

STATUTE NO. 28

COLLEGE CODE

PART I - Definitions and applicability:

1. In this Statute unless there is anything repugnant in the subject or context:
 - (a) “College” means an educational institution admitted to the privileges of the University.
 - (b) “Foundation Society” means a body of persons, registered or incorporated under any law for registration or Statutory incorporation, which founds and maintains as educational institution admitted to or seeking admission to the privileges of University and where the Governing body of the Society is superceded under Section 33 of the Madhya Pradesh Society Registrkaran Adhiniyam 1973 the person or persons appointed by the State Government to manage the affairs of the Society. In case of educational institutions maintained and run by Local Bodies, the Foundation Society shall be the Council of the Local Body and in case the Local Body is superceded the person who acts for the Body.
 - (c) “Governing Body” means the Governing Body constituted in accordance with the Provisions of this Statute.
 - (d) “Teachers” means members of the teaching staff of a college and includes the Principal.
 - (e) “President of the Foundation Society” means a person who is duly elected as its President (by whatever name called) by the Foundation Society and is the Executive head thereof and where the Society is superceded under Section 33 of the M.P. Society Registrkaran Adhiniyam 1973, the person or the head of the body of persons appointed by the State Government to manage the affairs of the Society.
 - (f) “Donor” means an individual, firm, association, charitable trust or any other institution other than the Foundation society giving a donation of not less than twenty-five thousand rupees in cash or immovable property for the use of the college.

Provided that if the donation is given by any firm association, trust or institution, the representative nominated by such donor from time to time shall be deemed to be the donor for the purpose of this Code.

2. The College Code shall, apply to all colleges admitted to the privileges of the University excepting the colleges maintained or managed by the State Government or a Municipal Corporation/Council or the University.

PART II - The Foundation Society:

3. (1) The Foundation Society of a college shall be responsible for providing the necessary funds for the maintenance and upkeep of the college upto the standard required by the University.
- (2) No employee of the college except an honorary or part-time teacher who is paid an honorarium shall be an office bearer or member of the Foundation Society.
- (3) (i)* The Foundation Society of every college shall deposit endowment fund for an amount Rs. One Lac with the University in the form of fixed deposit receipts in the joint names of the Registrar and the college.
 - (ii) Where the college does not have its own building which is considered satisfactory for its purposes by the University the foundation Society shall make an annual contribution of an amount not less than Rs. 25,000/- towards a building fund to be maintained with the University in the name of the college till the college constructs or acquires permanently a building adequate for its purposes.

(iii)* (A) In case of colleges established before coming in to force of the above amendments the foundation society shall:

(a) Deposit with the University in every academic year commencing from the Year 2000-2001 an amount equal to one fifth of the value of the Endowment Fund necessary till the Endowment fund as required in clause (i) above is deposited in full.

(b) Where the college does not have its own building considered satisfactory for its purposes by the University, contributes towards the Building Fund in accordance with clause (ii) above.

(iv) The deposit for creating the Endowment Fund or the Contribution towards the building Fund shall not be made from the receipts of the college in the form of fees from students or grants received by the college or from the staff of the college.

(4) (i) The income from the Endowment Fund shall be made available to the college for its use.

(ii) When the salary due to the teachers is not paid for three months, the University may permit the use of the Endowment Fund and require the Foundation Society to deposit back the amount drawn therefrom.

(iii) In the event of the closure of the college or in the event of the college being taken over by the Government the caution money and the salary due to the employee (including teachers) of the college shall be the first charge on the Endowment Fund.

(iv) On a request from the Governing Body, the amount in the Building Fund will be released to the Governing Body for the construction of the college building or purchase of a building for the college.

(5) The Foundation Society shall carry out all lawful directions of the University and shall maintain and run the college in accordance with M.P. Vishwavidyalaya Adhiniyam and the Statutes, Ordinances and Regulations made thereunder.

(6) (i) If the Executive Council, after giving reasonable opportunity to the Foundation Society to state its case, is satisfied that the Foundation Society has failed to meet all or any of its obligations as laid down in the code, it may (take any of the following actions)

* Vide amendment approved by the co-ordination Committee at its meeting Dated 20th Dec. 2000.

(a) Withdrawal of the right to have its appointees other than the chairman of the Governing Body on the Governing body of the college.

(b) Withdrawal of the powers vested in the Foundation Society by this statute.

(c) Withdrawal of the affiliation of the college.

(ii) Where any action is taken by the Executive Council under the foregoing clause, the Foundation Society may appeal to the M.P. Uchcha Shiksha Anudan Ayog against the decision of the Executive Council. The decision of the Ayog in the matter shall be final.

(7) The Foundation Society shall have the following powers, namely:

(a) to appoint the first Principal and other member of the teaching staff of the college in accordance with the provisions of this Code till the governing Body is constituted or till the expiry of the period of ninety days from the date on which the college is first admitted to the privileges of the University whichever is earlier.

(b) to sanction on the recommendation of the Governing Body the opening of a new department of studies or the creation of new teaching posts as involve additional financial obligation on the Foundation Society.

Provided that where the Foundation Society does not take a decision on the proposal made by the Governing body within period of sixty days from the date on which the Governing Body submits its proposal the Foundation Society shall be deemed to have concurred in the proposal.

(e) to appoint the Auditors of the college from out of a panel of names approved by the Registrar of Firms and Societies.

(f) to call for information regarding the functioning of the college from the Governing Body and to suggest to the Governing Body measures for the improvement and development of the college.

Provided that the foundation Society shall not interfere with the day to day administration of the colleges.

(2) In case of any difference of opinion between the Foundation Society and the Governing Body, any of them may refer the matter to the Executive Council whose decision shall be binding.

5. In case the college is maintained and run by an individual the obligations and powers of the Foundation Society shall vest in such individual.

PART III - Governing Body:

6. (1) there shall be a Governing Body for the management of the college, it shall consist of:

(a) The Chairman of the Governing Body appointed by the Foundation Society from amongst its member or by the individual maintaining the college.

(b) Two persons appointed by the Foundation Society from amongst its members or by the individual maintaining the college.

(c) Two representatives of the University other than members of the Foundation Society of the college, nominated by the Executive Council atleast one of whom shall be form amongst the teachers of the University as for as possible working in institutions not located in the same town as the college.

(d) One representative of the donors of the college to be elected by the donor.

(e) One nominee of the Government of Madhya Pradesh.

(f) Two representatives elected by the teachers of the college who have completed two years of service other than the Principal, from amongst themselves in such manner as may be prescribed by the College Council.

Provided that the restriction regarding two years of service shall not apply for the first three years of the existence of a college.

(g) The principal of the college-Ex Officio Member Secretary.

Provided that the following shall not be eligible to be a member of the Governing Body under clauses (a) to (e) above.

(i) a person who is related to any member of the staff of the college except a part-time teacher who is paid an honorarium, or who works on an honorary basis.

(ii) a person having pecuniary interest in the affairs of the college and

(iii) an employee of the college.

(2) (i) The chairman and member of Governing Body other than Ex-Officio member shall hold office for a period of two years.

Provided that the Chairman and members appointed by the Foundation Society before the super session of its Governing Body under the M.P. Society Registrikaran Adhiniyam 1973 shall cease to hold office on the super session of the Governing Body of the Society and their places shall be filled by the appointees of the person\persons appointed by the State Government to manage the affairs of the Society.

(ii) The Ex-officio member shall forthwith cease to the member of the Governing Body if he ceases to hold the office by virtue of which he has become a member.

(iii) An Office-bearer or member of the Governing Body may resign from the Governing Body through a letter of resignation addressed to the Secretary of the governing Body and the resignation shall take effect as soon as the letter is received by the secretary. The Secretary of the Governing body shall take steps to fill all vacancies as soon as they occur.

(iv) When a vacancy occurs in the office of a member other than an Ex-officio member, before the expiry of his term, the vacancy shall be filled, as soon as may be, by the election, nomination or appointment, as the case may be of a member who shall hold office so long only as the member in whose place he has been elected, nominated or appointed, would have held it if the vacancy had not occurred.

(v) Every change in the office-bearers or membership of the Governing Body of a college shall be reported immediately to the University by the Secretary.

7. (1) The Governing Body shall meet at least thrice a year. Five members of the Governing Body shall form a quorum. No. quorum shall be necessary for an adjourned meeting. If the quorum is not present within thirty minutes of the time given in the notice no meeting shall be held.

(2) Meeting of the Governing Body shall be convened by the Secretary in consultation with the Chairman. In case the Secretary does not call a meeting when directed by the Chairman to do so; the Chairman may call the meeting.

(3) (a) The Secretary shall give at least ten days notice of an ordinary meeting of the governing Body.

(b) An emergent meeting of the Governing Body can be convened on three clear days notice.

(c) On a requisition signed by not less than four members specifying the business to be transacted, a special meeting of the governing Body shall be convened within twenty days of the receipt of such requisition. At least ten days notice of a special meeting shall be given.

(d) The agenda of every meeting shall be sent with the notice to the members. Proposals from any member received by the Secretary before the issue of notice shall be included in the agenda. The agenda of a special meeting shall include only the business indicated in the requisition.

(e) No business other than that included in the agenda shall be transacted at a meeting except with the consent of the Chairman and unless permission is given to introduce it by the majority of the members present.

(4) The Chairman shall, when present, preside at meeting of the Governing body. In the absence of the Chairman from any meeting the members present shall elect one of the members other than a teacher to preside at the meeting. Except as provided otherwise all acts of the Governing Body and all questions coming or arising at its meeting shall be done and decided by the majority of such members thereof as are present and vote at the meeting.

(5) The minutes of every meeting of the Governing Body shall be drawn up by the Secretary and after approval by the Chairman circulated among the members within fifteen days of the meeting.

(6) It shall be the duty of the representatives of the University on the Governing Body to report to the Kulpati decisions affecting adversely the smooth working of the college and violation, if any, of the Statutes, Ordinances, Regulations or instructions of the University.

(7) No act of proceeding of the Governing Body shall be invalid merely by reason of any vacancy in its membership or any defect or irregularity in the appointment, nomination or election of a member:

8. (1) the governing Body shall be responsible for the general administration of the college including:

(a) Management and regulation of the finances, accounts investments, property and other assets of the college.

Provided that no property of the college shall be disposed of without the approval of the Foundation Society and the Foundation Society on its part shall not withdraw or dispose of any property or asset used by the college or managed by the governing Body without the consent of the Governing Body.

(b) Adoption with or without modification of the budget submitted by the Principal of the college after considering the observations, if any, of the Foundation Society.

(c) The institution and abolition of new department of Studies or new teaching and non-teaching posts in the college.

Provided that if the institution of a new department or a new teaching post involves additional, financial obligation on the Foundation Society, exercise of this power shall be subject to the provisions of paragraph 4 of the Code.

Provided also that no teaching Department or teaching post shall be abolished without the prior approval of the Executive Council.

(d) Appointment, promotion, suspension and punishment of the teachers of the college and any other action affecting their services.

Provided that the services of a teacher other than one appointed in a leave vacancy or temporarily for a specified period shall not be terminated, for any reason whatsoever, without the prior approval of the Executive Council.

Provided also that such approval shall not be necessary in case of discharge of a teacher (who is appointed on probation) during or on the expiry of the period of such probation on the ground that his work during such period was not satisfactory.

Provided further that the power of appointment shall be subject to the provision of clauses (a) of subparagraph (1) of paragraph 4.

(e) Maintenance of the College upto the academic standard required by the University and compliance by the college of the MP. Vishwavidyalaya Adhiniyam, Statutes, Ordinances, Regulations and Directions issued by the University from time to time.

(2) In the matter of the management of the college the governing Body shall be the final authority bound by Statutes, Ordinances, Regulations and directions of the University and such rules as are framed by the governing Body and which are not inconsistent with the Adhiniyam, the Statutes, Ordinances and Regulations of University.

9. The Governing Body shall submit to the Foundation Society:

(i) Not later than the 31st July of each year a Statement of Annual Accounts of the college for the financial year immediately preceding together with the audit report by an auditor appointed by the Foundation Society and an annual report on the work and progress of the college for the academic year ending 30th June immediately preceding.

(ii) Not later than 31st September each year the budget estimates of the college for the following financial year.

(iii) Proposals for such items of new expenditure exceeding Rs. 10,000/- in the case non-recurring expenditure and exceeding Rs. 4,000/- in the case of recurring expenditure which involve additional financial obligation on the Foundation Society.

10. The Governing Body may make consistent with the provisions of the Adhiniyam, Statutes, Ordinances, with regard to:

- (a) The procedure to be observed at its meetings.

Provided that no decision affecting service conditions of teachers shall be taken at a meeting of the Governing body in which at least one teacher representative and one University representative are not present.

- (b) The management of the college; and
- (c) The manner in which its decisions shall be given effect to.

11. The Governing body shall exercise all powers not otherwise provided for in this code and not inconsistent with the provisions of the Adhiniyam, Statutes and Ordinances.

12. The T.A. And D.A. Of a nominee of the University or the State Government attending a meeting of the Governing body shall be paid by the college at the rates admissible to a member of the authorities of the University under the rules made by the University.

13. (1) The Governing Body shall be constituted in accordance with provisions of this Statute within a period of ninety days from the date of admission of the college to the privileges of the University.

(2) The Governing Body in existence on the date immediately preceding the date of enforcement of this Statute shall continue to function till the new Governing Body is constituted in accordance with the provisions of the Statute such period shall not extend beyond a period of ninety days from the date of enforcement of this Statute.

Provided that if, for any reason, the governing Body is not constituted in accordance with the provisions of this Statute within the afore period, the Executive Council may extend the period by a further period not exceeding sixty days.

PART IV - The College Council:

14. (1) there shall be for each college, a College Council consisting of the Principal and all teachers of the college. The Principal and the Vice-Principal, if any, of the college shall respectively be the ex-officio President and Vice-President of the Council.

(2) The Secretary shall be elected by the Council from amongst its members. He shall hold office for one year, but for not more than two consecutive terms. He shall convene meetings of the College Council under the direction of the Principal.

(3) The Council shall meet at least thrice during the academic year. It shall perform the following duties namely:

- (a) to discuss the progress of studies in the college;
- (b) to bring to the notice of the Governing Body the needs of the students and teachers;
- (c) to make recommendations to the Principal or the Governing Body for improvement of the academic efficiency of the college ;
- (d) to advise the Principal on such matters relating to the internal management of the college and discipline of its students as may be referred to it from time to time;
- (e) to advise and assist the Principal in the preparation of the time table, allocation of teaching work and for the organization, of the extra-curricular activities of the college;

(f) to consider and to bring to the notice of the Governing Body matters affecting the interests, rights and privileges of the teachers as a class.

PART V - The Powers and Duties of the Principal:

15. (1) The Principal shall be the Chief Executive Officer and the academic head of the college and he shall participate in the teaching work of the college.

(2) Subject to the general control of the Governing Body the Principal shall be responsible for:

(a) The administration of the college generally as an institution admitted to the privileges of the University.

(b) The management of the college library and hostels;

(c) Maintenance of the accounts, receipts and expenditure of the college;

(d) Correspondence of the college and custody of the records of the college;

(e) Administration of the amalgamated fund;

(f) Execution of the decisions of the Governing Body.

(3) The Principal shall have the following powers namely:

(a) To admit students to the college;

(b) To assign duties in respect of teaching, administrative work and extra-curricular activities to the teaching and other staff of the college and see to the proper performance thereof;

(c) To appoint, promote, grant leave, suspend and take disciplinary action against the class III and class IV employees of the college;

Provided that where disciplinary action is taken by the Principal, an appeal shall lie with the governing Body.

(d) To maintain discipline in the college;

Provided that disciplinary action taken by the Principal against any student shall be final and shall not be liable to be revised by any other authority except where such revision is permitted by the Statutes and Ordinances of the University.

Provided also that in the case of rustication of a student from the college, the college council may review the decision of the Principal;

(e) To exercise all such other powers as may be conferred on him by the Statutes, ordinances and Regulations.

PART VI - The Teachers of the College:

16. (1) No appointment to any teaching post in the college, including the post of the Principal but excluding part-time appointments, temporary appointments which are not to continue for more than six months and appointments to posts which are to be filled by promotion, shall be made except;

(a) After duly and widely advertising the post together with the minimum qualifications therefor and the emolument of the post and allowing reasonable time within which the applicants may, in response to the advertisements, submit their applications.

(b) On the recommendation of the Selection Committee constituted in accordance with the provisions of paragraph 17 below.

(2) No appointment to the post of Principal shall be made except with the prior approval of the Executive Council.

(3) Notwithstanding any thing provided in Statute No. 22 no person shall be appointed to any teaching post including that of the Principal unless he/she possesses the following minimum qualifications;

A. LECTURERS

For Lecturer in various subjects the candidate should possess the minimum qualifications prescribed by the U.G. C. From time to time.

Note: The above rule will be subject to modifications from time to time by the Executive Council in keeping with the orders issued by the Government under the Madhya Pradesh Ashaskiya Shikshan Sanstha (Adhyapakon Tatha Anya Karmachariyon Ke Vetano ke Sanday) Adhiniyam, 1978.

(Approved by the Co-ordination Committee on 8-11-1985 and effective from 1-5-1985)

A. COLLEGE PROFESSORS:

(a) A Doctor's degree or published work of an equivalent high standard; and

(b) (i) A 2nd class Master's degree in the concerned subject with at least 50% marks (B in the seven point scale) or an equivalent degree of a foreign University and;

Note : (While taking into account the marks/grade obtained in internal assessment, if any, shall be excluded).

(ii) At least 50% marks at the Bachelor's degree examination on the basis of which division is awarded at the degree level by the University, and

(iii) At least 50% marks at the higher Secondary/Intermediate Pre-University examination, as the case may be and

(c) (i) The experience of teaching of post-graduate classes shall be at least 5 years and

(ii) At least three years experience of guiding research;

Provided that if the Selection Committee is of the view that the research work of a candidate as evident either from his thesis or from his published research work is of very high standard, it may relax any of the qualifications prescribed in (b) above.

Note: The requirement regarding minimum percentage of marks shall be relaxed upto 3% in case of Scheduled Castes/Scheduled Tribes candidates.

(4) Every change in the teaching staff of the college shall be immediately reported to the University by the Principal.

17. (1) For every non-government Educational Institution for higher Educational there shall be Selection Committee Consisting of :

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| (i) | In the case of teaching post: | |
| (a) | Kulpati or his nominee | Chairman |
| (b) | One nominee of the management from amongst its Members who are not teachers | Member |
| (c) | One expert in the subject concerned nominated by the Kulpati | Member |
| (d) | One expert in the subject concerned nominated by | Member |

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|-------|---|------------------|
| | the M.P. Uchcha Shiksha Anudan Ayog | |
| (e) | Principal of the Institution | Member-Secretary |
| (ii) | in the case of principal : | |
| (a) | Kulpati or his nominee | Chairman |
| (b) | One nominee of the Management | Member |
| (c) | Coordinator /Dean/Director of College Development Council | Member |
| (d) | One nominee of the M.P. Uchcha Shiksha Anudan Ayog | Member |
| (iii) | in the case non-teaching post : | |
| (a) | Kulpati or his nominee | Chairman |
| (b) | One nominee of the Management | Member |
| (c) | One nominee of the M. P. Uchcha Shiksha Anudan Ayog | Member |
| (d) | Principal of the Institution | Member-Secretary |

“Provided further that where for selection to any of the posts mentioned above the nominee of the management is himself an Hon’ble Minister of the State Govt. And if he is present in the meeting of the Selection Committee then in place of Kulpati’s nominee the concerned minister will provide over the meeting of the selection committee. The nominee of the Kulpati in such a case can attend the meeting of the Selection Committee as member of the Selection Committee.”

(2) In the case of a Committee constituted under clause (i) sub-rule (1) no business shall be transacted at a meeting of such committee unless the Chairman, one expert and two other members be present thereat and in the case of the Committee constituted under clause (ii) or (iii) of that sub-rule no business shall be transacted at a meeting of the Committee unless the Chairman and three members be present thereat.

(3) The Committee shall, having regard to the nature of duties of the post; select candidates by any one of the methods prescribed under the said rule and shall prepare a list of such candidates.

(4) The candidates shall be selected on the basis of merit and the panel as well as the order of the names in the panel recommended by the selection committee should have the full concurrence of at least one expert.

(5) The list prepared under sub-rule (3) shall contain the names of candidates five times the number of posts proposed to be filled up.

(6) The list prepared under sub-rule (3) shall be submitted to the Institution.

(7) Appointment to any post of a teacher or other employees shall be made in order of merit from the list prepared under sub-rule (3).

The above rules will be subject to modifications from time to time by Executive Council in keeping with the orders issued by the Government under the Madhya Pradesh Ashaskiya Sikshan Sanstha (Adhyapakon Tatha Anya karmachariyon Ke Vetano ke Sanday) Adhiniyam 1978.

(8) “If in an Institution the post of Principal is vacant and regular appointment to the post of Principal is not made within 6 months from the date of vacancy, then the State Govt. Shall have the power to nominate or to appoint a person to the post of Principal under intimation to the Governing Body”.

(2) The Majority of total membership of any Selection Committee shall form the quorum of such Committee. The Selection Committee shall interview, adjudge the merits of each candidate in accordance with the qualifications advertised and report to the appointing authority of he names arranged in order merit, of the person or persons, if any, whom it recommends for appointment to the post advertised.

Provided that in case of an appointment of a teacher other than the Principal, no recommendation made by a Selection Committee shall be considered to be valid unless at least one of the experts in the subject is present in the meeting of the Selection Committee in which the recommendation is decided upon.

18. (1) No person shall be appointed to a full time and salaried teaching post in the College except on the recommendation of the Committee of Selection constituted in accordance with the provisions of this Statute.

Provided that if the appointment to a teaching post and expected to continue for more than six months and can not be delayed without detriment to the interests of the institution, Governing Body may make such appointment without obtaining recommendation of the Committee of Selection but the person so appointed shall not be retained on the same post for a period exceeding six months or appointed to another post in the service of the college except on the recommendation of the Committee of Selection.

(2) Appointments to part-time teaching post may be made by the Foundation society or the Governing body, as the case may be on the recommendation of the Principal from amongst persons who possess the minimum qualifications prescribed for a lecturer.

Provided that where a part-time Principal of a Law College is to be appointed, the appointee shall possess the minimum qualifications prescribed for a Principal and his appointment shall be made with the prior approval of the Executive Council.

19. The appointment of every teacher made prior to the coming into force of this Statute in accordance with the statutes and Ordinances in force at the time the appointment was made shall be deemed to be validly made.

20. (1) (i) The Principal and the other members of the teaching staff except those appointed in leave vacancies, on part-time basis or on temporary basis shall be appointed initially on probation for one year. The period of probation shall not be extended by more than one year so that the total period of probation does not exceed two years.

(ii) Where an appointment is made on temporary basis whether in a leave vacancy or otherwise, the reasons for such temporary appointment shall be communicated by the Principal to the University.

(2) Unless the work of the probationer is found to be unsatisfactory and he is informed by the Governing body at least one month before the expiry of the period of probation of its intention not to continue him in service, the probationer shall be deemed to have been confirmed in his appointment on the expiry of the period of probation.

(3) (i) Every teacher other than one appointed on part-time or temporary basis, shall be appointed on written contract in the form prescribed in the Appendix stating therein the post to which he is appointed, the initial salary and the scale of pay and other conditions of service. A copy of the contract shall be given to the teacher and a copy shall be lodged with the University.

(ii) It shall be the duty of Governing body to get such contract executed within a period of one month from the date on which the appointee join the post.

Provided that the Governing body shall get the contract executed:

(a) Within a period of one month from the date on which the Governing Body starts functioning in case of appointments made by the Foundation Society;

(b) Within a period of two months from the date on which this Statute comes into force in the case of all appointments made prior to such date.

(iii) In case of any conflict between the contract in the form prescribed in the Appendix and any other contract between a teacher and the college or its Governing body, the terms and conditions laid down in the contract as in the Appendix shall be deemed to apply.

21. The posts of Professors shall ordinarily be filled by promotion from amongst the qualified teachers in the college on the basis of seniority-cum-merit.

Provided when no teacher of the college in the immediately lower cadre from which promotion is to be made possesses the requisite qualifications, the post of Professor may be filled by direct recruitment on the recommendation of the Selection Committee.

22. (i) The Scales of pay for different categories of teachers in the college including the Principal shall be such as are prescribed from time to time by the State Government for similar categories in Government colleges.

(ii) A part-time Principal shall be paid an honorarium of Rs. 400/- per month and every part-time teacher other than the Principal shall be paid an honorarium of Rs 300/- per month if he delivers 12 lectures per week and Rs. 200/- if he delivers at least 8 lectures per week.

(iii) Salary of every teacher shall be paid by cheque drawn in his favour latest by the 5th of the month following the month to which the salary relates.

(iv) The Governing Body or the Foundation Society shall not require or accept any donation or loan from the employees including the teachers of the college.

(v) Every teacher other than a part-time teacher shall be entitled to annual increment in the prescribed pay-scale on the due date as a matter of course unless it is withheld after due enquiry.

23. In calculating the period of service of a teacher of the college for any purpose, including the application of time scale, service shall be counted from the date of the first appointment, if there be no break of service during the period preceding the substantive appointment. Short breaks of service not exceeding 7 days shall be condoned. The period of college vacation shall be counted as period spent on duty.

24. A temporary teacher who has been in the service of a college for a full academic year shall be entitled to full pay for the ensuing vacation. If such teacher is in the service of a college for less than a full academic year but for more than three months he shall be entitled to salary for the ensuing vacation in the same proportion as the period of his service bears to the total period in the academic year, provided that such teacher shall not be entitled to any pay for the summer vacation where such teacher is officiating in place of another teacher on leave entitled to draw pay for the said vacation.

25. (1) every teacher including the Principal shall at all times maintain absolute integrity and devotion to duty and shall do nothing which is unbecoming of a teacher.

(2) No member of the teaching staff except a part-time teacher of a college shall apply for any post under any other authority except through the Principal and in the case of the principal through the Chairman of the Governing Body.

(3) A teacher, other than a part-time teacher, shall be a whole-time employee of the college and shall not without the previous approval of the Governing Body, engage himself in private tuition or in any trade or business or take up any occupation or work (other than as an examiner or author of books) which is likely to interfere with the duties of his appointment.

(4) No teacher shall, except with the prior written sanction of the governing body, participate in the editing or management of any newspaper or periodical other than learned journals.

Provided that Part-time teachers of Journalism shall be exempted from the operation of this sub-paragraph.

(5) (a) A teacher shall obey all lawful directions of the Principal and the Governing Body of the College. He shall, in addition to the ordinary duties as a teacher perform such other duties as may be entrusted to him by the Principal in connection with the co-curricular and extra-curricular activities in the college or duties in connection with examination, administration and the keeping of discipline in the college.

(b) No teacher shall be required to teach for more than twenty four periods (including those for tutorial week) in a week.

Provided that no part-time teacher shall be required to teach for more than twelve periods in a week.

(6) (i) No teacher shall act in a manner prejudicial to the interests of the college or associate himself with any activity, which, in the opinion of the Governing Body might affect adversely the interests of the college.

(ii) No teacher shall be a member of or be otherwise associated with any political party or any organization which takes part in politics nor shall he take part in aid of or assist in any other manner any political movement or activity nor shall he canvass or otherwise interfere in or use his influence in connection with or take part in any election to any legislature or local authority.

Provided that:

(a) an employee qualified to vote at such election may exercise, his right to vote but where he does so, he shall not give any indication of the manner in which he proposes to vote or has voted;

(b) The employee shall not be deemed to have contravened the provisions of this paragraph by reason only that he assists in the conduct of an election in the due performance of duty imposed on him by or under any law for the time being in force.

(7) All teachers shall be governed by the rules of conduct if any, framed by the Governing body in conformity with the Adhiniyam, the Statutes, Ordinances, and Regulations of the University.

(8) Any infringement of the provisions of the college Code shall be regarded as subversive of good discipline and would amount to misconduct and may well justify the initiation of disciplinary action against such teacher.

26. A permanent teacher shall be entitled to be in the service of the college until he completes the age of sixty.

Provided that where the date of retirement of a teacher falls due during the course of the academic session the Governing body shall allow the teacher to continue till the end of the academic year.

27. A teacher in temporary service cannot discontinue his service in the college without giving one month's notice or one month's salary in lieu thereof. The governing Body shall similarly give calendar one month's notice or one month's salary in lieu thereof to temporary employee when terminating his service.

Provided that no notice shall be necessary where the service of a temporary teacher is discontinued or terminated at the end of the fixed term for which he is appointed.

28. The service of a teacher who is appointed on probation can be terminated during or at the end of the period of probation if his work is not found to be satisfactory by communicating to the teacher the intention of the Governing Body not to continue him and giving him one calendar month's notice in writing or by paying his one month's salary in lieu of the notice. Such notice shall not include the summer vacation or any part thereof and the teacher if he has been in service for more than three months during the academic session shall be entitled to salary for the ensuing summer vacation in the same proportion as the period of service bears to the total period

in the academic session. The teacher may, likewise terminate his appointment before the expiry of the period of probation by giving one calendar month's notice in writing to the Governing Body or paying a sum equal to one month's salary in lieu of the notice.

29. (1) The service of a teacher (other than one appointed on temporary or part-time basis or on probation) shall not be terminated after confirmation except on the following grounds and without the approval of the Executive Council:

- (i) Misconduct including will full neglect of duty.
- (ii) Breach of the terms of the contract.
- (iii) Physical or mental unfitness.
- (iv) Incompetence provided that the plea of incompetence shall not be used against a teacher after two years of his confirmation.
- (v) Abolition of the post with the prior approval of the Executive Council.

Provided that termination of service on any ground following under (i) or (IV) above shall not be ordered without holding an inquiry in which the teacher is given a statement of charges against him and is afforded reasonable opportunity to defend himself.

Provided also that action to terminate the service of a teacher on the ground of physical or mental unfitness shall not be taken except on the basis of a report of a medical Board to be appointed by the Governing Body.

(2) Except where the services of a teacher are terminated on the ground of misconduct including neglect of duty or breach of the terms of the contract neither the Governing Body nor the teacher shall terminate the agreement except by giving to the other party three calendar month's notice or by paying to the other party a sum equal to thrice the monthly salary which the teacher concerned is then earning. The period of notice shall not include the summer vacation or any part thereof.

PART VI - Suspension, penalties and Disciplinary Authority:

30. (1) The appointing authority may by an order place an employee, including a teacher of the college under suspension:

- (a) Where a disciplinary proceeding against him is contemplated or is pending:

OR

- (b) Where a case against him in respect of any criminal offence involving moral turpitude is under investigation, inquiry or trial.

Note: In case of teachers the Governing Body and in case of other employees the Principal shall be deemed to be the appointing authority.

(2) An employee of the college shall be deemed to have been placed under suspension by an order of the appointing authority:

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

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

(3) An order of suspension made or deemed to have been made shall continue to remain in force until it is modified or revoked by the appointing authority, but in cases other than criminal proceedings it shall not operate for more than six months.

(4) During the period of suspension, the employee shall be allowed subsistence allowance equal to fifty percent of the emolument last drawn by him.

(5) If the employee is exonerated from the charge or charges are subsequently withdrawn he shall be reinstated in his post and shall be paid full salary for the period of his suspension after deducting the subsistence allowance already paid to him.

31. (1) The appointing authority may, for good and sufficient reasons, impose on an employee of the College (including a teacher) the following penalties.

- (a) Censure;
- (b) Recovery from his pay of the whole or part of any pecuniary loss caused by him to the college by negligence or breach of orders;
- (c) With-holding of increments of pay;
- (d) Reduction to lower time scale of pay, grade or post;
- (e) Compulsory retirement;
- (f) Removal from service;
- (g) Dismissal from service which shall ordinarily be a disqualification for future employment in the college.

Besides the above, the penalty of fine not exceeding Rupees Five may be imposed on a Class IV employee of the college for petty carelessness, unpunctuality, idleness or similar misconduct of a minor nature.

(2) The appointing authority may institute disciplinary proceedings against an employee of the college.

(3) No order imposing any of the penalties specified in sub-paragraph (1) above than fine shall be made except in accordance with the procedure for imposing penalties on Government servant prescribed by the Madhya Pradesh Government and in force at the time the appointing authority orders an inquiry against the college employee concerned.

Provided that no proposal to reduce in rank or pay a teacher confirmed in the Service of the College or to remove or dismiss him from Service or to retire him compulsorily shall be deemed to have been passed by the Governing Body unless it is supported by a majority of two-thirds of the members present at the meeting of the Governing Body in which it comes up for consideration and where a decision is duly taken it shall not be given effect to unless it is approved by the Executive Council.

(4) The following lapses would constitute misconduct on the part of teacher of the College, including the Principal:

- (i) Failure to perform his academic duties such as lectures, demonstrations assessment, guidance, invigilation, etc.
- (ii) Gross partiality in assessment of students, deliberately over-making/under-marking or attempts at victimization on any grounds.
- (iii) Inciting students against other students, colleagues or administration. This does not interfere with the right of a teacher to express his difference on principles in seminars or other places where students are present.

(iv) Raising questions of caste, creed, religion, race or sex in his relationships with his colleagues and trying to use the above considerations for improvement of his prospects.

(v) Refusal to carry out the decision by the appropriate officers/bodies of the University and / or the Governing Body/Principal of the College. This will not inhibit his right to express his differences with their policies or decision.

32. (1) where any penalty is imposed on an employee of the college by the Principal, the employee concerned may prefer an appeal to the governing Body of the college within thirty days from the date on which a copy of the order appealed against is delivered to the appellant.

(2) Where an penalty other than reduction in rank or pay or removal or dismissal or compulsory retirement from service is imposed on a teacher, he may prefer an appeal to the Executive Council within thirty days from the date on which a copy of the order appealed against is delivered to the appellant.

(3) (i) An appeal against an order of the Governing Body imposing on a teacher the penalty of reduction in rank or pay or removal or dismissal or compulsory retirement from service shall lie to a Tribunal consisting of :

(a) A nominee of the Kulpati, other than a member of the Executive Council who will act as the Chairman.

(b) The aggrieved teacher's nominee to be named by the appellant in his appeal and

(c) A nominee of the Governing Body;

“Provided that in case a person in (c) above is not nominated by the body concerned within three months, the Kuladhipati shall have the powers to appoint on behalf of the body concerned, a nominee not connected with the University in any manner”.

Provided that an appeal under this sub-paragraph shall be submitted to the Kulpati not later than forty five days from the date on which a copy of the order appealed against is delivered to the appellant.

(4) The appeal shall except where provided otherwise, be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against. It shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language and shall be complete in it.

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

(6) (i) The appellate authority may confirm, enhance, reduce or set aside the penalty or remit the case to the authority which imposed the penalty with such directions as it may deem fit in the circumstances of the case.

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

PART VII - Provident fund and Leave :

33. (1) The Governing Body shall maintain a Provident Fund for the benefit of its employees.

(2) Every whole time teacher and employee of the college other than one whose services have been lent to the college by Government or another institution, permanently appointed to a substantive post shall, as a condition of his service become a depositor of the provident Fund in the College.

Note: A teacher/employee of the college who has held a temporary/probationary appointment followed immediately without break of service by a permanent appointment to a substantive post shall in respect of such temporary / probationary appointment be deemed to have held a permanent appointment for the purpose of the Provident Fund rule, provided that subscription to the Fund shall be optional for the teacher/employee for the period of his temporary/probationary appointment.

(3) The contribution of each depositor to the fund shall be eight percent of the salary of the depositor, such contribution shall be deducted monthly from the salary of the depositor and the amount so deducted together with an equal amount to be contributed by the college shall be deposited in the Saving Bank of any Post Office or Scheduled Commercial Bank in a Separate Provident Fund Account in the joint name of the teacher/employee and the Principal of the college.

Provided that in the case of the account of the Principal, it shall be in the joint name of the Principal and the Chairman of the governing body.

Provided also that the depositor may raise, at his option, his contribution to the Provident Fund to any amount not exceeding fifteen percent of his monthly salary. Even when the contribution is so raised, the contribution of the college shall be eight percent of the salary of the depositor.

(4) (i) An employee on leave on full average pay shall continue to subscribe to the Provident Fund during the period of such leave.

(ii) A teacher/employee under suspension shall not contribute to the Provident Fund during the period of suspension nor shall the contribution of college be due in this case.

(5) The Governing Body may, under such conditions as may be laid down by it, permit the payment of life assurance policy or policies on the life of the depositor out of his personal contribution to the Provident Fund. The amount to be deposited in the Saving Bank Account of the depositor shall be reduced to the extent of such premia. In all such cases, the life Insurance Policy for which the premia are so paid shall be assigned in favour of the college.

On retirement of the depositor from the service of the College Policy shall be reassigned to him by the college. In case of maturity of the policy during the service of the depositor in the college, the full amount of the policy shall be credited to the Provident Fund account of the depositor. In the event of the death of the depositor during his service in the college the full amount of the policy shall be paid to the legal successor of the deceased to the Provident Fund.

(6) When a depositor's service in the college comes to an end by his retirement, resignation or otherwise he shall be entitled to receive the entire amount standing to his credit in the Provident Fund.

Provided that a depositor whose service have been dispensed with for what in the opinion of the Governing body is gross misconduct or who has been in the service of the college for a continuous period of less than two years from the date from which he was allowed to subscribe to the provident Fund shall not be entitled to any part of the contribution made by the college or to the interest accrued thereon.

Provided also that in the event of the death of depositor during his service in the college,, the entire amount standing to his credit shall be paid to the legal successor of the deceased.

Note: The provisions of the first proviso shall not be invoked in the case of an employee who is prevented from rendering the minimum two years service by reason of death, disability which in the opinion of the Governing Body prevents him from rendering further service or any scheme of retrenchment affecting such employee.

(7) The Governing Body shall frame rules for temporary advances from the Provident Fund, which shall, inter alia include the following as the legitimate objects for such advance.

(i) To meet expenses in connection with the prolonged illness of the subscriber or any person actually dependent on him;

(ii) To pay for overseas passage for reason of health or education of the subscriber or any person actually dependent on him;

(iii) For meeting obligatory expenses, on a scale appropriate to the applicant's status, in connection with marriages, funerals and religious ceremonies;

(iv) To purchase land or building for his residence or for the construction of a residential house.

34. (i) The employees including the teachers of the college shall be entitled to leave in accordance with the leave rules of the Government of Madhya Pradesh in force and as applicable to Government Servants in vacation and non-vacation departments. All posts of teachers other than the Principal shall be vacation posts.

(ii) In case of teachers leave other than casual leave shall be sanctioned by the Governing Body. Casual leave in case of the Principal shall be sanctioned by the Chairman of the Governing Body and in case of other teachers by the principal.

PART VIII - Miscellaneous:

35. (1) The College shall have its own Fund and all receipts of the college such as fees, donations, grants, interest on investments and Endowment Fund and borrowing shall be credited to the Fund.

(2) All moneys belonging to the Fund shall be deposited in such Bank or invested in such manner as the Governing Body may decide.

(3) All expenditure, as may be sanctioned by the Governing Body, for the Purpose of the College, shall be met from the Fund.

(4) The fund of the college shall not be used for meeting any expenditure of or giving any loan to the Foundation society or any other Institution run by the Foundation Society.

36. (1) In addition to such registers and records as the Governing Body may require to be maintained, every college shall maintain such registers and records as may be prescribed by the Executive Council.

(2) Accounts, registers, proceedings of meetings and other records of the college shall be open to inspection, on all working days during office hours, by members of the Governing body and persons appointed by the Executive Council to conduct any inspection.

37. No person connected with the management of the college and no Principal or, other teacher or other employee thereof shall directly or indirectly take or receive or cause to be taken or received any contribution, donation, fees or any payment of any sort either in cash or in kind, other than or in excess of the fees prescribed by

the University, from or on behalf of any pupil as a condition for granting him admission to the college or pursuing a course of study therein and all such amounts paid by the students shall form part of the receipts of the college.

38. Any dispute arising out of the contract of service between the Governing Body of the College and any of its teachers shall at the request of the teacher or the Governing Body be referred by the Kulpati to a tribunal consisting of one nominee of the Kulpati other than a member of the Executive Council who shall be the Chairman and one nominee each of the teacher and the Governing Body and the decision of the tribunal shall be final.

39. notwithstanding the provisions of this Statute a Non-Government College of Engineering/Technology or a Regional College of Education may be administered by the Executive Body of the institution (by whatever name called) constituted in accordance with the by-laws/regulations of the institution;

Provided that:

(i) The Executive Body of the institution shall have amongst its members two representative elected from amongst themselves by the teachers of the institution, other than the Principal who have completed at least two years service in the institution.

(ii) All appointments to teaching posts in the institution, not lower than that of a Lecturer and other than those which are to be filled by promotion, shall be made on the recommendation of a Selection committee which shall have amongst its members at least one expert in the subject concerned nominated by the Kulpati.

APPENDIX

FORM OF AGREEMENT OF SERVICE FOR TEACHERS

An Agreement made him.....day of.....19.....between Shri.....(here-in-after called the Teacher) of the first part, and the Governing Body of theCollege (here-in-after) called the (governing Body, through its Chairman/Secretary, of the Second part,

Whereas the Governing Body has appointed Shri.....as a member of the Teaching Staff of the.....College upon the term and conditions hereinafter set out and as provided in the College Code. Now this agreement witnesses that the party of the first part and the Governing Body hereby contract and agree as follows :

(1) That this agreement shall begin from the..... day of 19..... and shall be determinable as hereinafter provided.

(2) That the party of the first part is employed on probation for a period of one year and shall be paid a monthly salary of Rs.....in the Pay scale of Rs.....

The period of probation may be extended by such further period as the party of second part may deem fit; but the total period of probation shall, in no case, exceed two years. The teacher shall be deemed to have been confirmed in his appointment unless not later than one month before the expiration thereof, the Governing Body informs him in writing of its intention not to continue him.

(3) That on confirmation the Governing body shall pay to the teacher during the continuance of this engagement salary in the pay scale of Rs.....and no increment shall be withheld without the approval of the Governing Body.

(4) The Teacher shall during the continuance of his engagement be entitled to the benefit of the Provident Fund maintained by the Governing Body in accordance with the provisions laid down in the College Code.

(5) That the date of birth of the party of the first part is..... and the age of superannuation will be sixty years, the actual date of retiring shall be the last day of the academic year in which he attains the age of sixty unless extension is granted as provided in part 26 of the College Code.

(6) That the Teacher shall be entitled to leave in accordance with the provisions of the College Code.

(7) That the Teacher shall devote his whole time to the service of the College, and shall not, without the permission of the Governing Body, engage directly or indirectly in private tuition or any trade or business or other remunerative work which may interfere with the proper discharge of his duties; but this prohibition shall not apply to such benefits as accrue to him as an Examiner or author of Books or due to his academic achievements.

(8) That the party of the first part shall, in addition to the ordinary duties, perform such other duties as may be assigned to him by the Principal of the College in connection with the Social intellectual or athletic activities of the college or examinations or administration or the keeping of discipline in the college.

(9) After confirmation, the services of the party of the first part can be terminated only on the following grounds:

- (a) Misconduct including willful neglect of duty;
- (b) Breach of any of the terms of contract;
- (c) Physical or mental unfitness;
- (d) Incompetence;

(e) Abolition of post.

Provided that:

(i) The plea of incompetence shall not be used against the party of the first part after he has served the party of the second part for two years or more after his confirmation.

(ii) The services of the party of the first part shall not be terminated under sub clause (c) without obtaining a certificate to that effect from a Medical Board to be appointed by the Governing Body.

(iii) The services of the party of the first part shall not be terminated on any account without the previous approval of the Executive Council.

(10) Except when termination of service has taken place under sub-clause (a) or (b) of clause 9 neither the party of the first part nor the party of the second part shall terminate this Agreement, except by giving to the other party three month's notice in writing or by paying to the other party a sum equal to three months salary, which the party of the first part is then earning. The period of notice referred to above does not include the summer vacation or any part thereof.

(11) Nothing in this agreement shall affect the right of the party of the first part to apply for referring any difference or dispute arising out of this agreement to the Tribunal constituted under paragraph 39 of the College Code?

(12) On the termination of this agreement from whatever clause, the teacher shall deliver up to the Governing Body All books, apparatus, records and such other articles belonging to the College or to the University as may be in his possession.

The Governing Body shall clear the account of the teacher in respect of arrears of salaries, if any, and other dues that may be payable to him from the college within three months of the termination of this Agreement.

Signature..... day of..... 19.....
1. (Party of the first Part)
2. (Party of the Second Part)
In the presence of
1. (Witness 1)
2. (Witness 2)

STATUTE NO. 29

APPOINTMENT OF EXAMINERS

[Refer Section 44]

1. In this Statute:

(i) “Internal Examiner” means.

(a) in case of a theory paper, an examiner including a paper setter who is a teacher in a University Teaching Department, School of Studies. Or College maintained by or affiliated to the University.

(b) in case of practical and viva-voce examination an examiner who is a teacher in the Institution whose candidates are being examined at the examination centre.

(ii) “External Examiner” means an examiner other than an internal examiner.

(iii) “Co-examiner” means an examiner in a written paper other than the paper-setter.

2. The office of the Registrar shall prepare for every subject an institution wise list of names of persons qualified for appointment as examiners. The list shall be in two parts, the first part containing the names of persons working as teachers in the University Teaching Departments, School of Studies or College maintained by or affiliated to the University and the second part containing names of persons other than teachers of the University qualified for appointment as examiners, whose names shall be obtained by the Registrar’s office from other Universities on its own initiative or under the direction of the Chairman of the Board of Studies concerned.

3. The list shall contain, as far as possible, information relating to the persons included therein on the following points, namely:

(a) The academic qualifications and teaching experience at degree and post graduate levels,

(b) The field of specialization,

(c) The examinations of the University and years in which they have acted as examiners in the past.

4. The list so prepared shall be made available to the Examination Committee concerned constituted under Section 44 of the Adhinyam together with the names of persons appointed as Examiners in the University during the two proceeding years. The Committee may add to the list the names and experience of persons qualified for appointment as examiners but not included therein.

5. The Registrar’s office shall also give the Examination Committee the approximate number of candidates expected to appear at each examination and the list of centers of each Practical/Viva-Voce examination together with the estimated number of candidates thereat.

6. The Examination committee shall, in the light of the provisions of the following paragraphs, recommend:

(i) a panel of three names for the appointment of the paper- setter of each written paper,

(ii) a list of names of persons for appointment as co-examiners where necessary, the number of names included in the list being atleast fifty percent in excess of the number to be appointed,

(iii) a list of names of persons for appointment as examiners in each Practical/Viva-Voce examination, the number of names included in the list being sufficient for the conduct of Practical/Viva-Voce examination at different centers.

7. The Kulpati shall appoint paper-setters, co-examiners, Practical/Viva-Voce examiners ordinarily from amongst persons recommended by the Examination Committee. He may, however, appoint a person whose name

is not included in the list of names recommended by the examination Committee if he is satisfied that the person in question possesses the minimum qualification and his appointment will not be contrary to the provisions of the following paragraphs.

8. The qualifications of the Paper-setters and Co-examiners shall be as follows, namely:

(A) Paper-setters: Qualification:

Examination:

(i) Post-Graduate Examination (i) Experience of teaching the subject at in all Faculties other than he post-graduate level for at least seven Law/M.B.A. years,

Or

Experience of teaching the subject at the post-graduate level for atleast five years together with research experience/total teaching experience at the degree and/or Post-graduate level for at least ten years.

(ii) LL.M. (ii) Master's degree or higher degree in Law and teaching experience at LL.M. Level for at least seven years.

Or

Experience as High court Judge.

Or

Standing of atleast fifteen year at the Bar.

For M.B.A. A person with three years experience of teaching the subject concerned at the Post-Graduate level.

(iii) Degree examinations in all (iii) Teaching the subject at Degree and/or Faculties other than Engg. post graduate level for atleast seven Technology, Law, years.

Medicine and Ayurveda
and Journalism and Mass
Communication forming
part of Arts Faculty.

(iv) Degree examination in (iv) Teaching experience at Degree / Post-faculties of Engineering graduate level and/or Professional and Technology and experience for atleast seven years.

Journalism and Mass
Communication forming
Part of Arts Faculty.

(v) Degree examination in the (v) Teaching experience in the subject at Faculty of Ayurveda. The degree and/or post-graduate level for atleast five years.

(vi) LL.B. (vi) Teaching experience of LL.B. and/or LL.M. classes for atleast seven years.

Or

Judicial experience as District Judge for atleast five years.

Or

Standing of atleast twelve years at the Bar.

(vii) Diploma examination in all (vii) Teaching experience of atleast three Faculties other than those years of Degree and five years of in the faculty of Medicine Diploma classes.

and Postgraduate Diploma
examination in Business
Administration.

Or

Ten Years professional experience.

- (viii) Diploma examination in (viii) A Doctor's or Master's Degree or a the Faculty of Medicine. Post-graduate Diploma of a recognized University or an equivalent qualification in the subject and atleast five years teaching experience in the subject in any University or college recognized by the Medical Council of India.
- (ix) Post-graduate Degree/Diploma Administration. (ix) Atleast seven years teaching experience at the degree level or atleast five years teaching experience of Post-graduate/Degree/Diploma classes in the subject Business
- (B) Co-examiners:

The qualifications shall be the same as for Paper setters but the minimum teaching/professional experience required shall be less by two years than that prescribed in case of the Paper-setter.

Provided that in case of degree examinations where sufficient number of internal co-examiners in a subject with the aforesaid qualifications is not available, teachers in the University Teaching Department/School of Studies and College in the University with atleast three years teaching experience at the degree/postgraduate level in the subject shall be eligible for appointment as Co-examiners.

9. (1) In case of Practical and Viva-Voce examinations at the post-graduate level, the external examiner shall be a person not below the rank of a Reader.

(2) In case of Practical and Viva-voce examinations at the first degree level the external examiner shall be a teacher of the subject with not less than three years experience of teaching the subject at the degree and/or post-graduate level.

(3) The internal examiner in case of Viva-Voce examination at the post-graduate level shall be the Head of the Department in the subject in the Institution whose regular candidates are to be examined at the Centre and where the Head of the Department is not available a teacher of the Institution recommended by the Head of the Institution shall be the internal examiner.

(4) The internal examiner in case of practical examination both at the degree and the post-graduate level shall be appointed from amongst the teachers of the Institution, whose regular candidates are to be examined at the Centre, on the recommendation of the Head of such Institution.

(5) The external examiner at the post-graduate level in case of a Practical/Viva-Voce examination shall not ordinarily be a teacher in a University Teaching Department/ School of Studies or college maintained by or affiliated to the University.

(6) Except in the Faculties of Medicine, Ayurveda, Engineering, Technology, Education and Physical Education all external examiners in case of practical examination at the first degree level shall as far as possible be appointed from amongst the teachers in any University Teaching Department, School of Studies or College maintained by or affiliated to the University.

10. (1) Ordinarily not more than 50 percent of the paper setters at the post-graduate examination and not more than 25 percent of the paper setters at the first degree examination in any subject shall be external. All external paper setters for the first degree examination and atleast 50 percent of the external paper setters at the postgraduate level shall ordinarily be from Madhya Pradesh.

(2) Where in any paper more than one examiner is appointed, the paper setter shall be the Head-examiner. Examiners other than the paper-setter shall be the Co-examiners.

(3) All Co-examiners shall be internal, provided that if sufficient number of qualified teachers in a subject is not available for appointment as Co-examiners, external Co-examiners may be appointed.

(4) For appointment as Paper-setters and Co-examiners teachers in the University Teaching Departments, Schools of Studies and College maintained by or affiliated to the University shall be ordinarily considered on the basis of seniority, subject to fulfillment of other conditions for such appointment.

11. (1) No one shall ordinarily be given more than one theory examiner ship (paper-setting or Co-examiner ship). In case the Examination Committee considers it necessary to recommend more than one examiner ship (one for the first degree examination and one for Post-graduate examination) in case of any person, it shall specify its reasons for doing so for the consideration of the Kulpati.

(2) Ordinarily not more than one paper-setter shall be appointed from any one University Teaching Department, School of Studies or College in the same subject at any one examination.

(3) No one who is paper-setter at any Post-graduate examination shall be appointed as an external Viva-Voce examiner at that examination.

(4) No one shall ordinarily be given more than two external practical examination ship, provided that in case of Centre where the total strength of candidates appearing at Part I, II and III of a first degree examination is less than 120, one external examiner may be appointed for all the three examinations.

(5) In case of under graduate practical examinations, one external examiner shall not ordinarily examine more than 120 candidates.

(6) In case of written examination, an examiner shall not ordinarily value more than 250 scripts and a Co-examiner shall be appointed if the number of candidates appearing in the paper is more than 300.

(7) While recommending names for examiner ship in faculties where English is not the sole medium of examination the Examination Committee shall ensure that the examiners recommended can value the scripts written in Hindi.

(8) The provisions of sub-paragraphs (1) and (2) above shall not apply in case of Examinations in the Faculties of Engineering, Technology, Education, Physical Education, Medicine and Ayurveda.

12. (1) Examiners shall be appointed for the examination of one year only, but they shall be eligible for re-appointment.

(2) Any person who has acted as an examiner (Paper setter, Co-examiner or external Viva-Voce examiner) for three consecutive years shall, ordinarily not be eligible for re-appointment until a period of one year elapses between the year in which he last acted as an examiner and the year in which he is re-appointed.

Provided that such a gap will not be necessary in case of internal examiners if the number of eligible examiners in the subject concerned is less than the number of internal examiners required.

Provided, also that on the recommendation of the Examination Committee a specialist or expert may be continued for two years more after the expiry of the three years period without a gap.

(3) An examiner may be discontinued any time even before the expiry of the three year period if his work is found unsatisfactory.

An examiner's work shall be deemed to be unsatisfactory if (i) mistake of such nature are found in his work in the course of checking and scrutiny which affect the result or (ii) he is found by the Executive Council to have delayed the work without good cause or (iii) there is an adverse report from the Head Examiner; or (iv) in the opinion of the executive council there are reasonable doubts about his integrity or suspicion that he is accessible to examinees or their relations and (v) if there are serious complaints against his paper e.g. That his paper was much above or below the standard or contained questions outside the prescribed course.

13. (1) in a paper for which there is only one examiner, he shall set the paper and value the answer-books received by him.

(2) In a paper for which more than one examiner has been appointed, the Head examiner shall:

- (i) Set the paper;
- (ii) Forward a memorandum of instructions for the guidance of the Co-examiners to secure conformity with his own standard in the valuation of the answer-books by his co-examiners.
- (iii) Forward to each Co-examiner at least five answer-books duly marked by him to serve as models;
- (iv) take care to see that the model answer-books shall, as far as possible, be representative of all grades of candidates, i.e. failure and third, second and first division;
- (v) Assign duties to the Deputy-Head Examiners, if there be any ;
- (vi) Value such number of answer-books as may be allotted to him;
- (vii) Examine the latest installments of answer-books received from the co-examiners in accordance with the succeeding sub-para and convey his approval of the marking or issue such instructions as may be necessary to secure uniform standard in valuation;
- (viii) Report to the Registrar on the work of the co-examiner and state whether he has observed the instructions received from the Head Examiner.

(3) A Deputy head Examiner shall act as a co-examiner in relation to the Head Examiner and perform the functions of the Head Examiner with respect to the co-examiners that may be allotted to him. He shall, however, forward a copy of the memorandum which he received from the Head Examiner to each of his co-examiners. Where the number of co-examiners is more than six, a Deputy Head Examiner shall be appointed.

(4) (i) The Head examiner shall, as soon as he receives answer books may forward to his co-examiners a memorandum of instructions and within three days from the date on which he receives scripts forward to each co-examiner model scripts as provided for in clause (iii) of sub-para (2) above.

(ii) A Co-examiner shall, on receipt of the memorandum of instructions start valuation of the answer-books allotted to him. He shall within two days from the day of the receipts of model answer-books from the Head Examiner send to the Head Examiner first test installment of ten marked answer books for re-examination. The Co-examiner shall continue his valuation work; but shall adjust his valuation according to the standard set by the Head Examiner.

(iii) The co-examiner shall forward to the Head Examiner a further installment of five answer-books.

(iv) The co-examiner shall comply with all instructions given to him by the Head Examiner.

(v) In case the co-examiner does not receive the memorandum of instructions with in a week of the date of examination, from the Head Examiner, he shall remind the Head Examiner under intimation to the registrar. If the Head Examiner does not receive the first test installment and subsequent installment of answer-books, each in due time, he shall remind the co-examiner concerned telegraphically under intimation to the Registrar.

(5) The Head Examiner, the Deputy Head Examiner, if any, and every co-examiner shall carry out all the instructions received by them from the University in the matter of receipt, and dispatch of answer-books, their valuation and all other matters incorporated in the instructions.

(6) Notwithstanding the provisions of sub-paras (2) to (5) above where the Academic Council so decides, in case of a paper where for more than one examiner is required, the paper setter shall draw up and send detailed memorandum of instructions regarding valuation of answer-books including solution of numerical questions along with the question paper set by him. The detailed memorandum of instructions, moderated if necessary by the Moderation Committee, shall be sent by the University to all examiners in the paper. All examiners shall value the answer books allotted to them strictly in accordance with the instructions contained in the

memorandum of instructions. There shall be no exchange of model answer books and installments marked answer-books between the Paper-setter and other examiners.

14. If for any reason an examiner becomes unable to value the answer-books or to perform the duties of the Head Examiner, after setting the question paper, he shall be entitled to receive only one-half of the amount of fees for paper setting, the balance being payable to the examiner who values the answer books or acts as Head Examiner.

Provided that if the paper-setter dies before he is able to take up or complete the valuation of answer-books, full fee prescribed for paper-setting shall be paid to the heirs of such paper setter.

15. Even though a paper set for any examination is not utilized in that year, the paper-setter shall be entitled to receive the full fee for setting the paper.

16. In case of examination, where the Ordinances provided for a Second/Supplementary examination the paper-setter may be required to set two papers any one of which may be used for the Main examination, the second being used for the Second/Supplementary examination. The paper setter shall be an examiner at both the Main and the Second/Supplementary Examination. The other examiner ships may go to other qualified teachers who could not be provided with theory examiner ship at the Main examination.

17. (1) in any subject, if a Viva-Voce examination is prescribed, it shall be conducted by a Board of two examiners of whom one shall be an external examiner and the other internal.

(2) Except in the case of M.Sc. (Previous) Examination in Chemistry, the Board shall consist of three examiners, of whom one shall be internal examiner and two shall be external examiners. The Board shall be so constituted as to represent all the three branches of Chemistry, namely, Inorganic, Organic and Physical.

Note: In the case of Viva-Voce for LL.M. (Final) there will be two external examiners and one internal examiner.

18. In the case of a subject for M.A., M.Sc., M.Com. And M.P.E. Examinations, where thesis is permissible in lieu of a paper there shall be a Board of two examiners for reading the thesis. The Maximum number of marks for the thesis shall be equally divided between the two examiners each of whom shall mark the thesis independently. If the valuation of these two examiners differ by 20 percent, the thesis shall be referred to the third examiner, (other than a teacher of the University) who shall award marks out of half of the maximum marks for the thesis. The aggregate of two of the three awards nearest to each other and to the best advantage of the candidate shall be taken as the correct valuation.

19. Notwithstanding anything contained in the foregoing paragraphs:

(a) the examination in written papers and the practical and oral and clinical or sessional test, in each subject or group of subjects for an examination in the Faculty of Medicine shall be conducted by a board of two or four examiners, one or two be, as the case may, of whom shall be external examiner(s) and the other/s internal examiner/(s).

(b) There should be a Board consisting of four examiners, of whom atleast 50 percent shall be external examiners in each of the subject for M.D./M.S. Examinations for written papers and the practicals, oral and clinical tests. (Amendment approved by the Co-ordination Committee on 5-1-81).

(c) In the Faculty of Medicine, no person shall ordinarily be appointed as an examiner in any subject unless he has taken at least five years previously a Doctor's or Master's Degree or a Post-graduate diploma of a recognized University or an equivalent qualification, and thereafter has had at least five years teaching experience in

the subject in a University or an affiliated college of a University recognized by the Medical Council of India. In each subject there shall be at least one internal examiner (the Head of the Department).

(d) The internal paper-setter for examination in each subject in the faculty of Medicine shall be appointed by rotation from amongst the Heads of the Departments of Medical Colleges affiliated to the University. If there is only one Medical college and the Head of the Department cannot be an examiner, the next senior most teacher in the subject shall be the internal paper setter and examiner.

20. Ordinarily the external examiner of the Board shall be the Chairman of the Board concerned, the marks shall be submitted under the signatures of all the members of the Board concerned but the report on the working of the examination, the equipment of laboratories, and the thesis, shall be submitted by the external examiner of each Board under his signature only.

21. In case of an examination for a research degree, the Examination Committee shall recommend for each thesis to be examined a panel of atleast six names of person who:

- (a) Posses a research degree in the subject and atleast ten years teaching experience at the post-graduate level, or
- (b) Are scholars of repute in the subject?

22. (i) No person shall act as paper setter or examiner either in theory, Viva-vice or practical examination if any of his relations is taking the examination, provided that this provision shall not debar a person from acting as an examiner for practical at a Centre other than one at which his relation is appearing.

(ii) No person shall act as a moderator or tabulator for any examination if any of his relations is appearing/has appeared at that examination.

23. The Provision of paragraphs 10(1), 11(1), (2) (6), 12(2), 13(1) (2) (3) (4) (6) and 16, shall not apply in the case of examinations in which the system of central valuation has been introduced or shall apply in such modified form as may be decided by the Kulpati from time to time, (Appd. E.C. 29-11-86).

STATUTE NO. 30

ADMINISTRATION OF ENDOWMENTS

(Refer clause (m) of section 35)

1. The Executive Council may accept donations for the creation of an endowment for the award of fellowships, scholarships, studentships. Exhibitions, bursaries, medals and other awards of a recurring character.
 2. (a) Each endowment shall be secured by investment in securities described in Section 20 of Indian Trusts Act, 1882 or in immovable property in India. Money received in cash shall be invested by the Executive Council in any of the securities referred to above or in fixed deposits in a scheduled Bank.

(b) The value of the endowment necessary for instituting an award shall be prescribed by the Executive Council.
 3. No endowment shall be accepted in contravention of the provisions of Section 8 of the Adhiniyam.
 4. The Executive Council shall be the administrator of all endowment.
 5. The award shall be made out of the annual income accruing from the endowment. Any part of the income which is not so utilized shall be added to the endowment.
 6. The academic Council shall prescribe the conditions of award after consulting the donor and effect shall be given to his/her wishes as far as possible.
 7. In case of each endowment accepted by the Executive Council, the Executive Council shall make a regulation giving the name of the donor, the name, initial value and purpose of the endowment.
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S T A T U T E No.31

CONDITIONS OF SERVICE FOR UNIVERSITY EMPLOYEES

[Refer clauses (d) and (n) of section 35]

Part I-Applicability and Definitions:

1. Save as otherwise provided in the Adhiniyam and the Statutes, the provisions of this Statute shall apply to all employees of the University other than those whose services have been lent to the University by the Central or State Government.

2. in this Statute:

(a) "Pay" means the amount drawn monthly by the University employee as :

(i) the pay, other than special pay or additional 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) Special pay, personal pay, technical pay and

(iii) Any other emoluments which may be specially classed as pay by the Executive Council.

(b) "Average Pay" means the average monthly pay earned during the 10 complete months immediately preceding the months in which the University employee proceeds on leave or is suspended;

(c) "Substantive Pay" means pay other than special pay, personal pay or emoluments classed as pay under (a) above, to which a University employee is entitled on account of holding a post to which he has been appointed substantively or by reason of his substantive position in a cadre;

(d) "Vacation Post" means a post involving teaching duties in an educational institution entitled to the Winter and Summer vacations.

(e) "Normal Rent" means rent payable under paragraph 20 below.

(f) Presumptive rent in relation to a house belonging to university employee or his spouse, or children or father or mother in which he lives and for which he does not pay any rent to any body is :

(1) Where the University employee draws pay in excess of Rs. 200/- :

(i) The rental value of the house taken into account by the Property Tax Officer for calculation of property tax payable to Government;

(ii) The rental value determined by local authorities (e.g. Municipal committee, Corporation etc.) for any purpose;

(iii) The amount certified by the Collector in respect of houses located at his headquarter or by the Sub-Divisional Officer (Revenue) in respect of houses located in the other towns in his jurisdiction, to be the reasonable rent that can be paid for the house.

(2) Where the University employee draws pay of Rs. 200 or less the approximate rent which would have been

obtained, in the opinion of the University employee if it has been let out, subject to the right of verification by the Registrar.

Part II-Classification of Posts, Appointment and Tenure :

3. (a) Posts in the University shall belong to the class and shall carry the scales of pay as given in the Appendix.

Provided that an employee in the service of the University on the date of coming into force of this Statute shall be given the option, to be exercised within sixty days of the aforesaid date, to continue in the scale of pay in which he was engaged on the said date and where the option is not exercised within the specified period he shall be deemed to have elected the pay scale relevant to his post as given in the Appendix.

(b) The rates of dearness allowance on pay drawn in the scales shown in the Appendix, except those marked as N.P. (Non-Pande), shall be as may be sanctioned by the State Government for its employees in corresponding payscales in the revised (Pande) scales.

Provided that the rates at which dearness allowance is to be paid shall not be sanctioned by the Executive Council except with the prior approval of the State Government.

(c) In case of employees in Non-Pande (N.P.) scales and those who elect to continue in their existing payscales the rates of dearness allowance shall be the same as obtaining on the date of coming into force of this Statute plus such additional amounts as may be sanctioned by the Executive Council from time to time, with the prior approval of the State Government.

4.

(1)

(a) The Executive Council shall have power to appoint the officers of the University other than the Kuladhipati and the Kulpati, the teachers of the University paid by the University and the employees other than class III and class IV employees.

(b) Subject to the control of the Kulpati the Registrar shall have the power to appoint the class III, class IV, Work-charged and contingency-paid staff of the University.

Provided that the following percentage of posts in the University Service to be filled by direct recruitment will be reserved for member of the Scheduled Cast/Scheduled Tribes/O. B. C./Women possessing the requisite minimum qualifications :

	SC	ST	OBC	General
Class I and II (Post other than SUS/Teaching Posts)	15%	18%	17%	50%
Reservation for Woman	30%	30%	30%	30%
Class III and IV	16%	20%	14%	50%
Reservation for Woman	30%	30%	30%	30%

(2)

(a) Save as otherwise provided in the Statutes and the ordinances the qualifications for appointment to the posts in various classes in the University shall be such as may be determined by the appointing authority from time to time.

(b) The category of posts (excluding teaching posts and posts of officers of the University), the percentage of such to be filled ordinarily by promotion and the lower category from which such promotions are to be made shall be specified by the Executive Council. Such promotions shall be considered by the appointing authority once a year ordinarily in the month of October. All promotions shall be made by the basis of Seniority-cum-merit, subject to application of reservation policies framed by the Government of M. P. from time to time.

(3) The age of retirement of a University employee other than Teachers will be sixty years.

The age of retirement of University Teachers will be sixty two years.

Provided further that for age of retirement of a University employee in class IV service shall be 62 years

Provided that the Executive Council, in a special case, may grant to an employee who has reached the age of superannuation an extension for a further period not exceeding two years if the council is satisfied that such extension is in the interest of the University.

5.

(1) Ordinarily appointment against a permanent post shall in the first instance be on probation for a period of two years. The period of probation may be extended by such further period as the appointing authority may deem fit, but in no case the total, period of probation shall exceed three years.

(2) No person may ordinarily be appointed to a post in University Service without the production of a certificate of health and physical fitness given by a Medical Practitioner of such category as may be specified by the appointing authority. The certificate must be affixed to the first pay bill of the employee. The fees prescribed in case of such examination shall be paid by the employee.

6. Temporary appointment may be made to a temporary post or in a leave vacancy in respect of a permanent post. Where the temporary post is subsequently made permanent in an identical pay scale or the leave vacancy becomes permanent, the temporary appointee, if appointed in accordance with the procedure for filling the post on permanent basis shall be deemed to have been on probation for the period of his continuous service and shall be entitled to confirmation on satisfactory completion of the prescribed period of probation.

7.

(a) The whole time of University employee is at the disposal of the University and he may be employed in any manner required by the proper authority, without claim for additional remuneration.

(b)

(i) The Executive Council may permit a University employee to perform a specified service for a private person, body or Government and to receive a remuneration therefor in the form of a fee if it is satisfied that this can be done without detrimental to his official duties or responsibilities;

"Provided that the University employee shall be required to deposit the required percentage of amount of the fee, so received to the fund of the University as provided in State Government Rules except in cases covered by Exception 4 below SR 2 of Rule 47 of M.P. Fundamental Rules."*

*Vide amendment approved by the Co-ordination Committee dated 20th December, 2000.

(ii)The appointing authority may grant or permit a University employee to receive an honorarium as remuneration for work performed, which is occasional in character:

Provided that the prior consent of the appointing authority has been obtained and the amount of the remuneration has been settled in advance.

*(iii)The Kulpati/Executive Council may depute a University Officer/Teacher/ Employee to perform specified service for Private Institution/Body or Govt. on deputation as per delegation of powers. The terms and conditions of deputation shall be as per State Govt. rules in force from time to time.

8. The Head of the Branch or Department or Institution under whom the employee is working shall send to the Registrar in the form prescribed by the Kulpati.

(a) every year not later 31st May a report on the work and conduct of the employee during the preceding year ending on 31st March.

(b)atleast one month before the date of the expiry of the probationary period of a University employee a report about the work and conduct of the employee appointed to a permanent post stating his opinion about the employee's fitness or otherwise for confirmation in service.

9. A temporary appointment may be terminated by either party without assigning any reason by giving to the other one month's notice or one month's salary of the employee concerned in lieu thereof. No such notice or payment of salary shall be necessary in case of termination of service of work-charge or contingency-paid employee.

10.

(a)If the appointing authority is not satisfied that the work and/or conduct of the employee on probation is satisfactory, his services may be terminated. In case of termination of the services of the employee on probation, one month's notice shall be given to him or in lieu of notice he shall be paid salary of one month. The probationer may also terminate the engagement by giving one month's notice or one month's salary.

(b)If the probationer was appointed by promotion and his work and/or conduct is not satisfactory the appointing authority may revert him to the post held by him before such appointment and such reversion shall not be deemed to be a penalty.

(c)Every person appointed to a permanent post under the University by promotion or by direct recruitment shall on satisfactorily completing his period of probation, be eligible for confirmation in that post.

11. On confirmation on a permanent post, a University employee acquires a lien on that post. A University employee holding a permanent post substantively, if appointed substantively to another post, acquires a lien on the second post and ceases to hold any lien on the first one.

*Inserted by amendment approved by the Co-ordination Committee on 24.4.1992.

12.A permanent employee shall be required to give three months notice in case he wishes to resign or he shall pay to the University three month's salary in lieu of such notice. If the University terminates the services of a permanent employee, a notice to that effect shall be served on him three month before the date on which he is to be relieved. In the absence of such notice the University shall pay him three month's salary. Such notice shall not be necessary if the employee is removed from service, dismissed or compulsorily retired.

Provided that where a permanent employee is relieved after three months notice or payment of three months salary

in lieu of such notice to take up appointment elsewhere, his lien shall be maintained in the University for a period of two years from the date of his relief or till the date of his confirmation on the other post, whichever is earlier.¹

13.

(a) The services of a university employee may be terminated on any of the following grounds:

(i) Wilful neglect of duty.

(ii) Misconduct.

(iii) Physical or mental unfitness.

(iv) When the post he is holding is abolished.

(v) Conviction in a Court of law for an offence involving moral turpitude.

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(b) The following lapses would constitute misconduct on the part of persons holding teaching posts in the University Teaching Departments/Schools of Studies:

(i) Failure to perform his academic duties such as lectures, demonstration, assessment, guidance invigilation, etc.

(ii) Gross partiality in assessment of students, deliberately over-marking/ under-marking or attempts at victimization on any grounds.

(iii) Inciting students against other students, colleagues or administration, This does not interfere with the right of a teacher to express his difference on principles in seminars or other places where students are present.

(iv) Raising questions of caste, creed, religion, race or sex in his relationships with his colleagues and trying to use the above considerations for improvement of his prospects.

(v) Refusal to carry out the decisions by appropriate administrative and academic bodies and/or functionaries of the University. This will not inhibit his right to express his differences with their policies or decision.

¹Inserted by amendment approved by the Co-ordination Committee at its meeting held on 19-7-76 and adopted by the Executive Council at their meeting of 10-11-76 and effective from 10-11-76. ²Inserted by amendment approved by the Coordination Committee at its meeting held on 17-7-76 and adopted by the Executive Council at their meeting of 10-11-76 and effective from 10-11-76.

14. Before leaving University service an employee, whether appointed temporarily or on probation or permanently shall hand over the charge of his post to the employee duly authorized to receive charge and shall return to the University all articles entrusted to him for his use and shall pay up in full all the charges due from him for occupation of residential quarters, if any, inclusive of Municipal taxes, water and electric charges etc. If he fails to do so, the Head of the Branch or Institution in which he is employed shall have the right to recover the amount due from him from the arrears of salary due to him or from the University contribution to his Provident Fund, if he has any, or from any other source.

15. A University employee shall subscribe to the Provident Fund in accordance with the provisions of the Statutes.

16. An employee of the University shall begin to draw the pay and allowances, if any, attached to his post with effect from the date when he assumes the duties of that post and shall cease to draw them as soon as he ceases to discharge those duties.

17.

(i) No University employee shall be granted leave of any kind for a continuous period exceeding five years;

(ii) Where the University employee does not resume duty after remaining on leave for a continuous period of five years, he shall be deemed to have resigned and shall accordingly cease to be in University employ.

Provided that the Executive Council may determine otherwise in any case in view of the exceptional circumstances.

18. The pay of a University employee in the time scale of pay in which he is appointed shall be regulated by the Fundamental Rules of Madhya Pradesh Government. Annual increment shall ordinarily be drawn as a matter of course unless it is withheld.

Part III-Residential Accommodation:

19. The Executive Council may make rules laying down the Principles governing the allotment of such buildings or such portions thereof, as may be available to employees serving under the administrative control of the University for residential purposes.

20. When University employees mentioned below are provided with unfurnished University quarters, they shall pay monthly rent at the rates specified against them or the sanctioned rent (i.e. the standard rent) whichever is less :

(a) All University employees belonging to Class III or Class IV :

(i) Whose emoluments exceed Rs. 250/- p.m.

7 percent of emoluments.

(ii) Whose emoluments exceed Rs. 100/- p.m. but do not exceed Rs. 250/- p.m.

5 percent of emoluments.

(iii) Whose emoluments do not exceed Rs. 100/- p.m.

Rs. 2/0 p.m.

(b) All other employees.

10 percent of emoluments.

Provided that the standard rent shall be calculated on the basis of the provisions in the Fundamental Rules of the Madhya Pradesh Government.

Note:

(i) The tenant will, in addition, be required to pay the cost of water and electrical energy consumed.

(ii) Emoluments shall mean emoluments as defined in Rule 45(c) of the M.P. Fundamental Rules.

21. The employees shall be eligible to house rent allowance at the rates sanctioned by the M.P. Government for its employees subject to the conditions laid down by the Madhya Pradesh Government for grant of such allowance.

(Clause 22 to 52 have been deleted vide decision of Coordination Committee dated 8.11.85 and have been included in Leave Rules, 1986.)

53.

(A) CASUAL LEAVE:

(i) Casual leave is not earned by duty. An employee on casual leave is not treated as absent from duty and his pay is not intermitted, Casual leave cannot be claimed as right and its grant is always subject to the exigencies of service and subject to maximum of 13 days in a calendar year.

(ii) Casual leave may be granted as and when occasion arises at the discretion of the sanctioning authority, provided that the total period of absence, including Sunday and other holidays shall not exceed 8 days at a time.

Note: Holidays or Sundays falling between will not count as casual leave.

(iii) Casual leave cannot be combined with any other kind of leave.

(B) SPECIAL CASUAL LEAVE:

(i) An employee summoned to serve as juror or assessor or to give evidence before the Court of Law as a witness in a civil or criminal case in which his private interests are not at issue may be given this leave. The leave so granted should be sufficient to cover the period of absence necessary.

(ii) It may also be granted when an employee is deputed to attend reference libraries of other institutions and conferences or educational gathering of learned and professional society in the interests of the University or other academic work which will include working on the committees appointed by the Universities/Government/University Grants commission/M.P. Uchcha Shiksha Anudan Ayog, lecturing and examination work; or such other work as may be specified by the Executive Council.

** (iii) Special Casual leave under clause (ii) above shall be admissible only for non-remunerative work and shall not exceed fifteen days in a calendar year.

Provided that for non-remunerative work on the committees appointed by the Universities/Government/University Grants Commission/Madhya Pradesh Uchcha Shiksha Anudan Ayog, the Kulpati/the Kuladhipati may, at his discretion, sanction special casual leave for a further period not exceeding fifteen days in a calendar year.

** Inserted by amendment approved by the Coordination Committee at its meeting held on 19-7-76 and adopted by the Executive Council at their meeting of 10-11-76 and effective from 10-11-76.

*(C) In case of University employees selected under the various cultural Exchange/National Lecture/Exchange Programme etc. sponsored by the Government of India/State Government/U.G.C. and other Statutory bodies as a member of delegation or to deliver specialized lectures in India or abroad the period of absence from the University shall be counted as Duty.

54. Leave to the extent prescribed below but not exceeding in any case the period earned may be sanctioned by the authority mentioned against each:

A. Casual leave:

Category

Sanctioning Authority

(i)

Heads of Departments and Registrar.

Kulpati

(ii) Departmental employees (teachers other than Head of the Department), Laboratory, Ministerial and Class IV staff.

Head of the Department concerned.

(iii) Registrar's office staff.

Registrar

Provided further that casual leave upto 5 days at a time may be sanctioned by the DR/ARs to the ministerial and Class IV Staff of respective sections under their charge.

B. Special Casual leaves:

All employees other than Kulpati

Kulpati

C. Leave Other Than Casual or Special Casual leave:

Category

Sanctioning Authority

Maximum period of sanction if any

(i) Kulpati

Kuladhipati

To the maximum extent due

(ii) Heads of Departments and the Registrar,

Kulpati Executive Council

Up to 2 months. More than 2 months.

(iii) All Class I and Class II Employees,

Kulpati Ex-Council

Up to 3 months. More than 3 months.

(iv) Class III and Class IV Staff, in

Studies,

Head of Deptt. concerned. Kulpati

Up to one month. More than one month.

(v)Class III and Class IV Staff other than in (IV) above

Registrar Kulpati

Up to one month. More than one month.

*55.The benefit of surrender and encashment of earned leave will be admissible to the University Employees as per rules applicable to the State Government Employees from time to time.

Part V-Suspension, Penalties and Disciplinary Authority.

56.

(1)The appointing authority may by an order place an employee, under suspension :

(a)When a disciplinary proceeding against him is contemplated or is pending, or

(b)Where a case against him in respect of any criminal offence is under investigation, inquiry or trial.

(2)An employee shall be deemed to have been placed under suspension by an order of the appointing authority :

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

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

(3)An order of suspension made or deemed to have been made shall continue to remain in force until it is modified or revoked by the appointing authority.

(4)Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any other disciplinary proceeding is commenced against him during the continuance of the suspension, the authority competent to place him under suspension may, for reasons to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.

57.

(1)The appointing authority may, for good and sufficient reasons, imposed on an employee the following penalties :

(a)Censure;

(b)Recovery from his pay of the whole or part of any pecuniary loss caused by him to the University by negligence or breach of orders;

(c) Withholding of increments of pay;

(d)reduction to lower time scale of pay, grade or post;

(e) Compulsory retirement;

(f) Removal from service;

(g) Dismissal from service which shall ordinarily be a disqualification for future employment in the University.

Besides the above, the penalty of fine not exceeding rupees five may be imposed on a class IV employee for petty carelessness, unpunctuality, idleness or similar misconduct of a minor nature.

(2)The appointing authority may institute disciplinary proceeding against an employee of the University.

*Inserted by amendment approved by the Coordination Committee at its meeting held on 14-7-75 and came into force from the same date.

(3)No order imposing any of the penalties specified in sub-paragraph (1) above other than fine shall be made except in accordance with the procedure for imposing penalties on government servant prescribed by the Madhya Pradesh Government and in force at the time the appointing authority orders an inquiry against the employee concerned.

58.

(1)Where any penalty is imposed on an employee by the Registrar, the employee concerned may prefer an appeal to the Executive Council within thirty days from the date on which a copy of the order appealed against is delivered to the appellant.

(2)Where any penalty is imposed on an employee by the Executive Council, he may prefer an appeal to the Kuladhipati within thirty days from the date on which a copy of the order appealed against is delivered to the appellant.

(3)The appeal shall be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against. It shall contain all material statements and arguments on which the appellant relies; shall not contain any disrespectful or improper language and shall be complete in itself.

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

(5)

(i)The appellate authority may confirm, enhance, reduce or set aside the penalty or remit the case to the authority which imposed the penalty with such directions as it may deem fit in the circumstances of the case.

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

59.An University employee under suspension shall not be granted any leave.

60.

(a) An employee under suspension is entitled for the first year of suspension to subsistence allowance at one half of the amount of leave salary which he would have drawn under the leave rules, if he had been on earned leave and in addition dearness allowance, if admissible on such leave salary;

Provided that where the period of suspension exceeds one year, the authority, who ordered the suspension. (a) shall increase the amount of subsistence allowance by an amount not exceeding 50% of the amount paid during the first year, if the period of suspension has been prolonged for reasons not attributable to the University employee, or (b) may reduce the subsistence allowance by a suitable amount, not exceeding 50 per cent of the amount paid during the first year, if the period of suspension has been prolonged due to reasons directly attributable to the University employee.

(b) He shall also be entitled to any other allowances admissible from time to time on the basis of pay if the employee continues to meet the expenditure for which they are granted.

No payment shall be made unless the employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation.

61. When a University employee who has been dismissed, removed, or suspended, is reinstated, the authority competent to order reinstatement shall make a specific order:

(A) Regarding the pay and allowances to be paid to the employee for the period of his absence from duty; and

(b) Whether or not the said period shall be treated as period spent on duty for all purposes.

Part VI-Miscellaneous:

62. Every employee shall at all times:

(a) Maintain absolute integrity;

(b) Show devotion to duty; and

(c) Do nothing which is unbecoming of an employee of the University.

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

64. No employee shall:

(i) engage himself or participate in any demonstration which is prejudicial to the interest of the University, public order, decency or morality or which involves contempt of court, defamation or incitement to an offence, or

(ii) Resort to or, in any way, abet any form of violence in connection with any matter pertaining to his service or the service of any employee.

65.

(i) No employee shall except with the previous sanction of the University own wholly or in part, or conduct, or participate in the editing or management of any newspaper or periodical publication.

(ii) No employee shall except with the previous sanction of University or the prescribed authority or in the bonafide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter either in his own name or anonymously, pseudonymously in any news paper or periodical or write a book.

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

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

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

68. No University employee shall, except with the previous written sanction of the University, join any college/school or appear at any examination conducted by the University or any other University or Board.

Permission to attend classes or take an examination will be granted only, if it is consistent with University interest and it cannot be claimed as of right.

69. No University employee except those specifically employed on a part-time basis shall, without the previous permission of the University, apply for any post, outside the University.

(a) All provisions pertaining to discipline as contained in rule 4 of M. P. Civil Services (Conduct) Rules shall be deemed to be part of University Conduct Rules not provided in the provisions of para-62 to 69 of University Rules.

70. Any infringement of provisions of paras 62 to 69 of this Statute shall be regarded as subversive of good discipline and misconduct and will well justify the initiation of disciplinary action against such employee.
