

MEKLI GANJ COLLEGE

STATUTES



Cooch Behar Panchanan Barma University

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**THE COOCH BEHAR PANCHANAN BARMA UNIVERSITY
COOCHBEHAR**

No. CBPBU/369, dated Coochbehar, the 2 January, 2015,- In exercise of the power conferred by sub-section (2) of the section 58 of the Cooch Behar Panchanan Barma University Act, 2012 (West Ben Act XXI of 2012) I, the First Vice Chancellor of the Cooch Behar Panchanan Barma University, hereby cause, with the approval of the Chancellor and with the assistance of the Committee nominated by the Chancellor vide notification no. 446-Edn(U)/CBPBU-01/13 dated 24th April, 2013, the First Statutes of the University as follows:-

CHAPTER VI
THE STATUTES RELATING TO AFFILIATION OF COLLEGES

70. General:—

- (1) All colleges affiliated to the University before adoption of the Statutes under this Chapter shall be deemed to be affiliated to the University under the aforesaid Statutes.
- (2) Any college proposed to be established in any of the districts situated within the territorial jurisdiction of the University, may apply to the University for affiliation in any of the disciplines as may be consistent with the academic programme of the University.
- (3) In the case of a Government College or a college receiving aid from the State Government, the application shall be made through the Director of Public Instruction, West Bengal. In the case of any other college, the Governing Body/ Organising Committee/ Ad-hoc Committee of Management shall make the application through such authority, if any, as the Executive Council may direct:

Provided that no application for affiliation shall ordinarily be entertained after December 31 of the year immediately preceding the academic session from which affiliation is sought.

71. Affiliation of the colleges: –

- (1) The Executive council shall grant affiliation to a college in accordance with the provisions of the Statutes under this Chapter and subject to such conditions as may be imposed from time to time.
- (2) Affiliation shall be granted specially for each separate subject and for each separate course of study: i.e., Arts, Science, Technology, Home Science, Vocational Studies, Commerce, Management, Law, Education, Journalism and mass Communication, Library Science and Physical Education and such other courses of studies as may be prescribed by the Executive Council from time to time.
- (3) Subject to the provisions of the Statutes under this Chapter the Executive Council shall have the power to suspend or withdraw the affiliation of any college in any subject or course of study in case the Executive Council is satisfied that any of the conditions imposed under paragraph (1) or those prescribed by the Statutes and/ or the Ordinances are not being observed:

Provided that no affiliation shall be suspended or withdrawn without affording the management of the college an opportunity of making such representation as it may desire to make under these Statutes.

(4) Every college applying for affiliation shall satisfy the Executive Council:-

(a) that the college which is not a Government College, is to be, or is being, managed by a Governing Body constituted duly in accordance with the provisions of the relevant Statutes in this regard;

(b) that the college has provided for adequate space for Class Rooms, Libraries, Laboratories, Common Rooms and such other accommodation as may be specified for the purpose of imparting instruction;

(c) that the college has made adequate provision for a properly equipped Library;

(d) that the college has made adequate arrangement for the imparting of instruction in a properly equipped Laboratory or Museum when affiliation is sought in such subjects as would require practical tests;

(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 efficient maintenance;

(g) that the college, when established, shall not be implicated in competition with neighboring 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.

(5) Every college shall also undertake that;—

(a) any transfer of management or change in the teaching staff affected after affiliation has been granted shall be 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 or 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, 2012 (West Ben. Act XXIX of 2012);

(ii) The West Bengal College Teachers (Security of Service) Act, 1975 (West Ben. 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 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.

72. Procedure of affiliation: —

- (1) 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 of affiliation under these Statutes.

- (2) 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.
- (3) 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.
- (4) 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 under these Statutes shall, as far as they may apply, be followed.
- (5) 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 or Faculty Council for Post-graduate Studies, as the case may be, from time to time.
- (6) 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.
- (7) 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.

73. Obligations of the college: –

- (1) Every lecture or tutorial class shall cover a period of not less than forty-five minutes.
- (2) For the purpose of the Statutes under this Chapter, a period of practical work or class exercises of not less than forty-five minutes' duration shall be deemed to be a tutorial class.

- (3) 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.
- (4) 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.
- (5) 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.
- (6) In the event the relevant Council for Under-graduate Studies or the Faculty Council for Post-graduate Studies, as the case may be, 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, 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.
- (7) 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 (x) of section 21 of the Act.
- (8) 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 or the Faculty Council for Post-graduate Studies, as the case may be, 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.

(9) 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.

(10) The Council for Under-graduate may fix, such action as may appear to the Council to be necessary in respect of Studies or the Faculty Council for Post-graduate Studies, as the case may be, may direct any college so inspected to take, within such time as the Council any matter referred to in these Statutes 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 these Statutes.

74. Withdrawal of affiliation: -

(1) If any college fails to comply with any of the provisions of the Statutes under this Chapter, the Council for Under-graduate Studies or the Faculty Council for Post-graduate Studies, as the case may be, 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 or the Faculty Council for Post-graduate Studies, as the case may be, 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.

(4) If any doubt or difficulty arises in regard to the interpretation or application of this Chapter, or if any matter in relation to the affiliation of colleges which is not covered by this Chapter arises, the Vice-Chancellor may issue such directions as he may consider proper subject to the provisions of the Act and shall report the matter to the Executive Council forthwith.

CHAPTER-VII

CONSTITUTION, POWERS AND FUNCTIONS OF THE GOVERNING BODIES OF AFFILIATED COLLEGES OTHER THAN GOVERNMENT COLLEGES

75. Definitions: – In this Chapter, unless the context otherwise requires;–

- (i) "college" means a college affiliated to the University but shall not include a Government College;
- (ii) "donor" in relation to a college means a person, or a Body or/an Association who/which has made a donation to the college of a sum amounting not less than rupees one lakh, or such amount as may be determined by the Executive Council from time to time or has made over to it a property which, in the estimation of the Executive Council, is of the said valuation.

76. Constitution of the Governing Body: –

- (1) Every college shall have a Governing Body consisting of the following members, namely;
 - (i) the President of the Governing Body who shall be a reputed educationist and shall be elected in the manner provided in the following paragraphs;
 - (ii) the Principal of the college, who shall be the Secretary to the Governing Body (ex-officio), subject to the provision that in the case of a new college, at its initial stage, one of the promoters having academic or administrative experience, may, subject to the approval of the Executive Council, act as the Founder Secretary for a period not more than two years from the date of affiliation and in such a case the Principal of the college shall act as the Joint Secretary for the aforementioned period;
 - (iii) three members to be elected by secret ballot by the whole-time teachers of the college from amongst themselves at a meeting of all such teachers convened for the purpose by the Principal of the college in the manner as may be determined by him:

Provided that the meeting shall be presided over by the Principal, but he shall have no vote.

(iv) Any decision at such a meeting shall be taken by simple majority of votes. In the case of an equality of votes, decision shall be taken by the drawing of lots in the manner as may be deemed fit by the Principal;

(v) One member with administrative or teaching experience to be nominated by the State Government;

(vi) three members, not belonging to the concerned college in any capacity, to be nominated by the concerned Council for Under-graduate Studies or the Faculty Council for Post-graduate Studies, as the case may be, of whom one shall be a woman in the case of a women's college or a co-educational college;

(vii) unless the terms and conditions of any donation accepted before coming into force of these Statutes relating to Governing Bodies of Affiliated Colleges framed under the Act, require otherwise;—

(a) one representative of the donors in case their number does not exceed five, or

(b) two representatives of donors in the event their number exceeds five, to be elected by the donors from among themselves by secret ballot in the manner as may be determined by the Principal of the college concerned;

Provided that no teacher or librarian or member of the non-teaching staff or student of the college who is the donor shall be eligible for election to the Governing Body thereof as donors' representative.

(vii) two representatives of the whole-time non-teaching employees of the college, to be elected by such employees from among themselves by secret ballot in the manner as may be determined by the Principal :

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 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) 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.
- (3) 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.
- (4) 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.
- (5) 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 or the Faculty Council for Post-graduate Studies, as the case may be, and its decision thereon shall be final.
- (6) 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 four years, from the date of election of the President:

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 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.

- (7) 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.
- (8) 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.
- (9) 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.
- (10) 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.
- (11) Any action taken by the Governing Body shall not be called into question or invalidated merely by reason of there being a vacancy in the office of any member thereof.

77. Functions of the Governing Body: –

- (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 imparting of instruction adequately and 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 the relevant law

and/or the Statutes, the Ordinances and the Regulations of the University as may be in force from time to time;

- (c) that the laboratory and other instructional facilities available are adequate for the instructional programme;
- (d) that the buildings in which the college is located are suitable for the purpose for which they are intended and are maintained at a satisfactory state of repairs and sanitation;
- (e) that the library is properly equipped with text and reference books so as to cater to the requirements of the teachers and the taught;
- (f) that efforts are made to procure adequate financial resources of the college necessary for efficient and effective operation of the college;
- (g) that all information, returns, reports and other materials as may be required by the University, the University Grants Commission and the State Government are promptly collected, prepared and made available to them;
- (h) that all ledgers, books of account, registers and all other records required to be maintained are always kept up-to-date;
- (i) that due provision is made for the well-being of the students;
- (j) that discipline and cordial relation are maintained among the students, teachers and non-teaching employees;
- (k) that proper assistance and facilities are provided to the Inspector of Colleges and other officials of the University as well as of the State Government while holding an inspection or enquiry or while collecting information and data as may be required;
- (l) that the directions issued by the University from time to time are carried out and compliance therewith is reported speedily to the University;
- (m) that all properties and funds of the college and those donated for the benefit of the college are properly controlled and administered; and

(n) that review of results of the students presented by the college at the University examinations is made from time to time and that measures are adopted for the maintenance of proper academic standard and improvement in the performance of the students.

(3) The Governing Body may appoint a Sub-committee for financial affairs and other Advisory Committees as it may consider necessary for the efficient administration of the college. The Sub-committee for financial affairs shall be constituted from amongst the members of the Governing Body. In the case of an Advisory Committee, persons other than the members of the Governing Body may be included. The Principal shall be the Chairman of such Sub-committee or Advisory Committees.

78. Meetings of the Governing Board: –

- (1) A meeting of the Governing Body shall ordinarily be held in the college premises.
- (2) The Governing Body shall ordinarily meet at least six times in a year.
- (3) Half of the total number of members plus one shall form a quorum provided that no quorum shall be required for an adjourned meeting.
- (4) A meeting may not ordinarily be held during the Summer recess, the Winter recess or the Puja holidays or on other public holidays.
- (5) A meeting of the Governing Body shall normally be convened by the Secretary in consultation with the President. If at any time, there be no Secretary or in case of temporary absence of the Secretary, the President shall convene a meeting. In the case of an ordinary meeting not less than seven days' notice shall be given to the members of the date fixed for such a meeting, while in the case of an extra ordinary meeting twenty-four hours' notice shall be given.
- (6) The Secretary shall send copies of minutes of the previous meeting to the members along with the notice.
- (7) If no meeting of the Governing body is convened for a continuous period of four months, fifty percent of the total number of members on written requisition may require the President or the Secretary, as the case may be, to convene a meeting and

such requisition shall be complied within a fortnight from the date of receipt of such requisition:

Provided that while calculating fifty percent in the case of a Governing Body consisting of members of an odd number, the total number shall first be reduced by one.

79. Governing Body of certain colleges: –

- (1) Notwithstanding anything contained elsewhere in the Statutes under this Chapter, the special provisions regarding composition of Governing Bodies as enumerated hereunder shall apply to certain colleges.
- (2) In the case of a college established and administered by a Registered Educational Society or a Trust Body and already granted affiliation on that stipulation, the Governing Body shall be constituted in accordance with the terms or the Memorandum & Articles of Association or the Deed of Trust, as the case may be:

Provided that the Governing Body of such a college shall also include the members as envisaged in these Statutes.
- (3) Within three months from the date of coming into force of the Statutes under this Chapter, the Governing Body of such college shall be reconstituted accordingly.
- (4) Any notice in writing in this behalf shall be sent by the University to the Secretary or the President of the Governing Body of such a college and in that case such notice shall be deemed to have been duly served on the Governing Body of the college.
- (5) If the Governing Body of such a college is not reconstituted within the period referred to in paragraph (3), the Executive Council may appoint an administrator to take over the management of the college. The administrator shall cause to be constituted a fresh Governing Body of the college within three months from the date of his appointment in accordance with the provisions of paragraph (3).
- (6) Notwithstanding anything contained in paragraph (1), in the case of a college established and administered by a minority based on religion or language and affiliated to the University under the stipulations as contained in the Memorandum & Articles of Association or the Deed of Trust, as the case may be, the Governing Body of such a

college shall be constituted in accordance with the terms of the said Memorandum & Articles of Association or the Deed of Trust, as the case may be.

80. Duties and functions of the Secretary of every Governing Body: – The Secretary to the Governing Body of every College shall;

- (a) convene meetings, conduct the official correspondence and maintain the records including the minutes or proceedings of meetings of the Governing Body;
- (b) send to the University when called upon by the Executive Council to do so, originals or certified copies of such records, correspondence minutes or proceedings referred to in clause (a), as may be required by the Executive Council; and
- (c) operate the college funds jointly with the President or another member of the Governing Body as may be authorised by the Governing Body of the college.

81. General: –

- (1) Notwithstanding the special provisions in regard to the composition of Governing Bodies in the case of certain colleges as envisaged in Statute 78 the provisions of the Statutes under this Chapter, in so far as they are not inconsistent with the terms of the Memorandum and the Articles of Association or the Deed of Trust, as the case may be, shall apply to all colleges.
- (2) Notwithstanding anything contained in the Statutes under this Chapter, in the event of failure on the part of the State Government or the Council for Under-graduate Studies or the Faculty Council for Post-graduate Studies, as the case may be, to nominate any member or members to the Governing Body of a college in terms of the provisions contained in clause (iv) or (v), as the case may be, of these Statutes, the Governing Body or the concerned college shall be deemed to have been duly constituted under the provisions of this Statute.
- (3) If any doubt or dispute arises as to the interpretation or intention of any of the provisions of the Statutes under this Chapter, or if any difficulty arises on an issue not covered by the Statutes under this Chapter, the matter shall be referred by the Secretary or the President of the Governing Body of the college to the Executive Council which shall take appropriate measures for resolving the difficulty or settling the dispute and the decision taken by the Executive Council in this regard shall be final and binding.

CHAPTER-VIII

APPOINTMENT OF TEACHERS AND PRINCIPALS OF AFFILIATED COLLEGES AND OTHER RELATED MATTERS

g. Appointment of Teachers of Colleges:-

- (1) Appointment of whole-time teachers 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, 2012 (West Ben. Act XXIX of 2012), and the rules and regulation made there under.
- (2) Notwithstanding anything contained in the forgoing statute, the extant Government Orders shall also apply for appointment of teachers including part time or whole time contractual teachers and suitable changes shall be made in these Statutes from time to time.
- (3) In the event, the Principal of a college retires or is on leave for a long period, the Governing Body of the college shall appoint a teacher-in-charge from amongst the whole time teachers of the college.
- (4) The senior most teacher with a Ph. D degree of the college shall be so appointed provided there is no serious charge against him (recorded by Governing Body) and he is not mentally or physically unfit (as per report of the Medical Board constituted by the Governing Body for the purpose).
- (5) If the senior most teacher refuses in writing on any ground unanimously considered being reasonable by the Governing Body to take up the responsibility, the teacher with a Ph. D degree next in seniority list shall be appointed and so on.
- (6) The seniority of a teacher will be determined in terms of the period/ length of continuous service rendered only in the concerned college. The term of appointment of teacher in charge shall not ordinarily be more than six months at a stretch during which the Governing Body shall make all efforts to have a person recommended by the West Bengal College Service Commission to be appointed as Principal of the College. If no name of a Principal is received within this time, the tenure of the service of the teacher-in-charge may be extended for a further period

of another six months with the next senior most teachers as the teacher in charge subject to all other conditions remaining same, and so on.

- (7) To avoid difficulty in this regard, requisition to the West Bengal College Service Commission must be sent not less than six months prior the date of retirement of the Principal. The teacher in charge so appointed may enjoy all additional benefits, other than change in pay scale, as enjoyed by a Principal, to be provided from the college funds during their tenure, subject to the approval of the Governing Body.

83. Commencement of Period of Service:- In calculating the period of service of a teacher of a college in any post for any purpose including the operation for a time scale of pay, service shall be counted from the date of his joining the post on his first appointment as a probationer (for a period of not less than one year), provided that if the teacher began his service as a temporary appointee who was afterwards appointed for the same or any other post, service 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. Even in such case of permanent appointment from a temporary appointee, the first year of service will be on probation for the person concerned.

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

- (a) unauthorized leave of absence;
- (b) unauthorized absence in continuation of authorised leave of absence;
- (c) gap in between the date of joining from earlier appointment without prior approved cause.

84. Hours of work:-

- (1) There will be thirty weeks of direct teaching for a college which has to maintain a six-day week so that there are at least one hundred eighty days of direct teaching for each teacher in each academic year.
- (2) However, a college remaining open for all the six days in a week, an individual teacher will be eligible to engage beyond the college premises for one day in academic work like preparing lessons, doing library work or research work or evaluating internal answer scripts. It shall be considered as working day for the teacher.
- (3) Direct teaching hours shall be for a minimum of sixteen hours per week for all

teachers. Two hours of relaxation can be given for those who are actively engaged in research like research projects (only during the tenure of the project) from recognized bodies. Similar concessions shall be due to teachers who engage in College related extension activities approved by Governing Body and/ or under the written directive from the Principal/Teacher-in-charge with administrative work related to the internal matters of the College (sub-committees formed), or IQAC, or NAAC, or UGC, or Higher Education Department, Govt. of West Bengal.

Note: - 'Direct teaching' means;

- (a) delivering lectures and holding tutorial classes for effective teaching; or
 - (b) conducting practical classes and field work as required for the coverage of the syllabus; or
 - (c) holding of class tests, class assignments, seminar presentations, poster presentations etc; or
 - (d) any other activity within the class-room directly related with academic uplift of the students.
- (4) A teacher must be available in the college for at least five hours on each working day. The college authority will make an effective programming for utilization of the time of a teacher by increasing the number of teaching hours, introducing tutorials, arranging counseling programmes and group discussion with students, holding Departmental meetings etc. It is incumbent upon the Principal/ Teacher in charge of the college with cooperation from all concerned to ensure that students take admission in all offered subjects and are present in the classes. If it is not possible to maintain admission and attendance of students in certain subjects then the teacher concerned in those subjects need not be made to sit idle in the college for maintenance of clause (1) & (2). They should be officially allotted maximum administrative work as discussed in clause (2).
- (5) Expenses incurred towards travel and communication for these officially allotted administrative works of these teachers will have to be borne out of college funds as per rates admissible to the concerned college. If the classes are suspended for the day(s) for reasons where a teacher concerned is not involved, and/ or cannot discharge academic duty meaningfully, and/ or has not been allotted in writing any duty of the college by the Principal, he may be exempted from the clause of minimum five hours availability in the college.
- (6) It shall be mandatory for a teacher (substantive, part-time and contractual) to co-

operate and assist in carrying out functions relating to educational responsibilities of the college, such as assisting the Principal in processing the applications for admission, advising or counseling the students and assisting in University and college examinations including invigilation and supervision thereof as and when required by the Principal.

Explanation:-

- (i) The expression "to co-operate and assist" in relation to University examinations, shall, for the purpose of this Statute, mean to include compulsory and effective participation of teachers, including mandatory presence of Principals in the college premises, of affiliated colleges in all matters relating to such examinations if and when the services of such teachers, including Principals, are requisitioned by the affiliating University for any purpose relating to such examinations.
 - (ii) Duties relating to examination (invigilation and evaluation of scripts) of the affiliating University will always be primary to all teachers (substantive, part-time and contractual) and under no circumstances any other duty/responsibility can be allowed during the period of examination and evaluation process of the affiliating University.
 - (i) for maximization of resource utilization, all teachers irrespective of their rank and engagement with research, courses and seminars will have to share and be present in equal number of duties related to invigilation of examination allotted to the by the affiliating University.
 - (ii) However, the University will allot number of candidates for a college to hold their examination as per a uniform norm of candidate-invigilator ratio, applicable for all affiliated colleges, to be decided from time to time by the University Council
- (7) The stipulations regarding the number of working hours shall not be applicable when a teacher is engaged in conducting field work, excursions and supervision of practice teaching approved by the college authority.
 - (8) Morning-Day-Evening Colleges, working in shifts, housed in the same building with separate administration shall enhance the number of working hours as far as

possible by overlapping adjustment with day-time colleges to ensure the number of working hours for each teacher.

- (9) Every teacher, including the Principal/ Teacher-in-Charge of a college, shall daily sign an attendance register maintained for the purpose, recording the time of arrival and departure, the number of classes allotted and the number of classes taken as well as other duties performed. The Principal shall personally check and countersign the attendance register daily or at least twice a week.
- (10) Every teacher has to fill up the annual Performance Based Appraisal Report as prescribed in the approved Proforma of such report by the Executive Council of the University. These annual reports shall be part of the Service Book of the teacher. The said annual reports and the Service Book shall be kept in the custody of the Principal of the College, with a signed copy of the both with the teacher concerned. Due to the confidential and sensitive nature of these documents, no sub-committee can be formed in this matter, and only during career advancement/ retirement/ resignation of a teacher they will be made available to the IQAC for due processing.
- (11) Every teacher (including the Principal/ Teacher-in-Charge) of the college shall not, except with the previous sanction of the Governing Body, accept either directly or indirectly on his own behalf or on behalf of any other person or permit any member of his family so to accept from any person any gift of more than trifling value:
Provided that gifts of a value, reasonable in all circumstances of the case, may be accepted from relations and personal friends or presented to such persons on occasions such as weddings, anniversaries, funerals and religious functions, when the making/ receiving of such gifts is in conformity with the prevailing religious or social customs; but acceptance of such gifts other than those of a trifling value should be reported to the Governing Body and the gifts shall be disposed of in such a manner as the Governing Body may direct.
- (12) If a question arises whether any gift is of trifling value or not, or where the concerned teacher is in any doubt whether a gift offered to him is of a trifling value or not, a reference shall be made to the Governing Body and the decision of the Governing Body thereon shall be final.
- (13) In particular and without prejudice to the foregoing provision, a teacher shall perform the following duties:-

- (i) to perform invigilation work in any examination ;
- (ii) to draw class routines;
- (iii) to carry out assignment for such field work as may be necessary for the courses taught in the college;
- (iv) to assist the Principal with regard to the admission of students;
- (v) to participate in N.C.C., N.S.S. and Sports and Games for the well-being of the students;
- (vi) to assist the Principal in the management of the hostels and messes attached to the college or administered by the college, if any;
- (vii) to make the internal assessment of the students; and
- (viii) to evaluate answer scripts of students and undertake any other duty, related to any examination conducted by the college and the university, on being directed and appointed to do so.

85. Duties of a Principal/ Teacher-in-Charge:-

- (1) The Principal of a College shall be in overall charge of the administration of a college. Policy matters are to be decided upon by the Governing Body. But details of implementation and day to day administration are to be done by the Principal. The Principal shall be accountable to the Governing Body for his performance.
- (2) He, as the Secretary of the Governing Body, shall call at least six meetings annually of the Governing Body and place before the Governing Body all the issues which require decision by the Governing Body.
- (3) He shall be regular in his attendance in the college and shall be present as far as possible in the college during working hours. In case of engagement elsewhere for official purpose, he will note the reason/cause for the same in the attendance register. In case of absence of more than a day from college, the Principal will assign a teacher with Ph. D to be teacher in charge for the period with the approval of the Governing Body.
- (4) It is the duty of the Principal to be in over all charge of University Examinations and admissions held in the college. The members of the Examination/ Admission Committee shall help the Principal in such matters. Under unavoidable circumstances of absence from the college, with the approval of the Governing Body, the Principal

Teacher-in-Charge may depute a teacher in her/his place to carry on such duties. However, if the Principal/ Teacher-in-Charge are in station and on duty will not be able to seek such approval from the Governing Body.

- (5) A Leave Register for all teachers and staff will be maintained along with a file of documentary evidence of the same under the overall supervision and custody of the Principal/ Teacher-in-Charge without the involvement or assistance of any beneficiary of the same. In case of a dispute/ difference on nature of leave applicable, on a case by case basis, can be resolved by forwarding the same, with approval from Governing Body, to the Inspector of Colleges of the University.
- (6) In case of any further clarification/revision, the case may be forwarded to the Director of Public Instruction, West Bengal for final and binding resolution of the matter.
- (7) He shall check the attendance of the teaching and the non-teaching staff of the college. He must also ensure that the attendance registers of the students are properly maintained. A student who does not meet the percentage requirement of seventy five percent of attendance for being treated as a regular student cannot be allowed to sit for the University examinations. However, such candidates may be allowed to appear in the University Examination as a non-collegiate candidate.
- (8) Departmental meetings shall be regularly arranged by the Principal, not less than four times in an academic year, to review the progress of course coverage by the teachers concerned and attendance of students in each department.
- (9) He with the help of the Bursar must see that the accounts of the college are regularly maintained and annually audited. Financial irregularities, if any, are to be brought to the notice of the Finance Committee and to the Governing Body of the college for taking proper action.
- (10) In the month of March, on written input from all the head of the departments and designate office staff of estimated expenditure for the coming year of the college by 28th February, the Bursar will introduce the annual budget estimates of the college in the Finance Committee, which on approval will be placed in the Governing Body by the Principal.

- (11) He must submit, each year by 28th February, the list of teachers (substantive, part-time and contractual) in the college (subject-wise) along with their residential addresses, contact phone number and valid email ID to the Controller of Examinations for appointment of examiners in order to facilitate timely publication of the results of University examinations.
- (12) He shall see that the vacant posts are filled up without delay and due financial assistance is obtained and utilized. At least six months prior to a teaching post falling vacant, the Principal shall move the files, with approval from Governing Body, to West Bengal College Service Commission and/ or Department of Higher Education, as necessary, with the requisition to fill up the same. He shall also see that papers related to career advancement, fixation of pay, claim for retirement benefits and Service Books of the members of the staff are to be prepared and sent duly signed to the appropriate authorities in time.
- (13) The maintenance and keeping update the Roster Point Register of the College, with proper authorization from the concerned department/cell of the government, at all time of the year will be the responsibility of the Principal.
- (14) He will be responsible for autonomy and effectiveness of the internal bodies like Students' Grievance Reddressal Cell, Sexual Harassment Cell, Anti-ragging committees and squads, Students' Welfare and Counseling Cell: with respect to their formation for two years tenure, annual conduct of its six meetings, and execution of decisions taken with the approval of the Governing Body.
- (15) The Principal shall ordinarily take not less than four periods of class work in a week in his subject.
- (16) He shall perform any other duty which may be assigned to him by the Governing Body under the Act.
- (17) In particular, and without prejudice to the generality of the foregoing duties, a Principal/ Teacher-in-Charge shall perform all or any of the following functions:-
- (i) develop a vision and strategy which keeps the College at the forefront of educational innovation and outstanding achievement and which maintains its

position within its local community as a key and valued partner committed to excellence;

- (ii) be expected to lead, inspire and develop the management team and staff, maintaining at all times that ethos of partnership and shared decision making which has been so fundamental to the College's success;
- (ii) strive to make the College an inclusive, student-centered organization and an effective learning environment for all College users;
- (iii) adopt and encourage a positive attitude towards equal opportunities and ensure the development of equal opportunities throughout all aspects of service delivery and employment;
- (iv) develop an ethos of teamwork throughout the organization;
- (v) promote discipline and good conduct and encourage commitment of staff, leading by example;
- (vi) maintain student security and discipline and, within the rules and procedures provided for within the Articles, suspend or expel students on disciplinary grounds or expel students for corrupt academic practices;
- (vii) recommend the penalties to the governing bodies in case of offences or lapses on part of the employees/ students/ teachers;
- (viii) ensure, as the DDO of the College, that the Governing Body is advised if its actions or policies are incompatible with the financial memorandum, with the College's financial regulations and procedures or with the Instrument & Articles of Government;
- (ix) ensure that the College is effectively represented and promoted in local, regional and national forums and that information from external sources is disseminated widely throughout the College;
- (x) promote participation in academic programmes, such as Orientation Programmes, Refresher courses, Workshops and Seminar as Presenter-Participant, In-service and other training Programme, organized by the Bodies (National/International) and/or University and/or Department/College for development of academic competence of the teachers;
- (xi) delegate two teachers with aptitude and competence for advising his office towards drawing funds through application of for funds of various nature available from government/private departments/bodies;

- (xii) form an Internal Flying Squad at the start of every week with three teachers of the college in rotation to assist the Principal in making surprise visits to classes, examination rooms, office, store, library, toilets, common rooms, laboratories, canteens, hostel and/ or any other place within the college premises for scrutiny and check of smooth and fair conduction of classes and examinations/ irregularities/ anomalies/ cleanliness/ hygiene;
- (xiii) promote formation of staff co-operative societies following due process of law, and taking initiative to motivate joining Group Insurance (Hospital and Surgical) schemes among the teachers, staffs and bonafide students;
- (xiv) maintain timely correspondence relating to the administration of the college;
- (xv) ensure proper functioning of the Receiving/ Dispatch Desk of the college;
- (xvi) shall not employ any official subordinate on regular domestic service;
- (xvii) ensure observation of the Act, Statutes, Ordinances, Regulations, Rules and other directions or orders issued there-under from time to time by the University, and the orders issued by the State Government.

(17) A whole time teacher of a college enjoying University Grants Commission scale of pay shall retire from service with effect from the afternoon of the last day of the month in which he attains the age of superannuation, that is, sixty years. Notwithstanding the above, with the extant Government Orders appropriate changes can be made in these Statutes by vide notification in the University Regulation from time to time.

86. **Other Employment:** – No teacher (including the Principal/ Teacher-in-Charge) of a college shall be permitted to engage himself either in private tuition or in any other remunerative assignment not authorised by the University:

Provided that;

- (a) no whole-time teacher (including the Principal/ Teacher-in-Charge) of an affiliated college shall be permitted to do guest/ visiting/ part-time teaching work in not more than two institutions at any point of time other than their own college without application through proper channel and approval of the same by the Governing Body of the concerned college. For the teachers/principal of Government College.

all approvals shall have to be taken from Director of Public Instruction through proper channel;

- (b) any teacher contravening the provision of this Statute shall be liable to such disciplinary action as the Governing Body of the concerned college / Director of Public Instruction (as the case may be) may deem fit.

87. Resignation: –

- (1) Subject to the terms and conditions of any existing contract, no permanent teacher of a college shall be entitled to terminate his service by voluntary resignation without filing in writing with the Principal notice of his intention to resign and such notice shall be so 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.

- (2) Temporary or probationary teachers may terminate their service by voluntary resignation by filing with the principal/ Teacher-in-Charge similar notice in writing at least one month in advance:

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

- (3) Any 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) in addition to such disciplinary action as may be taken for such contravention.

88. Discipline and Conduct:–

- (1) Subject to the provisions of the West Bengal College Teachers (Security of Service) Act, 1975 the teachers of a college (including the Principal), for reasons stated in Paragraph (2) and in the manner prescribed, shall be subject to the following disciplinary measures and actions as mentioned in paragraph (3) to be imposed by the Governing Body of the College.

(2) Reasons for Disciplinary measures:-

- (i) neglect of duty;
- (ii) want of due diligence in the performance of duties;
- (iii) dereliction of duty connected with work related to the University examinations;
- (iv) engaging in any unauthorized work, gainful or otherwise;
- (v) violation of orders regarding attendance and discipline;
- (vi) misappropriation and defalcation of college fund;
- (vii) insubordination or disregard or violation of the written orders of the superior authority;
- (viii) bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service in the college;
- (ix) failure to adhere to published rules/ regulations;
- (x) commission of any offence involving moral turpitude;
- (xi) damage or misuse of college property or data; software licensing and other similar violations;
- (xii) falsification of attendance, employment application, and/or other records/ documents;
- (xiii) unauthorized/unverified comment in the public domain (world-wide-web, electronic and print media) that will cause false alarm, disrepute, inaccurate representation in the public mind about the college;
- (xiv) conviction by a Criminal court;
- (xv) taking of illegal gratification;
- (xvi) tampering with official records;
- (xvii) unauthorized absence;
- (xviii) being in the college premises intoxicated state and/or in possession and/or in use of illegal drugs or controlled substances;
- (xix) being in the college premises with possession or use of weapons;
- (xx) bigamy;
- (xxi) engaging in sexual harassment of colleagues and students;
- (xxii) declining of assignments related to invigilation/ paper setting/script evaluation of University Examination without any reason; or delay in submission of assignments paper setting/ script evaluation of University Examination without any reason.

- (3) The University may direct the Governing Body to initiate disciplinary proceedings against a teacher or the Principal/ Teacher-in-Charge if the University, on approval from Executive Council, decides on evidence that the concerned person is guilty of dereliction of duty connected with any work related to University Examination and/or all other matters of affiliation.
- (4) Disciplinary Measures:—
- (a) censure, to be recorded in his Service Book for future reference;
 - (b) recovery of pay, of the whole or part of any pecuniary loss caused to the college by negligence or breach of any lawful order of the Governing Body or otherwise;
 - (c) withholding of increments or withholding of career advancement or both;
 - (d) suspension;
 - (e) compulsory retirement;
 - (f) removal from service which shall not be disqualification for future employment;
 - (g) dismissal from service which shall ordinarily be a disqualification for future employment as a teacher.
- (5) No order imposing any of the aforesaid measures shall be issued without informing the teacher concerned of the charges against him and giving him an opportunity of being heard and except after an enquiry held as per the principles of natural justice and in a manner prescribed by the Governing Body of the College.
- (6) An order of the Governing Body of the college imposing any of the penalties mentioned above shall be communicated to the teacher concerned and shall be reported to the concerned University.
- (7) A teacher, against whom an order imposing any of the penalties mentioned above has been passed, may prefer an appeal within thirty days from the date of receipt of such order to the Governing Body for penalties mentioned at (a), (b) and (c) of Paragraph (A); and to the Director of Public Instruction, West Bengal for penalties mentioned at (d), (e), (f) and (g) of Paragraph (A). In the latter case, the Director of Public Instruction, West Bengal shall, after giving the teacher and the Governing Body of the college an opportunity of being heard, pass such orders as it thinks fit. The Director of Public Instruction, West Bengal may, by his own order, delegate the power to some officer not below the rank of Joint Director of Public Instruction.
- (8) However, before initiating such disciplinary measures against an earning teacher or

Principal/ Teacher-in-Charge, the Governing Body shall try to initiate corrective measures. If the injury caused by the offending act is minor, then the offender may be let off with a written caution. The particulars of the offending act, however, shall be recorded in his Service Book for future reference.

- (9) Along with disciplinary measures, the Governing Body may also record its appreciation for teachers and Principals for outstanding performance. The note of appreciation shall be recorded in the Service Book of the teacher or Principal concerned.

CHAPTER-XIII

LEAVE RULES FOR THE TEACHERS OF AFFILIATED COLLEGES

115. Leave not to be claimed as of Right:-

- (1) Leave of absence from duty cannot be claimed as a matter of right and may, on application by a teacher / Principal 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 / Principal who is under suspension shall be granted any leave.
- (3) Absence without leave shall render a teacher/ Principal subject to such disciplinary action as may be provided in the "Disciplinary Rules" prescribed by Statutes.

116. Application for Leave: – All applications for leave or for extension of leave shall be made in writing and addressed to the Principal/President of the Governing Body in case of Principal and sanction for the leave or extension of leave, as the case may be, applied for, 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 obtain the sanction of the leave of absence beforehand, leave may be granted with retrospective effect but all applications for leave with retrospective effect shall be filed at the earliest possible opportunity.

117. Duration of Leave: –

- (1) Leave ordinarily shall commence on the date with effect from which it is actually availed of and terminate on the date preceding the date of resumption of duty:

Provided that Sundays or holidays can be prefixed or suffixed to leave, so, however, that for the purpose of prefixing or suffixing to leave holidays exceeding three days; previous sanction of the authority competent to grant the leave shall be obtained.

- (2) Except with the previous permission of the authority granting the leave no teacher/ Principal on leave may return to duty before the expiry of the period of leave granted to him.

- 118. Computation of Absence in Certain Cases:** – If a teacher of a college is absent from duty on all the days of a week on which he has been assigned duties, whether such days are consecutive or not, he shall be deemed to be absent from duty for the whole of the week.
- 119. Leave not to extend beyond the date of retirement:** – No leave shall be credited in the leave account of a teacher/ Principal after he retires on superannuation or retires voluntarily or resigns.
- 120. Recalling from Leave:** – The Principal/ the President of the Governing Body of a college, may in his discretion, recall any teacher/ Principal of the college, as the case may be, to duty, at any time, who may be on leave, except on medical grounds, and when a teacher/ Principal is so recalled to duty he shall be granted such travelling allowances as the Principal/ the President, as the case may be, may consider reasonable.
- 121. Overstay:** – If the teacher of a college has been granted leave to which holidays have been suffixed or prefixed and the teacher/ Principal absents himself from duty beyond the expiration of such holidays, shall be treated as absence from duty without leave and he shall not be entitled to his salary or allowances for such period unless the Governing Body otherwise directs.
- 122. Types of Leave:**– Subject to the foregoing general principles “leave” shall mean (i) Casual Leave; (ii) Earned Leave; (iii) On Duty Absence ; (iv) Study Leave; (v) Special Study Leave;(vi) Maternity Leave and Child Adoption Leave; (vii) Quarantine Leave; (viii) Medical Leave/ Half Pay Leave (ix) Commuted Leave ; (x) Extraordinary Leave; (xi) Compensatory Leave; (xii) Leave Not Due; (xiii) Special Disability Leave. (xiv) Child Care Leave.

123. Casual Leave: –

(1) Casual leave on full pay may be allowed to Teacher/ Principal of a college up to a maximum of fourteen days in any one academic year but not more than seven days at a time.

(2) Casual leave cannot be combined with any other kind of leave or Puja holidays or the Summer Recess or Winter Recess, but can be prefixed or suffixed to Sundays, other holidays and weekly offs, provided such leave shall not exceed 7 days at a time including Sundays, holidays and weekly offs.

(3) Sundays or holidays other than Puja holidays 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/ Principal 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 cannot be accumulated or taken over or brought forward to any other academic year.

(5) A teacher/ Principal on casual leave shall not be treated as absent from duty.

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

24. Earned Leave: –

(1) Earned Leave is the leave which is earned by a teacher/ Principal by discharge of duties for a certain period as mentioned herein below and granted to him at the discretion of the authority granting such leave. Unless otherwise compelled by the exigencies of circumstances, all applications for earned leave shall be made at least seven days prior to the date on which the concerned teacher/ Principal proposes to proceed on leave for twenty days or more. Prior sanction should be obtained before leaving station and/ or proceeding on leave as well as for extension of leave even if the period of leave applied for is less than twenty days.

(2) Every whole-time teacher / Principal of a college shall be entitled to earned leave on full pay and allowances;

(i) during the first seven academic years of service, to the extent of fifteen days for every completed twelve months of active service; and

(ii) from the eighth year of service onwards to the extent of thirty days for every additional completed twelve months of active service; plus

(iii) Earned leave admissible to a teacher shall be $\frac{1}{3}^{\text{rd}}$ of the period, if any, during which he is required to perform duty during vacation by the college authority or equal to one-eleventh of the period spent on actual service in a non-vacation department subject to a maximum of thirty days in a calendar year provided that the upper limit of accumulation of earned leave shall not exceed three hundred days:

Provided that when the earned leave accumulates to three hundred days the teachers shall cease to accumulate any further such leave or taken over or brought forward to any further period.

Explanation: - "Active Service" means the period which a teacher/ Principal 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 Puja holidays, the Summer Recess and the Winter Recess, if any, and
- (iii) the holidays except such holidays as may fall within the periods as specified in item above or casual leave or any other kind of leave that may be granted to him.

(3) Earned leave may be granted for such reasons as may be considered by the authority competent to grant such leave, which may included:-

- (i) illness of the teacher concerned;
- (ii) illness of a member of the family of such teacher;
- (iii) urgent private affairs;
- (iv) higher study or training; and
- (v) rest 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 by a medical certificate signed by a registered medical practitioner;

(ii) no teacher who has been granted earned leave under Clause (a) on a medical certificate may return to duty without producing a medical certificate of fitness signed by a registered medical practitioner.

(4) The maximum period of earned leave that may be granted at a time shall not normally exceed Sixty days. Earned leave exceeding sixty days but not more than one hundred and eighty days at a time may be sanctioned in case of higher study/ training/ leave with medical certificate.

(5) The leave account of every teacher shall be credited with earned leave, in advance, in a single installment of fifteen days on the first day of July for each of the first seven years of service and two installments of fifteen days on the first day of July and January of every academic year from the eighth year of service onwards. And as such the earned

leave may be credited at the rate of two and a half days for each completed calendar month for those who have completed seven years of service and at the rate of one and one-fourth day for those who are in the first seven years of service. Ultimate fraction of a day shall be rounded off to a nearest integer. The period of any leave without pay shall be extended from the calculation of earned leave.

(6) Earned leave can be combined with any other kind of leave except casual leave.

(7) When a teacher moves from one college to another on lien or otherwise, his accumulation of earned leave/ half-pay leave in the new college will be as per previous accumulation of leave i.e. in other words his leave account will be a continuous procedure. In such cases, Earned Leave available to the credit of a serving teacher including Principals prior to first day of January, 2009 as per previous norms shall be carried forward and counted for calculation of total leave encashment at the time of superannuation.

On Duty Absence: –

- (1) Absence from duty of a teacher with the permission of the Principal/Teacher-In-Charge of the college and in case of the Principal, the permission of the President of the Governing Body, on account of duties assigned (with supporting necessary document) by the affiliating University, Government or any constitutional authority or the college or the Public Service Commission or the College Service Commission or the School Service Commission etc.; or on account of obligations in regard to the NCC or the Social Service Camps and similar other obligations shall be deemed to be on duty absence and shall not be counted towards casual or earned leave.
- (2) Absence from duty of a teacher with the permission of the Principal/ Teacher-In-Charge of the college and in case of the Principal, the permission of the President of the Governing Body, on account of attending Orientation Programme, Refresher Course, Participation and Presentation of Paper in a seminar/ workshop/ symposium/ conference at state/ national/ international level; for seminar presentation/ appearance in viva-voce in connection with M. Phil/ Ph. D Course Work, M. Phil/Ph. D Registration, M. Phil/Ph. D Dissertation, and receipt of M. Phil/ Ph. D degree in convocation.
- (3) On duty absence shall not exceed more than thirty working days in a calendar year, notwithstanding the additional claim for the same may be admissible under the above

clauses. In cases of such additional claim, the teacher shall be granted due and admissible leave as far as possible by the Principal/ Governing Body, as the case be.

(4) On duty absence is admissible with full pay and allowances.

126. Study Leave: -

- (1) Study leave with full pay for advanced study and research directly related to his work in the College may be granted to a teacher by the Governing Body of the college subject to approval of the Higher Education Department provided the concerned teacher has put in at least three years of service and is not due to retire there-from within five years of his return from such leave. There shall be a gap of at least three years between two periods of such leave.
- (2) The amount of scholarship, fellowship or other financial assistance that a teacher, has been awarded will not preclude his being granted study leave with pay and allowances provided the scholarships etc. so received shall be taken into account in determining the pay and allowances on which the study leave may be granted.
- (3) An application of study leave with particulars of international assignments, Scholarship/ Fellowship or financial assistance including travel grant, if any statement of nature of works enclosed with supporting documents has to be submitted ordinarily two months before the applicant intends to avail of such leave.
- (4) Study leave on full pay (without allowances in India and with Dearness Allowance outside India) may be granted for a maximum period of twelve months at any one time and twenty four months in all during the entire service period. However, such leave may not be granted by the Executive Council/ Governing Body in case the number of teachers sanctioned study leave in any department in any given period is likely to affect the academic programme of the concerned department.
- (5) If the concerned employee shall receive any pay, allowance, stipend, scholarship, fellowship from any source other than the College while on study leave, leave salary shall be reduced to the extent as followed in the case of University teachers
- (6) A teacher granted study leave shall on his/her return and re-joining the service of the college may be eligible for the benefit of the annual increment (s) which he would have earned in course of time if he had not proceeded on study leave. No teacher shall however, be eligible to receive arrears of increments.
- (7) Study leave shall count as service for Pension/ Contributory Provident Fund.

provided the teacher joins the college on the expiry of his study leave.

- (8) Study leave granted to a teacher shall be deemed to be cancelled in case it is not availed of within twelve months of its sanction:

Provided that where study leave granted has been so cancelled, the teacher may apply again for such leave.

- (9) A teacher availing study leave shall submit a written undertaking that he/she shall serve the college for a continuous period of at least three years to be calculated from the date of his resuming duty after expiry of the study leave failing which he shall have to refund the emoluments received from the Government/ college/ UGC during the period of study leave. If such undertaking not provided and the incumbent leaves the service, the Principal/ Teacher-in-Charge of the College will be responsible to get the refund or recompense the college for the same.

- (10) After the leave has been sanctioned, the teacher shall before availing himself of the leave execute a bond in favour of the college binding him for the due fulfillment of the conditions laid down in sub-clause above.

127. Special Study Leave: –

- (1) A whole-time teacher of a college may be granted leave with full pay and Dearness allowances for pursuing study or research in an institution considered by the Governing Body of the college as suitable for the purpose, subject to the approval of the Higher Education Department, for such period ordinarily not exceeding twelve months during the whole period of his service, provided that the concerned Teacher has put in at least three years of continuous service and not to retire there-from within five years of his return from such leave:

Provided that any application for special study leave with particulars of institutional assignments, financial assistance inclusive of travel grants, if any, with supporting documents should be submitted to the Governing Body at least one month before the start of the leave applied for.

- (2) The teacher of a college shall furnish an undertaking that he shall serve the college for at least three years on his return from study leave on such terms and conditions as the college may decide failing which he shall be required to refund the amount paid to him as leave salary for the period of Study Leave:

Provided that if the concerned employee is receiving any pay, allowance, stipend, scholarship, fellowship from any source other than the college while on study leave, leave salary shall be reduced to the extent as followed in the case of University teachers.

128. **Leave during Probation Period:** – For a teacher during "appointment on probation", which means appointment on trial before confirmation and shall be confirmed and made permanent only on satisfactory completion of the period of probation, will be eligible during the period of probation for Casual Leave (maximum fourteen days in a year and which shall not be combined with any other kind of leave) and Extraordinary Leave (on any occasions in excess of three months in a year, and with no leave salary/ leave with pay is admissible for this period).

129. Maternity Leave: –

- (1) Maternity leave with full pay and allowances may be granted to a whole time lady teacher on full pay for a period not exceeding one hundred and eighty days including the period of confinement as per advice of a registered medical practitioner.
- (2) Maternity leave, combined with any other kind of leave, may be granted only if the application is supported by a medical certificate signed by a registered medical practitioner.
- (3) Maternity leave may also be granted to a lady teacher of a college on full pay in cases of miscarriage, including abortion, subject to the condition that such leave shall not exceed six weeks and that the application for leave shall be supported by a medical certificate signed by a registered medical practitioner.
- (4) Maternity leave shall not be debited to leave account though to be recorded in Service book.
- (5) Notwithstanding the above, till such time Government Order from appropriate authority applicable to the affiliated colleges has been issued and has been duly notified in the University Regulation, Child Care Leave cannot be availed by any teacher of the affiliated colleges.

130. **Quarantine Leave:** – Leave of absence from duty may be granted to a teacher/ Principal/ Teacher-in-Charge of a college on full pay when he is ordered by the Principal or Teacher-in-Charge/the President of the Governing Body of the college, as the case may

be, not to attend his duties on account of the presence of any infectious disease in family or household. Such leave may be granted, on a certificate signed by 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 shall not be debited to leave account.

131. Medical Leave/ Half Pay Leave: –

- (1) A whole-time teacher/ Principal/ Teacher-in-Charge of a college shall be entitled to half-pay leave for twenty days for each completed year of service. Such leave may be granted on medical ground on the basis of medical certificate from a registered medical practitioner as well as on the ground of private affairs.
- (2) Half-pay leave may be combined with any other kind of leave except casual leave.
- (3) Half-pay leave may be accumulated up to a maximum of seven hundred and twenty days during the entire period of service.

132. Commuted Leave: – A teacher/ Principal/ Teacher-in-Charge shall be entitled to commute the half-pay leave that he has earned to full pay leave on medical ground subject to production of a certificate from a registered medical practitioner:

Provided that when such commuted leave is granted, twice the amount of half-pay leave shall be debited against the half-pay leave due:

Provided further that the total commuted leave that may be granted to a teacher shall not exceed one hundred and eighty days during the whole period of service of the teacher.

- (i) Half-pay leave up to a maximum of one hundred and eighty days may be allowed to be commuted during the entire service period of a teacher (without production of medical certificate) provided such leave is utilized for an approved course certified to be in the interest of the college by the Governing Body;
- (ii) commuted leave may be combined with any other kind of leave except casual leave.

133. Extraordinary Leave: -

- (1) Extraordinary leave without pay and allowances may be granted to a teacher/ Principal/ Teacher-in-Charge in the following circumstances:-
- (i) when no other leave is admissible to him; or
 - (ii) when the other leave is admissible, but still he applies in writing for the grant of extraordinary leave.

- (2) Except in case of a permanent teacher/ principal / Teacher-in-Charge, the duration of extraordinary leave shall not exceed three months on any one occasion:

Provided that when such a teacher/ Principal is undergoing treatment for tuberculosis in a recognised hospital or at an approved sanatorium or at his residence under a specialist recognised as such by the Governing Body or for leprosy in a recognised leprosy institution by a Medical Officer of Health Department or a specialist in leprosy recognized as such by the Governing Body he may, subject to such conditions as may be prescribed by the Governing Body, be granted extraordinary leave for a period not exceeding twelve months.

Note (1): The concession of extraordinary leave up to twelve months under the provision above shall be admissible to a teacher/ Principal if he produces a certificate by the Superintendent of the hospital or the specialist, as the case may be, to the effect that he has reasonable prospect of recovery on the expiry of the leave recommended.

- (3) The concession of extraordinary leave under paragraph (1) will be admissible only to those teachers who have been in continuous service for a period exceeding one year.
- (4) The authority empowered to grant leave may commute retrospectively period of absence from duty without leave into extraordinary leave.

134. Compensatory Leave: -

- (1) Any teacher of a college who may be required, in the interests of the college, to work during holidays shall be entitled to compensatory leave for an equal number of days for which he is so required to work during the holidays.
- (2) There will be no accumulation of such compensatory leave and it is to be availed within three months from the date of accrual.

135. Leave not Due: –

- (1) 'Leave not due' with half pay may be granted by the Governing Body to a Teacher/Principal/ Teacher-in-Charge for a period not exceeding 360 days during the entire period of service, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical ground. Such leave shall be debited against the half-pay leave earned by him subsequently. 'Leave not due' generally shall be granted in exceptional cases of illness.
- (2) 'Leave not due' shall not be granted unless the Governing Body is satisfied that as far as can reasonably be foreseen, the teacher/ Principal will return to duty on the expiry of the leave and earn the leave granted.
- (3) A teacher/ Principal/ Teacher-in-Charge to whom 'Leave not due' is granted shall not be permitted to tender his resignation from service so long as the debit balance in his leave account is not wiped off by active service or he refunds the amount paid to him/her as pay and allowances for the period not so earned. In a case where retirement is unavoidable on account of ill health, incapacitating the teacher/ Principal/ Teacher-in-Charge for further service, refund of leave salary for the period of leave still to be earned may be waived by the Governing Body:
Provided that the Governing Body may, in any other exceptional case also waive, for reason to be recorded, the refund of leave salary for the period of leave still to be earned.

136. Special Disability Leave:–

- (1) A teacher/ Principal who is disabled by injury accidentally incurred in consequence of the due performance of his official duties or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the post may be allowed special disability leave on full pay and allowances for a maximum period of 24 months during the whole course of service.
- (2) Special Disability Leave may be combined with any other kind of leave except casual leave.
- (3) The concerned teacher/ Principal/ Teacher-in-Charge is entitled to normal annual increment in time scale of pay during such leave of absence.
- (4) Special disability leave shall not be granted unless the disability manifests itself

within 3 months of occurrence to which it is attributed and the teacher/ Principal/ Teacher-in-Charge disabled acted with due promptitude in bringing it to the notice of the appropriate authority.

- (5) Such leave shall be granted only on the recommendation of a Medical Board and the period of such leave shall in no case exceed 24 months.
- (6) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.
- (7) Since Special Disability Leave is granted owing to an injury caused during the discharge of official duty of a teacher/ Principal/ Teacher-in-Charge concerned the appropriate leave sanctioning authority should be satisfied first as to the cause of accident which led her/him to sustain the injury for the entitlement of such leave.
- (8) Leave salary during such leave shall be with full pay and allowances for the first 120 days and half pay for the remaining period.

137. Conversion of Leave: –

(1) At the request of a teacher of a college the Governing Body of the college may, by order, convert any kind of leave already granted into leave of a different kind, which may be due and 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 recalculated and the arrears of leave salary shall be paid to, or, as the case may be, amounts overdrawn shall be recovered from the employee concerned.

138. Combination of Different Kinds of Leave: – Except as otherwise specifically provided in the Statutes, any kind of leave may be granted to a teacher of a College, in combination with or in continuation of, any other kind of leave.

139. Transfer of Leave: – When a teacher/ Principal/ Teacher-in-Charge moves from one college to another on lien or otherwise, his accumulation of earned leave/ half-pay leave in the new college will be as per previous accumulation of leave i.e. in other words, his leave account will be a continuous procedure.

140. Authority for Granting Leave: –

- (1) Earned Leave for any period not exceeding fourteen days at a time and casual leave may be granted to teachers of a college by the Principal of the college. Earned Leave for any longer period or any other kind of leave for any period may be granted by the Governing Body of the college.
- (2) In the case of the Principal of a college, earned leave for a period not exceeding fourteen days at a time and casual leave shall be granted by the President of the Governing Body of the college. Earned Leave for any longer period and any other kind of leave for any period shall be granted by the Governing Body of the college.

141. Application of leave Rule: – Save as hereinafter provided, the provisions of these Statutes relating to leave shall apply to all whole time teachers of colleges whether appointed before or after the commencement of these Statutes.

142. Encashment of Accumulated Leave: – Every teacher/ Principal shall be entitled to leave salary of the earned leave accumulated at his credit after cessation of his service by way of retiring on superannuation, voluntary retirement or death in harness provided the maximum amount of accumulated leave and maximum of leave encashable shall be 300 days.

143. Leave Salary: – Leave Salary shall be calculated on the basis of the rate of pay drawn by a teacher of a college on the day preceding that on which the leave commences unless otherwise determined by the Governing Body of the college. Leave Salary on retirement, voluntary retirement or death in harness shall be calculated on the basis of the pay drawn on the day preceding the date of retirement or death, as the case may be.

144. Leave Account: – A leave account shall be maintained under the statutory heads by the Principal/ Teacher-in-Charge of the college for every teacher thereof. Maintenance of Leave Account cannot be delegated to any sub-committee or such body or individual independently even though formed or delegated or approved by the Governing Body. The leave of every teacher will be calculated as per calendar year starting from the 1st day of January and end on 31st December of every year.

145. Lien: –

- (1) A teacher/ Principal/ Teacher-in-Charge of a college appointed on substantive basis to

any permanent post shall acquire a lien on that post. If the teacher is appointed substantively and confirmed to another permanent post either in the college or post 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 event the concerned teacher/ Principal shall immediately report back to duty in the post on which he held lien.

- (2) A teacher/ Principal holding 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 offer either in another college or in any other establishment.
- (3) The period of lien shall initially be for a period of one year which may be renewed or extended in two parts of six months each, thus for maximum one year 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 to a teacher/ Principal holding substantive appointment in a college, shall not exceed 2 years under any circumstances.

Provided that that a teacher is appointed by the Chancellor of any University or by the Government (central or state) to any post like Vice Chancellor of any University, Chairman/ Vice Chairman/ Deputy Chairman/ President/ Secretary/ Joint Secretary/ Deputy Secretary of any government body in the interest of public service, the period of lien is flexible and can be granted by the Governing Body of the College for the number of years as per requirement on the basis of the appointment letter for this particular assignment/ post.

Provided that the period of lien is also flexible if a teacher is elected as a people's representative in the Parliament or state Legislative Assembly, and/or for similar types of cases

Note: As per these Statutes, the College shall send requisition for filling up the post to West Bengal College Service Commission no later than 6 months prior to a post being vacant therefore, with extreme care the last part of the lien should be granted by the Governing Body. Against a lien-vacancy, the college will only recruit guest teacher(s), for the vacancy being short term in nature

146. **Leave Admissible to a Part-time Teacher and a Contractual whole-time teacher:** – A part-time teacher of a college shall be entitled to the following leaves: –

- (a) Casual leave up to a maximum of fourteen days in an academic year;
- (b) Maternity leave with full remuneration for a period not exceeding 180 days on production of a certificate from a registered medical practitioner;
- (c) Half average remuneration leave on the ground of illness on production of a medical certificate from a registered medical practitioner and deemed fit/ appropriate for approval by the Governing Body;
- (d) Extraordinary leave without pay for such period as may be determined by the Governing Body considering the special circumstances of any particular case;
- (e) On Duty Absence from duty with the permission of the Principal/ Teacher-in-Charge of the college on account of attending NET/ SET examination, Interview for a teaching post of West Bengal College Service Commission/ PSC, Participation and Presentation of Paper in a seminar/workshop/ symposium/conference at state/national/international level; for seminar presentation/ appearance in viva-voce in connection with M. Phil/Ph. D Course Work, M. Phil/Ph. D Registration, M. Phil/Ph. D Dissertation, and receipt of M. Phil/Ph. D degree in convocation.

147. **Working Days and Holidays:** – Every college shall remain open for six days in a week and shall abide by the pattern of holidays, vacation, recess, etc., as may be determined by the University from time to time. During the period of recess only classes shall remain suspended. The number of working days in a college shall be at least 200 in an academic year. Academic session of a college shall commence from the 1st day of July of every year and end on 30th June of the following year. An academic session shall be divided into two terms as follows:–

(a) **First Term:**

the first term of a college shall commence from the first day of July of every year and shall close on 31st Day of December. In between there would be holidays as per these statutes

(b) **Second Term:**

the second term shall commence from January 1 and shall continue till May 15 of every year. The summer recess shall commence on 16th May and end on 30th June during which preferably all parts of the University Examinations and evaluations are to be held:

Provided that all the affiliated colleges adopt at least 180 working days, i.e. there should be a minimum of 30 weeks of actual teaching (classes held) in a 06 day week (excluding Sunday), during when the teacher has to be present in the college premises for not less than five hours not contravening the provisions of these Statute. Seventy-two days, i.e. 12 weeks (excluding Sunday) in a year will be non-instructional working days devoted to admission, examination, and College extension activities, sports, games, NSS and other similar internal activities. Attendance in the college during these days will be as per norms however, hours of presence in the college premises will be flexible to written work-allotment to the person concerned to any/all kind of activities mentioned above. However, in days of no official work-allotment, teachers' presence for nominal time in the college premises is expected. 48 days vacation, i.e. of 8 weeks in a year will be due to the affiliated colleges, during which the college will completely remain close.

Note: All affiliated colleges, under the guidance and approval of the appropriate authority of the University, can, when and shall shift to a Semester mode of teaching in Undergraduate courses. Six months prior to the initiation and execution of such change a Uniform norm has to be approved in the Regulations of the University along with suitable changes in the Syllabus, teaching-working-break pattern, and U.G examination system, that can be adopted in these Statutes as and when these go under amendment.

Explanation: Summer Recess cannot be considered as holiday, but is the time when classes are suspended only.

148. **Holidays and Vacations:** – Every affiliated college shall choose to enjoy total number of 48 days of holidays and Vacations out of the list given below. By the 20th day of December every year, the Principal of the college in consultation with the Secretary, Teachers' Council, Head Clerk and the approved list of holidays by the Government of West Bengal, will issue the College Adopted List of Holidays with due approval from the Governing Body.

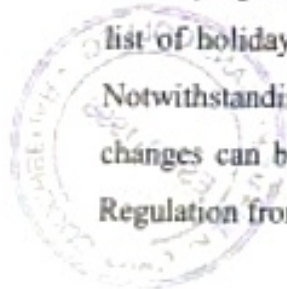
Festivals and Holidays of the Colleges: – Following shall be the scheduled holidays of an affiliated college:

| Sl. No. | Occasion | No. of Days |
|---------|--|-------------|
| 1. | New Year's Day (English) | 1 |
| 2. | Birth Day of Netaji | 1 |
| 3. | Republic Day | 1 |
| 4. | Saraswati Puja | 2 |
| 5. | University Foundation Day | 1 |
| 6. | Fateha-Duaz-Daham | 1 |
| 7. | Doljatra | 1 |
| 8. | Good Friday | 1 |
| 9. | Chaitra Sankranti | 1 |
| 10. | New Year's Day (Bengali) | 1 |
| 11. | May Day | 1 |
| 12. | Birth Day of Rabindranath | 1 |
| 13. | Buddha Purnima | 1 |
| 14. | Rathjatra | 1 |
| 15. | Independence Day | 1 |
| 16. | Janmastami | 1 |
| 17. | Id-Ul-Fitre | 1 |
| 18. | Birthday of Mahatma Gandhi | 1 |
| 19. | Mahalaya | 1 |
| 20. | Puja Holidays (From Durga Sasti to Bhratridwitiya) | 26 |



| | | |
|-----|------------------------|---|
| 21. | Jagaddhatri Puja | 1 |
| 22. | Id-Uz-Zoha | 1 |
| 23. | Birthday of Guru Nanak | 1 |
| 24. | Muharram | 1 |
| 25. | Christmas Day | 1 |
| 26. | College Foundation Day | 1 |
| 27. | Principal's Discretion | 5 |

Note: Sundays are holidays under the Negotiable Instruments Act., so festivals/ occasions falling on Sundays shall not be included except falling in between/ within two or more holidays/vacation in the college adopted list of holidays. Festivals of all communities should have equal consideration while drawing the College adopted list. The 5 days discretionary holiday under Principal's authority can neither be increased nor abrogated. If for any reason beyond control or natural reasons, College remains closed (excluding Sundays) any number of day(s) beyond the stipulated 48 days, will have to be compensated by keeping the college open carving out of the next (academic year) approved list of holidays to be adopted by the college and has to be duly marked so. Notwithstanding the above, with the extant Government Orders appropriate changes can be made in these Statutes by vide notification in the University Regulation from time to time.



CHAPTER-XIV
PROVIDENT FUND, GRATUITIES AND PENSION

150. Provident Fund: – Every Principal, whole-time teacher, whole time librarian and permanent non-teaching staff of the University, affiliated colleges and constituents colleges other than Government Colleges shall subscribe to the Provident Fund, Gratuities and Pension subject to such rules as may be framed in this behalf by the State Government from time to time.

151. Interpretation of the Statutes: –

- (1) If any controversy arises in interpreting any of the provisions of these statutes, the matter shall be referred to the University for Interpretation.
- (3) Every disputes in between the University and its employees or in between the University and its affiliated colleges shall be referred to the State Government for its resolve, if the provisions of these Statutes do not sufficiently and reasonably resolve the issue, and the decision of the State Government shall thereon be final.