

UTTAR PRADESH SHASHAN  
VIKLANG KALYAN ANUBHAG - 3

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no 507/ 65-3-2009 dated July 08, 2009

NOTIFICATION  
NO:507/ 65-3-2009  
LUCKNOW, DATED: July 08, 2009

In exercise of the powers under subsection (1) of Section 32 of Dr. Shakuntala Misra Rehabilitation University (For Differently Abled) Act, 2009 (U.P. Act No. 1 of 2009) the State Government of Uttar Pradesh hereby make as follows the First Statutes of the Dr. Shakuntala Misra Rehabilitation University (For Differently Abled)

THE DR. SHAKUNTALA MISRA REHABILITATION UNIVERSITY (FOR DIFFERENTLY ABLED) FIRST STATUTES, 2009

CHAPTER - I

PRELIMINARY

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|------------------------------|------|--|
| Short title and commencement | 1.01 | (1) These Statutes may be called the Dr. Shakuntala Misra Rehabilitation University (For Differently Abled) First Statutes, 2009   |
|                              |      | (2) They shall come into force with immediate effect.  |
| Definitions                  | 1.02 | (1) In these Statutes, unless the context otherwise requires, —  |
|                              |      | (a) "Act" means the Dr. Shakuntala Misra Rehabilitation University (For Differently Abled) Act, 2009 as amended from time to time.   |
|                              |      | (b) "age of an employee" means the period calculated from the date of birth of an employee as mentioned in his High School Certificate or any other examination recognized as equivalent thereto to the required date. |
|                              |      | (c) "Employee" means an employee of the University.  |
|                              |      | (d) "section" means a section of the Act.  |
|                              |      | 2) Words and expressions used in these Statutes but not defined shall have the meanings respectively assigned to them in the Act.  |



CHAPTER -II  
THE VICE -CHANCELLOR

Emoluments  
and other  
conditions of  
service of the  
Vice-  
Chancellor

- 2.01 The emoluments and other terms and conditions of service of the Vice-Chancellor shall be such as may be determined by the State Government; or General Council subject to the approval of the State Government from time to time:

Provided that if the Vice-Chancellor assumes office after retiring or superannuation from a pensionable post, his salary and allowance shall be reduced by the gross amount of his pension prior to commutation;

Provided further that if he assumes office after retiring or on superannuation from a non-pensionable post, his salary and allowances shall be equivalent to the retirement benefits availed of by him on superannuation;

Provided also that where such Vice-Chancellor had been a member of any pension scheme, the University shall make the necessary contribution to such scheme.

- 2.02 The Vice-Chancellor shall be entitled to travelling allowance at such rates as may be fixed by the Executive Council.
- 2.03 The Vice-Chancellor shall be entitled to leave on full pay at the rate of thirty days in a calendar year and the leave shall be credited to his account in advance in two half yearly installments of fifteen days each on the 1st day of January and July every year: Provided that if the Vice-Chancellor assumes or relinquishes charge of the office during the currency of a half year the leave shall be credited proportionately at the rate of two and-a-half days for each completed month of service.
- 2.04 The Vice-Chancellor shall also be entitled to half pay leave at the rate of twenty days in a calendar year. This half pay leave may also be availed of as commuted leave on full pay on medical ground. When commuted leave is availed, twice the amount of half pay leave shall be debited against half pay leave due.
- 2.05 The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Executive Council with the approval of the State Government from time to time.
- 2.06 If the Vice-Chancellor is unable to perform his duties owing to illness or any other cause, the duties of the Vice Chancellor shall be discharged by such person as may be authorized by the State Government.



2.07 The Vice-Chancellor shall-

- (a) be ex-officio Chairman of the Executive Council, the Academic Council, Finance Committee and shall in the absence of the Visitor, preside at the convocations.
- (b) be entitled to be present at, and address, any meeting of any authority or other body of the University, but shall not be entitled to vote unless he is a member of such authority or body.
- (c) exercise control over the affairs of the University and shall give effect to the decisions of all the authorities of the University.
- (d) have the power to convene or cause to be convened the meeting of the Executive Council, the Academic Council and the Finance Committee.

2.08 The Vice-Chancellor may delegate any of his powers to such person as he deems fit.

### CHAPTER -III

#### THE FINANCE OFFICER

3.01 The Finance Officer shall be appointed by the State Government from amongst the officers of Uttar Pradesh Finance and Accounts Services, and the terms and conditions of services of the Finance Officer shall be governed according to the concerned service rules of the State Government.

3.02 The Finance Officer shall be subject to disciplinary control of the State Government. However, the Executive Council may report irregularities or recommend action against the Finance Officer to the State Government after making appropriate inquiry.

3.03 The Finance Officer shall be ex-officio Secretary of the Finance Committee, but shall not be deemed to be a Member of such Committee.

3.04 Subject to the control of the Executive Council, the Finance Officer shall:-

- (a) hold and manage the property and investments of the University and endowed property;
- (b) ensure that the limits fixed by the Executive Council for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purpose for which they are granted or allotted;



- (c) be responsible for the preparation of annual accounts and the budget of the University and for their presentation to the Executive Council;
- (d) keep a constant watch on the State of the cash and bank balances and on the state of investment;
- (e) watch the progress of the collection of revenue and advise on the methods of collection employed;
- (f) bring to the notice of the Vice-Chancellor unauthorised expenditure and other financial irregularities and suggest disciplinary action against persons at fault; and ;
- (g) call for from any office, Centre, Laboratory or Institution maintained by the University any information or returns that he may consider necessary for the performance of his duties.

3.05 Any receipt given by the Finance Officer or the person or persons duly authorised in behalf by the Executive Council for any money payable to the University shall suffice as sufficient discharge for payment of such money.

#### CHAPTER -IV

#### THE REGISTRAR

Terms and  
conditions of  
the service of  
the Registrar

- 4.01 (1) The Registrar shall be appointed by the State Government from amongst suitable officers of Uttar Pradesh Handicapped Welfare Department Gazetted Officers who fulfil the experience and qualifications as defined under sub section 30 of the Act, and the terms and conditions of services of the Registrar shall be governed according to The Uttar Pradesh Handicapped Welfare Department Gazetted Officers Service Rules, 2002 as amended from time to time.
- (2) The registrar shall be subject to disciplinary control of the State Government. However, the Executive Council may report irregularities or recommend action against the Registrar to the State Government after making appropriate inquiry.
- (3) The emoluments and other benefits of service of the Registrar shall be such as may be determined by the State Government.



4.02 The Registrar shall have power,-

- (a) of disciplinary control over all employees of the University other than the teachers, officers of the University, and may suspend them pending inquiry, he may administer warnings to them or may impose penalty of censure or withholding of increment of any such employee. He shall, however, order an enquiry and provide an opportunity of showing cause against such an employee :

Provided that the Registrar shall inform the Officer or the Authority under which such employee is working .

- (b) to arrange for and superintend the examinations of the University in accordance with the manner prescribed.
- (c) to represent the University in suits or proceedings by or against the University, sign powers-of-attorney and verify pleadings or depute his representative for the purpose; and
- (d) to perform such other duties as may be specified in the Statutes, or as may be required, from time to time, by the Executive Council or the Vice-Chancellor or authorities of the University.

## CHAPTER -V

### OTHER OFFICERS OF THE UNIVERSITY

The Deans of Faculties 5.01 Every Dean of a Faculty shall be appointed by the Vice-Chancellor from amongst the

Professors in the Departments of the Faculty for a period of three years and he shall be eligible for re-appointment:

Provided that if there is no professor in the Departments of the Faculty the Dean may be appointed from amongst the readers;

Provided also that a Dean on attaining the age of sixty-two years shall cease to hold office as such:

Provided also that if at any time there is no Dean in a Faculty the Vice-Chancellor, or a Dean authorised by the Vice-Chancellor in this behalf, shall exercise the powers of the Dean of the Faculty.



5.02 When the office of the Dean is vacant or when the Dean is, by reason of illness, absence or any other cause, unable to perform duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may authorize.

5.03 The Dean shall be the Head of the Faculty and shall be responsible for the conduct and maintenance of the standards of teaching and research in the Faculty and shall have such other functions as may be prescribed.

5.04 The Dean shall have the right to be present and to speak at any meeting of the Boards of Studies or Committees of the Faculty, as the case may be, but shall not have the right to vote thereat unless he is a member thereof..

*Heads of departments* 5.05 *In the case of Departments, which have more than one Professor, the Head of the Department shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor from amongst the Professors.*

Provided where there is only one Professor in the department, he shall be the Head of that department.

5.06 In the case of Departments where there is no Professor, the Executive Council may appoint a Reader as the Head of the Department on the recommendation of the Vice-Chancellor.

Provided that it shall be open to a Professor or Reader to decline the offer of appointment as the Head of the Department.

5.07 A person appointed as the Head of the Department shall hold office as such for a period of three years and shall be eligible for re-appointment.

5.08 A Head of a Department may resign from office at any time during his tenure of office.

5.09 A Head of a Department shall perform such duties as may be prescribed.

*Proctor* 5.10 The Proctor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor from amongst the teachers of the university and shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor.

5.11 The Proctor shall hold office for a term as specified by the Executive Council and shall be eligible for re-appointment

5.12 The Proctor shall discharge his duties in addition to his duties as a teacher.

5.13 The Proctor shall be eligible for such honourarium as may be determined by the Vice-Chancellor.



Librarian

- 5.14 The Librarian shall be appointed by the Executive Council on the recommendation of the Selection Committee constituted for the purpose. He shall be a whole-time salaried officer of the University.
- 5.15 The Librarian shall exercise such powers and perform such functions and shall have such emoluments, as may be determined by the State Government or Executive Council subject to the approval of the State Government from time to time. Other conditions of the services of the librarian shall be such as determined by the Executive Council.

## CHAPTER -VI

### AUTHORITIES OF THE UNIVERSITY

Meetings  
of the  
executive  
council

- 6.01 Every meeting of the Executive Council shall be held on such date and at such time and place as may be fixed by the Vice-Chancellor.
- 6.02 Notice of an ordinary meeting of the Executive Council shall be dispatched to all members thereof at least twenty-one days before the meeting. The Agenda of the meeting shall be dispatched at least ten days in advance of the meeting.
- 6.03 In case of an emergency, a special meeting of the Executive Council may be called by the Vice-Chancellor at a short notice.

Other  
powers  
and  
functions  
of the  
Academic  
Council

- 6.04 The Academic Council shall, in addition to all other powers vested in the Act, have the following powers, namely :—
- (a) to delegate any of its powers to the Vice-Chancellor, the Deans, the Registrar or the Finance Officer or authority of the University or to a committee appointed by it as it may deem fit;
- (b) to provide for inviting Writer in Residence and determine the terms and conditions of such invitations;
- (c) to provide for the appointment of Visiting Professors, Emeritus Professors, Consultants and Scholars and determine the terms and conditions of such appointments;
- (d) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instructions, co-ordinating teaching among the Institutions and evaluation of research or improvement in academic standards;
- (e) to bring about inter-School co-ordination, to establish or appoint committees or boards, for taking up projects on an inter-School basis;



- (f) to consider matters of general academic interest either suo motu or on a reference by a School or the Executive Council and to take appropriate Action thereon;

6.05 All proposals relating to creation of post, and those items which have not been included in the Budget, shall be examined by the Finance Committee for consideration and comments and thereafter submitted to the Executive Council.

6.06 The Finance Committee shall recommend limits for the, total recurring expenditure and the total non-recurring expenditure for the year, based on the income and resources of the University (which, in the case of productive works, may include the proceeds of loans).

## CHAPTER -VII

### OTHER AUTHORITIES OF THE UNIVERSITY

*Schools of studies and departments* 7.01 *The University shall have such Schools of Studies as described in State Government Ord No. 2893/65-2-2008-57(Vividh)/2008 Viklang Kalyan Anubhag-2 Dt. 30<sup>th</sup> December, 2008 contained in Annexure-A of these Statutes. Further enhancement in the number of schools studies may be done by the State Government or the Executive Council subject to approval the State Government.*

7.02 Every School shall have a School Board and the members of the first School Board shall be nominated by the Executive Council and shall hold office for a period of three years.

7.03 The powers and functions of a School Board shall be determined by the Academic Council.

7.04 The conduct of the meetings of a School Board and the quorum required for such meetings shall be determined by the Academic Council.

7.05 Each School shall consist of such Departments as may be assigned to it by the Academic Council:

Provided that the Executive Council may, on the recommendation of the Academic Council establish Centres of Studies and such teachers of the University may be assigned to them as the Executive Council may consider necessary.

7.06 Each Department shall consist of :

- i) Dean of the School;
- ii) Honorary Professors, if any, attached to the Department;
- iii) Teachers of the Department;
- iv) persons conducting research in the Department;
- v) such other persons as may be members of the Department in accordance with the provisions of the Act or Statutes.



- Board of studies
- 7.07 Each Department shall have a Board of Studies.
- 7.08 The constitution of the Board of Studies and the term of office of its members shall be determined by the Academic Council.
- 7.09 Subject to the overall control and supervision of the Academic Council, the functions of the Board of Studies shall be to approve subjects for research for various degrees and other requirements for research degrees and to recommend to the concerned School Board in the manner prescribed by the Academic Council: -
- Courses of studies and appointment of examiners for post-graduate courses, but excluding research degrees;
  - appointment of supervisors of research; and
  - measures for the improvement of the standard of post-graduate teaching and research ;
- Provided that the above functions of a Board of Studies shall, during the period of the first three years immediately after the commencement of the Act, be performed by the Department.

## CHAPTER -VIII

### APPOINTMENT & PROMOTION OF TEACHERS

- Regular appointment
- 8.01 The qualifications required for the appointment and career advancement of teachers in the University other than the Faculty of the Special Education shall be as per the qualifications prescribed by the University Grant Commission (Minimum Qualifications Required For The Appointment And Career Advancement Of Teachers in Universities And Institutions Affiliated To It) Regulations, 2000 as amended from time to time.
- 8.02 The qualification for appointment of Teachers, Special Educators, Trainers, Therapists and other Specialists in the Faculty of Special Education of the University shall be such as may be from time to time prescribed by the Rehabilitation Council of India.
- 8.03 The regulations or guidelines of Rehabilitation Council of India shall be applicable to the service conditions, career advancements and qualifications of teaching and other posts of the faculty of Special Education of the University.
- Special mode of appointment
- 8.04 Notwithstanding anything contained in statutes 8.01, 8.02, 8.03, the Executive Council may invite a person of high academic distinctions and professional attainments to accept a post of Professor or Reader or any other academic post in the University, as the case may be, on such terms and conditions as it deems fit, and



on the person agreeing to do so, appoint him to the post.

8.05 The Executive Council may appoint a teacher or any other academic staff working in any other University or organisation for undertaking a joint project in accordance with the manner laid down in the Memorandum of Understanding executed between the parties.

Appointment  
for a fixed  
tenure

8.06 The Executive Council may appoint a person selected in accordance with the procedure laid down in this Chapter, for a fixed tenure on such terms and conditions as it deems fit.

## CHAPTER -IX

### CONDITIONS OF SERVICE OF TEACHERS OF UNIVERSITY

9.01 Except in the case of an appointment in a vacancy caused by the grant of leave to a teacher for a period not exceeding 10 months, teachers of the University shall be appointed on a written contract in the form set out in Appendix 'A'.

9.02 A teacher of the University shall at all times maintain absolute integrity and devotion to duty and shall observe the code of conduct as set out in Appendix B, which shall form part of the agreement to be signed by the teacher at the time of appointment.

9.03 A breach of any of the provisions of the Code of conduct as set out in Appendix B shall be deemed to be misconduct within the meaning of clause (1) of Statute 9.04.

9.04 (1) A teacher of the University may be dismissed or removed or his services terminated on one or more of the following grounds.

- (a) wilful neglect of duty;
- (b) misconduct;
- (c) breach of any of the terms of contract of service;
- (d) dishonesty connected with the University Examinations;
- (e) scandalous conduct or conviction for an offence involving moral turpitude;
- (f) physical or mental unfitness;
- (g) incompetence;
- abolition of the post.

(2) Not less than three months' notice (or where notice is given after the month of October then three months notice or notice ending with the close of the session,



whichever is longer) shall be given on either side for terminating the contract, or in lieu of such notice, salary for three months (or such longer period as aforesaid) shall be paid:

Provided that where the University dismisses or removes or terminates the services of a teacher of the University under clause (1), or when the teacher terminates the contract for breach of any of its terms by the University, no such notice shall be necessary:

Provided further that the parties will be free to waive the condition of notice in whole or in part by mutual agreement.

9.05 Except as otherwise provided by Statutes, no salaried officer and teacher of the University shall be appointed except under a written contract which shall be consistent with the provisions of the Act, the Statutes and the Ordinances.

9.06 The original contract of appointment referred to in Statute 9.06 shall be lodged with the Registrar for registration within three months of the date of appointment. and a copy thereof shall be furnished to the officer or teacher concerned.

9.07 (1) No order dismissing, removing or terminating the services of a teacher of the University on any ground mentioned in clause (1) of Statute 9.04 (except in the case of a conviction for an offence involving moral turpitude or of abolition of post), shall be passed unless a charge has been framed against the teacher and communicated to him with a statement of the grounds on which it is proposed to take action and he has been given adequate opportunity: —

- a- of submitting a written statement of his defence;
- b- of being heard in person, if he so chooses; and
- c- of calling and examining such witnesses in his defence as he may wish;

Provided that the Executive Council or an officer authorised by it to conduct the enquiry may, for sufficient reasons to be recorded in writing refuse to call any witness.

(2) The Executive Council may, at any time ordinarily within two months from the date of the Inquiry Officers's report pass a resolution dismissing or removing the teacher concerned from service or terminating his services mentioning the grounds of such dismissal, removal or termination.

(3) The resolution shall forthwith be communicated to the teacher concerned.



(4) The Executive Council may, instead of dismissing, removing or terminating the services of the teacher, pass a resolution inflicting a lesser punishment by reducing the pay of the teacher for a specified period not exceeding three years and or by stopping increments of his salary for a specified period or may deprive the teacher of his pay during the period of his suspension, if any.

Limits of  
additional  
remunerative  
work  
permissible  
to teachers

9.08

(1) The conditions regarding payment of remuneration to the teachers of the University for any duties performed in connection with any examination conducted by an Indian University or any body other than Public Service Commission by them shall be such as may be prescribed.

(2) No teacher of the University shall at any time, hold more than one remunerative office carrying duties other than teaching or duties connected with any examination.

*Explanation*—The words "remunerative offices" include the offices of Warden or Superintendent of a Hall or Hostel, Proctor, Games Superintendent, Librarian, and any office in the National Cadet Corps, National Sports Organisation, National Social Service Scheme and University Employment Exchange and such other alike offices.

Disciplinary  
Committee

9.09

1) The Executive Council shall constitute, for such term as it thinks fit, a Disciplinary Committee in the University which shall consist of the Vice-Chancellor and two other persons nominated by it:

Provided that if the Executive Council considers it expedient, it may constitute more than one such Committees to consider different cases or classes of cases.

(2) No teacher against whom any case involving disciplinary action is pending shall serve as a member of the Disciplinary Committee dealing with the case.

(3) The Executive Council may at any stage transfer any case from one Disciplinary Committee to another Disciplinary Committee.

(4) The functions of the Disciplinary Committee shall be as follows:--

(a) to decide any appeal preferred by an employee of the University;

(b) to hold inquiry into cases involving disciplinary action against a teacher or the Librarian of the University;

(c) to recommend suspension of any employee referred to in sub-clause (b) above pending or in contemplation of inquiry against such employee;



(d) to exercise such other powers and perform such other functions as may, from time to time, be entrusted to it by the Executive Council.

- (5) In case of difference of opinion among members of the Committee, the decision of the majority shall prevail.
- (6) The decision or the report of the Disciplinary Committee shall be laid before the Executive Council as early as possible, to enable the Executive Council to take its decision in the matter.

9.10

- (1) The Disciplinary Committee referred to in Statute 9.09 may recommend the suspension of a teacher during the pendency or in contemplation of an inquiry into charges against him, on the grounds mentioned in sub-clauses (a) to (e) of clause (1) of Statute 9.04. The order of suspension if passed in contemplation of an inquiry shall cease at the end of four weeks of its operation unless the teachers has in the meantime been communicated the charge or charges on which the inquiry was contemplated.

- (2) A teacher of the University shall be deemed to have been placed under suspension-

(a) with effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding 48 hours and is not forthwith dismissed or removed consequent to such conviction;

(b) in any other case, for the duration of his detention, if he is detained in custody, whether the detention is for any criminal charge or otherwise.

Explanation—The period of 48 hours referred to in sub-clause (a) of this clause, shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

- (3) Where the order of dismissal or removal from service of a teacher of the University is set aside or declared or rendered void in consequence of any proceedings under the Act or these Statutes or otherwise, and the appropriate officer, authority or body of the University decides to hold a further inquiry against him, then if the teacher was under suspension immediately before such dismissal or removal, the suspension order shall be



deemed to have continued in force on and from the date of the original order of dismissal or removal.

- (4) During the period of his suspension, the teacher of the University shall be entitled to get subsistence allowance in accordance with the provisions of Chapter VIII of Part II of the U.P. Government's Financial Hand Book, Volume II (as amended from time to time) which shall mutatis mutandis apply.

9.11 In computing the maximum period for purposes of clause (2) of Statute 9.07 or clause (I) of Statute 9.08, the period during which a stay order from any court of law in operation, shall be excluded:

9.12 No teacher of the University shall draw for any duties performed in connection with any examination of the university in any calendar year, any remuneration in excess of one-sixth of the aggregate of his salary in that calendar year or fifty thousand rupees, whichever is less.

9.13 Notwithstanding anything contained in these Statutes—

(i) a teacher of the University who is a member of Parliament or State Legislature shall not, throughout the term of his membership, hold any administrative or remunerative office in the University;

(ii) if a teacher of the University is holding any administrative or remunerative office in the University from before the date of his election or nomination as a Member of Parliament or the State Legislature, then he shall cease to hold such office with effect from the date of such election or nomination or with effect from the commencement of these Statutes, whichever is later;

(iii) a teacher of the University who is elected, or nominated to Parliament or the State Legislature, shall not be required to resign or to take leave from the University for the duration of his membership or, except for attending the meeting of any House or Committee thereof:

*Explanation*—The membership of any authority or body of the University or the Deanship of a faculty or the Principalship of any college shall not be deemed to be an administrative office for the purposes of this Statute.

9.14 The Executive Council shall fix a minimum number of days during which such teacher shall be available in the University for his academic duties:

Provided that where a teacher of the University is not so available because



of the sessions of the Parliament or the State Legislature, he shall be treated on such leave, as may be due to him, and if no leave is due, then on leave without pay.

Leave  
rules for  
teachers  
of the  
University

9.15

Leave shall be of the following categories:

- (a) casual leave;
- (b) privilege leave;
- (c) sick leave;
- (d) duty leave;
- (e) long term leave;
- (f) extraordinary leave;
- (g) maternity leave.

9.16

Casual leave shall be on full pay for not more than seven days in a month or 14 days in a session and shall not accumulate. It will not ordinarily be combined with holidays, but in special circumstances the Vice-Chancellor may waive this condition for reasons to be recorded in writing.

9.17

Privilege leave shall be on full pay for ten working days in a session and may accumulate upto 60 working days.

9.18

Sick leave shall be on the difference between the current rate of pay and the total cost of the leave arrangements, if any, with a minimum of half pay, for one month in a session and shall not accumulate.

9.19

Duty leave up to 15 working days shall be on full pay for attending meetings of any of the University bodies, ad hoc Committees and Conferences of which a teacher may be ex officio member or to which he may have been nominated by the University and for conducting examinations of the University.

9.20

Long term leave, which shall be on half pay for one month in a session, and may accumulate up to twelve months, may be granted for reasons such as prolonged illness, urgent affairs, approved studies or preparatory to retirement:

Provided that in case of prolonged illness, the leave may, at the discretion of the Executive Council, be on full pay for a period not exceeding six months. Such leave can be granted only after five years of continuous service except in the case of prolonged illness.

Provided further that such teachers as are selected for 'Teacher Fellowships' by the University Grants Commission or for training or study in a foreign country under



any other scheme sponsored by the commission, may be granted leave on full pay for the duration of such fellowships, training or study on such terms and conditions as may be specified by the State Government.

- 9.21 Extraordinary leave shall be without pay. It may be granted for such reasons as the Executive Council may deem fit for a period not exceeding three years initially but may be extended for a period not exceeding two years under special circumstances.

*Explanation*—1. A teacher who holds a permanent post or who being permanent on a lower post has been officiating on a higher post for more than three years, shall subject to the concurrence of the State Government, be entitled to count the period of extra ordinary leave sanctioned for undertaking higher scientific and technical studies towards his increment in the time scale.

2. Subject to the concurrence of the State Government, a teacher who holds a temporary post and has been sanctioned such leave shall, on return from such leave be entitled to get his pay fixed in accordance with Fundamental Rule 27 of the Financial Hand Book, Volume II to IV at such stage in the time scale as he would have got had he not proceeded on such leave provided that the study for which such leave was sanctioned was in the public interest.

- 9.22 Maternity leave on full pay to female teachers for a period which may extend up to six months from the date of its commencement or to twelve weeks from the date of confinement, whichever is earlier.

Provided that such leave shall not be granted for more than two times in the entire service of the teacher.

- 9.23 Leave cannot be claimed as a matter of right. If the exigencies of the occasion demand, the sanctioning authority may refuse leave of any kind and may even cancel the leave already granted.

- 9.24 Sick leave or long-term leave on account of prolonged illness can be granted on the production of a medical certificate from a registered medical practitioner. In case of such leave exceeding 14 days the Vice Chancellor shall be competent to call for a second certificate of a Registered Medical Practitioner approved by him.

- 9.25 The authority competent to grant leave will be the Vice-Chancellor except in the case of long term leave and extraordinary leave, which will be granted by the Executive Council.



## CHAPTER-- X

### CONDITIONS OF SERVICE OF NON-TEACHING STAFF

- 10.01 The qualifications required and procedure to be followed for the appointment of non-teaching staff of Group "C" in the University shall be as per the provisions of Uttar Pradesh Direct Recruitment Rules, 2002(Outside the perview of Public Service Commission) for Group "C" post as amended from time to time:

Provided that the post which are either not covered under the above rule or which are of senior level post, the appointment on such post shall be made either by deputation or transfer of service as provided in G.O. no. 2893/65-2-2008-57(vividh)/2008 dt. 30.12.08 of State Government regarding the creation of posts for the university.

Provided further that where the appropriate candidates are not available and eligible candidates are willing to render their full services in the university the appointment on such post of senior level shall be made directly by the Registrar from amongst the candidates who fulfill the criteria of pay scale and seniority as contained in G.O. No. 2893/65-2-2008-57(vividh)/2008 dt. 30.12.08.

Provided also that the appointment on the posts of senior level shall be made only till the candidates on the posts of junior level eligible for promotion to such posts are not available.

- 10.02 The seniority of the persons appointed directly or by deputation or transfer of service will be determined by the date of joining their services in the university.

Provided that where the appointment has been made for more than one candidate through a joint select list, the seniority of the candidates shall be determined by their merit in the selection list.

The services of candidates selected on senior posts shall be taken into account for all the facilities and pay, they are getting in their original department.

- 10.03 The career advancement and promotional avenues of the employees of group "c" shall be such as may be determined by the Executive Council through regulations from time to time.

- 10.04 All the employees of the University, other than the teachers and other academic staff of the University, shall, in the absence of any provision be governed by the terms and conditions of service and code of conduct as may be determined from time to time by the Executive Council.



SENIORITY  
LIST

10.05 Whenever, in accordance with the Statutes any person is to hold an office or be a member of an authority of the University by rotation according to seniority, such seniority shall be determined according to the length of continuous service of such person in his grade, in accordance with such other principles as the Executive Council may, from time to time, frame.

10.06 It shall be the duty of the Registrar to prepare and maintain, in respect of each class of persons to whom the provisions of these Statutes apply, a complete and up-to-date seniority list in accordance with the provision of Statute 10.05

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

REMOVAL OF  
EMPLOYEES  
OF THE  
UNIVERSITY

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

Provided that the Executive Council may, if it is of the opinion that the circumstances of the case do not warrant the suspension of the teacher or a member of the academic staff, revoke such order.

10.09 Notwithstanding anything contained in the terms of the contract of appointment or of any other terms and conditions of service of the employees, the Executive Council in respect of teachers and other academic staff, and the appointing authority, in respect of other employees, shall have the power to remove or dismiss a teacher or a member of the academic staff or as the case may be, other employee on ground of misconduct.

10.10 Save as aforesaid, the Executive Council or as the case may be, the appointing authority shall not be entitled to remove or dismiss a teacher, member of the academic staff or other employee except for a good cause and after giving three months notice or on payment of three months salary in lieu thereof.

10.11 No teacher, member of the academic staff or other employee shall be removed or dismissed unless he has been given a reasonable opportunity of showing cause against the order.



proposed to be taken in regard to him.

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

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

- 10.13 Notwithstanding anything contained in the foregoing provisions of this Statutes a teacher, member of the academic staff or other employee may resign:-

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

(b) if he is not a permanent employee, only after giving one months' notice in writing to the Executive Council or, as the case may be, the appointing authority or by paying one months' salary in lieu thereof:

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

## CHAPTER -XI

### RESERVATION IN ADMISSIONS

- 11.01 Subject to the provisions of sub-section (1) and (2) of Section 17 of the Act, with effect from the academic session of 2009-10, following percentages of seats in any course of study in a University, Institute, Constituent College, Affiliated college or Associated college shall be reserved for admission for the persons belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes of citizens, namely :-

Scheduled Castes	Twenty-one per cent
Scheduled Tribes	Two per cent
Other Backward Classes of citizens	Twenty-seven per cent :

Provided that not less than Fifty per cent seats shall be reserved for persons with disabilities in admissions to the various courses out of which Fifty per cent seats shall be reserved for Visually Handicapped students. The candidate selected for admission on the basis of such reservation shall be placed in the appropriate category to which he belongs. For example, if a candidate, selected for admission in any course of study on



the basis of above reservation belongs to the Scheduled Castes, Scheduled Tribes or Other Backward Classes, he will be placed in respective category to which he belongs by making necessary adjustments and similarly, if he belongs to general category, he will be placed in that category after making necessary adjustment:

Provided further that the seats, if any, reserved under any other law for the time being in force, or under any order of the Government of India, for the students belonging to any other State, shall not be included in the total number of seats for the purpose of computing the percentages under this Statute.

*Explanations*—For the purposes of this Statute the term general category, means a category other than those referred to in clause (1).

11.02 If eligible persons belonging to the Scheduled Tribes are not available to fill the seats reserved for them under clause (1) of Statute 10.01, such seat shall be filled by persons belonging to the Scheduled Castes.

11.03 Where due to non-availability of eligible candidates any of the seats reserved under clause (1) of Statute 10.01 remains unfilled, it shall be filled on merit from amongst the eligible candidates of the category under which the eligible candidates are available.

11.04 The teachers, belonging to the Scheduled Castes, Scheduled Tribes or Other Backward Classes of citizens or teacher with disabilities shall, so far as possible, be given representation in the admission committees to ensure fair admissions.

## CHAPTER -XII

### MISCELLANEOUS PROVISIONS

Committees 12.01 Any authority of the University may appoint as many standing or special Committees as it may deem fit, and may appoint to such Committees persons who are members of such authority.

12.02 Any such Committee appointed under statute may deal with any subject delegated to it, subject to subsequent confirmation by the authority.

Honorary 12.03 The Executive Council may, on the recommendation of the Academic Council and by degrees resolution passed by a majority of not less than two-thirds of the members present at a meeting, make proposals to the General Council for the conferment of honorary degrees:



Maintenance  
of discipline  
among  
students of  
the University

12.04 The Vice-Chancellor may delegate all or any of his powers, as he deems proper to a Proctor and to such other officers as he may specify in this behalf.

12.05 Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action, as may seem to him appropriate for the maintenance of discipline, the Vice-Chancellor may, in exercise of his powers, by order, direct that any student or students be expelled, or rusticated, for a specified period, or be not admitted to a course or courses of study in a Institution or a Department of the University for stated period, or be punished with fine for an amount to be specified in the order, or be debarred from taking an examination or examinations conducted by the University, Institution or Department or a School for one or more years, or that the results of the student or students concerned in the examination or examinations in which he or they have appeared be cancelled.

12.06 The Heads of Institutions, Deans of Schools of Studies and Heads of teaching Departments in the University shall have the authority to exercise all such disciplinary powers over the students in their respective Institutions, Schools and teaching Departments in the University as may be necessary for the proper conduct of such Institutions, Schools and teaching Departments in the University.

12.07 Without prejudice to the powers of the Vice-Chancellor, and other persons specified in Statutes 12.05 detailed procedures of discipline and proper conduct shall be made by the University. The principals of Institutions, Deans of Schools of Studies and heads of teaching Departments in the University may also make the supplementary provisions as they deem necessary for the aforesaid purposes

Convocations

12.08 Convocations of the University for the conferring of degrees or for other purposes shall be held at such time and place as may be determined by the Executive council.

Presiding of  
meetings

12.09 Where no provision is made for a President or Chairman to preside over a meeting of any authority of the University or any Committee of such authority or when the President or Chairman so provided for is absent, the members present shall elect one from among themselves to preside at such meeting.

Resignation

12.10 Any member, other than an ex-officio member, of the General Council, Executive Council, the Academic Council or any other authority of the University or any Committee of such authority may resign by letter addressed to the Registrar and the resignation shall take effect as soon as it is accepted by the Registrar.



Disqualifications

12.11

(1) A person shall be disqualified for being chosen as, and for being, a member of the authorities of the University:-

- i. if he is of unsound mind;
- ii. if he is an undischarged insolvent;
- iii. if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.

(2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause (1), the question shall be referred to the General Council and its decision shall be final and no suit or other proceeding shall lie in any civil court against such decision.

Condition for membership and office

12.12

Notwithstanding anything contained in these Regulations, a person who is not Citizen of India shall not be eligible to become and for being an officer of the University or a member of any authority of the University.

Delegation of power

12.13

Subject to the provisions of the Act and these Statutes any officer or authority of the University may delegate his or its powers to any other officer or authority or person under his or its respective control and subject to the condition that overall responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating such powers.

By Order

*Shailesh Krishna*

(Shailesh Krishna)  
Principal Secretary



(See Statute 16.01)

**Form of Agreement with Members of Teaching Staff of the University**

AGREEMENT made this .....day of .....20.....between  
Sri.....of the first part and the .....(hereinafter called "the  
University") of the other part: --

IT IS HEREBY AGREED as follows: --

1. That the University hereby appoints Shri/Srimati/Km.....  
.....to be a teacher of the University with effect from of his/her office, and the  
party of the first part, hereby accepts the engagement, and undertakes to take such  
part, and perform such duties in the University as may be required of him/her,  
including the management and protection of the University property or funds, the  
organization of instruction, the teaching formal or informal and the examination of  
students, the maintenance of discipline and the promotion of students' welfare in  
connection with any curricular or residential activities and perform such extra  
curricular duties of the University as may be entrusted to him/her and to submit  
himself/herself to the officers under whom he/she is for the time being placed by the  
authorities of the University and shall abide by and conform to the Code of Conduct  
for teachers laid down by the University as amended from time to time.

PROVIDED that the teacher shall be on probation for a period of one year in the  
first instance and the Executive Council may in its discretion extend the period of  
probation by one year.

2. That the party of the first part shall retire in accordance with the provisions of the  
Statutes of the University.
3. The scale of pay attached to the post of teacher to which the party of the first part is  
appointed shall be .....The party of the first part shall from the date  
he/she takes charge of his/her said duties be granted pay at the rate of Rs.....per  
mensem in the aforesaid scale and shall receive pay in the succeeding stages in the  
scale unless the annual increment is withheld in pursuance of the provisions of the  
Statutes;

Provided that where an efficiency bar is prescribed in the time scale, the  
increment next above the bar shall not be given to the party of the first part without  
the specific sanction of the authority empowered to withhold increment.

4. That the party of the first part shall obey, and to the best of his/her ability carry out  
the lawful directions of any officer, authority or body of the University. to whose  
authority he/she may, while this agreement is in force, is subject under the provisions  
of the said Act, or under any Statutes, Ordinances or Regulations made thereunder.
5. That the party of the first part hereby undertakes to abide by and conform to the Code  
of Conduct laid down for the teachers, by the University, as amended from time to  
time.



6. That on the termination of this agreement from whatever cause, the party of the first part shall deliver up to the University all books, apparatus, record and other articles belonging to the University that may be in his possession.

7. In all matters, the mutual rights and obligations of the parties hereto shall be governed by the Statutes and Ordinances of the University, for the time being in force, which shall be deemed to be incorporated herein and shall be as such a part of this agreement as if they were reproduced herein, and by the provisions of Dr Shakuntala Misra Rehabilitation University (For Differently Abled) Act, 2009.

IN WITNESS WHEREOF the parties hereto affix their hands and seal on the day and year first above written.

.....  
*Signature of the Teacher*

.....  
*Signature of the Finance Officer  
representing the University.*

*Witnesses:*

1.....

2.....



①

APPENDIX 'B'

(See Statutes 16.02, 16.27, 17.03 and 17.14)

**Code of Conduct for Teachers**

WHEREAS, a teacher, conscious of his responsibilities and the trust placed in him to mould the character of the youth and to advance knowledge, intellectual freedom and social progress, is expected to realise that he can fulfil the role of moral leadership more by example than by precept through a spirit of dedication, moral integrity and purity in thought, word, and deed;

NOW, THEREFORE, in keeping with the dignity of his calling, this CODE OF CONDUCT is hereby laid down to be truly and faithfully observed:

1. Every teacher shall perform his academic duties with absolute integrity and devotion.
2. No teacher shall show any partiality or bias in the assessment of the students nor shall he practice victimization against them.
3. No teacher shall incite one student against another or against his colleagues or the Alma Mater.
4. No teacher shall discriminate against any pupil on grounds of caste, creed, sect, religion, sex, nationality or language. He shall also discourage such tendencies amongst his colleagues, subordinates and students, and shall not try to use the above considerations for the improvement of his own prospects.
5. No teacher shall refuse to carry out the decisions of the appropriate bodies and functionaries of the University or the college, as the case may be.
6. No teacher shall divulge any confidential information relating to the affairs of the University or college, as the case may be; to any person not authorised in respect thereof.