

Dharmashastra National Law University, Jabalpur

(Established by the Madhya Pradesh Dharmashastra National Law University Act 2018)



DRAFT STATUTES OF THE DHARMASHASTRA NATIONAL LAW UNIVERSITY, 2020

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**STATUTES OF THE DHARMASHASTRA NATIONAL LAW
UNIVERSITY, 2020**

In exercise of the powers conferred by Section 32 of the Madhya Pradesh Dharmashastra National Law University Act, 2018 (Act No. 24 of 2018), the first Vice-Chancellor of the Dharmashastra National Law University with the approval of the Chancellor, hereby makes the following first Statutes regarding constitution and functions of various bodies of the University, Appointments and terms of Appointment, Conditions of Service and Powers of various University officials and constitution of the Fund of the University and its deployment namely:

STATUTE– I

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT

- (a) These Statutes may be called the Statutes of the Dharmashastra National Law University, 2020.
- (b) These Statutes shall come into force on the date of approval by the Chancellor.

2. DEFINITIONS

- (a) The expressions used but not defined in these Statutes, however, defined in the Madhya Pradesh Dharmashastra National Law University Act, 2018 (Act No. 24 of 2018), shall have the same meaning assigned in the Act.
- (b) In these Statutes, unless there exists any repugnancy in the subject or context,
 - (i) “Act” means Madhya Pradesh National Law Institute University Act, 2018 (Act No. 24 of 2018).
 - (ii) “Authorities of the University” means the ‘Committees’, ‘Sub-committees’ as mentioned in Section 12 of the Act, and ‘standing committees’, ‘Adhoc-committees’ as mentioned in Section 20 of the Act.
 - (iii) “Dean of the Faculties” means the Dean of Studies who shall be both Dean of the Undergraduate and Postgraduate studies.
 - (iv) “Deputation” means the services of an employee of any other institution whose services has been obtained by the University.
 - (v) “Employee” means a person appointed by the University and serving on any post including contractual or deputation.

STATUTE– II

AUTHORITIES OF THE UNIVERSITY

1. AUTHORITIES OF THE UNIVERSITY

- (a) Subject to the provisions of Section 9 of the Act, the following shall also be the other authorities of the University:
 - (i) All authorities constituted by the General Council under the provision of Section 12 of the Act, for specific purposes as the General Council may assign for exercising any power or discharging any functions of the University.
 - (ii) The Standing Committees and Ad-hoc Committees constituted or appointed under the provisions of Section 20 of the Act shall be the authorities of the University.
- (b) The power and functions of abovementioned authorities may be such as prescribed by the Resolution of the General Council or Executive Council, as the case may be.

2. PROCEDURE FOR THE MEETINGS OF THE GENERAL COUNCIL

- (a) The meetings of the General Council shall be regulated by Section 13 of the Act.
- (b) It shall also meet in such special circumstances as required.
- (c) The meeting of the General Council shall be convened on such date as the Vice-Chancellor may fix in consultation with the Chancellor and may be adjourned from time to time by the Chairman of the Council.
- (d) The Registrar shall communicate in writing through any mode to each member mentioning the place, time and date of the meeting, not less than fifteen days prior to the meeting. The written communication shall be accompanied by agenda, mentioning the items to be placed in the meeting. In case of an emergency, a shorter written communication through any mode may be made for special meeting of the General Council, provided that the minutes of the special meetings shall be laid before the next annual meeting of the General Council for confirmation.
- (e) The quorum as mentioned in Section 13(3) means one third of the total number of members of the General Council as mentioned in Section 10(1) of the Act. One third of the total number of members shall not mean one third of the existing members of the General Council.

- (f) In absence of the quorum, there shall be no meeting.
- (g) The Chairman may include any item in the agenda not previously included and circulated to the members.
- (h) Formal proposals relating to the conferring of honorary degrees, vote of thanks, messages of congratulations, condolences, addresses and other similar matters may be moved in the meeting without previous notice.
- (i) A motion earlier disposed off, shall not be subsequently considered in the same meeting without the permission of the Chairman.
- (j) The Chairman shall have the sole power to regulate the proceedings of the meeting, any point of order, may call any member to order and, if necessary, dissolve the meeting or adjourn it to some other date and time.
- (k) In case of voting on any issue/question, the Chairman shall call for an indication of the opinion by a show of hands and shall declare the results thereof.
- (l) The minutes of the meetings of the General Council shall be circulated to all members for their approval. The members shall be entitled to make any objections as to correctness or any omissions in the minutes to the Registrar within one week of the receipt of such minutes.

3. PROCEDURE FOR THE MEETING OF THE EXECUTIVE COUNCIL

- (a) The meetings of the Executive Council shall be regulated by Section 19 of the Act.
- (b) It shall also meet in such special circumstances as required.
- (c) The meeting of the Executive Council shall be convened on such date as the Vice-Chancellor may fix or on the joint written request of the four members of the Executive Council.
- (d) The Registrar shall communicate in writing through any mode to each member mentioning the place, time and date of the meeting, not less than ten days prior to the meeting. The written communication shall be accompanied by agenda, mentioning the items to be placed in the meeting. In case of an emergency, a shorter written communication through any mode may be made for special meeting of the Executive Council provided that the minutes of the special meetings shall be laid before the next meeting of the Executive Council for confirmation.

- (e) In absence of the requisite quorum as mentioned in the Act, there shall be no meeting.
- (f) A motion earlier disposed of shall not be subsequently considered in the same meeting without the permission of the Chairman.
- (g) The Chairman shall have the sole power to regulate the proceedings of the meeting, any point of order, may call any member to order and, if necessary, dissolve the meeting or adjourn it to some other date and time.
- (h) In case of voting on any issue/question, the Chairman shall call for an indication of the opinion by a show of hands and shall declare the results thereof.
- (i) The minutes of the meetings of the Executive Council shall be circulated to all members for their approval. The members shall be entitled to make any objections as to correctness or any omissions in the minutes to the Registrar within one week of the receipt of such minutes.
- (j) Reports and recommendations of the Academic Council or of any of the committees of the Executive Council, even if they are not included in the agenda shall be laid before the Executive Council.
- (k) All reports and recommendations of the Academic Council or of any of the Committees of the Executive Council shall pass through the Vice-Chancellor.
- (l) The proceedings of each meeting of the Executive Council shall be entered in a Minute Book, signed by the Vice-Chancellor and shall be confirmed at the next meeting.
- (m) In all other respects, the provisions relating to procedure for the meetings of the General Council shall apply mutatis mutandis to the meetings of the Executive Council.

4. PROCEDURE FOR THE MEETING OF THE ACADEMIC COUNCIL

- (a) The meetings of the Academic Council shall be regulated by Section 23 and 24 of the Act.
- (b) It shall also meet in such special circumstances as required.
- (c) The meeting of the Academic Council shall be convened on such date as the Vice-Chancellor may fix or on the joint written request of the five members of the Academic Council.

- (d) The Registrar shall communicate in writing through any mode to each member mentioning the place, time and date of the meeting, not less than ten days prior to the meeting. The written communication shall be accompanied by agenda, mentioning the items to be placed in the meeting. In case of an emergency, a shorter written communication through any mode may be made for special meeting of the Academic Council provided that the minutes of the special meetings shall be laid before the next meeting of the Academic Council for confirmation.
- (e) In absence of the requisite quorum as mentioned in the Act, there shall be no meeting.
- (f) A motion earlier disposed of shall not be subsequently considered in the same meeting without the permission of the Chairman.
- (g) The Chairman shall have the sole power to regulate the proceedings of the meeting, any point of order, may call any member to order and, if necessary, dissolve the meeting or adjourn it to some other date and time.
- (h) In case of voting on any issue/question, the Chairman shall call for an indication of the opinion by a show of hands and shall declare the results thereof.
- (i) The minutes of the meetings of the Academic Council shall be circulated to all members for their approval. The members shall be entitled to make any objections as to correctness or any omissions in the minutes to the Registrar within one week of the receipt of such minutes.
- (j) The proceedings of each meeting of the Academic Council shall be entered in a Minute Book, signed by the Vice-Chancellor and shall be confirmed at the next meeting.
- (k) In all other respects, the provisions relating to procedure for the meetings of the General Council shall apply mutatis mutandis to the meetings of the Academic Council.

5. PROCEDURE FOR THE MEETING OF THE FINANCE COMMITTEE

- (a) The meetings of the Finance Committee shall be regulated by Section 25 of the Act.
- (b) It shall also meet in such special circumstances as required.
- (c) The meeting of the Finance Committee shall be convened on such date as the Vice-Chancellor may fix or on the joint written request of the three members of the Finance Committee.

- (d) The Finance Controller shall communicate in writing through any mode to each member mentioning the place, time and date of the meeting, not less than ten days prior to the meeting. The written communication shall be accompanied by agenda, mentioning the items to be placed in the meeting. In case of an emergency, a shorter written communication through any mode may be made for special meeting of the Finance Committee provided that the minutes of the special meetings shall be laid before the next meeting of the Finance Committee for confirmation.
- (e) In absence of the requisite quorum as mentioned in the Act, there shall be no meeting.
- (f) The Chairman shall have the sole power to regulate the proceedings of the meeting, any point of order, may call any member to order and, if necessary, dissolve the meeting or adjourn it to some other date and time.
- (g) In case of voting on any issue/question, the Chairman shall call for an indication of the opinion by a show of hands and shall declare the results thereof.
- (h) The minutes of the meetings of the Finance Committee shall be circulated to all members for their approval. The members shall be entitled to make any objections as to correctness or any omissions in the minutes to the Finance Controller within one week of the receipt of such minutes.
- (i) The proceedings of each meeting of the Finance Committee shall be entered in a Minute Book, signed by the Vice-Chancellor and shall be confirmed at the next meeting.
- (j) The Finance Controller of the University shall be the Secretary of the Finance Committee.
- (k) The Finance Controller of the University shall be entitled to be present and to speak at any meeting of the Finance Committee but shall not be entitled to vote thereat.
- (l) The Vice-Chancellor shall have the power to invite any Professor of the University or a financial expert to the meeting. Such invitees shall not be entitled to vote in the meeting.
- (m) In all other respects, the provisions relating to procedure for the meetings of the General Council shall apply mutatis mutandis to the meetings of the Finance Committee.

6. PROCEDURE FOR THE MEETING OF OTHER BODIES

- (a) The bodies of the University shall meet as prescribed by the authority constituting the body.
- (b) The bodies of the University shall have the power and functions as may be conferred on them by the authority of the University constituting them.
- (c) One half of the members of the body shall constitute the quorum of the meeting.
- (d) The procedure for the conducting the meeting shall be decided by the person presiding over the meeting.
- (e) The Chairman of the body of the University shall preside over the meeting of the body of the University of which he is Chairman, and in his absence, the members present shall elect a person from amongst themselves to preside over the meeting.
- (f) Each member of the body of the University shall have one vote and there shall be equality of votes on any question to be determined by the body of the University. The Chairman of the body of the University, or as the case may be, the member presiding over that meeting shall, in addition, have a casting vote.
- (g) The proceedings of each meeting of the body shall be entered in a Minute Book and signed by the person presiding over the meeting and shall be submitted to the Vice Chancellor.

STATUTE – III

OFFICERS OF THE UNIVERSITY

1. OFFICERS OF THE UNIVERSITY

- (a) In addition to the officers mentioned in Section 26 of the Act, the following shall also be the officers of the University:
 - (i) Head of the Departments;
 - (ii) Dean, Distance Education;
 - (iii) Dean, Research and Training; and
 - (iv) Librarian.
- (b) The power, functions, appointments and the conditions of service of officers mentioned above in sub clause (1)(a)(i), (1)(b)(ii),(1)(c)(iii), and(1)(d)(iv), shall be such as prescribed by the Regulations.

2. VICE-CHANCELLOR: APPOINTMENT, POWERS, TERMS & CONDITIONS

- (a) The appointment and powers of the Vice-Chancellor shall be subject to the provisions of Section 29, 30, 31 and 32 of the Act.
- (b) The Vice-Chancellor shall, in the absence of the Visitor and Chancellor, preside at the Convocation held for conferring degrees.
- (c) The Vice-Chancellor shall be entitled to the following:
 - (i) furnished residential accommodation up to the furnishing limit of 2 Laces, the life of furnishing item shall be as specified in regulation;
 - (ii) 50% of water and electricity bill, subject to maximum 1000 units per month;
 - (iii) other office facilities at his residence as specified in regulation;
 - (iv) two orderlies, one sweeper, one gardener and one security guard at his residence;
 - (v) an official vehicle with one driver. The fuel for vehicle will be provided by the University on actual consumption basis, subject to maximum 80 liters;

- (vi) pay and allowances (dearness allowance, hometown travel concession, leave travel concession, children's education allowance, travelling allowance) as notified from time to time by the University Grants Commission (UGC) or Ministry of Human Resource Developments (MHRD), Government of India;
- (vii) not less than 10% of his basic pay and dearness allowance shall be contributed by him to his contributory National Pension Scheme every month and the University shall contribute every month an equal amount to match his contribution;
- (viii) full reimbursement of medical expenses including hospitalization charges incurred towards the treatment of self and his dependents (As defined in State of Madhya Pradesh Rules), as per norms prescribed for the employees of the State Government;
- (ix) medical leave as an applicable to other employees of the university. In case of hospitalization, additional medical leaves may be admissible as approved by the Chancellor;
- (x) casual leave and earned leave;
- (xi) encashment of earned leaves as entitled under the Regulations;
- (xii) gratuity as per entitlement under Regulations.

3. REGISTRAR: APPOINTMENT, POWERS, TERMS & CONDITIONS

- (a) The appointment and powers of the Registrar shall be subject to the provisions of Section 34 of the Act.
- (b) The terms and conditions of service of the Registrar shall be such as may be prescribed by the Regulations.
- (c) If a person is appointed as Registrar on deputation, the terms and conditions of his services pertaining to pay, allowances, service benefits, etc., shall be according to the entitlements provided by the parent department.

4. DEAN OF THE FACULTIES: APPOINTMENT, POWERS, TERMS & CONDITIONS

- (a) The Vice-Chancellor, subject to approval of the Chancellor shall have the power to appoint full time regular Senior Most Professor of Law (in absence of full time regular Senior Most Professor, full time regular Senior Most Associate Professor of Law), as Dean of the Faculties.

- (b) The term of office of Dean of the Faculties shall be one year.
- (c) The Dean of the Faculties shall be appointed on rotational basis as per their seniority.
- (d) The Dean of the Faculties shall be the executive officer of the Faculty and the administrative head of all the Departments of Studies of the University.
- (e) The Dean shall issue the lecture lists of the University in the Departments comprised of the Faculty, and shall be responsible for the conduct of teaching therein.
- (f) The Dean shall have the right to be present and to speak at any meeting of any Committee of the Faculty, but not to vote unless she/he is a member of the Committee.
- (g) If at any time upon representation made or otherwise and after making such enquiries as any be deemed necessary, it appears to the Vice – Chancellor that the Dean of the Faculties,
 - (i) Has made default in performing any duty imposed on her/him by or under this Act; or
 - (ii) Has acted in a manner prejudicial to the interests of the University; or
 - (iii) Is incapable of managing the affairs of the University,
 - (iv) In the interest of the institution.

The Vice-Chancellor may, subject to approval of the Chancellor, notwithstanding the fact that the term of office of the Dean of Faculties has not expired, by an order in writing stating the reasons therein, require the Dean of Faculties to relinquish her/his office as from such date as may be specified in the order.

- (h) No order under sub-section (g) shall be passed unless the particulars of the grounds on which such action is proposed to be taken, is communicated to the Dean of the Faculties with reasonable opportunity of showing cause against the order.

5. THE CONTROLLER OF EXAMINATION: APPOINTMENT, POWERS, TERMS & CONDITIONS

- (a) The Controller of Examination shall be a whole time officer of the University.

- (b) The Controller of Examination shall be appointed by the Executive Council, after obtaining approval of the Chancellor, from amongst the Professors, Associate Professors, cadre of the State Administrative Service, State University Services or from the Madhya Pradesh Higher Judicial Services.
- (c) The terms and conditions of service of the Controller of Examination shall be such as may be prescribed by the Regulations.
- (d) If a person is appointed as Controller of Examination on deputation, the terms and conditions of his services pertaining to pay, allowances, service benefits, etc., shall be according to the entitlements provided by the parent department.

6. THE DEAN OF STUDENT'S WELFARE: APPOINTMENT, POWERS, TERMS & CONDITIONS

- (a) The Vice-Chancellor, subject to approval of the Chancellor, shall have the power to appoint full time regular Professor of Law (in absence of full time regular Professor, full time regular Associate Professor of Law), as Dean of Student's Welfare.
- (b) The term of office of Dean of Student's Welfare shall be one year.
- (c) The Dean of Student's Welfare shall be eligible for reappointment.
- (d) The Dean of Student's Welfare shall be responsible for ensuring the welfare of the students and shall also be responsible for maintenance of discipline amongst the students within the premises of the University.
- (e) Assistant Dean of Student's Welfare may be appointed by the Vice-Chancellor in consultation with the Dean of Student's Welfare from amongst the full time regular Assistant Professors, on such terms and conditions as the Vice-Chancellor may think appropriate. The Assistant Dean of Student's Welfare shall extend help to the Dean of Student's Welfare in performance of his duties.
- (f) The Dean of Student's Welfare shall look after the law and order problems in the University premises.
- (g) The Dean of Student's Welfare shall exercise such other powers and perform such duties as may be assigned to him by the Vice-Chancellor from time to time.
- (h) He shall report to the Vice-Chancellor from time to time, the problems of students as well as law and order in the University campus.

- (i) The Dean of Student's Welfare and Assistant Dean of Student's Welfare shall be accountable to the Vice-Chancellor in maintaining law and order problem in the University campus.
- (j) The Dean of Student's Welfare in case of emergency may take action in case of an act of indiscipline or law and order problem in the University campus with the approval of the Vice-Chancellor.
- (k) If at any time upon representation made or otherwise and after making such enquiries as any be deemed necessary, it appears to the Vice – Chancellor that the Dean of Student's Welfare,
 - (i) Has made default in performing any duty imposed on her/him by or under this Act; or
 - (ii) Has acted in a manner prejudicial to the interests of the University; or
 - (iii) Is incapable of managing the affairs of the University,the Vice- Chancellor may, subject to approval of the Chancellor, notwithstanding the fact that the term of office of the Dean of Student's Welfare has not expired, by an order in writing stating the reasons therein, require the Dean of Student's Welfare to relinquish her/his office as from such date as may be specified in the order.
- (l) No order under sub-section (k) shall be passed unless the particulars of the grounds on which such action is proposed to be taken is communicated to the Dean of Student's Welfare with reasonable opportunity of showing cause against the order.

STATUTE – IV

TEACHING AND ADMINISTRATION IN THE UNIVERSITY

1. DEPARTMENT OF STUDIES

- (a) There shall be following department of studies:
 - (i) Department of Legal Studies, and
 - (ii) Department of Humanities.
- (b) The nomenclature of the teaching posts in the University shall be such as may be prescribed by the Executive Council.
- (c) The Department of Legal Studies shall have a minimum number of seven teaching posts comprising of one Professor, two Associate Professors and four Assistant Professors. Provided that the number of teaching posts in the Department of Humanities shall not exceed the number of subjects offered by the Department of Humanities.
- (d) The department of studies (including the Department of Legal Studies and the Department of Humanities) shall consist of following members:
 - (i) Head of the Department;
 - (ii) Teachers in the Department;
 - (iii) Guest professors attached to the Department;
 - (iv) Such other persons as may be declared to be the Members of the Department by the Vice Chancellor;
 - (v) The Vice-Chancellor shall have the power to appoint full time regular Professor of Law (in absence of full time regular Professor, full time regular Associate Professor of Law), as Head of the Department.
- (e) The term of office of Head of the Department shall be three years. The Head of the Department shall be appointed on rotational basis as per their seniority.
- (f) The Head of the Department shall perform his functions and duties under the supervision of the Dean of the Faculties.
- (g) The powers, functions and other conditions of service of the Head of the Departments shall be as prescribed by the Regulations.

- (h) The Department of Studies (including the Department of Legal Studies and the Department of Humanities) shall have a board of studies consisting of:
 - (i) Dean of the Faculties;
 - (ii) Head of the Department;
 - (iii) All faculty members of the departments; and
 - (iv) Two experts not in the service of the University, nominated by the Vice Chancellor who shall hold office for the period of three years from the date of nomination and shall be eligible for re-nomination.
- (i) Meeting of the Board of Studies shall be presided over by the Dean of the Faculties.
- (j) The functions of the Board of studies shall be such as may be prescribed by the ordinances.

2. APPOINTMENT OF THE TEACHING AND THE LIBRARY STAFF: ELIGIBILITY, PROCEDURE OF SELECTION COMMITTEES

- (a) Direct recruitment to the post of Professor, Associate Professor, Assistant Professor, Librarian, Deputy Librarian, Assistant Librarian equivalent positions shall be governed by:
 - (i) The UGC Regulation on Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education, 2018 as amended and notified by MHRD or UGC, from time to time, and
 - (ii) The relevant provisions of the Act of 2018.
- (b) Career Advancement Scheme for Professor, Associate Professor, Assistant Professor, Librarian, Deputy Librarian, Assistant Librarian and equivalent positions shall be governed by the UGC Regulation on Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education, 2018 as amended and notified by MHRD or UGC, from time to time.

3. APPOINTMENT OF ASSISTANT REGISTRAR, CONTROLLER OF FINANCE, DEPUTY REGISTRAR (FINANCE), ASSISTANT CONTROLLER OF FINANCE AND OTHER EQUIVALENT POSTS: ELIGIBILITY, PROCEDURE OF SELECTION COMMITTEES

- (a) The appointment to the posts of Assistant Registrar, Controller Of Finance, Deputy Registrar (Finance), Assistant Controller Of Finance And Other Equivalent Posts shall be such as may be prescribed by Regulations.
- (b) The composition of Selection Committee for the appointment of the posts of Assistant Registrar, Controller Of Finance, Deputy Registrar Finance Assistant Controller Of Finance And Other Equivalent Posts shall be such as may be prescribed by Regulations.
- (c) The terms and conditions of service of the posts of Assistant Registrar, Controller Of Finance, Deputy Registrar (Finance), Assistant Controller Of Finance And Other Equivalent Posts shall be such as may be prescribed by Regulations.

4. APPOINTMENT OF OTHER NON-TEACHING EMPLOYEE: ELIGIBILITY, PROCEDURE OF SELECTION COMMITTEES

- (a) The other posts of non-teaching employee shall be such as may be prescribed by the Regulations.
- (b) The eligibility for appointment to the other posts of non-teaching employee shall be such as may be prescribed by Regulations.
- (c) The terms and conditions of service of the other posts of non-teaching employee shall be such as may be prescribed by the Regulations.

STATUTE – V

SERVICE CONDITIONS OF THE EMPLOYEES OF THE UNIVERSITY

1. SERVICE CONDITIONS

- (a) All the employees of the University shall be governed by the terms and conditions prescribed herein and as may be prescribed by Regulations.
- (b) No alteration in the pay and allowances, rate of contribution to the National Pension Scheme, designation and the age of superannuation of an employee in the service of the University shall be made to his disadvantage after he/she has joined the University.

2. APPOINTMENT ON CONTRACT

- (a) In consultation with the Chancellor, a person may be appointed on any vacant post on contract, for a period of one academic session by the Appointing Authority on such terms and conditions, as appropriate in the given circumstances subject to the provisions of the Act and as per UGC norms. The eligibility criteria shall be as of Regular Appointment.
- (b) The term of the contract in case of new appointees will be settled in advance before their joining.

3. APPOINTMENT ON DEPUTATION

- (a) In consultation with the Chancellor, a person may be appointed on any vacant post on deputation for a period of one academic session by the Appointing Authority on such terms and conditions, as appropriate in the given circumstances subject to the provisions of the Act.
- (b) If a person is appointed on deputation, the terms and conditions of his/ her services pertaining to pay, allowances, service benefits, etc., shall be according to the entitlements provided by the parent department

4. MEDICAL FITNESS

A person selected for appointment to any post shall be required to produce at his/her own cost a certificate of good health from a medical authority as specified in a government hospital.

Provided that the above condition shall not apply to Guest Professors/Guest Scholars invited by the University.

5. AGREEMENT OF SERVICE

- (a) Every employee, shall sign Agreement of Service in the form prescribed in the Regulation, before joining the University, accepting in writing the terms and conditions of appointment. Provided that this condition shall not apply to Guest Professors/Guest Scholars invited by the University.
- (b) The original copy of agreement and entire record of selection process shall be kept in the record of the Registrar Office.
- (c) A copy of service agreement shall be provided to the employee.

6. PERIOD OF PROBATION AND CONFIRMATION

Every person appointed to a regular post in the University on probation of two years from the date of joining and shall be governed by the UGC Regulation on Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education, 2018 as amended and notified by MHRD or UGC, from time to time.

7. REGULAR AND CONTRACTUAL SERVICE

- (a) A contractual employee shall be an employee appointed on contractual basis.
- (b) An employee appointed to a regular/sanctioned post in the University through the provisions of the Act shall be a regular employee of the University.

8. APPOINTMENT TO A REGULAR POST

An employee may be appointed on a Regular post as under:

- (a) Against a vacant regular post either sanctioned by the state government or created by the University.
- (b) The appointment of the employee in the University is approved by the Executive Council and the Chancellor.

9. TERMINATION OF SERVICE

The service of an employee may be terminated as may be prescribed by the Regulations

10. LIEN

Lien of a regular employee of the University shall be governed as per “*Madhya Pradesh Fundamental Rules*”.

Note: The expression “Local Government” used in “*Madhya Pradesh Fundamental Rules*”, shall be read as “*Chancellor*” for the purpose of this Statute.

11. RETIREMENT SCHEME

The retirement scheme shall be such as may be prescribed by the Regulations.

12. RE-EMPLOYMENT/EXTENSION IN THE SERVICE OF THE UNIVERSITY AFTER RETIREMENT ON SUPERANNUATION

The re-employment / extension in the service of the University after retirement shall be such as may be prescribed by the Regulations.

13. RESIGNATION

An employee may resign from the service of the University as may be prescribed by the Regulations.

14. SCALES OF PAY, INITIAL PAY, INCREMENTS AND ALLOWANCES

The scale of pay, initial pay, increments and allowances for the teaching posts in the University shall be such as may be notified by the Government of India, MHRD, or UGC, from time to time and for the non-teaching staffs it shall be according to the Regulations.

15. PAY DURING LEAVE

Pay during leave shall be such as may be prescribed by the Regulations.

16. PAY DURING SUSPENSION

The provisions of Chapter VIII of “*Madhya Pradesh Fundamental Rules*” shall be applicable *mutatis mutandis* in the matter of pay during suspension.

17. MEDICAL FACILITIES

- (a) Medical reimbursement claims shall be paid to the employees of University as prescribed by the State of Madhya Pradesh.
- (b) All the employees of the University shall be covered by Group Medical Insurance. The premium towards Group Medical Insurance Policy shall be paid by the University.
- (c) The upper limit of medical cover for employees shall be such as may be prescribed by the Regulations.

18. KINDS OF LEAVE

- (a) No leave can be claimed as a matter of right.
- (b) An employee on leave can be recalled from leave in the interest of University.
- (c) Employees of the University shall be entitled to leave as prescribed by the Regulations.

19. NATIONAL PENSION SCHEME (NPS)

- (a) National Pension Scheme shall be admissible to the regular employees of the University.
- (b) Not less than 10% of the basic pay and dearness allowance of the employee shall be contributed by the employee to his/her National Pension Scheme every month. Provided the employee may contribute more than 10% of his basic pay and dearness allowance to NPS. The University shall contribute every month not less than 10% of the basic pay and dearness allowance of the employee.
- (c) The rules relating to NPS shall be such as prescribed by the Central Government.

20. GRATUITY

- (a) Amount of gratuity payable shall be such as may be notified by the Government of India from time to time.
- (b) Rules relating to gratuity shall be such as may be prescribed by Regulations.

21. OTHER RETIREMENT BENEFITS

Other retirement benefits shall be such as may be prescribed by Regulations.

22. APPELLATE AUTHORITIES

An appeal shall lie from any original order made:

- (a) by the Registrar, to the Vice-Chancellor,
- (b) by the Vice-Chancellor to the Chancellor.

23. PERIOD OF LIMITATION FOR APPEALS

No appeal shall be entertained unless it is submitted within a period of 30 days from the date on which the order appealed against is communicated to the person concerned.

Provided that the appellate authority may entertain the appeal after the expiry of the said period if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

24. FORM, CONTENTS AND SUBMISSION OF APPEALS

- (a) A person submitting an appeal shall do so in writing in his own name and signature.
- (b) The appeal addressed to the appellate authority shall contain all material statements and grounds of objection against the order appealed mentioning concisely under different heads and paragraphs.
- (c) Every appeal shall be submitted to the Appellate Authority.

25. CONSIDERATION OF APPEALS

The provisions contained in Chapter VII of “*The M.P. Civil Services (Classification, Control and Appeal) Rules, 1966*” shall be applicable *mutatis mutandis* to the Appeals.

Note:

- (i) The expression “*Governor*” in Chapter VIII of *The Madhya Pradesh Civil Services (Classification, Control and Appeal) Rules, 1966*” will mean “*Chancellor*” for the purpose of this Statute.
- (ii) The expression “*Government Servant*” in Chapter VII and VIII of “*The M.P. Civil Services (Classification, Control and Appeal) Rules, 1966*” will mean regular employee of the University for the purpose of this Statute.

26. REVIEW

The provisions contained in Chapter VIII of “*The M.P. Civil Services (Classification, Control and Appeal) Rules, 1966*” shall be applicable *mutatis mutandis* to the Review.

Note:

- (i) The expression “*Governor*” in Chapter VIII of *The Madhya Pradesh Civil Services (Classification, Control and Appeal) Rules, 1966*” will mean “*Chancellor*” for the purpose of this Statute.
- (ii) The expression “*Government Servant*” in Chapter VII and VIII of “*The M.P. Civil Services (Classification, Control and Appeal) Rules, 1966*” will mean regular employee of the University for the purpose of this Statute.

27. ORDER ON RE-INSTATEMENT

The provisions contained in Chapter VIII of “*Madhya Pradesh Fundamental Rules*” shall be applicable *mutatis mutandis*.

Note: The expression “*Government Servant*” in Chapter VIII of “*Madhya Pradesh Fundamental Rules*” will mean “*Regular Employee of the University*” for the purpose of this Statute.

STATUTE – VI

FUND OF THE UNIVERSITY

1. CONSTITUTION OF FUND OF THE UNIVERSITY AND ITS DEPLOYMENT

- (a) Subject to the provisions of the Section 38 of the Act, the University Fund shall include:
- (i) Grant, Contribution and Donation Fund,
 - (ii) Students' Fee and Charges Fund,
 - (iii) Miscellaneous Receipt Fund,
 - (iv) Salary and Allowances Fund,
 - (v) Medical Benefits Fund,
 - (vi) Employees' Welfare Fund,
 - (viii) Travel Fund,
 - (ix) Vehicle Fund,
 - (x) Building Fund,
 - (xi) Depreciation Fund for Building, Vehicle, Equipments, and Furniture,
 - (xii) Maintenance Fund,
 - (xiii) Campus Development Fund,
 - (xiv) Research Fund,
 - (xv) Conference, Seminar, Workshop, Training Fund,
 - (xvi) National Pension Scheme Fund,
 - (xvii) Gratuity Fund,
 - (xviii) Leave Encashment Fund,
 - (xix) Such other Funds as may be approved by the Executive Council.
- (b) The deployment and management of the Funds shall be such as may be prescribed by the Regulation.

STATUTE – VII

MISCELLANEOUS

1. AUTHENTICATION

All orders and decision of the General Council and Executive Council shall be approved by the signature of the Chancellor or the Vice-Chancellor, as the case may be.

2. REMOVAL OF DIFFICULTIES

If any difficulty as to the interpretation or application of any of the provisions of these Statutes, the decision of the General Council thereon shall be final.

3. REPEAL AND SAVINGS

- (a) Every person holding a regular post in the University at the commencement of these Statutes shall, on such commencement, be deemed to have been appointed under the provisions of these Statutes to the corresponding post and shall draw the pay and allowances not less than the pay and allowances drawn by him immediately before such commencement.
- (b) In the cases where these Statutes are silent on any matter, relevant Rules and provisions as applicable in State of Madhya Pradesh and, in their absence, UGC Regulations will apply mutatis mutandis to the employees of the University.
- (c) All adhoc Rules, Regulations, Schemes and Arrangements of the University existing on the date of commencement of these First Statutes, Ordinances and Regulations shall stand repealed. However, any decision taken earlier, during the existence of adhoc Rules, Regulations, Schemes and Arrangements of the University, shall be deemed to have been passed under these First Statutes, Ordinances and Regulations.
