiv) and it shall be open to the law teachers to apply for the higher positions that concerned persons may choose and are eligible under the rules.

Provided that such advertisements shall ordinarily be made at least once in five years.

Provided further that where there are no substantive vacancy available or no advertisement for faculty position has been made for over five years, the norms laid down under Section 8(6) shall become applicable to Law Teachers as well.

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## CHAPTER - III

### LEAVE

#### 13 General

All employees of the University other than those paid out of contingencies are entitled and governed by the following leave regulations.

#### 14 Right to Leave

No leave can be claimed as a matter of right. Leave is earned by duty only. When the exigencies of University services is required, discretion to refuse and revoke leave of any kind is reserved to the authority empowered to grant it.

#### 15 Kinds of Leave

- (A) Earned Leave
- (B) Half-Pay Leave
- (C) Commuted Leave
- (D) Extraordinary Leave without pay
- (E) Maternity Leave/Paternity Leave
- (F) Casual Leave

#### 15A. Rules of Leave for Non-Vacation Employees :

##### A. EARNED LEAVE

- (i) A non-vacation employee may earn thirty days leave in one calendar year. The leave account of every employee who is serving in a non-vacation department shall be credited with earned leave in advance, in instalments of 15 days each on the first day of January and July of every calendar year. Earned Leave shall be credited to the leave account of an employee at the rate of 2½ days for each completed calendar month of service, which he is likely to render in a half year of the calendar year in which he is appointed.
- (ii) When the employee is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of 2½ days for each completed calendar month of service up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.
- (iii) The leave at the credit of an employee at the close of previous half year shall be carried forward to the next half year subject to the condition that the leave so carried forward plus the credit for the half year do not exceed the maximum limit of 300 days.
- (iv) A period spent in foreign service shall count as duty for purpose of this rule, if contribution towards leave salary is paid on account of such period and such service is approved by the University.
- (v) The maximum earned leave that may be allowed at a time to an employee shall be 120 days, provided it may be extended for a period exceeding 120 days but not exceeding 240 days if the entire leave so granted or any portion thereof is spent outside India.
- (vi) A non-vacation employee shall be entitled to an equal number of compensatory leave if he is required to work on holidays.
- (vii) A non-vacation employee shall be entitled to Casual Leave and Maternity/Paternity Leave
- (viii) A non-vacation employee shall be entitled to Extraordinary leave without pay under exceptional circumstances with the permission of University authority.



B. HALF-PAY LEAVE :

- (i) The half-pay leave account of an employee shall be credited with half-pay leave in advance, in two instalments of 10 days each, on the first day of January and July in every calendar year.
- (ii)
  - (a) The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service which he is likely to render in the half-year of the calendar year in which he is appointed.
  - (b) The credit for the half-year in which an employee is due to retire or resigns from the services shall be allowed at the rate of 5/3 days per completed calendar month upto the date of retirement or resignation.
  - (c) When an employee is removed or dismissed from service or dies in service, credit of half-pay leave shall be allowed at the rate of 5/3 days per completed calendar month upto the end of the calendar month in which he is removed or dismissed from service or dies in service.
- (iii) The leave under this rule may be granted on medical certificates or on private affairs.
- (iv) While affording credit of half-pay leave, fraction of a day shall be rounded off to the nearest day.

Provided that in the case of an employee not in permanent employ or quazi-permanent employ, no half-pay leave shall be granted unless the authority competent to grant leave has reasons to believe that the employee will return to duty on its expiry except in the case of an employee who has been declared completely and permanently incapacitated for further service by a medical authority.

C. COMMUTED LEAVE :

Commutated leave not exceeding half the amount of half-pay leave due may be granted on medical certificate to an employee subject to the following conditions:-

- (a) The authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry.
- (b) When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave due.
- (c) Commuted leave during the entire service should be limited to a maximum of 240 days. The maximum commuted leave on private affairs that may be granted at a time shall be 120 days. If commuted leave is combined with earned leave the total period should not exceed 180 days.
- (d) The total duration of earned leave and commuted leave on private affairs taken in conjunction shall not exceed 240 days.
- (e) An employee on half-pay leave or on commuted leave is entitled to leave salary equal to half the pay or full pay he would be entitled to had he not gone on leave. An employee on half-pay leave is entitled to salary equal to half of the pay he would be entitled to had he not gone on leave and an employee on commuted leave will be entitled to pay he would be entitled to had he not gone on leave.
- (f) Where an employee has been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half-pay leave and the difference between the leave salary in respect of commuted leave and half-pay leave shall be recovered.

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

### D. EXTRAORDINARY LEAVE :

- (i) Extraordinary leave may be granted to an employee in special circumstances—
  - (a) when no other leave is admissible;
  - (b) when other leave is admissible, but the employee applied in writing for the grant of extraordinary leave, including extraordinary leave due to teaching in foreign country.
- (ii) The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.
- (iii) An employee on extraordinary leave is not entitled to any leave salary.

### E. MATERNITY LEAVE :

- (i) A female employee may be granted maternity leave by the authority competent to grant leave for a period of 90 days from the date of its commencement. During such period, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (ii) Maternity leave may also be granted in case of miscarriage, including abortion, subject to the conditions that—
  - (a) the leave does not exceed six weeks;
  - (b) the application for the leave is supported by a medical certificate of an approved medical authority.
- (iii) Maternity leave may be combined with leave of any other kind.
- (iv) Maternity leave shall not be debited against the leave account.

### F. CASUAL LEAVE :

Casual leave may be granted to all employees of the University for 8 (eight) days in each calendar year. Casual leave to temporary staff will be granted in the same manner as to those holding permanent appointments.

Casual leave shall be granted only when it can be given without inconvenience to University services.

It shall not ordinarily be granted in continuation of other leave but it may be combined in any manner with Sundays and other authorised holidays but not more than three days casual leave exclusive of such Sundays and holidays shall be taken during one period of absence and provided also that such period of absence shall not exceed six days in all.

There is no provision for half-day Casual leave.

### 16. Leave to Probationer — a person on probation :

- (i) (a) A probationer shall be entitled to leave under these rules if he had held his post substantively otherwise than on probation.
- (b) If, for any reason, it is proposed to terminate the services of a probationer, any leave which may be granted to him shall not exceed—
  - (i) beyond the date on which the probationary period as already sanctioned or extended expires, or
  - (ii) beyond any earlier date on which his services are terminated by the others of an authority competent to appoint him.



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- (ii) A person appointed to a post on probation shall be entitled to leave under these rules as a temporary or a permanent employee according as his appointment is against a temporary or a permanent post.

Provided that where such a person already holds a lien on a permanent post before such appointment, he shall be entitled to leave under these rules as a permanent employee.

### 17. **Persons re-employed after retirement :**

In the case of a person re-employed after retirement, the provisions of these rules shall apply insofar as the leave is concerned, as if he had entered the University services for the first time on the day of his re-employment.

### 18. **Leave preparatory to retirement :**

An employee may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding 300 days together with half-pay leave due, subject to the condition that such leave extends upto and includes the date of retirement.

Note : The leave granted as leave preparatory to retirement shall not include extraordinary leave.

### 19. **Leave/Cash payment in lieu of leave beyond the date of retirement or quitting of service:**

- (i) No leave shall be granted to an employee beyond—
- (a) the date of his retirement, or
  - (b) the date of his final cessation of duties, or
  - (c) the date on which he retires by giving notice to the University or he is retired by the University by giving him notice or pay and allowances in lieu of such notice, in accordance with the terms and conditions of his service or
  - (d) the date of resignation from service.
- (ii) (a) Where an employee retires on attaining the normal age prescribed for retirement under the terms and conditions governing his service, the authority competent to grant leave shall suo motu issue an order granting cash equivalent of leave salary for earned leave if any, at the credit of the employee on the date of his retirement, subject to a maximum of 300 days.
- (b) The cash equivalent under Clause (a) shall be calculated as follows and shall be payable in one lump sum as a one-time settlement. No House Rent Allowance or City Compensatory Allowance shall be payable.

Cash Equivalent =	Pay admissible on the date of retirement plus dearness Allowance admissible on that date	X	Number of days of unutilised earned leave at credit on the date of retirement subject to a maximum of 300 days
	.....		

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- (iii) The authority competent to grant leave may withhold whole or part of cash equivalent of earned leave in the case of an employee who retires from service on obtaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view of such authority there is a possibility of some



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money becoming recoverable from him, on conclusion of the proceedings against him. On conclusion of the proceedings, he will become eligible to the amount so withheld after adjustment of University dues, if any.

- (iv) Where the services of an employee have been extended, in the interest of the University, beyond the date of his retirement, he may be granted—
  - (a) during the period of extension, any earned leave due in respect of the period of such extension plus the earned leave which was at his credit on the date of his retirement subject to a maximum of 120 days/240 days, as the case may be as prescribed in regulations 18-A.
  - (b) after the expiry of the period of extension, cash equivalent in the manner provided in sub-rule 22(ii) in respect of earned leave at credit on the day of retirement plus the earned leave earned during the period of extension, reduced by the earned leave availed of during such period, subject to a maximum of 240 days.
- (v) A University employee who retires or is retired from service in the manner mentioned in Clause (c) of sub-rule 22(i), may be granted, suo motu, by the authority competent to grant leave, cash equivalent of the leave salary in respect of earned leave at his credit subject to maximum of 300 days and also in respect of all the half-pay leave at his credit provided this period does not exceed the period between the date on which he so retires or is retired from service and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service. The cash equivalent shall be equal to the leave salary as admissible for earned leave and/ or equal to the leave salary as admissible for half-pay leave plus dearness allowance admissible on that leave salary for the first 240 days, at the rates in force on the date the employee so retires or is retired from service. The pension and pension equivalent of other retirement benefits and ad-hoc relief/granted shall be deducted from the leave salary paid for the period of half-pay leave, if any, for which the cash equivalent is payable. The amount so calculated shall be paid in one lump sum as a one-time settlement. No House rent Allowance or City Compensatory Allowance shall be payable;  
Provided that if leave salary for the half-pay leave component falls short of pension and other pensionary benefits, cash equivalent of half-pay leave shall not be granted.
- (vi) (a) (i) Where the service of an employee are terminated by notice or by payment of pay and allowances in lieu of notice, or otherwise in accordance with the terms and conditions of his appointment, he may be granted, suo motu by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date on which he ceases to be in service subject to a maximum of 300 days.
  - (ii) If an employee resigns or quits service, he may be granted, suo motu, by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of 120 days.
  - (iii) An employee, who is re-employed after retirement, may on termination of his re-employment, be granted suo motu, by the authority competent to grant leave cash equivalent in respect of earned leave at his credit on the date of termination of re-employment subject to a maximum of 300 days (including the period for which encashment was allowed at the time of retirement).

- (b) The cash equivalent payable under Clause (a) shall be calculated in the manner indicated in Clause (b) of sub-rule 22(ii) and for the purpose of computation of cash equivalent under sub-clause (iii) of Clause (vi) (a), the pay on the date of the termination of re-employment shall be the pay fixed in the scale of post of re-employment before adjustment of pension equivalent of other retirement benefits, and the dearness allowance appropriate to that pay.

**20. Leave Rules for vacation enjoying employees :**

- (1) All teachers of the University other than those appointed on ad hoc and consolidated salary basis shall be treated as those enjoying vacation and as such are not entitled to any kind of Earned Leave in respect of duty performed in any academic year.
- (2) A teacher coming under the above category is entitled to not less than six weeks of vacation in an academic year during the periods so declared by the University.
- (3) One week before the closure of the semester, the Registrar shall notify the commencement and the ending of the vacation between the semesters.
- (4) If in any academic year a teacher is required by a general or special order of the Vice-Chancellor to forego such vacation or a portion of a vacation in the interest of the University work, he/she shall be entitled to :

..... vacation, and such  
..... in one's period

(e) An employee enjoying vacation is entitled to 7 days of Medical Leave on half pay basis on medical grounds in each year.

shall however, be

Provided that such leave shall be obtained on production of medical evidence and fitness certificate.

.....

- (a) Extraordinary Leave
- (b) Maternity Leave and
- (c) Casual Leave
- (d) Paternity Leave

On the same basis as are applicable to other employees of the University.

**21. "Ad-hoc leave rules for temporary employees in the University" :**

- A. These rules shall apply to employees who are appointed on temporary and consolidated salary basis.
- B. The kinds of leave and leave entitlement shall be as follows :-
  - (a) *For employees who have completed one year of service*
    - (i) Casual Leave : 8 days in a calendar year
    - (ii) Earned Leave : 15 days to be credited in advance as on 1st January and 1st July every year, provided if an employee joins in the middle of a month, credit shall be given only for the remaining calendar months at the rate of  $2\frac{1}{2}$  days per month.
    - (iii) Compensatory Leave : If an employee required to work on Sundays/general holidays by an order, compensatory leave to the extent of the number of such days worked.



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(b) *For employees during the first year of service.*

(i) Casual leave : 8 days in a calendar year

**Note :** If an employee leaves the services of the University or if an employee's services are terminated by the University, the Earned Leave entitlement will be regulated at the rate of 2.1/2 days per calendar month completed and the salary to the extent of excess availment of earned leave if any as on the date of relief, shall be deducted from the salary due to him.

### 3. **General :**

1. Leave cannot be claimed as a matter of right and the leave sanctioning authority may refuse and revoke leave.
2. No encashment of leave is permitted for any accumulated Earned Leave.

## CHAPTER - IV

## CONTRIBUTORY PROVIDENT FUND-CUM-GRATUITY SCHEME

22. **Provident Fund :**

Every wholetime employee, on confirmation, shall subscribe monthly to the University Provident Fund. The rate of subscription may not be less than 10% 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 subscription at the minimum or maximum rates, the rounding off will be to the next higher or the next lower rupee respectively. The Provident Fund deductions will be made after confirmation with effect from the date of appointment.

The University shall contribute to this fund 10% of pay from the date of subscription. No subscription or contribution shall be made in the Provident Fund by an employee who is on leave without pay.

Subject to the condition that no deduction be made which reduces the credit by more than the amount of any contribution by University with interest thereon credited under Clause 28 (ii) before the amount standing to the credit of the subscriber in the fund is paid out of the Fund.

The Vice-Chancellor may direct the deduction therefrom and payment to University of—

- (i) All amounts representing such contribution and interest, if the subscriber within five years of commencement of his service as such, resigns from the service or ceases to be an employee of the University otherwise than by reason of death, superannuation, or a declaration by a competent medical authority that he is unfit for further service, or the abolition of the post or the reduction of establishment or under a contract.
- (ii) Any amount due under a liability incurred by a subscriber to University.
- (iii) All amounts representing such contribution and interest, if the subscriber is dismissed from service due to misconduct, insolvency or inefficiency;

Provided that where the Vice-Chancellor is satisfied that such deduction would cause exceptional hardship to the subscriber, he may, by order, exempt from such deduction an amount not exceeding two-third of the amount of such contribution and interest which would have been payable to the subscriber, if he had retired on medical grounds.

Provided further that if any such order of dismissal is subsequently cancelled, the amount so deducted shall on his reinstatement in the service be replaced to his credit in the Fund.

**Note :** For the purpose of Sub-Clause (i) of this regulation the period of five years shall be reckoned from the commencement of the subscriber's continuous service under University.

Notwithstanding the foregoing provisions and the provisions of Clause (3) persons who have retired from State/Central Government, Universities or National Institutes, if re-employed in the University may be permitted to subscribe to the Provident Fund, provided that where the term of re-employment is initially for a year or less but is later extended so as to exceed one year the contribution with interest will be credited only after the completion of one year's re-employed service. The contribution with interest shall be



payable for the entire period for which the re-employed person is allowed to contribute to the Provident Fund if such period exceeds one year.

**23. Entitlement :**

- (i) No employee of the University shall be entitled to the benefits of Provident Fund whose services in the University entitle him to a pension or on whose account the University contributes towards his pension or who has been appointed by the University on a consolidated salary on special terms or on a part-time or daily wage basis.
- (ii) If an employee admitted to the benefit of the Fund was previously a subscriber to any contributory/non-contributory Provident Fund of the Central/State Government, or of a body corporate, owned or controlled by Government or Universities/Colleges or Institutions of University status or an autonomous organisation registered under the Societies Registration Act of 1860 immediately before his appointment in the University, the amount of his accumulations in such contributory or non-contributory Provident Fund shall be transferred to his credit in the Fund.

**24. Payment :**

When the amount of Provident Fund becomes payable to a subscriber, the Accounts Officer of the University will be entitled to deduct therefrom any amount due under any liability incurred by the subscriber to the University but not exceeding in any case the total amount of the contributions credited to the account of the subscriber by the University and of any interest which has accrued on such contributions.

Notwithstanding anything contained in the preceding clauses of these Regulations, a subscriber who ceases to be in service of the University by reason of his taking upon appointment with another University or College or a national institute without any break and with prior permission, may be declared to be entitled to the contribution of the University in accordance with the rules framed by the Executive Council.

**25. Management :**

The management of the Provident Fund shall vest in the Executive Council which may, from time to time make regulations or issue such general or special directions as may be consistent with the Regulations as to the conduct of the business of the Fund, or its management or the privileges of the depositors, not herein expressly provided for, or vary, or cancel any regulations made or directions given.

Provided that there shall be a Provident Fund Committee, consisting of the Vice-Chancellor, the Treasurer, the Registrar and one member nominated by the Executive Council from amongst its own members for purpose of advising the Executive Council in the matters relating to investments, payments and other matters in respect of the Provident Fund.

All members of the Provident Fund Committee, other than ex-officio members, shall hold office for a term of three years.

**26. Nominee :**

Every employee of the University entitled to the benefits of the Provident Fund shall be required to sign a written declaration in the prescribed form that he has read the regulations and agrees to abide by it, and shall hand in for registration in the University Office the names of the person or persons to whom he wishes the balance at his credit to be paid in the event of his death.

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

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

The subscriber may, from time to time, add or change his nominee by written application to the Vice-Chancellor.

A register of such nominees shall be kept in the University office.

### **27. Provident Fund Account :**

- (i) The amounts accruing to the Fund shall be placed in such bank or banks as may be approved, from time to time, by the Executive Council, or invested in securities authorised by the Indian Trust Act, 1882 (II of 1882) at the discretion of the Executive Council.

Interest at the rate fixed for the purpose by the Executive Council, from time to time, shall be credited to each subscriber's account.

- (ii) The subscription paid by the subscriber and the contribution by the University shall be entered monthly in a separate account for each subscriber.
- (iii) The accounts of the Fund shall be audited once a year and a statement of the total amount to the credit of each subscriber shall be furnished to him.

### **28. Interest :**

Subject to the provisions of Clause (3), a subscriber, at the termination of his service, shall be entitled to receive the amount which accumulates to his credit, viz. his subscription with interest and contribution by the University with interest thereon.

### **29. Payment on death :**

On the subscriber's death, the amount at the credit of the subscriber shall be paid to the person or persons duly nominated by him or when no such nomination is made, to his legal heir or heirs.

### **30. Advance from Provident Fund :**

- (i) No final withdrawal shall be allowed until the termination of the subscriber's service or his death. But in case of necessity, of which the Vice-Chancellor shall be sole judge, the Vice-Chancellor may allow a subscriber an advance of sum not exceeding the total amount subscribed by him.
- (ii) Recoveries towards the amount shall be made in equal monthly instalments not exceeding twenty as may be decided by the Vice-Chancellor commencing from the first payment of a full month salary after the advance is granted, but no recovery shall be made from a subscriber when he is on leave otherwise than on full pay.
- (iii) When an advance is sanctioned under clause (2) before repayment of last instalment of any previous advance not recovered shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.
- (iv) Withdrawal from the fund:



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Subject to the conditions specified hereunder, the withdrawals from the Fund may be sanctioned by the Vice-Chancellor at any time:

1. After completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier for one or more of the following purposes:
  - (a) meeting the cost of higher education, including where necessary the travelling expenses of any child of the subscriber actually dependent on him in the following cases:
    - (i) for education outside India for academic, technical, professional or vocational course beyond the High School state; and
    - (ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage provided that the course of study is for not less than three years.
  - (b) meeting the expenditure in connection with the marriage of subscriber's son or daughter and of any other female relation dependent on him;
  - (c) meeting the expenditure in connection with the illness, including where necessary, the travelling expenses of the subscriber or any person actually dependent on him;
  - (d) building or acquiring a suitable house for his residence including the cost of site or reconstructing or for making additions and alternations to a house already owned or acquired by a subscriber;
  - (e) Purchasing a house site;
  - (f) for constructing a house on a site purchased, utilising the sum withdrawn under sub-clause(s).
2. Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in clause 31(iv) (1), from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six months' pay of the subscriber whichever is less. The Vice-Chancellor, however, sanction the withdrawal of an amount in excess of these limits upto three-fourths of the balance at his credit in the Fund, having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the fund.
3. A subscriber who has been permitted to withdraw money from the Fund under clause 31 (iv) (i) shall satisfy the Vice-Chancellor within a reasonable period as may be specified by him that the money has been utilised for the purpose for which it was withdrawn and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it withdrawn shall forthwith be repaid in one lump sum and in default of such payment it shall be ordered by the Vice-Chancellor recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Executive Council.
4. A subscriber who has already drawn or may draw in future an advance under clause 31 (ii) for any of the purposes specified in Clause 31 (v) (1) (a), (b), (c), (d), (e) and (f) may convert at his discretion by written request to the sanctioning authority, the balance outstanding into a final withdrawal on his satisfying the conditions laid down in Clause 31 (iv).

### 31. Life Insurance Premia :

On a written application from a subscriber to the Provident Fund and with the approval of the Vice-Chancellor, the University may allow premia on the Life Insurance Policy of the

subscriber to be paid out of the subscriber's share in his Provident Fund. In all such cases the Life Insurance Policy for which the premia are so paid shall be assigned in favour of the University. On the retirement of the subscriber from the service of the University, the Policy shall be reassigned to him by the University.

In case of the maturity of the Policy during the service of the subscriber in the University, the full amount of the Policy shall be credited to the Provident Fund of the subscriber. In case of the death of the subscriber, during the service of the University, the full amount of the Policy shall be paid to the nominee or, in the absence of nomination, to the legal representative of the deceased entitled to the Provident Fund.

**32. Subscription :**

The word "subscription", wherever it occurs in these Regulations means the amount paid by the subscriber and similarly the word "contribution" means the amount contributed by the University.

**33. Gratuity :**

- (i) An employee who has completed five years of qualifying service at the University shall be granted Death-cum-Retirement Gratuity in accordance with the scale indicated in Regulation 35. This gratuity shall be payable on his retirement from the service of the University. In the event of his demise this gratuity shall be payable to the nominee or nominees of the deceased in the manner prescribed in this regard.
- (ii) If there is no such nomination or if the nomination made does not subsist, the gratuity shall be paid in the manner indicated below.
  - (a) If there are one or more surviving members of the family as in the following sub-clauses (aa), (bb), (cc) and (dd) to all such members in equal shares;
    - (aa) Wife or wives, in case of male employee;
    - (bb) husband, in the case of a female employee
    - (cc) sons including step-sons and adopted sons;
    - (dd) unmarried daughters including step-daughters and adopted daughters.
  - (b) If there are no such surviving members of the family as in Clause (a) above, but there are one or more members as in the following sub-clauses (aa), (bb), (cc), (dd), (ee), (ff) and (gg) to all such members in equal shares :
    - (aa) widowed daughters including step-daughters and adopted daughters;
    - (bb) father-including adoptive parents in the case of individuals whose personal
    - (cc) mother—law permits a adoption;
    - (dd) brothers below the age of eighteen years including step-brothers;
    - (ee) unmarried sisters and a widowed sisters including step-sisters
    - (ff) married daughters, and
    - (gg) children of pre-deceased son

**Note 1 :** The right of a female member of a family, or that of a brother of an employee who dies while in service or after retirement, to receive the share of gratuity shall not be affected if the female member marries or remarries, or the brother attains the age of eighteen years after the death of the employee and before receiving her or his share of the gratuity.



**Note 2 :** Where gratuity is granted under this rule to a minor member of the family of the deceased employee, it shall be payable to the guardian on behalf of the minor.

**Note 3 :** Where an employee dies while in service, or after retirement without receiving the amount of gratuity and—

- (a) leaves behind no family; or
- (b) has made no nomination; or
- (c) the nomination made by him does not subsist

The amount of death-cum-retirement gratuity payable to him under this rule shall lapse to the University.

- (iii) No gratuity shall be payable on resignation from service of the University or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age.

#### 34. **Eligibility :**

If a person who has become eligible for payment of University's share of contribution to the Contributory Provident Fund under the rules of the University dies within a period of 5 years after he retires from the service of the University, and the sums actually received by him at the time of death on account of University's share of contribution to the Contributory Provident Fund, together with a gratuity under the above clause is less than the amount equal to 12 times the emoluments, a gratuity equal to the deficiency shall be granted to the person or persons nominated by him.

#### 35. **Death of Permanent employee :**

If a person in permanent employment dies before becoming eligible for the University's share of the contribution to the Contributory Provident Fund of the Universities, his family will be eligible for a gratuity equal to six times his emoluments at the time of his death, except in cases in which death occurs in the first year of service, when the gratuity admissible shall be equal to two months' emoluments.

#### 36. **Persons in Temporary Employment :**

##### (i) **TERMINAL GRATUITY**

A person in temporary employment who retires on superannuation or is discharged on account of retrenchment or is declared invalid for further service will be eligible for a gratuity at the rate of one-third of a month's pay for each completed year of service, provided that he has completed not less than five years of continuous service at the time of retirement, discharge or invalidment.

**Note :** As decided by the executive Council in its meeting held on .....

These benefits are extended to the Administrative Staff appointed on consolidated salary.

##### (ii) **DEATH GRATUITY**

The family of a person in temporary employment who dies while in service will be eligible for a death gratuity on the scale and subject to the conditions specified below :

- (a) On death after completion of less than one year

A gratuity equal to two month's pay

## REGULATIONS

- |  |   |  |
|--|---|--|
| (b) On death after completion of one year of service but before completion of three years of service | ) | A gratuity equal to six month's pay                        |
| (c) On death after completion of one year of service but before completion of five years of service  | ) |  |
| (d) On death after completion of five years service but less than 20 years                           | ) | A gratuity equal to 12 (twelve) month's pay                |
| (e) On death after completion of 20 years service or more  | ) | A gratuity equal to 1/2 of emoluments for every six months |

### 37. Amount of Gratuity :

For the purpose of determining the amount of terminal or death gratuity under Clause 38(i) will mean only basic pay at the time of relinquishing service or of death, as the case may be. It will not include special pay, personal pay and other emoluments as pay. In case the person concerned was on leave with or without allowance immediately before retirement, discharge, invalidment or death, pay for this purpose will be pay which he would have drawn had he not proceeded on such leave.



## CHAPTER - V

## TRAVELLING AND DAILY ALLOWANCES

## 38. For Non-Official Members :

(a) Travelling Allowance : Members of the General Council, Executive Council, Academic Council, Finance Committee, Selection Committees, External Examiners or any of their sub-committees, shall be paid travelling allowance as follows :

- i. Where the journeys are made by Air : Return air fare by the economy class, subject to not exceeding the rates of Indian Airlines.
- ii. Travel by Train : A.C. First Class or 2nd Class A.C. 2-tier return fare or the actual fare paid, whichever is less, together with the reservation charges paid but not the agency charges paid to a travel agency.
- iii. Travel by Taxi/own Car : When the journeys are made by taxi/own car, either fully or partly, the T.A. shall be limited to the 1st Class rail fare between places connected by rail if two stations are connected by Rail. When they are not connected by rail, road mileage for such travel or portion thereof will be paid at Rs. 500 per k.m. on certification by member.

(b) Daily Allowance

Payment of daily allowance shall be as follows :

- |                               |                   |
|-------------------------------|-------------------|
| 1. Meeting days — Sitting Fee | Rs. 300/- per day |
| 2. Journey period             | Rs. 100/- per day |

**Notes :**

- (a) If the members arrive one day prior to the date of the meeting or depart one day after the meeting, they would be entitled for the D.A. of Rs. 150/- per day.
- (b) Local experts/members will be entitled to the reimbursement of actual conveyance charges in addition to the sitting fee/Honorarium of Rs.300/- per day, when the University has not provided its conveyance.
- (c) Travel to /from airport/railway stations : Conveyance hire charges incurred by the member/expert for travel from/to residence/Head Quarters to/from the airport/railway station as the case may be and from airport/railway station to the place of meeting/ stay and back at the Station of meeting will be reimbursed a sum not exceeding rs. 300/- each way.

## 39. For Officers, Teachers and others employees of the University :

1. For purpose of travelling and daily allowance the employees of the University are classified as follows :
  - a. All Officers, Teachers (including Visiting Professors, Adjunct Professors and Research Associates) GROUP A
  - b. Other employees with a basic pay of Rs. 2,000/- and above GROUP B
  - c. All other employees with basic pay of less than Rs. 2,000/- GROUP C

## REGULATIONS

2. Entitlement of travel shall be as follows:

- |                                  |   |
|----------------------------------|---|
| a. Vice-Chancellor               | Air fare/A.C. First Class Train fare or by A.C. Coach |
| b. Group A and Group B Employees | First Class or 2nd Class AC 2-tire Train fare         |

3. Daily Allowances :

Category	University Work
I. Group A Employees	Rs. 400/-
II. Group B Employees	Rs. 350/-
III. Group C Employees	Rs. 220/-

The D.A. should be calculated for the period from the time of arrival at the outstation to the time of departure from the outstation and as under :

For absence not exceeding 6 hours	50%
For absence between 6-12 hours	70%
For absence above 12 hours	100%

4. Students who undertake tours on official work :

Students who are on authorised official tours outside the University are treated on par with the Group 'C' employees of the University for the purpose of T.A. & D.A. with the modification that they may be eligible for a II Class sleeper fare whenever they have to travel by that category.

40. **General :**

- The Air/Train Fares payable shall be by the shortest route.
- The daily allowance for journey periods shall be restricted for the minimum possible time absolutely required to complete the journeys to and for by the shortest route.
- An employee who takes casual leave while on tour on University work or extends stay for non-availability of accommodation in train etc. is not entitled for any daily allowance for such extended stay.

41. **Power of Vice Chancellor :**

Notwithstanding anything contained in the above Regulations the Vice-Chancellor shall have power to authorise Air Travel in such cases as he deems fit and necessary.

42. **T.A. and D. A. for attending Conference, Seminars, Workshops etc. :**

Notwithstanding anything contained above, Teachers and other employees sponsored by the University to attend Conferences, Seminars, Workshops, etc., shall be entitled for the payment of only 1st Class Train fare to and fro and a Daily allowance of Rs. 100/- for the conference days, besides the registration fee, if any.



