

THE UNIVERSITY OF BURDWAN

In exercise of the power conferred by section 21 read with section 47 and 48, of the Burdwan University Act, 1981 (West Ben. Act XXIII of 1981), the Executive Council of the Burdwan University hereby makes the following amendments in the Burdwan University First Statutes (hereinafter referred to as the said Statutes).

CHAPTER XIII

The Statutes relating to the Appointment and Terms and Conditions of Services of Teachers of Affiliated Colleges other than Government Colleges.

PART I

St. 1 (T.A.C.) These Statutes may be called the statute relating to the *Short title and commencement* Appointment and Terms and Conditions of Services of Teachers of Affiliated Colleges other than Government Colleges.

St. 2 (T.A.C.) In these statutes, unless the context requires otherwise—(a) "college" means an affiliated college, including a Constituent or a Professional College but does not include a Government College.

(b) words and expressions used by not defined shall be interpreted to have the same meaning as they have in the Act.

PART II GENERAL

St. 3 (T.A.C.) Appointment of teachers (whole-time or part-time) including Principals, of affiliated colleges other than Government colleges shall be made in accordance with the provisions of the West Bengal College Service Commission Act, 1978 (West Ben. Act LXII of 1978)

St. 4 (T.A.C.) The period of probation shall be determined in accordance with the provisions of the West Bengal College Teachers (Security of Service) Act, 1975 (West Ben. Act XLIV of 1975)

St. 5 (T.A.C.) In calculating the period of service of a teacher of college in any post for any purpose including the *Commencement of period of service* operation of a time scale of pay, services shall be counted from the date of his joining the post on his first appointment as a probationer :

Provided that if the teacher began his service for the same or any other post in the same cadre, his services shall be counted from the date of his joining the appointment as a temporary appointee, if there is no break in service during the period preceding his permanent appointment.

Explanation : The following shall be treated as 'break' in service :

- (a) unauthorized leave of absence
- (b) unauthorised absence in continuation of authorized leave of absence.

St. 6 (T.A.C.) (1) A teacher shall be required to take classes, subject to the rules as are in vogue and as may be framed in *Hours of work* this behalf by the University from time to time.

(2) Teachers of a college shall effectively co-operate and assist, whenever required, in carrying out the functions relating to the educational responsibilities of the college (such as assisting in appraising applications for admission, advising or counselling the students and assisting in University and College examinations including supervision thereof).

Explanation : The expression "shall effectively co-operate and assist" in relation to University examinations shall for the purpose of these Statutes, mean to include compulsory and effective participation of Teachers, including Principals, of all affiliated colleges in all matters relating to such examinations if and when their services are requisitioned by the University for any purpose relating to such examinations.

(3) Every teacher and Principal of a college shall sign a daily attendance register of the teacher maintained for the purpose. Such daily attendance of the teacher(s) shall be counter-signed by the Principal.

(4) In particular and without prejudice to the foregoing provisions, a teacher shall perform the following duties, namely—

- (a) to perform invigilation work in any examination for any course of study taught in the college;
- (b) to draw routines;
- (c) to carry out assignment for such field work as may be necessary for the courses taught in the college;
- (d) to assist the Principal with regard to admission of students;

- (e) to participate in N.C.C., N.S.S. and Sports and Games for the well-being of the students;
- (f) to assist the Principal, in the management of Hostels and Messes attached to the college or recognized by it;
- (g) to undertake the internal assessment of students; and
- (h) to evaluate answer scripts of students for any examination conducted by the colleges and the University.

(5) The Principal of a college shall ordinarily take not less than four periods of class work in a week in a subject taught in the college.

St. 7 (T.A.C.) A whole-time teacher of a college enjoying University Grants Commission scale of pay as approved by the State Government and introduced since 1st January, 1973 or any other scale of pay introduced by the State Government after 1st January, 1973, shall retire from service with effect from the afternoon of the last day of the month in which he attains the age of superannuation, i.e. completes the 60th year of age.

St. 8 (T.A.C.) (1) The salaries and scales of pay for whole-time teachers in a college, shall, in no case, be lower than the minimum salaries and scales of pay as the State Government may by order specify in respect of such teachers.

(2) The salary of a part-time teacher in a college shall, in no case, be lower than the minimum salary as the State Government may by order specify. Such a teacher shall take classes as the State Government may by order specify from time to time.

St. 9 (T.A.C.) When a teacher joins a college after resigning his post in another college, initial pay of such a teacher in the college which he so joins shall be fixed so as not to be less than what he was receiving in the former college.

St. 10 (T.A.C.) A temporary teacher who has worked in a college for a period of not less than ten months continuously shall be entitled to draw his salary for the periods of Puja holidays or recess in holidays, summer recess and winter recess, included within this period or immediately following it.

St. 11 (T.A.C.) A Service Book, in such form as may be determined with the approval of the State Government, shall be maintained for every teacher in a college, whether whole-time or part-time.

St. 12 (T.A.C.) (1) No whole-time teacher of a college shall be permitted to accept any part-time assignment with or without remuneration in another college or elsewhere except with the approval of the Governing Body of the college where he is attached in the capacity of a whole-time teacher :

Provided that no whole-time teacher shall be permitted to accept more than one part-time assignment under any circumstances.

(2) Any teacher contravening the provisions of this Statute shall be liable to such disciplinary action as the Governing Body of the college where he is a whole-time teacher, may deem fit subject to the provision of statute 14 of these Statutes.

St. 13 (T.A.C.) (1) Subject to the terms and conditions of any existing contract, no permanent teacher of a college shall be entitled to terminate his services by voluntary resignation unless he submits in writing to the Principal a notice of his intention to resign and such notice shall be filed—

- (a) In the case of a resignation at the end of an academic year, at least one month in advance; or
- (b) in the case of a resignation at any other time, at least two months in advance.

Provided that no teacher holding an appointment either on temporary basis or on probation shall be entitled to terminate his services by voluntary resignation unless he submits in writing to the Principal a similar notice at least one month in advance :

Provided further that in special circumstances the Governing Body may, on the recommendation of the Principal, accept a notice of intention to resign for a shorter period.

(2) An contravention of the provisions of paragraph (1) shall, at the discretion of the Governing Body, entail forfeiture of salary for the period by which the notice falls short of the requirement of clause(a) or clause(b) of paragraph (1).

St. 14 (T.A.C.) Every teacher of a college shall be subject to such "Disciplinary action" as the Executive Council may determine, with the approval of the State Government.

PART III
LEAVE

St. 15 (T.A.C.) (1) Leave of absence from duty cannot be claimed as a matter of right and may, on application by a teacher of a college, be granted only when satisfactory grounds have been shown. When the exigencies of service so require, the authority competent to grant leave may refuse leave of any description or when any such leave is granted, revoke such leave or part thereof.

(2) No teacher who is under suspension shall be granted any leave.
(3) Absence without leave shall render a teacher subject to such disciplinary action as may be provided in the "Disciplinary Rules".

St. 16 (T.A.C.) All applications for leave or for extension of leave shall be made in writing and addressed by the teacher to the Principal and sanction for the leave or extension of leave applied for, as the case may be, shall be obtained before it is availed of :

Provided that if the authority competent to grant the leave is satisfied that it was not possible to apply for or to obtain the sanction for leave of absence beforehand, leave may be granted with retrospective effect; but all applications for leave with retrospective effect shall be submitted at the earliest possible opportunity.

St. 17 (T.A.C.) (1) Leave shall ordinarily commence on the date with effect from which it is actually availed of and terminate on the day preceding the date of resumption to duty :

Provided that Sundays and other holidays may be prefixed or affixed to leave, so however, that for the purpose of prefixing or affixing to leave, holidays exceeding three days or the Puja Holidays, the summer recess or the winter recess, previous sanction of the authority competent to grant the leave shall be obtained.

(2) Except with the previous permission of the authority competent to grant the leave, no teacher on leave shall return to duty before the expiry of the period of leave granted to him.

St. 18 (T.A.C.) When a teacher of a college is absent on all the days of a week during which he has assigned duties, whether such days are consecutive or not, he shall be deemed to have been absent for all the days of the week.

St. 19 (T.A.C.) The Principal of a college may, at his discretion, recall *Re-calling from leave* to duty, at any time, any teacher of the college who may be on leave, except on medical grounds.

St. 20 (T.A.C.) When a teacher of a college has been granted leave *Overstay* to which holidays or recess has been affixed and such a teacher absents himself from duty beyond the expiry of such holidays or recess, the entire period of his absence from duty after the expiry of such holidays or recess, shall be treated as absence from duty without leave and he shall not be entitled to his salary or allowances for such period unless and until the period is covered by the grant of appropriate leave or the Governing Body of the college directs otherwise.

St. 21 (T.A.C.) (1) Casual leave on full pay may be allowed to a *Casual leave* teacher of a college up to a maximum of fifteen days in any one academic year but such leave shall not be granted for more than five days at a time.

(2) Casual leave shall not be combined to the Puja holidays, the Summer recess or the Winter recess or to any other kind of leave.

(3) Sundays or holidays (other than the Puja holidays, the Summer recess or the Winter recess) preceding, falling within or succeeding the period of casual leave shall not be counted as part of casual leave.

(4) All casual leave to which any teacher of a college may be entitled during any academic year shall cease to be due to him at the end of such academic year and shall not be accumulated or carried over to the academic year following.

Explanation : For the purpose of this statute "casual leave" means leave to which a teacher may be entitled in any academic year by virtue of his being a teacher and may be availed of by him for short period on account of illness or urgent private affairs.

St. 22 (T.A.C.) (1) Every whole-time teacher of a college shall be entitled to avail leave on full pay (hereinafter referred to as earned leave) (a) the amount of earned leave admissible to a whole-time teacher of a college shall be fifteen days for first seven years and thereafter thirty days for each completed year of his actual service;

(b) earned leave may be accumulated and joined to any other kind of leave except casual leave :

Provided that when the earned leave due at any time amounts to two hundred and forty days, the teacher concerned shall cease to earn at his credit any further earned leave.

(2) In the matter of sanctioning earned leave to a teacher exceeding fifteen days, the application for such leave shall be disposed of by the Governing Body of the College.

(3) Any application for leave by the Principal, except casual leave, shall be addressed to the President of the Governing Body of the college and the same shall be placed before the Governing Body for disposal.

(4) The President of the Governing Body shall be competent to sanction casual leave to the Principal.

(5) The Governing Body of the college shall, unless provided otherwise, sanction other kinds of leave as envisaged in these statutes.

St. 24 (T.A.C.) (1) Absence from duty of a whole-time teacher of a college on account of academic work elsewhere approved by the Governing Body of the college on account of obligations in regard to the National Cadet Corps or the Social Service Camp or similar other obligations shall be deemed to be on duty and such a teacher shall not be required to apply for casual or earned leave for the period of duty so undertaken.

St. 25 (T.A.C.) Leave of absence from duty with full pay for a period not exceeding twelve months may be granted to a whole-time teacher of a college by the Governing Body of the college for the purpose of enabling the teacher to acquire any qualification which, in the opinion of the Governing Body, will enhance his efficiency as a teacher in the college and such leave shall be called study leave.

St. 26 (T.A.C.) (1) A whole-time teacher of a college may be granted leave for pursuing studies in an institution considered by the Governing Body of the college as suitable for the purpose, for such period ordinarily not exceeding two years during the whole period of his service on conditions requiring the teacher to return to the college for a specified period of further service therein after the expiry of the leave as, the Governing Body may deem fit. Such leave shall be called special study leave.

St. 27 (T.A.C.) (1) Maternity leave may be granted to a whole-time woman teacher of a college who has been in the services of the college for at least nine months preceding actual the date of confinement. The total period of such leave, including the period of confinement, shall be such as that State Government may, by order, specify from time to time.

Explanation : "actual service" means the period which a teacher spends on actual duty and includes—

- (i) the period covered by any casual leave but no other leave, granted to him;
 - (ii) the period of the Pujja holidays, the Summer recess and the Winter recess; and
 - (iii) the holidays except such holidays as may fall within the periods as specified in (ii) above or casual leave or any other kind of leave that may be granted to him.
- (c) No part-time teacher shall be entitled to any earned leave.
- (2) Earned leave may be granted for such reasons as may be considered by the authority competent to grant such leave which may include—
- (a) illness of the teacher concerned,
 - (b) illness of a member of the family of such a teacher,
 - (c) urgent private affairs, and
 - (d) arrangements preparatory to retirement :

Provided that—

- (i) when earned leave is applied for on any of the grounds referred to in clause (a) or clause (b) the application shall be accompanied with a medical certificate from a registered medical practitioner;
- (ii) no teacher who has been granted earned leave under clause (a) on a medical certificate, shall return to duty without producing a medical certificate of fitness from a registered medical practitioner;
- (iii) the teacher of colleges who shall come under these Statutes for the first time, shall be entitled to have at their credit on the 'appointed day' earned leave accruing at the rate of as specified in this statutes, up to the maximum of two hundred and forty days.

St. 23 (T.A.C.) (1) The Principal of a college shall be competent Authority for granting to sanction to a teacher of the college leave as under :—

- (i) casual leave;
- (ii) earned leave for any period not exceeding fifteen days at a time.

The total period of such leave shall be subject to such adjustment in phases as may be required in any particular case in consideration of the actual date of confinement.

Any application for maternity leave shall be accompanied with a medical certificate from a registered medical practitioner.

(2) Maternity leave may also be granted to a whole-time woman teacher of a college in cases of miscarriage, including abortion, for any medical ground as suggested by registered medical practitioner subject to the condition that in such a case, such leave shall not exceed forty five days and that the application for leave shall be supported by a medical certificate from a registered medical practitioner.

(3) Maternity leave granted under paragraph (1) or (2) shall not be debited against the leave account of the teacher concerned.

(4) Leave of any other kind except casual leave may be granted in combination with maternity leave, only if the application for the grant of such leave is supported by a medical certificate from a registered medical practitioner.

(5) Maternity leave as envisaged in paragraph (1) or (2) shall be granted by the Principal.

St. 28 (T.A.C.) Leave of absence from duty may be granted to a *Quarantine Leave* teacher of a college on full pay when he is directed by the Principal of the college not to attend his duties on account of occurrence of any infectious disease in his family or household. Such Leave may be granted, on production of a certificate from a registered medical practitioner, for a period not exceeding twenty one days, or in exceptional circumstances, thirty days. Such leave shall be called quarantine leave and may be combined with any other kind of leave, except casual leave. Quarantine leave so granted shall not be debited against the leave account of the teacher.

Explanation : (i) In order to determine "infectious disease" for the purpose of granting quarantine leave, the list maintained by the State Government indicating such diseases shall be followed;

(ii) "Chicken pox" shall not be treated as an "infectious disease" for the purpose of granting quarantine leave.

St. 29 (T.A.C.) (1) Every whole-time teacher shall be entitled to leave *Leave on half pay* on half pay which may be commuted on medical ground only.

(2) the amount of leave on half pay admissible to a whole-time teacher of a college shall be twenty days for each completed year of service.

(3) Leave on half pay may be accumulated without any ceiling and combined with any other kind of leave except casual leave.

(4) Leave on half pay may be availed of on private affairs as well as on medical ground only.

(5) Leave on half pay may be commuted and such commuted leave not exceeding half of the amount of leave on half pay due may be granted on medical ground only, on submission of certificate in this behalf from a registered medical practitioner, subject to the following conditions—

(i) commuted leave out of the total accumulation of leave on half pay, shall be limited to a maximum of one hundred and eighty days during the entire period of service of a teacher.

(ii) when commuted leave is granted, twice the amount of leave on half pay due shall be debited against the leave account. Provided that the leave on half pay at the credit of a teacher shall not lapse except on the date of his retirement from service.

(iii) teachers who are granted or who availed of commuted leave for the maximum period of one hundred and eighty days, referred to in (i) above, shall be entitled to leave on half pay which remains due at credit, on half pay only.

(iv) Commuted leave may be combined with any other kind of leave except casual leave : Provided that the period of commuted leave and earned leave combined and sanctioned shall not exceed one hundred and eighty days on any one occasion.

St. 30 (T.A.C.) (1) Extra-ordinary leave without pay may be granted *Extra-ordinary leave* to a whole-time teacher of a college when no other leave is admissible to him or although other leave is admissible, he applies in writing for the grant of extra-ordinary leave. Such leave may be granted for such period and on such terms and conditions as the Governing Body of the college may deem fit.

(2) The Governing Body may commute retrospectively in the case of any teacher any period of absence from duty without leave into extra-ordinary leave.

(3) Except in the case of a permanent teacher, the duration of extra ordinary leave shall not exceed three months on any one occasion.

(4) Unless, in consideration of the special circumstances of any particular case the Governing Body of a college decides otherwise, a teacher shall be deemed to have ceased to be in the service of the college after he has been continuously absent from duty for a period of five years.

St. 31 (T.A.C.) (1) Any teacher of a college who may be required by *Compensatory leave* the Principal in the interests of the college, to work during holidays or recess, except for college or University examination duties, shall be entitled to leave of absence from duty for such number of days as may be determined by the Principal.

(2) Any leave granted under paragraph (1) shall be on full pay and shall be called compensatory leave.

St. 32 (T.A.C.) (1) At the request of a teacher of a college the Governing Body of the college may, by order, convert *Conversion of leave* any kind of leave already granted into leave of a different kind, which may be admissible, with effect from such date as may be specified in the order; but a teacher shall not be entitled to claim such conversion of leave as a matter of right.

(2) If one kind of leave is converted into another, the amount of leave salary admissible shall be re-calculated and the arrears of leave salary shall be paid to, or, as the case may be, amounts overdrawn shall be recovered from, the teacher concerned.

St. 33 (T.A.C.) Except as otherwise specifically provided in these *Combination of Statutes*, any kind of leave may be granted in *different kinds of leave* combination with or in continuation of any other kind of leave, other than casual leave.

St. 34 (T.A.C.) (1) Save as hereinafter provided, the provisions of *Application and savings* these Statutes relating to leave shall apply to all whole-time teachers of colleges whether appointed before or after the commencement of these Statutes.

(2) If any such teacher of a college, on the date of the commencement of these Statutes is in actual enjoyment of more liberal terms regarding leave, such a teacher shall continue to enjoy the same;

Provided that, in such a case the teacher shall exercise, within a period of three months from the date of commencement of these Statutes, an option either to come under these Statutes or to remain under the old rules. The option so exercised shall be final and binding and shall not be changed thereafter, under any circumstances.

St. 35 (T.A.C.) (1) A part-time teacher of a college shall be entitled to *Leave admissible to a part-time teacher* the following kinds of leave :

(a) casual leave for ten days in an academic year; and

(b) extra-ordinary leave without pay for such period as may be determined by the Governing Body of the college in consideration of the special circumstances of any particular case.

(2) No other kind of leave shall be admissible to a part-time teacher of a college.

St. 36 (T.A.C.) (1) Cash equivalent to a maximum of two hundred and *Leave Salary and Cash equivalent* forty days of accumulated Earned Leave shall be termed as Leave Salary, which shall become payable as one time settlement on attaining the age of retirement on superannuation.

Provided that for calculating the "Leave Salary", the basic pay, dearness pay, personal pay and dearness allowances, as may be admissible on the date of retirement/ superannuation/termination, shall be taken into account.

(2) "Leave Salary" subject to maximum of two hundred and forty days' Earned Leave at credit shall also become payable in the following cases :

(i) in the die-in harness case to the nominee(s) or the legal heir(s) of the deceased;

(ii) in the case of termination of service by notice or otherwise.

(iii) in case of Voluntary retirement, duly permitted by the competent authority.

(iv) in case of retirement due to invalidation;

(v) in case of resignation or quit of service before completing fifteen years of continuous service, the incumbent concerned shall be entitled to cash equivalent in respect of Earned Leave at his credit on the date of cessation of service to the extent of half of the accumulated amount, subject to maximum of one hundred and twenty days.

St. 37 (T.A.C.) A leave account shall be maintained by the Principal *Leave Account* of the college for every teacher thereof.

St. 38 (T.A.C.) (1) A teacher appointed on substantive basis to any *Lien* permanent post shall acquire a lien on that post and shall cease to hold any lien previously acquired on any other post.

(2) The lien on a permanent post which he holds substantively shall be suspended if the teacher is appointed in a substantive capacity—

- (a) to a tenure post, or
 - (b) to a permanent post outside the cadre on which he is borne.
- (3) The lien may also be suspended if the teacher concerned is deputed outside India or joins a foreign service under any Government in the interest of the State or on his own, or, in the circumstances not covered by the provisions of sub paragraphs (a) and (b) above, is transferred, whether in a substantive or officiating capacity, to a post in another cadre, and if in any of these cases, there is reason to believe that he will remain absent from the post on which he holds lien for a period of not less than four years.

(4) If a teacher is appointed substantively and confirmed to another permanent post either in the college or outside, his lien on the permanent post held earlier in the college shall be terminated, unless he indicates in writing his refusal to accept the appointment so made substantively in another permanent post. In such an event, the teacher concerned shall immediately report back to duty in the post on which he held lien.

(5) A teacher holding a substantive appointment in a college may be granted lien on his permanent post if he applies for the grant of lien consequent upon his obtaining an appointment either in another college or in any other establishment :

Provided that such a teacher shall submit the letter of appointment offered to him showing the nature of appointment and other terms and conditions of service in the new establishment.

(6) The period of lien shall initially be for a period of one year which may be renewed or extended if the teacher concerned is not confirmed in his services in the new establishment within that period :

Provided that the total period of lien so granted shall not ordinarily exceed two years.

(7) The lien of a permanent teacher shall continue when the services of such a teacher are requisitioned and he is permitted by the college to accept any Government or Semi-Government or contractual or tenure appointment or a tenure post in a Statutory Organization, Board or Council as approved by the Government or a University, in the interest of the public service or of the State or the University.

St. 39 (T.A.C.) Every college shall abide by the pattern of holidays and recess as may be determined by the University from *Working days, holidays and recess* time to time. During the period of recess, only classes shall remain suspended. The minimum number of working days in a college in an academic year shall be determined by the Executive Council from time to time. The academic session of a college shall commence from the first day of July of every year and end on the thirtieth June of the year following. An academic session shall be divided into three different terms as follows :—

First Term

The first term of a college shall commence from the first day of July of every year and shall close on the day from which the Puja holidays commence.

Second Term

The second term shall commence from the date of re-opening of the college after the Puja holidays and shall continue till the Winter recess begins.

Third Term

The third term shall commence from the date of re-opening of the college after the Winter recess and shall continue till the Summer recess begins.

PART IV PROVIDENT FUND

St. 40 (T.A.C.) (T.A.C.) Every whole-time teacher of a college shall *Provident Fund* subscribe to the college provident fund subject to such rules as may be framed in this behalf by the State Government from time to time.

St. 41 (T.A.C.) If any controversy arises in interpreting any of the *General* provisions of these Statutes, the matter shall be referred to the University for interpretation.

(e) that the college shall, in order to ensure the imparting of instruction properly, have a whole-time Principal and employ adequate number of teaching staff having qualifications conforming to the prescriptions made from time to time by the University or by the State Government, as the case may be :

Provided that, if for any reason whatsoever, the office of the Principal remains vacant, or if the Principal is on leave or is not in a position to attend the office for the due discharge of his functions, the Governing Body shall appoint, in order of seniority, one of the whole-time teachers of the college, as the Teacher-in-Charge for discharging the functions of the Principal;

(f) that the college has the financial resources so as to ensure its financial resources efficient maintenance;

(g) that the college, when established, shall not be implicated in competition with neighbouring colleges as might adversely affect the interest of any of them; and

(h) that the college shall not charge from the students fees other than those approved by the University.

(2) Every college shall also undertake that—

(a) any transfer of management or change in the teaching staff effected after affiliation has been granted shall be reported to the Executive Council reported forthwith to the Executive Council;

(b) the number of students in a class shall be determined according to the size of the class room and shall not exceed one hundred :

Provided that in case the number is likely to exceed the prescribed limit, prior permission of the Executive Council for admitting any such excess number of students, not more than fifty in any case, shall have to be obtained;

(c) the appointment of teachers shall be made in accordance with the provisions of—

- (i) The West Bengal College Service Commission Act, 1978 (West Bengal Act LXII of 1978),
- (ii) The West Bengal College Teachers (Security of Service) Act, 1975 (West Bengal Act XLIV of 1975), and

(iii) The provisions made in this behalf by the Statutes, the Ordinances or the Regulations, as the case may be;

(d) there shall be a Teachers' Council in the college constituted in accordance with the provisions made in this behalf by the Teachers' Council the Statutes, the Ordinances or the Regulations, as the case may be;

(e) there shall be a Students' Union, by whatever name called, in the college constituted in accordance with the provisions made in this behalf by the Statutes, the Ordinances or the Regulations, as the case may be; and

(f) there shall be a Mess Committee in the college having hostel accommodation for the students, constituted in accordance with the provisions made in this behalf by the Statutes, the Ordinances or the Regulations, as the case may be.

St. 7 (Affn.) On receipt of an application for affiliation the Vice-Chancellor shall cause necessary inspection to be made

by the Inspector of Colleges with the help of such experts as may be nominated by the Vice-Chancellor with a view to ascertaining whether the proposed college satisfies the conditions set forth in St. 5 (Affn.) and St. 6 (Affn.).

St. 8 (Affn.) An application for affiliation may be withdrawn at any time before an order has been passed by the Executive Council :

Provided that a college shall not be permitted to apply for withdrawal of affiliation after it has started functioning.

St. 9 (Affn.) No student shall be admitted to any course of instruction in a college in anticipation of the affiliation of the college in respect of such course of study. Any violation of this provision may be a ground for refusal of granting affiliation.

St. 10 (Affn.) When a college proposes to add new subjects or courses of study to those in respect of which it has already been granted affiliation, the procedure prescribed by St. 6 (Affn.), St. 7 (Affn.), St. 8 (Affn.) and St. 9 (Affn.) shall, as far as they may apply, be followed.

St. 11 (Affn.) A college affiliated in a subject for any of the University examinations shall provide for the delivery of the minimum number of lectures as may be prescribed by the relevant Council for Under-graduate Studies from

Minimum number of lectures.

time to time.

it shall make its recommendation to the Executive Council in this regard and the Executive Council shall thereupon decide as to whether the Governing Body is to be freshly constituted in accordance with such directions as it may give as a condition of continuance of affiliation of college.

(2) In the event of failure of the college to comply with the direction given by the Executive Council under paragraph (1), it shall take appropriate action in terms of clause (xi) of section 21 of the Act.

St. 18 (Affn.) Every college shall furnish such returns, reports and other information as may be asked for by the Executive Council or by the Council for Under-graduate Studies in order to judge the efficiency of the college or for the compliance of the requirements of the University Grants Commission or the Central Government or the State Government.

St. 19 (Affn.) (1) As a condition of the continuance of its affiliation, every college shall be inspected in accordance with the provisions of the University Ordinances relating to Inspection of Colleges.

(2) The Council for Under-graduate Studies may direct any college so inspected to take, within such time as the Council may fix, such action as may appear to the Council to be necessary in respect of any matter referred to in St. 6 (Affn.) and in case the college fails to take such action, the Council may recommend suspension or withdrawal of affiliation of the college to the Executive Council subject to the provisions of paragraph (3) of St. 5 (Affn.).

St. 20 (Affn.) (1) If any college fails to comply with any of the provisions of the Statutes under this Chapter, the Council for Under-graduate Studies shall report the fact to the Executive Council with its recommendations.

(2) If, on receipt of such report or otherwise, it appears to the Executive Council that no sufficient grounds exist for such failure, it shall call upon the Governing Body of the college to show cause within such date as it may fix why the affiliation of the college in any subject or subjects shall not be withdrawn or suspended.

(3) On the receipt of any representation which the Governing Body may make, the Executive Council shall invite the opinion of the relevant Council for Under-graduate Studies thereon and after considering such representation and opinion, if any, shall decide whether the affiliation of the college in the subject or subjects in question should be allowed to continue or be withdrawn or suspended.

St. 12 (Affn.) (1) If a college fails for two consecutive years to arrange for the delivery of the minimum number of lectures or the holding of the minimum number of tutorial classes in any subject, the Executive Council may refuse to permit the college to present students for the University examination concerned in that subject.

(2) At the end of each session, every college shall furnish to the University a statement showing the total number of lectures delivered and the total number of tutorial classes held in each subject during that session as also during the session immediately preceding the same.

St. 13 (Affn.) Every lecture or tutorial class shall cover a period of not less than 45 minutes.

St. 14 (Affn.) For the purpose of the Statutes under this Chapter, a period of practical work or class exercises of not less than 45 minutes' duration shall be deemed to be a tutorial class.

St. 15 (Affn.) (1) A lecture or tutorial class shall not be treated as such within the meaning of the Statutes under this Chapter, unless it is delivered to or held in respect of a class or a permanent section or group thereof and unless it is reckoned in calculating the percentage of attendance of the students concerned offering the subject in which the lecture is delivered.

(2) Even if some of the students or all of them belonging to a class or a permanent section or a group thereof fail or refuse to attend a lecture or a tutorial class, such lecture or tutorial class shall, nevertheless, be deemed to have been duly delivered or held and all such students shall be marked absent.

St. 16 (Affn.) Notwithstanding anything contained in the Statutes under this Chapter, the Executive Council shall have the power, in an eventuality, such as an epidemic, famine, war or widespread civil disturbances, to suspend the operation of any of the provisions of the Statutes under this Chapter for such period or periods and for such college or colleges as the Executive Council may decide.

St. 17 (Affn.) (1) In the event the relevant Council for Under-graduate Studies is of the opinion that the Governing Body of a college has not been properly constituted or that the Governing Body has not been properly functioning,

Direction to constitute a new Governing Body

Provided that, for the purpose of this clause, 'non-teaching employee' shall include members of the 'non-teaching staff' as also 'Librarians' as defined in clauses 11 (b) and 13 (b) respectively of section 2 of the Act:

(viii) the General Secretary of the Students' Union of the college, ex-officio. In the event of there being no duly constituted Students' Union functioning at a college, one representative of the students thereof shall be elected by regular students from among themselves by secret ballot in the manner as may be determined by the Principal.

(2) (i) The President of the Governing Body of a college shall be elected by the members referred to in clauses (ii) to (viii) of paragraph (1) at a meeting of such members to be convened for the particular purpose by the Principal of the college and presided over by him;

(ii) Half of the total number of the said members plus one shall form a quorum for such a meeting. In case no consensus can be arrived at, the decision shall be taken by a majority of votes; and

(iii) The President of the Governing Body may or may not be elected from amongst the members specified under clauses (ii) to (viii) of paragraph (1).

St. 4 (G. B.) A report on the formation of the Governing Body containing the list of the members thereof including the President as also any changes effected subsequently shall be submitted by the Principal to the Inspector of Colleges forthwith.

St. 5 (G. B.) Any dispute arising in connection with the election or nomination of members of Governing Body of a college including the President shall be referred to by the Principal to the Inspector of Colleges who shall then place it before the Council for Under-graduate Studies and its decision thereon shall be final.

St. 6 (G. B.) (1) (i) The term of office of the representative of the students on the Governing Body shall be one year and in respect of other members it shall be three years, from the date of election of the President :

Term of office and filling up of vacancies

Provided that, in case of a duly constituted Students' Union functioning at a college, the General Secretary thereof shall hold office as a member of the Governing Body for a period of one year or till he ceases to be the General Secretary, whichever is earlier :

Provided further that during the period intervening between the expiry of the term of office of any out-going member and the filling up of the

vacancy, except in the case of the student representative, the out-going member shall continue as such :

Provided also that the Executive Council shall have the power to extend the life of the Governing Body of a college for such period as it may consider necessary.

(ii) At least three months before the expiry of the term of office of any elected or nominated member of the Governing Body of a college, the Secretary or, in his absence, the President of the Governing Body shall take necessary steps for filling up of the said vacancy.

(iii) A casual vacancy in the office of a member of the Governing Body shall be filled by the authority/body/electorate entitled to fill it in the same manner of election or nomination, as the case may be.

(iv) A member nominated or elected to fill a casual vacancy, shall hold office for the remaining period of the term of membership of the member in whose place the vacancy has occurred.

(v) If a member of the Governing Body ceases to hold the position by virtue of which he was elected or nominated on the Governing Body, he shall cease to be the President or the Secretary or a member of the Governing Body, as the case may be, with effect from the date he ceases to hold such position.

(2) Any action taken by the Governing Body shall not be called into

Action of Government Body not to be called into question or invalidated by reason of there being a vacancy in the office of any member thereof.

St. 7 (G. B.) (1) The Governing Body of every college shall be responsible for the proper management of the affairs of the college and may exercise all such powers and functions as may be necessary for the purpose.

(2) In particular, and without prejudice to the generality of the foregoing provision, the Governing Body of every college shall be responsible for ensuring—

(a) that the posts of teachers and non-teaching employees including Librarian are created and appointments made thereto for the imparting of instruction adequately and the operation of the college effectively;

(b) that the number of teachers, their qualifications and the method of recruitment as also the conditions of their service are in accordance with