THE INDIRA GANDHI NATIONAL OPEN UNIVERSITY ACT 1985

(No. 50 of 1985)

AND

IndiaCode

THE STATUTES OF THE UNIVERSITY

(as amended up to 11.06.2014)

INDIRA GANDHI NATIONAL OPEN UNIVERSITY
NEW DELHI

THE INDIRA GANDHI NATIONAL OPEN UNIVERSITY ACT 1985

(No. 50 of 1985)

CONTENTS

Sl. No.		Page Nos.
1.	Short title and commencement	1
2.	Definitions	1
3.	Establishment and incorporation	2
4.	The Objects of the University	2
5.	Powers of the University	3
6.	Jurisdiction of the University	5
7.	University Open to all classes, castes and creeds	5
8.	The Visitor	5
9.	Officers of the University	6
10.	The Vice-Chancellor	6
11.	The Pro-Vice-Chancellors	7
12	The Directors	7
13.	The Registrars	7
14	The Finance Officer	7
15.	Other Officers	7
16.	Authorities of the University	7
17.	The Board of Management	8
I 8.	The Academic Council	8
19.	The Planning Board	8
20.	The Board of Recognition	8
21.	The Schools of Studies	8
22.	The Finance Committee	8
23.	Other Authorities	8
24.	Statutes	8
25.	Statutes how made	9
26.	Ordinances	10
27.	Regulations	10

IndiaCode

28. Annual Report 10
29. Annual Accounts, etc. 10
30. Conditions of Service of employees 11
31. Tribunal of Arbitration 11
32. Provident and pension funds 11
33. Disputes as to the constitutions of the University authorities and bodies 11
34. Filling of casual vacancies 12
35. Proceedings of the University authorities or bodies not invalidated by vacancies 12
36. Protection of action taken in good faith 12
37. Mode of proof of University record 12
38. Power to remove difficulties 12
39. Transitional provisions 12
40. Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before Parliament 13
41. The First Schedule 14
42. The Second Schedule 15
43. The Vice-Chancellor 15
44. Powers and functions of the Vice-Chancellor 16
45. The Pro-Vice-Chancellors 18
46. The Directors 19
47. The Registrar 20
48. The Finance Officer 21
49. Librarian & Information Officer 23
50. Board of Management 23
51. Powers and functions of the Board of Management 24
52. Quorum for a meeting of the Board of Management 24
53. Powers of the Academic Council 26
54. The Planning Board 27
55. The Finance Committee 30
56. Selection Committees 31
57. Special mode of appointment 32
58. Appointment for a fixed tenure 32
59. Recognised teachers 32
60. Committees 32

IndiaCode

61. Terms and conditions of service and code of conduct of the teachers and other academic staff of the University 33

62. Terms and conditions of service and code of conduct of other employees of the University 36

63. Removal of employees of the University 36

64. Maintenance of discipline amongst students of the University 37

65. Convocation 37

66. Honorary Degrees 37

67. General Provident Fund-cum-Pension-cum-Gratuity and Contributory Provident Fund-cum-Gratuity 38

68. Seniority Lists 44

69. Date of Submission of Annual Report 44

70. Ordinances how made 44

71. Regulations how made 45

72. Distance Education Council 45

73. Procedure for regulating the work of Tribunal of Arbitration 49

74. **Appendix 'A'**

General Provident Fund 52

Pension 66

Gratuity 69

Family Pension 72

Extraordinary Pension 76

75. **Appendix 'B'**

CPF-cum-Gratuity Scheme 77

IndiaCode

THE INDIRA GANDHI NATIONAL OPEN UNIVERSITY ACT, 1985

(No. 50 OF 1985)

[2nd September, 1985]

An Act to establish and incorporate an Open University at the national level for the introduction and promotion of open university and distance education systems in the educational pattern of the country and for the co-ordination and determination of standards in such systems.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:

Short title and commencement

1. (1) This Act may be called the Indira Gandhi National Open University Act. 1985.

(2) It shall come into force on such date as the Central Government may by notification in the Official Gazette. * appoint.

Definitions

2. In this Act, and the Statutes made hereunder, unless the context otherwise requires.

(a) "Academic Council" means the Academic Council of the University;

(b) "Board of Management" means the Board of Management of the University;

(c) "Board of Recognition" means the Board of Recognition of the University;

(d) "College" means a College or other academic institution established or maintained by, or admitted to the privileges of the University:

(e) "Distance education systems" means the system of imparting education through any means of communication such as broadcasting, telecasting, correspondence courses, seminars, contact programmes or the combination of any two or more of such means;

(f) "Employee" means any person appointed by the University, and includes teachers and other academic staff of the University;

(g) "Finance Committee" means the Finance Committee of the University

(h) "Governing Body", in relation to a College, means any body (by whatever name called—charged with the management of the affairs of the College and recognised as such by the University;

(i) "Planning Board" means the Planning Board of the University;

(j) "Regional Centre" means a centre established or maintained by the University for the purpose of co-ordinating and supervising the work of Study Centres in any region and for performing such other functions as may be conferred on such centre by the Board of Management;

* Vide notification No. SO. 678 (E) dated 19-9-1985 Gazette of India: Extraordinary, Part II. See. 3 (ii)

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(k) "Regulations" means the Regulations made by any authority of the University under this Act for the time being in force;

(l) "School" means a School of Studies of the University;

(m) "Statutes" and"Ordinances" mean, respectively, the Statutes and Ordinances of the University for the time being in force;

(n) "Student" means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;

(o) "Study Centre" means a centre established, maintained or recognised by the University for the purpose of advising, counselling or for rendering any other assistance required by the students;

(p) "Teachers" means Professors, Readers, Lecturers and such other persons as may be designated as such by the Ordinances for imparting instruction in the University or for giving guidance or rendering assistance to students for pursuing any course of study of the University;

(q) "University" means the Indira Gandhi National Open University established under this Act;

(r) "Vice-Chancellor" and "Pro-Vice-Chancellor" mean, respectively, the Vice-Chancellor and a Pro-Vice-Chancellor of the University.

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Establishment and incorporation of the University

3. *(1)* There shall be established a University by the name of "the Indira Gandhi National Open University".

(2) The headquarters of the University shall be at Delhi and it may establish or maintain Colleges, Regional Centres and Study Centres at such other places in India as it may deem fit.

Provided that the University may, with the prior approval of the Visitor, also establish Study Centres outside India.

(3) The first Vice-Chancellor, the first Pro-Vice-Chancellors and the first members of the Board of Management, the Academic Council and the Planning Board and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "the Indira Gandhi National Open University".

(4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

The Objects of the University

4. The objects of the University shall be to advance and disseminate learning and knowledge by a diversity of means, including the use of any communication technology, to provide opportunities for higher education to a larger segment of the population and to promote the educational well being of the community generally, to encourage the Open University and distance education systems in the educational pattern of the country and to coordinate and determine the standards in such systems, and the University shall, in organising its activities, have due regard to the objects specified in the First Schedule.

Proviso to Sub-Section (2) of Section 3 of the Indira Gandhi National Open University Act, 1985, enacted by the Parliament in August, 1997. The amended Act came into force from 6th December, 1997.

5. (1) The University shall have the following powers, namely: Powers of the University

(i) to provide for instruction in such branches of knowledge, technology, vocations and professions as the University may determine from time to time and to make provision for research;

(ii) to plan and prescribe courses of study for degrees, diplomas, certificates or for any other purpose;

(iii) to hold examinations and confer degrees, diplomas, certificates or other academic distinctions or recognitions on persons who have pursued a course of study or conducted research in the manner laid down by the Statutes and Ordinances;

(iv) to confer honorary degrees or other distinctions in the manner laid down by the Statutes;

(v) to determine the manner in which distance education in relation to the academic programmes of the University may be organised;

(vi) to institute professorships, readerships, lecturerships and other academic positions necessary for imparting instruction or for preparing educational material or for conducting other academic activities, including guidance, designing and delivery of course and evaluation of the work done by the students, and to appoint persons to such professorships, readerships, lecturerships and other academic positions;

(vii) to co-operate with, and seek the co-operation of other universities and institutions of higher learning, professional bodies and organisations for such purposes as the University considers necessary;

(viii) to institute and award fellowships, scholarships, prizes and such other awards for recognition of merit as the University may deem fit;

(ix) to establish and maintain such Regional Centres as maybe determined by the University from time to time;

(x) to establish, maintain or recognise Study Centres in the manner laid down by Statutes;

(xi) to provide for the preparation of instructional materials, including films. cassettes, tapes, video casettes and other software;

(xii) to organise and conduct refresher courses, workshops, seminars and other programmes for teachers, lesson writers, evaluators and other academic staff;

(xiii) to recognise examinations of, or periods of study (whether in full or part) at, other universities, institutions or other places of higher learning as equivalent to examinations or periods of study in the University, and to withdraw such recognition at any time;

(xiv) to make provision for research and development in educational technology and related matters;

(xv) to create administrative, ministerial and other necessary posts and to make appointments thereto;

Indira Code

(xvi) to receive benefactions. donations and gifts and to acquire. hold, maintain and dispose of any property movable or immovable, including trust and Government property, for the purposes of the University;

(xvii) to borrow, with the approval of the Central Government whether on the security of the property of the University or otherwise, money for the purposes of the University;

(xviii) to enter into, carry out, vary or cancel contracts;

(xix) to demand and receive such fees and other charges as may be laid down by the Ordinances;

(xx) to provide, control and maintain discipline among the students and all categories of employees and to lay down the conditions of service of such employees. including their codes of conduct;

(xxi) to recognise any institution of higher learning or studies for such purposes as the University may determine and to withdraw such recognition;

(xxii) to appoint, either on contract or otherwise. visiting Professors, Emeritus Professors, Consultants, fellows, scholars, artists, course writers and such other persons who may contribute to the advancement of the objects of the University;

(xxiii) to recognise persons working in other universities, institutions or organisations as teachers of the University on such terms and conditions as may be laid down by the Ordinances;

(xxiv) to determine standards and to specify conditions for the admission of students to courses of study of the University which may include examination, evaluation and any other method of testing;

(xxv) to make arrangements for the promotion of the general health and welfare of the employees;

(xxvi) to confer autonomous status on a College or a Regional Centre in the manner laid down by the Statutes;

(xxvii) to admit to its privileges any College in or outside India subject to such conditions as may be laid down by the Statutes;

Provided that no College shall be so admitted except with the prior approval of the Visitor,

(xxviii) to do all such acts as may be necessary or incidental to the exercise of all or any of the powers of the University as are necessary and conducive to the promotion of all or any of the objects of the University.

(2) Notwithstanding anything contained in any other law for the time being in force, but without prejudice to the provisions of sub-section (1), it shall be the duty of the University to take all such steps as it may deem fit for the promotion of the open university and distance education systems and for the determination of standards of teaching, evaluation and research in such systems, and for the purpose of performing this function, the University shall have such powers, including the power to allocate and disburse grants

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to Colleges, whether admitted to its privileges or not, or to any other university or institution of higher learning, as may be specified by the Statutes.

Jurisdiction

6. The University shall in the exercise of its powers have jurisdiction over the whole of India and to the Study Centres outside India.

University Open to all classes, castes and creeds

7. (1) The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or admitted as a student in the University, or to graduate there at, or to enjoy or exercise any privilege thereof.

(2) Nothing in sub-section (1) shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of persons belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes or Scheduled Tribes.

The Visitor

8. (1) The President of India shall be the Visitor of the University.

(2) Subject to the provisions of sub-sections (3) and (4), the Visitor shall have the right to cause an inspection to be made, by such person or persons as he may direct, of the University, its buildings, laboratories and equipment, and of any College, Regional Centre, a Study Centre and also of the examination, instruction and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the administration and finances of the University.

(3) The Visitor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall, on receipt of such notice, have the right to make, within thirty days from the date of receipt of the notice or such other period as the Visitor may determine, such representations to him as it may consider necessary.

(4) After considering the representations, if any, made by the University, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (2).

(5) Where an inspection or inquiry has been caused to be made by the Visitor, the University shall be entitled to appoint a representative who shall have the right to appear in person and to be heard on such inspection or inquiry.

(6) The Visitor may address the Vice-Chancellor with reference to the results of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon as the Visitor may be pleased to offer and on receipt of the address made by the Visitor, the Vice-Chancellor shall communicate forthwith to the Board of Management the results of the inspection or inquiry and the views of the Visitor and the advice tendered by him upon the action to be taken thereon.

Amendment of Section 6 of the Indira Gandhi National Open University Act. 1985 enacted by the Parliament in August, 1997. The amended Act came into force from 16th December, 1997.

(7) The Board of Management shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken by it upon the results of such inspection or inquiry.

(8) Where the Board of Management does not within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Board of Management, issue such directions as he may think fit and the Board of Management shall be bound to comply with such directions.

(9) Without prejudice to the foregoing provisions of this section, the Visitor may, by an order in writing, annul any proceedings of the University which is not in conformity with this Act, the Statutes or the Ordinances;

Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made and, if any cause is shown within a reasonable time, he shall consider the same.

(10) The Visitor shall have such other powers as may be specified by the Statutes.

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Officers of the University

9. The following shall be the officers of the University:

(1) The Vice-Chancellor;

(2) The Pro-Vice-Chancellors;

(3) The Directors;

(4) The Registrars;

(5) The Finance Officer; and

(6) Such other officers as may be declared by the Statutes to be the officers of the University.

The Vice-Chancellor

10. (1) The Vice-Chancellor shall be appointed by the Visitor in such manner, for such term and on such emoluments and other conditions of service as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal academic and executive officer of the University, and shall exercise supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellors may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter:

Provided that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action on the Board of

Management within ninety days from the date on which such action is communicated to him and thereupon the Board of Management may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor, if he is of the opinion that any decision of any authority is beyond the powers of the authority conferred by the provisions of this Act, Statutes or Ordinances or that any decision taken is not in the interests of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review its decision either in whole or in part or no decision is taken by it with in the said period of sixty days, the matter shall be referred to the Visitor whose decision thereon shall be final:

Provided that the decision of the authority concerned shall remain suspended during the period of review of such decision by the authority or the Visitor, as the case maybe, under this sub-section.

(5) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes and the Ordinances.

11. Every Pro-Vice-Chancellor shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed by the Statutes. The Pro Vice-Chancellors

12. Every Director shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed by the Statutes. The Directors

13. (1) Every Registrar shall be appointed in such manner, on such emoluments and other conditions of service as may be prescribed by the Statutes. The Registrars

(2) A Registrar empowered by the Board of Management shall have the power to enter into, and sign, agreements and authenticate records on behalf of the University.

(3) Every Registrar shall exercise such powers and perform such functions as may be prescribed by the Statutes.

14. The Finance Officer shall be appointed in such manner, on such emoluments and other conditions of service and shall exercise such powers and perform such functions as may be prescribed by the Statutes. The Finance Officer

15. The manner of appointment, emoluments, powers and duties of the other officers of the University shall be prescribed by the Statutes. Other Officers

16. The following shall be the authorities of the University: Authorities of the University

(1) The Board of Management;

(2) The Academic Council;

(3) The Planning Board;

(4) The Board of Recognition;

(5) The Schools of Studies;

(6) The Finance Committee; and

(7) Such other authorities as may be declared by the Statutes to be the authorities of the University.

The Board of Management

17. (1) The Board of Management shall be the principal executive body of the University.

(2) The constitution of the Board of Management, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

The Academic Council

18. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, have the control and general regulation of, and be responsible for, the maintenance of standards of learning, education, instruction, evaluation and examination within the University and shall exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Statutes.

(2) The constitution of the Academic Council and the term of office of its members shall be prescribed by the Statutes.

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The Planning Board

19. (1) There shall be constituted a Planning Board of the University which shall be the principal planning body of the University and shall also be responsible for the monitoring of the developments of the University on the lines indicated in the objects of the University.

(2) The constitution of the Planning Board, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

The Board of Recognition

20. (1) The Board of Recognition shall be responsible for admitting Colleges to the privileges of the University.

(2) The constitution and the other powers and functions of the Board of Recognition shall be prescribed by the Statutes.

The Schools of Studies

21. (1) There shall be such number of Schools of Studies as the University may determine from time to time.

(2) The constitution, power and functions of the Schools of Studies shall be prescribed by the Statutes.

The Finance Committee

22. The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

Other Authorities

23. The constitution, powers and functions of the other authorities which may be declared by the Statutes to be authorities of the University shall be prescribed by the Statutes.

Statutes

24. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:

(a) the manner of appointment of the Vice-Chancellor, the term of his appointment, the emoluments and other conditions of his service and the powers and functions that may be exercised and performed by him;

(b) the manner of appointment of Pro-Vice-Chancellors, Directors, Registrars, the Finance Officer and other officers, the emoluments and other conditions of their service and the powers and functions that may be exercised and performed by each of the officers;

(c) the constitution of the Board of Management and other authorities of the University, the terms of office of the members of such authorities and the powers and functions that may be exercised and performed by such authorities;

(d) the appointment of teachers and other employees of the University, their emoluments and other conditions of service;

(e) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the employees of the University;

(f) the principles governing the seniority of service of the employees of the University;

(g) the procedure in relation to any appeal or application for review by any employee or student of the University against the action of any officer or authority of the University, including the time within which such appeal or application for review shall be preferred or made;

(h) the procedure for the settlement of disputes between the employees or students of the University, and the University;

(i) the conferment of autonomous status on Colleges and Study Centres;

(j) the co-ordination and determination of standards in the open University and distance education systems and the allocation and disbursement of grants to Colleges and other universities and institutions;

(k) the conditions that are required to be fulfilled for admission of the Colleges to the privileges of the University;

(l) all other matters which by the Act are to be, or may be, provided by the Statutes.

25. (1) The first Statutes are those set out in the Second Schedule.

Statutes how made

(2) The Board of Management may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1):

Provided that the Board of Management shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given a reasonable opportunity to express its opinion in writing on the proposed changes and any opinion so expressed has been considered by the Board of Management.

(3) Every new Statute or addition to the Statutes or any amendment or repeal thereof shall require the approval of the Visitor, who may assent thereto or withhold assent or remit to the Board of Management for re-consideration in the light of the observations, if any, made by him.

(4) A new Statute or a Statute amending or repealing an existing Statute shall not be valid unless it has been assented to by the Visitor.

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(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1), during the period of three years immediately after the commencement of this Act.

(6) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Board of Management is unable to implement such a direction within sixty days of its receipt, the Visitor may, after considering the reasons, if any, communicated by the Board of Management for its inability to comply with such direction, make or amend the Statutes suitably.

Ordinances

26. (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:

(a) the admission of students, the courses of study and the fees therefor, the qualifications pertaining to degrees, diplomas, certificates and other courses, the conditions for the grant of fellowships awards and the like;

(b) the conduct of examinations, including the terms and conditions and appointment of examiners;

(c) the management of Colleges admitted to the privileges of the University; and

(d) any other matter which by this Act or the Statutes is to be or may be, provided for by the Ordinances.

(2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Board of Management in the manner prescribed by the Statutes.

Regulations

27. The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the committees, if any, appointed by them and not provided for by this Act, the Statutes or the Ordinances in the manner prescribed by the Statutes.

Annual Report

28. (1) The Annual Report of the University shall be prepared under the directions of the Board of Management which shall include, among other matters, the steps taken by the University towards the fulfilment of its objects.

(2) The Annual Report so prepared shall be submitted to the Visitor on or before such date as may be prescribed by the Statutes.

(3) A copy of the Annual Report, as prepared under sub-section (1) shall also be submitted to the Central Government which shall, as soon as may be, cause the same to be laid before both the Houses of Parliament.

Annual Accounts, etc.

29. (1) The Annual Accounts and the balance sheet of the University shall be prepared under the directions of the Board of Management and shall, once at least every year, and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India or such person or persons as he may authorise in this behalf.

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(2) A copy of the accounts together with the audit report shall be submitted to the Visitor along with the observations, if any, of the Board of Management.

(3) Any observations made by the Visitor on the Annual Accounts shall be brought to notice of the Board of Management and the views of the Board of Management, if any, on such observations shall be submitted to the Visitor.

(4) A copy of the accounts together with the audit report, as submitted to the Visitor, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both the Houses of Parliament.

(5) The audited Annual Accounts, after having been laid before both the Houses of Parliament, shall be published in the Gazette of India.

Conditions of service of employees

30. (1) Every employee of the University shall be appointed under a written contract and such contract shall not be inconsistent with the provisions of this Act, the Statutes and the Ordinances.

(2) The contract referred to in-sub-section (1) shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

Tribunal of Arbitration

31. (1) Any dispute arising out of a contract of employment referred to in section 30 between the University and an employee shall, at the request of either party, be referred to a Tribunal of Arbitration which shall consist of one member nominated by the Board of Management, one member nominated by the employee concerned and an umpire to be nominated by the Visitor.

2 of 1940

(2) Every such reference shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940, and all the provisions of that Act, with the exception of section 2 thereof, shall apply accordingly.

(3) The procedure for regulating the work of the Tribunal of Arbitration shall be prescribed by the Statutes.

(4) The decision of the Tribunal of Arbitration shall be final and binding on the parties, and no suit shall lie in any court in respect of the matters decided by the Tribunal.

Provident and Pension funds

32. (1) The University shall constitute for the benefit of the employees such provident or pension funds or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

19 of 1925

(2) Where such provident or pension Fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 shall apply, to such funds, as if it were a Government Provident Fund.

Disputes as to the constitutions of the University authorities and bodies

33. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

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34. All the casual vacancies among the members (other than ex officio members) of any authority or other body of the University shall be filled, as soon as may be convenient, by the person or body who appoints, elects or co-opts the members whose place has become vacant and any person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

Filling of casual vacancies

35. No act or proceedings of any authority or any other body shall be invalidated merely by reason of the existence of any vacancy or vacancies among its members.

Proceedings of the University Authorities or bodies not invalidated by vacancies

36. No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act or the Statutes or the Ordinances.

Protection of action taken in good faith

37. A copy of any receipt, application, notice, order, proceedings, resolution of any authority or committee of the University, or other documents in the possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar so designated shall, notwithstanding anything contained in the Indian Evidence Act, 1872, or in any other law for the time being in force, be admitted as evidence of the matters and transactions specified therein, where the original thereof would, if produced, have been admissible in evidence.

Mode of proof of university record

1 of 1872

MediaCopy

38. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Gazette of India, make such provisions, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Power to remove diffculties

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

39. Notwithstanding anything contained in this Act and the Statutes:

Transitional provisions

(a) The first Vice-Chancellor, the first Registrars and the first Finance Officer shall be appointed by the Visitor and they shall be governed by the terms and conditions of service specified by the Statutes:

Provided that the first Vice-Chancellor shall be eligible for appointment in the manner specified in the Statutes for another term;

(b) The first Board of Management shall consist of not more than fifteen members who shall be nominated by the Visitor and they shall hold office for a term of three years and;

(c) (i) The first Planning Board shall consist of not more than ten members who shall be nominated by the Visitor and they shall hold office for a term of three years;

(ii) The Planning Board shall, in addition to the powers and functions conferred on it by this Act, exercise the powers of the Academic Council. until the Academic Council is constituted under the provisions of this Act and the Statutes, and in the exercise of such powers, the Planning Board may co-opt such members as it may decide.

40. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before Parliament.

(2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.

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THE FIRST SCHEDULE

(*See* Section 4)

THE OBJECTS OF THE UNIVERSITY

1. The University shall endeavour through education, research, training and extension to play a positive role in the development of the country, and, based on the rich heritage of the country, to promote and advance the culture of the people of India and its human resources. Towards this end, it shall:

(a) strengthen and diversify the degree, certificate and diploma courses related to the needs of employment and necessary for building the economy of the country on the basis of its natural and human resources;

(b) provide access to higher education for large segments of the population, and in particular, the disadvantaged groups such as those living in remote and rural areas including working people, housewives and other adults who wish to upgrade or acquire knowledge through studies in various fields;

(c) promote acquisition of knowledge in a rapidly developing and changing society and to continually offer opportunities for upgrading knowledge, training and skills in the context of innovations, research and discovery in all fields of human endeavours;

(d) provide an innovative system of university level education, flexible and open, in regard to methods and pace of learning, combination of courses, eligibility for enrolment, age of entry, conduct of examination and operation of the programmes with a view to promote learning and encourage excellence in new fields of knowledge;

(e) contribute to the improvement of the educational system in India by providing a non-formal channel complementary to the formal system and encouraging transfer of credits and exchange of teaching staff by making wide use of texts and other software developed by the University;

(f) provide education and training in the various arts, crafts and skills of the country, raising their quality and improving their availability to the people;

(g) provide or arrange training of teachers required for such activities or institutions;

(h) provide suitable post-graduate courses of study and promote research;

(i) provide the counselling and guidance to its students; and

(j) promote national integration and the integrated development of the human personality through its policies and programmes.

2. The University shall strive to fulfill the above objects by a diversity of means of distance and continuing education, and shall function in cooperation with the existing Universities and Institutions of higher learning and make full use of the latest scientific knowledge and new educational technology to offer a high quality of education which matches contemporary needs.

IndiaCode

THE SECOND SCHEDULE

(*See* Section 24)

STATUTES OF THE UNIVERSITY

(as amended upto 11.6.2014)

1. *The Vice-Chancellor*

(1) The Vice-Chancellor shall be a whole-time salaried officer of the University.

(2) The Vice-Chancellor shall be appointed by the Visitor from out of a panel of not less than three persons recommended (the names being arranged in the alphabetical order) by a committee constituted under clause (3):

Provided that if the Visitor does not approve of any of the persons so recommended he may call for fresh recommendations.

(3) The committee referred to in clause (2) shall consist of three members of whom two shall be nominated by the Board of Management and one by the Visitor, and the person nominated by the Visitor shall be the Convener of the committee:

Provided that no person who is an employee of the University or of any affiliated College or a member of any authority of the University shall be nominated to be a member of the Committee.

(4) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office, or until he attains the age of seventy years, whichever is earlier, and he shall not be eligible for re-employment:

Provided that the Visitor may require any Vice-Chancellor after his term has expired, to continue in office for such period, not exceeding a total period of one year as may be specified by him.

(5) The emoluments and other conditions of service of the Vice-Chancellor shall be as follows:

(i) There shall be paid to the Vice-Chancellor a salary of Rs. 25000/- (fixed) per month and he would be entitled to the free use of the University car and without payment of rent, to the use of furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.

(ii) In addition to the salary specified in sub-clause (i), the Vice-Chancellor shall be entitled to such other allowances as are admissible to University employees from time to time.

Amendment regarding salary of Vice-Chancellor in Sub-clause (i) of Clause (5) of Statute 1 is approved by the Board of Management at its Meeting held on December 31, 1987 and modified in its Meeting held on August 30, 1988 (Resolutions No. 6.11.1 and 11.17.1 respectively) received the approval of the Visitor vide MHRD letter No. F.5-16/ 88-U.I. (Desk) dated November 10, 1989.

Amendment to Clause(4) of Statute 1 of the IGNOU Act approved by the Board of Management at its 92nd meeting held on 29.8.2007 received the approval of the Visitor vide MHRD letter No.F.122/2007-DL dt.30.1.2008.

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(iii) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Board of Management with the approval of the Visitor from time to time:

Provided that where an employee of the University or a College or of any other university or any institution maintained by or affiliated to such other university is appointed as the Vice-Chancellor, he may be allowed to continue to contribute to any provident fund of which he is a member and the University shall contribute to the account of such person in that provident fund at the same rate at which such person had been contributing immediately before his appointment as Vice-Chancellor.

Provided further that where such employee had been a member of any pension scheme, the University shall make the necessary contribution to such scheme.

(iv) The Vice-Chancellor shall be entitled to Leave Travel Concession, Medical Facilities and Travelling Allowance at such rates as may be fixed by the Board of Management.

(v) The Vice-Chancellor shall be entitled to leave on full pay for one-eleventh of the period spent by him to active service.

(vi) In addition to the leave referred to in sub-clause (v), the Vice-Chancellor shall be entitled to half pay leave at the rate of twenty days per year of every completed year of service and the half pay leave may be availed of as commuted leave on full pay on medical certificate.

(6) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise, or if he is unable to perform his duties due to ill health or any other cause, the senior-most Pro-Vice-Chancellor, shall perform the duties of the Vice-Chancellor, and if there is no Pro-Vice-Chancellor, the Senior-most Professor from amongst Director of the Schools shall perform the functions of the Vice Chancellor until the new Vice-Chancellor assumes his office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

2. *Powers and functions of the Vice-chancellor*

(1) The Vice-Chancellor shall be *ex-officio* Chairman of the Board of Management, the Academic Council, the Planning Board, the Finance Committee and the Distance Education Council.

Amendment to Sub-clause (iv) of Clause (5) of Statute I regarding Vice-Chancellor is made by the Board of Management at its meeting held on 18.02.1991, received the approval of the Visitor vide MHRD letter No. F.5-25/91-u.l. (Desk) dated 14.08.1991.

Amendment to clause (6) of statute I was approved by the Board of Management at it meeting held on 28.2.2003 and assent of the visitor was conveyed vide MHRD letter No. F. 5-24/2003-Desk(U)(A) dt. 22.11.2004.

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(2) The Vice-Chancellor shall be entitled to be present at, and address, any meeting of any other authority or other body of the University, but shall not be entitled to vote there at unless he is a member of such authority or body.

(3) It shall be the duty of the Vice-Chancellor to see that this Act, the Statutes, Ordinances and Regulations are duly observed and he shall have all the powers necessary to ensure such observance.

(4) The Vice-Chancellor shall exercise control over the affairs of the University and shall give effect to the decisions of all the authorities of the University.

(5) The Vice-Chancellor shall have all the powers necessary for the proper maintenance of discipline in the University and he may delegate any such powers to such person or persons as he may deem fit.

(6) The Vice-Chancellor shall be empowered,

(i) to grant leave to any officer of the University and make necessary arrangements for the discharge of the functions of such officer during his absence;

(ii) to make necessary arrangements for discharging the functions of an officer whose position falls vacant due to resignation, retirement, death or any other reason till regular appointment to such positions is made.

Provided that arrangement made under sub-clause (ii) of Clause (6) may be for a period not exceeding 6 months at a time. Further extension exceeding 6 months is to be reported to the Board.

(7) The Vice-Chancellor shall grant leave of absence to any employee of the University in accordance with the rules and if he so desires, delegate such powers to another officer of the University.

(8) The Vice-Chancellor shall have the power to convene or cause to be convened the meetings of the Board of Management, the Academic Council, the Planning Board and the Finance Committee.

(9) The Vice-Chancellor shall have the following further powers, namely:

(i) to appoint such Professors, Readers, Lecturers and other teachers as may be necessary with the prior approval of the Board of Management;

(ii) to appoint course writers, script writers, counsellors, programmers, artists and such other persons as may be considered necessary for the efficient functioning of the University;

(iii) to make short-term appointments for a period not exceeding six months at a time, of such persons as may be considered necessary for the functioning of the University;

A modified Subclause (6)(i)(ii) and the proviso below clause (6) of Statute 2 added by the Board of Management at its meeting held on 6.8.2001 and approved by the Visitor vide MHRD letter No. F. 5-73/2001-Desk (U)(A) dt. 26.2.2005.

(iv) to arrange for the establishment and maintenance of Regional and Study Centres at different places as may be required from time to time and delegate to any employee such powers as are necessary for their efficient functioning.

3. *The Pro-Vice-chancellors*

(1) Every Pro-Vice-Chancellor shall be appointed by the Board of Management on the recommendation of the Vice-Chancellor:

Provided that if any recommendation of the Vice-Chancellor is not accepted by the Board of Management, the matter shall be referred to the Visitor who may either appoint the person recommended by the Vice-Chancellor or request the Vice-Chancellor to recommend another person for consideration by the Board of Management:

Provided further that the Board of Management may, on the recommendation of the Vice-Chancellor, appoint a Professor or a Director of a School/Division to perform the functions of a Pro-Vice-Chancellor in addition to his own functions as a Professor or a Director of a School/ Division.

(2) The term of office of a Pro-Vice-Chancellor shall be such as may be decided by the Board of Management, but it shall not in any case exceed three years or until the expiration of the term of office of the Vice-Chancellor, whichever, is earlier and he shall be eligible for re-appointment:

Provided that a Pro-Vice-Chancellor shall retire on attaining the age of sixty-five years:

Provided further that a Pro- Vice-Chancellor shall, while performing the functions of the Vice-Chancellor under clause (6) of Statute 1, continue in office notwithstanding the expiration of his term of office as Pro- Vice-Chancellor until a new Vice-Chancellor assumes his office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

(3) (a) The salary of a Pro-Vice-Chancellor shall be fixed in the scale of pay of Rs. 18,400 - 500 - 22,400 subject to a minimum of Rs. 19,900 per month. Where a Professor/Director of School/Division is appointed to perform the functions of a Pro-Vice-Chancellor in addition to his own function as such Professor/Director of School/Division he shall draw his pay in his substantive post plus a special pay of Rs. 500 per month, or Rs. 22,400 whichever is less.

(b) Every Pro-Vice-Chancellor shall be entitled, without payment of rent, to the use of a furnished residence throughout his term of office and no charge shall fall on the Pro-Vice-Chancellor personally in respect of maintenance of such residence.

Amendment to second proviso to Clause (1) of Statute 3 regarding the Pro-Vice-Chancellors is made by the Board of Management at its meeting held on 18.02.1992 is approved by the Visitor vide MHRD letter No. F. 5-72/91-U.I (Desk) dated 16.7.1992.

Amendment to Sub-clause (a) of Clause (3) of Statute 3 regarding the Pro-Vice-Chancellors is made by the Board of Management at its meeting held on 30.09.91 is approved by the Visitor vide MHRD letter No. F. 5-72/91-U. 1 (Desk) dated 16.07.1992.

(c) In addition to the salary specified in sub-clause (a), a Pro- Vice-Chancellor shall be entitled to such other allowances as are admissible to the employees of the University from time to time.

(d) The Pro-Vice-Chancellor during his tenure shall be entitled to leave, as admissible to the employees of the University from time to time. Provided further that where an employee of the University or a College affiliated to it or of any other University or institution maintained by or affiliated to such other University, is appointed as a Pro-Vice-Chancellor he shall continue to be governed by the same Leave Rules to which he was entitled prior to his appointment as Pro-Vice-Chancellor till he continues to hold his lien on that post.

(e) The Pro-Vice-Chancellor shall be entitled to Travelling Allowance, Leave Travel Concession and Medical Concession as are admissible to the employees of the University from time to time.

(f) Every Pro-Vice-Chancellor shall be entitled to such terminal benefits as may be fixed by the Board of Management from time to time.

(g) The Pro-Vice-Chancellor shall be entitled to subscribe to the contributory provident fund of the University till the end of his tenure:

Provided that where an employee of the University or a College or of any University or institution maintained by or affiliated to such other University is appointed as a Pro-Vice-Chancellor, he shall continue to be governed by the same retirement benefit scheme to which he was entitled prior to his appointment as Pro-Vice-Chancellor till he continues to hold his lien on that post, but under this provision, the pay for the purpose of subscription to the General Provident Fund and subscription to the University Contributory Provident Fund shall be the pay drawn by him as Pro-Vice-Chancellor.

(h) Every Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters as may be specified by the Vice-Chancellor in this behalf from time to time and shall also exercise such powers and perform such functions as may be delegated to him by the Vice-Chancellor.

4. *The Directors*

(1) Every Director shall be appointed by the Board of Management on the recommendation of

(i) the Vice-Chancellor, in case the candidate to be appointed is already a teacher of the University; and

(ii) a Selection Committee constituted for the purpose as per the qualifications prescribed by the Board of Management in each case.

Sub-clauses (d) and (e) of Clause (3) of Statute 3 added (and changing the existing sub-clauses (d), (e), (f), (g) and (h) respectively) by the Board of Management at its meetings held on August 17, 1990 and December 14, 1990 and received the approval of the Visitor vide MHRD letter No. F. 5-60/90-U. 1 (Desk) dated 29.1.1991.

Addition to Clause (1) (ii) of Statute 4 was approved by the Board of Management at its meeting held on 27-12-95 and assent of the Visitor was conveyed vide Ministry of HRD's letter No. F. 5-16/96-U. 1 (Desk) dated 23.04.96.

"Provided that

(a) A Director of a School shall be appointed from amongst the Professors (by rotation) of the School by the Board of Management on the recommendations of the Vice-Chancellor and in case there is only one Professor or no Professor available/eligible in the School, the senior-most teacher at the level of Associate Professor in the School shall be given the charge of the Director by rotation;

(b) The rotation of directorship among the disciplines of a School be kept in view while making the recommendation; and

(c) The Director STRIDE and the Director, Regional Services Division shall be appointed by the Board of Management on the recommendations of the Vice Chancellor from amongst the Professors in STRIDE and the Regional Directors in Professors scale, respectively.

(d) A Director shall hold office for a period of three years and that he shall be eligible for re-appointment."

(2) Every Director shall be whole-time salaried officer of the University;

Provided that one of Directors shall be in charge of the administrative affairs of the teachers.

(3) The emoluments and other conditions of service of the Director shall be prescribed by the Ordinances:

Provided that a Director shall retire on attaining the age of sixty two years.

(4) A Director shall exercise such powers and perform such functions as may be prescribed by Ordinances.

5. *The Registrar*

(1) Every Registrar shall be appointed by the Board of Management on the recommendation of a Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University.

(2) The emoluments and other conditions of service of a Registrar shall be prescribed by the Ordinances:

Provided that a Registrar shall retire on attaining the age of sixty two years.

(3) A Registrar designated by the Board of Management shall have power to take disciplinary action against such of the employees, excluding teachers and other members as may be specified by the Board of Management by order.

(4) An appeal shall lie to an officer so designated by the Board of Management against any order made by the Registrar in pursuance of clause (3).

(5) In cases where an inquiry discloses that a punishment beyond the powers of a Registrar is called for, the Registrar shall, consequent to the enquiry, make a report to the Vice-Chancellor along with his recommendations for such action as the Vice-Chancellor may deem fit:

Amendment /additions to sub-clause (ii) (c)(d) of Clause (1) and amendment under clause (3) of Statute 4 was approved by the Board of Management at its meeting held on 28.2.2003 and assent of the visitor was conveyed vide MHRD letter No. F. 5-2/2003 –Desk(u)(A) dt. 6.10.2004.

Amendment to Sub-Clause(ii)(a) of Clause (1) of Statute 4 was approved by the BOM at its meeting held on 26.2.2007 and assent of the Visitor was conveyed vide MHRD letter No.F.5-44/2007-DL dt.12.11.2007.

Amendment to Sub-Clause(ii)(a) of Clause (1) of Statute 4 was further approved by the BOM at its meeting held on 31.5.2012 and assent of the Visitor was conveyed vide MHRD letter No.F.5-69/2013-DL dt.23.7.2013.

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Provided that an appeal shall lie to the Board of Management against an order of the Vice-Chancellor imposing any penalty.

(6) Such of the Registrar as is designated by the Board of Management shall be:

(i) The Secretary to the Board of Management;

(ii) Member of the Academic Council;

(iii) Member of the Planning Board.

(7) A Registrar so designated shall:

(a) be the custodian of the records, the common seal and such other properties of the University as the Board of Management may commit to his charge;

(b) issue notices and convene meetings of the Board of Management and of the committees appointed by the Board;

(c) keep the minutes of the meetings of the Board of Management, the Academic Council and the Planning Board and of the committees appointed by such authorities;

(d) conduct the official proceedings and correspondence of the Board of Management;

(e) supply to the Visitor, a copy of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of such meetings:

(f) represent the University in suits or proceedings, by or against the University, sign powers of attorney, verify pleadings and depute his representative for the purpose:

(g) perform such other functions as may be specified in the Statutes, Ordinances or Regulations or as may be required from time to time by the Board of Management or the Vice-Chancellor.

6. *The Finance Officer*

(1) The Finance Officer shall be appointed by the Board of Management on the recommendation of a Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University, and shall work under the Control of the Vice-Chancellor.

(2) The emoluments and other conditions of service of the Finance Officer shall be prescribed by the Ordinances:

Provided that the Finance Officer shall retire on attaining the age of sixty years.

Amendment to Sub-clause (ii) & (iii) of Clause (6) of Statute 5 approved by the Board of Management at its meeting held on 28.2.2003 and assent of the Visitor was conveyed vide MHRD letter No. F. 5-25/2003- (Desk) (U)(A) dt. 15.3.2004.

Amendment of Sub-caluses (b) & (d) of Clause (7) of Statute 5 was approved by the Board of Management at its meeting held on 22.6.2006 and assent of the Visitor was conveyed vide MHRD letter No. F.5-99/2006-DL dt. 27.2.2007.

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(3) When the office of the Finance Officer is vacant or when the Finance Officer is by reason of ill health, absence or any other cause unable to perform his functions as Finance Officer, his functions shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) The Finance Officer shall:

(a) exercise general supervision of the funds of the University and advice it as regards its financial policies:

(b) perform such other financial functions as may be assigned to him by the Board of Management or as may be prescribed by the Statutes or the Ordinances:

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding one lakh of rupees without the previous approval of the Board of Management.

(5) Subject to the control of the Vice-Chancellor and the Board of Management, the Finance Officer shall:

(a) hold and manage the properties and investments of the University, including trust and immovable properties for fulfilling any of the objects of the University;

(b) ensure that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for a year are not exceeded and the money is expended or spent for the purposes for which it was granted or allotted;

(c) be responsible for the preparation of the Annual Accounts and the budget of the University and for their presentation to the Board of Management after they have been considered by the Finance Committee;

(d) keep a constant watch on the cash and bank balances and investments;

(e) watch the progress of collection of revenue and advise on the methods of collection employed;

(f) ensure that the registers of properties of the University are maintained properly and that stock checking is conducted of equipments and other materials in the offices of the University including Regional Centres, Study Centres and other institutions maintained by the University:

(g) bring to the notice of the Vice-Chancellor any unauthorised expenditure or other financial irregularities and suggest appropriate action against persons at fault:

(h) call from any office of the University, including Regional Centres, Study Centres and other institutions maintained by the University, any information or reports that he may consider necessary for the performance of his functions.

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(6) Any receipt given by the Finance Officer or by the person or persons duly authorised in this behalf by the Board of Management shall be a sufficient discharge for payment of moneys to the University.

6.*1* *Librarian and Information Officer*

(1) The Librarian and Information Officer shall be appointed by the Board of Management on the recommendation of a Selection Committee constituted for the purpose under Statute 12(2) (i) and he shall be a whole-time salaried officer of the University.

(2) The emoluments and other conditions of service of the Librarian and Information Officer shall be prescribed by the Ordinances.

Provided that the Librarian and Information Officer shall retire on attaining the age of sixty two years.

6A. *The Board of Management*

(1) The Board of Management shall consist of the following members, namely.

(i) Vice-Chancellor;

(ii) Senior-most Pro-Vice-Chancellor:

(iii) Three employees of the University who shall be nominated by the Vice-Chancellor, of which one shall be from the Directors of Schools of Studies, and the other two from the teachers and other academic staff other than the Directors of Schools;

(iv) Five persons, who are not employees of the University, to be nominated by the Visitor, representing the following areas of specialisation:

(a) Two eminent educationists;

(b) One person from the non-formal/voluntary sector;

(c) One person representing Commerce/Industry; and

(d) One person representing learned professions.

(v) Two representatives of the Government of India, namely;

(i) Secretary, Department of Higher Education, Ministry of Human Resource Development (Ex-officio)

(ii) Secretary, Ministry of Information and Broadcasting (Ex-officio); and

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Statute 6A on Board of Management, made by the Board of Management at its meetings held on October 7, 1988 and October, 5,1989 received the approval of the Visitor vide MHRD letter No. F. 5-81/88-U.I. (Desk)dated April 20.1990.

Statute 6.1 on Librarian and Information Officer, made by the Board of Management at its meeting held on 28.3.97 received the approval of the Visitor vide MHRD letter No. F.5-33/97-Desk (U) (A) dated 20.6.97.

Amendment to Clause (1)(v) of Statute 6A was approved by the Board of Management at its 119th meeting held on 30.11.2013 and the assent of the Visitor was conveyed vide MHRD letter No. F.5-29/2010-DL dt.14.3.2014.

(vi) Three persons to be co-opted by the Board of Management from among the following:

(a) A Vice-Chancellor of a State Open University;

(b) One expert on Distance Education; and

(c) One person who has knowledge of, or experience in, media/ communication field.

(2) Members of the Board of Management, other than ex-officio members, shall hold office for a term of three years. Provided, however, that persons nominated/appointed from the University shall hold office for a term of two years.

(3) The term of office of members of the Board of Management shall commence from the date of appointment, or nomination, as the case may be.

(4) Six members of the Board of Management shal1 form the quorum for a meeting of the Board.

7. *Powers and functions of the Board of Management*

(1) The Board of Management shall have the power of management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of the Act, the Statutes and the Ordinances, the Board of Management shall, in addition to the other powers vested in it under the Statutes have the following powers, namely:

(a) to create teaching and other academic posts and to define the functions and conditions of service of Professors, Readers, Lecturers and other teachers and other academic staff employed by the University;

(b) to prescribe qualifications for teachers and other academic staff:

(c) to approve the appointment of such Professors, Readers, Lecturers and other teachers and academic staff as may be necessary on the recommendations of the Selection Committees constituted for the purpose:

(d) to approve appointments to temporary vacancies of any academic staff;

(e) to specify the manner of appointment to temporary vacancies of academic staff;

(f) to provide for the appointment of visiting Professors. Emeritus Professors, Fellows, artists and writers and determine the terms and conditions of such appointments.

(g) to manage and regulate the finances, accounts, investments, property of the University and all other affairs of the University and to appoint such agents as may be considered fit;

(h) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares or securities as it

thinks fit or in the purchase of immovable property in India with like power of varying such investment from time to time, provided that no action under this clause shall be taken without consulting the Finance Committee;

(i) to create administrative, ministerial and other necessary posts after taking into account the recommendations of the Finance Committee and to specify the manner of appointment thereto;

(j) to regulate and enforce discipline amongst the employees in accordance with the Statutes and Ordinances;

(k) to transfer or accept transfers of any immovable or movable property on behalf of the University.

(*l*) to entertain, adjudicate upon, or redress the grievances of the employees and the students of the University who may, for any reason, feel aggrieved;

(m) to fix the remuneration payable to course writers, counsellors, examiners and invigilators, and travelling and other allowances payable, after consulting the Finance Committee;

(n) to select the common seal for the University and to provide for the use of such seal;

(o) to delegate any of its powers to the Vice-Chancellor, Pro-Vice-Chancellors, Registrars, the Finance Officer or any other officer, employee or authority of the University, or to a committee appointed by it;

(p) to institute fellowships, scholarships, studentships; and

(q) to exercise such other powers and perform such other functions as may be conferred or imposed on it by the Act or the Statutes.

(3) The Board of Management shall exercise all the powers of the University not otherwise provided for by the Act, Statutes, Ordinances and the Regulations for the fulfillment of the objects of the University.

8. Omitted

9. *The Academic Council*

(1) The Academic Council shall consist of the following members, namely;

(i) Vice-Chancellor - Ex-officio Chairman;

(ii) Pro- Vice-Chancellor (s) - Ex-officio Member(s);

(iii) Directors of Schools of studies - Ex-officio members;

Statute 8 Omitted by the Board of Management at its meetings held on October 7,1988 and October 5, 1989, received the approval of the Visitor vide MHRD letter No. F.5-81/88-U.I. (Desk) dated April 20, 1990.

Statute 9 on The Academic Council made by the Board of Management at its meeting held on October 7, 1988 (Resolution No. 12.1.2) received the approval of the Visitor vide MHRD letter No. F.5-46/88-U.I (Desk) dated 25.1.1989 and 16.3.1989. The existing statute 9 'Powers of the Academic Council', stands renumbered as 9A.

Amendment to clause (1) of Statute 9 was approved by the Board of Management at its meeting held on 17-5-1996 and the assent of the visitor is conveyed 'vide MHRD letter No. F.5-50/96-U.1. (Desk)/ Desk (U)(A) dated 4-11-1996

(iv) Three Professors, three Readers and three Lecturers, other than Director of Schools of Studies, to be nominated by the Board of Management on the recommendations of the Vice-Chancellor on a rotation basis according to seniority;

Provided that while making these nominations, the principle of rotation among schools and also among disciplines within the Schools shall be taken into account;

(v) Librarian *(Ex-officio Member)*

(vi) Three Directors, other than the Director of Schools of studies, to be nominated by the Board of Management on the recommendations of the Vice-Chancellor:

(vii) Director, Academic Coordination Division shall be the Member-Secretary of the Academic Council.

(viii) Not less than ten persons who are not employees of the University, co-opted by the Academic Council for their special knowledge including representatives of employers' organisations, industries, trade and commerce, academic and professional organisation, communication field etc.. and

(ix) Two members from among the academics other than teachers, to be nominated by the Board of Management on the recommendations of the Vice-Chancellor.

(x) Such of the Registrar as is designated by the Board of Management shall be a Member. – (Ex-Officio)

(2) The members of the Academic Council, other than ex-officio members, shall hold office for a term of two years from the date of their appointment or co-option, as the case may be.

(3) Ten members of the Academic Council shall form the quorum for a meeting.

9 A. *Powers of the Academic Council*

Subject to the Act, the Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it under the Statutes, shall have the following powers, namely:

(a) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, evaluation or research or improvement in academic standards;

Provided that all matters relating to research shall under the overall guidance and supervision of the Academic Council, be the responsibility of a Research Council whose functions and composition shall be provided in the Ordinances.

Addition of Proviso to Clause (a) to Statute 9A was approved by the Board of Management at its 48th meeting held on 30.7.96 and assent of the Visitor was conveyed vide MHRD's letter No. F. 5-65/96-U. 1 (Desk)/Desk (U) (A) dated 21-11-96.

Amendments to Sub-clause (vii) and addition of Sub-Clause(x) of clause (1) of Statute 9 was approved by the Board of Management at its meeting held on 28-2-2003 and assented by the Visitors vide MHRD letter No. F. 5-25/2003-Desk(U)(A) dt. 15.3.2004.

The Research Council

(aa) 'The Research Council' is declared by this Statute as an 'authority' of the IGNOU under Section 16 of the IGNOU Act.'

(b) to consider matters of general academic interest either on its own initiative or on a reference from the Planning Board or a School of Studies or the Board of Management and to take appropriate action thereon; and

(c) to frame such regulations and rules consistent with the Statutes and the Ordinances regarding the academic functioning of the University, including discipline, Admissions, award of fellowships and studentships, fees and other academic requirements.

10. *The Planning Board*

(1) The Planning Board shall consist of the following:

(i) Vice-Chancellor;

(ii) Four persons to be nominated by the Vice-Chancellor from amongst the academic staff of the University;

(iii) Five persons, who are not employees of the University, to be nominated by the Visitor, one each representing the following sectors:

(a) Vocational/Technical Education;

(b) Media/Communication;

(c) Manpower Planning:

(d) Agriculture/Rural Development and allied activities: and

(e) Women's Studies.

(iv) Five persons, who are not employees of the University, to be nominated by the Board of Management, for their expertise, one each of the following areas of specialisation:

(a) Management:

(b) Learned Professions;

(c) Education;

(d) Distance Education; and

(e) Commerce and Industry.

(v) Such of the Registrar as is designated by the Board of Management shall be a Member. – (Ex-Officio)

(vi) Director, Planning & Development Division shall be the Member Secretary of the Planning Board.

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Amendments to Sub-clause (aa) to Statute 9A, made by the Board of Management at its meeting held on 16-11-2004, received the approval of the Visitor vide MHRD letter No. F. 5-98/2004-Desk(V)(A) dt. 14.7.2005.

Substitution of clause (1) and addition of clause (6) to Statute 10 on the Planning Board, made by the Board of Management at its meeting held on October 7, 1988 (Resolution No. 12.9.1) received approval of the Visitor vide MHRD letter No. F.5-80/88-U.I. (Desk) dated 30.1.89.

Amendment to Sub-Clause (iv) of 'Clause (1) of Statute 10 (the word 'co-opted' in the first line of the Clause substituted with the word 'nominated') was made by the Board of Management at its meetings held on Aug. 17,1990 and Dec. 14, 1990 respectively and received the approval of the Visitor vide MHRD letter No. F. 5-55/90-U. I. (Desk) dated April 18, 1991.

Addition of Sub-clauses (v) & (vi) to Clause (1) of Statute 10 approved by the Board of Management at its meeting held on 28-.2.2003 and assent of the Visitors was conveyed vide MHRD letter No. F. 25/ 2003-Desk(V)(A) dt. 15.3.2004.

(2) All the Members of the Planning Board, other than the Vice-Chancellor, shall hold office for a term of three years.

(3) It shall be the responsibility of the Planning Board to design and formulate appropriate programmes and activities of the University, and it shall, in addition, have the right to advise the Board of Management and the Academic Council on any matter which it may deem necessary for the fulfilment of the objects of the University:

Provided that in case there is any difference of opinion between the Planning Board and the Academic Council on any matter, it shall be referred to the Board of Management whose decision shall be final.

(4) The Planning Board may constitute such committees as may be necessary for planning and monitoring the programmes of the University.

(5) The Planning Board shall meet at such intervals as it shall deem expedient, but it shall meet at least twice in a year.

(6) Six members of the Planning Board shall form the quorum for a meeting of the Board.

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10A. *The Schools of Studies*

(1) The University shall have the following Schools of Studies, namely:

1. School of Humanities;
2. School of Social Sciences
3. School of Sciences;
4. School of Education;
5. School Continuing Education;
6. School of Engineering and Technology;
7. School of Management Studies;
8. School of Health Sciences;
9. School of Computer and Information Sciences;
10. School of Agriculture;
11. School of Law;
12. School of Journalism and New Media Studies;
13. School of Gender and Development Studies;

Statute 10A on Schools of Studies, made by the Board of Management at its meetings held on May 20,1988 and August 30. 1988 (Resolution No. 11.29.1) received the approval of the Visitor vide MHRD letter No. F.5.-42/88-UI (Desk) dated November 1, 1988.

Amendment to Clause (1) of Statute 10 A made by the Board of Management at its meeting held on February 18,1991 is approved by the Visitor vide letter No. F.5-26/91-U.1 Desk dated 6.5.1991.

Amendment/Additions to Clause (1) of Statute 10A made by the Board of Management at its meeting held on 28.2.2003 was approved by the Visitor vide MHRD letter No. F.5. 23/2003-Desk(U)(A) dt. 4.2.2005, to add, School of Agriculture and School of Law at Sl. No. 10 and 11, renumbering, Sl. No. 10 as Sl. No. 12.

Amendment/Additions to Clause (1)(12) of Statute 10A made by the Board of Management at its 89th meeting held on 26.2.2007 was approved by the Visitor vide MHRD letter No.F.5-45/2007-DL dt.16.8.2007, renumbering Sl.No.12 as Sl. No.21.

14. School of Tourism, Hospitality, Service Sectoral Management;

15. School of Interdisciplinary and Trans-disciplinary Studies;

16. School of Social Work;

17. School of Vocational Education and Training;

18. School of Extension and Development Studies;

19. School of Foreign Languages;

20. School of Translation Studies and Training;

21. School of Performing and Visual Arts; and

22. Such other Schools as may be set-up by the Statutes.

(2) Every School of Studies, hereinafter called "School", shall have a Board, which shall comprise of the following:

(a) Director of the School - Chairman

(b) All Professors of the disciplines assigned to the School of Studies, as may be determined by the Academic Council, from time to time:

(c) At least four Readers/Lecturers assigned to the School, nominated by the Vice-Chancellor;

(d) Not more than four Professors/ Readers/Lecturers from disciplines not assigned to the School, nominated by the Vice-Chancellor; and

(e) Not more than five persons, who are not the employees of the University, co-opted by the Board for their specialised knowledge in any discipline assigned to the School or in any allied branch of knowledge.

(3) All members of the Board, other than the ex-officio members, shall hold office for a term of two years. The term of members will commence from such date as may be notified.

(4) Board of a School shall have the powers to perform the following functions:

(i) To organise developmental and research work in the School;

(ii) To approve the course structure of the academic programmes of the School, in accordance with the directions of the Academic Council, in pursuance of Statute 9 A, on the recommendation of the Expert Committee(s) constituted by it;

(iii) To approve the syllabus in accordance with the course structure on the advice of Expert Committee(s) nominated by the Director of the School;

(iv) To recommend to the Vice-Chancellor names of course writers, examiners and moderators for different courses on the proposal of the Director of the School prepared in consultation with the Professors of the disciplines assigned to the School;

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Amendments/additions to Clause (1)(21) of Statute 10A made by the Board of Management at its 90th meeting held on 22.5.2007 was approved by the Visitor vide MHRD letter No.F.5-45/2007-DL dt.28.9.2007, renumbering Sl.No.21 as Sl.No.22.

(v) To formulate proposals for orientation programmes for course writers in collaboration with other Schools;

(vi) To formulate proposals for orientation programmes/summer Schools for tutors and counsellors;

(vii) To prepare general instructions for counselling to students for different programmes;

(viii) To review methodologies adopted for preparation of educational materials for the courses in the disciplines assigned to the School, to evaluate the educational material, and to make suitable recommendations to Academic Council;

(ix) To review, from time to time the courses already in use with the assistance of outside experts, if necessary, and to make such changes in the courses, as may be required;

(x) To review the facilities of the Study Centres and arrangements for Laboratory/ field work periodically, as may be determined by the School;

(xi) To perform all other functions, which may be prescribed by the Act, the Statutes, the Ordinances and to consider all such matters, as may be referred to it by the Board of Management, the Academic Council, the Planning Board or the Vice-Chancellor; and

(xii) To delegate to the Director or to any other member of the Board or to a Committee such general or specific powers, as may be decided upon by the School, from time to time.

(5) The Board shall meet, as and when necessary, but shall meet at least twice a year. One-third of the total membership of the Board shall form a quorum for a meeting of the School.

11. *The Finance Committee*

(1) The Finance Committee shall consist of the following members, namely:

(i) Vice-Chancellor;

(ii) a Pro-Vice-Chancellor of the University, by rotation according to seniority;

(iii) a Director of School of the University by rotation according to seniority;

(iv) one person to be appointed by the Board of Management, from among its members other than an employee of the University;

(v) one person, who is not an employee of the University nominated by the Board of Management.

(vi) two persons to be nominated by the Visitor.

(1)(a) The Finance Officer shall be ex-officio Secretary of the Finance Committee, but he shall not be deemed to be a member of that Committee.

Amendment to Clause (5) of Statute 10(A) made by the Board of Management with the approval of the Visitor conveyed vide Letter No.F.5-9/94-U.l Desk dt 22.3.95.

Addition of clauses (1)&(1) (a) to Statute 11 approved by the Board of Management at its second meeting held on March 19,1987 and approved by the Visitor, vide MHRD letter No. R3-22/87. U.I (Desk) dated June 8,1987.

(2) All the members of the Finance Committee, other than the Vice-Chancellor, shall hold office for a term of three years from the dates on which they become members of the Committee.

(3) Four members of the Finance Committee shall form a quorum for a meeting of the Committee.

(4) The Finance Committee shall meet at least thrice a year to examine the accounts and scrutinise the expenditure.

(5) All proposals relating to revision of grade, upgradation of the scales and those items which are not included in the budget, shall be examined by the Finance Committee before they are considered by the Board of Management.

(6) The annual accounts and the financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments, and thereafter submitted to the Board of Management within the overall ceiling fixed by the Committee.

(7) The Finance Committee shall fix the limits for the total recurring and non-recurring expenditure for the year, based on income and resources of the University, and no expenditure shall be incurred by the University in excess of the limits so fixed.

12. *Selection Committees*

(1) There shall be Selection Committees for making recommendations to the Board of Management for appointments to the posts of Professors, Readers, Lecturers and other academic staff and heads of institutions maintained by the University.

(2)(i) Each of the Selection Committees for appointment to the post of Professors. Readers. Lecturers and the academic staff shall consist of the following members, namely:

(a) the Vice-Chancellor:

(b) a Pro-Vice-Chancellor associated with the School/Division/Centre nominated by the Vice-Chancellor:

(c) a person nominated by the Visitor: and

(d) three experts not in the service of the University to be nominated by the Vice-Chancellor in such manner as may be specified in the Ordinances.

(e) Director of the School/Division/Centre concerned/Professor of the Disciplne nominated by the Vice-Chancellor.

Clauses (1). (2) and (3) of Statute 12 amended by the Board of Management at its meetings held on October 7, 1988 and March 8. 1989 respectively and received the approval of the Visitor vide MHRD letter no. F. 5-7/88-U.I (Desk) dated March 8. 1989.

Amendment to Sub-Clause. 2(i)(d) of Statute 12 regarding Selection Committees is approved by the Visitor vide Ministry of 'HRD's letter No. F-5-26/93. U.I (Desk) dated 20th October. 1994.

Amendment to Sub-clause (b) and addition of Sub-clause (e) to clause (2)(i) of Statue 12 approved by the Board of Management at its meeting held on 28.2.2003 and assented by the Visitors vide MHRD letter No. F. 5-2/2003-Desk(U)(A) dt. 6.10.2004.

(ii) The Selection Committees for the appointment of Registrars and Finance Officer referred to in Statutes 5(1) and 6(1) respectively, shall consist of the following members, namely:

(a) the Vice-Chancellor;

(b) a Pro-Vice-Chancellor to be nominated by the Vice-Chancellor;

(c) a person nominated by the Visitor;

(d) two members of the Board of Management nominated by it; and

(e) One person not in the service of the University nominated by the Board of Management.

(3) The quorum for a meeting of a Selection Committee shall be four, which will include at least two experts in the case of the Selection Committee mentioned in Sub-clause (2)(i) of this Statute.

(4) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the Ordinances.

(5) If the Board of Management is unable to accept the recommendations made by a Selection Committee, it shall record its reasons for such non-acceptance and submit the case to the Visitor for final orders.

13. *Special mode of appointment*

(1) Notwithstanding anything contained in Statute 12, the Board of Management may invite a person of high academic distinction and professional attainments to accept the post of a Professor or a Reader or equivalent academic post in the University on such terms and conditions as it may deem fit, and appoint the person to such post.

(2) The Board of Management may appoint a teacher or any other academic staff working in any other university or organisation for teaching or for undertaking a project or any work on such terms and conditions as may be determined by the Board in accordance with the manner specified by the Ordinances.

14. *Appointment for a fixed tenure*

The Board of Management may appoint a person selected in accordance with the procedure laid down in the Statutes for a fixed tenure on such terms and conditions as it may deem fit.

15. *Recognised Teachers*

(1) The qualifications for recognition of persons working in other universities, institutions or organisations as teachers shall be prescribed by the Ordinances.

(2) The manner of recognising teachers, the period of recognition and withdrawal of recognition shall be prescribed by the Ordinances.

16. *Committees*

(1) 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 not members of such authority.

Amendment to sub-clause (2) (ii) (e) of Statute 12 regarding Selection Committees is approved by the Visitor vide Ministry of HRD's letter No. F. 5-26/93-U. 1 (Desk) dated 20th October, 1994.

Amendment to clause (2) of statute 13 (the word 'statutes' is substituted by the word 'ordinances') was made by the Board of Management at its meeting held on August 17, 1990 (Resolution No. 19.17.1.) and approved by the Visitor vide MHRD letter No. F.5-62/90-U.1 (Desk) dated 14.12.90.

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(2) Any committee appointed under clause (1) may deal with any subject delegated to it subject to the subsequent confirmation by the authority appointing it.

17. *Terms and conditions of service and code of conduct of the teachers and other academic staff of the University*

(1) All the teachers and other academic staff of the University shall in the absence of any contract to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes and the Ordinances.

(2) Every teacher and member of other academic staff of the University shall be appointed on a written contract, the form of which shall be specified in the Statutes.

(3) A copy of every contract referred to in clause (2) shall be deposited with the Registrar.

(4) *Teacher to be a whole time employee*—No whole time salaried teacher of the University shall, without the permission of the Board of Management, engage directly or indirectly in any trade or business whatever or any private tuition or other work to which any emolument or honorarium is attached.

Provided that nothing contained in the Statute shall apply to the work undertaken in connection with the examination of Universities or learned bodies & Public Service Commissions or to any literary work or publication or radio/television talk or extension lectures or with the permission of the Vice-Chancellor to any other academic work.

(5) *Nature of duties*—Every teacher shall take part in the activities of the University and perform such duties as may be required by, and in accordance with the Act, Statutes and Ordinances framed thereunder and in particular his duties shall be:

(a) Preparation of the course material, content editing and scrutiny, linguistic editing etc. from the point of view of requirements of distance education and liaison of the work of outside experts associated;

(b) His academic duties shall be to give guidance, and instruction to, students in the form of counselling, conducting of tutorials, seminars, practical and assessment/ examination/evaluation and such other work assigned to him relevant to the academic activities of the University by its competent authority. He shall not ordinarily remain absent from work without prior permission or grant of leave;

(c) A teacher in the University shall fully and enthusiastically participate in the corporate life of the University;

Additions to Statute 17 (from Clause (4) to (14)) and subsequent amendments to Clauses (12), (13) and (14) of the said statute were made by the Board of Management at its meetings held on September 2,1987 and July 22,1988 respectively and received the approval of the Visitor vide letters No. F 5-54/ 87.UI (Desk) dated August 1, 1989 and April 4, 1990.

IndiaCode

(d) Every teacher shall be required to submit a personal appraisal report at the end of each year in the manner prescribed in the Ordinances.

(6) *Probation* -Teachers shall be appointed on probation ordinarily for a period of 12 months, but in no case shall the total period of probation exceed 24 months.

Provided that the Board of Management may, for reasons to be recorded, waive the condition of probation: provided further that the condition of probation shall not apply in the case of teachers appointed by the Board of Management under the provision of Statute 13(1).

Provided also that a Lecturer appointed on probation would be confirmed only after he has satisfactorily completed a proper short-term orientation programme as may be determined by the University and that his performance appraisal reports are satisfactory.

(7) *Confirmation* —(a) It shall be the duty of the Registrar to place before the Board of Management the case of confirmation of a teacher on probation not later than forty days before the end of period of probation.

(b) The Board of Management may then either confirm the teacher or decide not to confirm or extend the period of probation so as not to exceed twenty four months in all. In case the Board of Management decides not to confirm the teacher whether before the end of twelve months period of his probation or before the end of the extended period of probation, as the case may be, he shall be informed in writing to the effect not later than thirty days before the expiration of that period.

(c) A teacher appointed by the Board of Management under Statute 13(l) shall be deemed to be confirmed with effect from the date he joins duty.

(8) *Increment*—Every teacher shall draw increment in the scale of pay unless it is withheld or postponed by a resolution of the Board of Management on a reference by the Vice-Chancellor and after the teacher has been given sufficient opportunity to make his written representation.

(9) *Age of retirement*-(a) Save as otherwise provided in the Act, Statutes and Ordinances all teachers of the University shall retire from service on the afternoon of the last date of the month in which he/she attains the age of 62 years.

(b) The Board of Management if it is satisfied, on the recommendation of the Vice- Chancellor, may, in the interest of the University, re-employ a teacher who has retired after the expiry of his contract:

Provided that no teacher shall be eligible to be re-employed under this clause or on such re-employment to continue as a teacher after he has attained the age of 65 years.

Amendment to Sub-clause (a) of Clause (9) of Statute 17 regarding Terms and Conditions of service and Code of Conduct of the teachers and other academic staff of the University made by the Board of Management at its meeting held on 19-08-1992 is approved by the Visitors vide letter No. F. 5-85/92-U. I Desk dated 28-01-1993.

Provided further that a teacher so re-employed shall not be eligible to hold an office which involves administrative work; provided also that the salary of such teachers shall be fixed after taking into consideration the pension or other retirement benefits drawn or to be drawn by him in accordance with the rules prescribed by the Central Government.

(10) *Variation in terms and conditions of service*—Every teacher of the University shall be bound by the Statutes, Ordinances for the time being in force in the University;

Provided that no change in terms and conditions of service of a teacher shall be made after his appointment in regard to designation, scale of pay, increment, provident fund, retirement benefits, age of retirement, probation, confirmation, leave salary and removal from service so as to adversely affect him.

(11) *Resignation* - A teacher may, at any time, terminate his engagement by giving the Board of Management three months notice in writing;

Provided that the Vice Chancellor may waive the requirement of notice at his discretion and report the matter to the Board of Management for ratification. (A self-contained note on each case shall be put up to the Board of management giving the circumstances which warranted exercise of the Power by the Vice Chancellor.)

(12) *Members of the teaching staff*—The members of the teaching staff shall be designated as:

(1) Professor

(2) Reader

(3) Lecturer (selection grade)

(4) Lecturer (senior scale)

(5) Lecturer

(13) *Scale of pay* -The scale of pay for these posts specified in column (i) of the teachers below shall be those specified against each in column (ii).

Post (i)	Scale of Pay (pre-revised) (ii)
Professor	16400-450-20900 - 500 - 22400
Reader	12000-420-18300
Lecturer (selection grade)	12000-420-18300
Lecturer (senior scale)	10000-325-15200
Lecturer	8000-275-13500

Amendment to Clause (11) of Statute 17 and modifications to proviso approved by the Board of the Management at its meeting held on 16.11.2004 and assent of the Visitor was received MHRD letter No. F. 5-30/2005-Desk(U)(A) dt. 7.3.2005.

The teachers shall be entitled to such allowances as the University may decide from time to time.

(14) *Career advancement* - The manner and the terms under which a Lecturer may be placed in the Lecturer (senior scale) and Lecturer (selection grade) and as Reader will be prescribed through Ordinances.

18. *Terms and conditions of service and code of conduct of other employees of the University.*

All the employees of the University, other than the teachers and other academic staff of the University, shall, in the absence of any contract to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes and the Ordinances.

19. *Removal of employees of the University*

(1) 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 or member of the academic staff, and the authority competent to appoint (hereinafter referred to as appointing authority) in the case of other employee, may, by order in writing, place such teacher, member of the academic staff or other employee, under suspension and shall forthwith report to the Board of Management, the circumstances in which the order was made.

(2) Notwithstanding anything contained in the terms of the contract of appointment or of any other terms and conditions of service of the employees, the Board of Management in respect of teachers and other academic staff, and the appointing authority, in respect of other employees, shall have the power to remove a teacher or a member of the academic staff, as the case may be, other employee on grounds of misconduct.

(3) Save as aforesaid, the Board of Management, or as the case may be, the appointing authority, shall not be entitled to remove any 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.

(4) No teacher. member of the academic staff or other employee shall be removed under clause (2) or clause (3) unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

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

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

(6) Notwithstanding anything contained in the foregoing provisions of this Statute, 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 Board of Management or the appointing authority, as the case maybe, or by paying three months' salary in lieu thereof:

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

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

(c) the appointing authority may, however, waive the notice period in respect of a non-academic permanent or temporary employee on technical resignation to take up an appointment in the same or other organisation. if he/she has applied through proper channel.

20. *Maintenance of discipline amongst students of the University*

(1) The powers regarding discipline and disciplinary action in regard to the students of the University shall vest with the Vice-Chancellor. The Vice-Chancellor may delegate all or any of his powers, as he may deem fit.

(2) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action as he may deem appropriate for the maintenance of discipline, the Vice-Chancellor may, in the exercise of his power, by order, direct that any student or students be expelled or rusticated for a specified period and not admitted to a course or courses of study in the University or a recognised institution for a stated period, or be punished with a fine for an amount to be specified in the order, or, debar him from taking an examination or examinations conducted by the University or a recognised institution for one or more years or that the result of the student or students concerned in examination or examinations in which he or she has appeared to be cancelled.

(3) The heads of recognised institutions shall have the authority to exercise all such disciplinary powers over the students in their respective institutions as may be necessary for proper conduct of such institution.

21. *Convocation*

Convocations of the University for the conferring of degrees or diplomas or for other purposes may be held in such manner as may be prescribed by the Ordinances.

22. *Honorary Degrees*

All proposals for the conferment of honorary degrees shall be initiated by the Vice-Chancellor who, after consultation with the Academic Council and the Board of Management, shall submit the same to the Visitor for confirmation.

Addition to sub-clause(c) to Clause (6) of the statute 19 was approved by the Board of Management at its 46th meeting held on 9.3.96 and assent of the visitor was conveyed vide MHRD'S letter No. F. 5-39/96-U I (Desk) dated 25.7.96

Statute 21 on Convocation, made by the Board of Management at its meeting held on June 24. 1988 (Resolution No. 9.2.1) received the approval of the Visitor vide MRRD letter No. F.5 -48188-U [(Desk) dated 26.8.88.

Statute 22 on Honorary Degrees. made by the Board of Management at its meetings held on June 24, 1988 (Resolution No. 9.3.l.) and December 10,1988 received the approval of the Visitor vide MHRD Letter No. F.5-47188-U.T (Desk) dated 29.12.1988.

23. *General Provident Fund-cum-Pension-cum-Gratuity and Contributory Provident Fund-cum-Gratuity.*

(1) The management of the following schemes:

(a) General Provident Fund-cum-Pension-cum-Gratuity Scheme (Appendix A); and

(b) Contributory Provident Fund-cum-Gratuity Scheme (Appendix B) shall be vested in the Board of Management.

(2) The provisions of this Statute shall be deemed to have come into effect from 20th September, 1985. The provisions re1ating to pension including extraordinary pension and gratuity made in the Schemes shall, however, come into effect with effect from 1.1.1986.

Definitions

(3) In these schemes, unless there is anything repugnant in the subject or context,

(a) "employee" means any person appointed by the University as a member of its staff and includes teachers and other academic staff of the University.

(b) "emoluments" means the pay as defined in clause 3(h), dearness pay which the employee was receiving immediately before his retirement or on the date of his death. It also includes interim relief and ad hoc dearness allowance for the purpose of retirement pension and gratuity.

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Note

(1) In respect of persons who have come over to the revised scales of pay introduced w.e.f 1.1.86 emoluments mean basic pay only from that date.

(2) If an employee immediately before his retirement or relinquishment of service, has been absent from duty on leave with allowances, his emoluments for purposes of calculating service gratuity/or death or retirement gratuity shall be taken as what he would have drawn had he not been absent from duty:

Provided that the amount of gratuity is not increased on account of increase in pay not actually drawn and that the benefit of higher officiating or temporary pay is given only if it is certified that he would have continued to hold the higher officiating or temporary appointment but for his proceeding on leave.

(3) Pay drawn by an employee while on foreign service shall not be treated as emoluments but the pay which he would have drawn under the University had he not been on foreign service shall alone be treated as emoluments.

(4) Pay includes the pay drawn on tenure appointment(s).

Statute 23, made by the Board of Management at its meeting held June24 1988 and received approval of the Visitor vide letter No. F.5-68/88-U.I. (Desk) dated August 26, 1988.

(c) "Average Emoluments" means the average of the emoluments as defined above calculated in respect of the last ten months of service:

Provided that if, during the last 10 months of service, a person has been absent from duty on leave without allowances or suspended under such circumstances that the period of suspension does not count as service, the period so passed shall be disregarded in the calculation of average emoluments and an equivalent period prior to 10 months being included.

(d) "family" for the purpose of General Provident Fund and Contributory Provident Fund means:

(i) in the case of male subscriber, the wife or wives and children of a subscriber and the widow or widows and children of a deceased son of the subscriber; provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently intimates in writing to the Finance Officer that she shall continue to be regarded;

(ii) in the case of female subscriber, the husband and children of a subscriber and the widow or widows and children of a deceased son of a subscriber provided that if a subscriber by notice in writing to the Finance Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels such notice in writing.

Note

Child means legitimate child and includes an adopted child where adoption is recognised by the personal law governing the subscriber.

(*e*) "Finance Officer" means Finance Officer of the University.

(*f*) "fund" means the General Provident Fund or the Contributory Provident Fund of the University as per context.

(*g*) "leave" means any variety of leave recognised by the University.

(*h*) "pay" means the amount drawn monthly by a person as pay which has been sanctioned for the post held by him substantively or in an officiating capacity and includes dearness pay, special pay, personal pay and deputation duty allowance, if any.

Note

In respect of persons who have come over to the revised scale of pay introduced with effect from 1.1.86, pay means "basic pay" only.

(*i*) "personal pay" means additional pay granted to a person

(i) to save him from a loss of substantive pay in respect of a permanent post owing to revision of pay or to any reduction of such substantive pay otherwise than as disciplinary measure; or

(ii) in exceptional circumstances on other personal considerations.

(*j*) "qualifying service" means service rendered by an employee in a substantive capacity including periods spent on probation. All service rendered in the University on a full time besis in a temporary or officiating capacity without interruption followed by confirmation in the same or another post shall count as qualifying service except in respect of periods of service paid from contingencies.

Explanation I: Counting of period of leave as qualifying service:

(i) All periods of leave with pay and allowances shall count as qualifying service.

(ii) The period spent on deputation or training or deputation for any special purpose including periods of travel to and from the country of deputation, shall count as qualifying service; provided that if the employee has availed himself of any extraordinary leave without allowances during the period of deputation, the period of such extraordinary leave shall be excluded except as provided under Note below sub-clause (ii) of Explanation II.

Explanation II: Periods not counting as qualifying service:

(i) Time passed under suspension by a member of the staff pending inquiry into his conduct where on conclusion of the inquiry he has not been fully exonerated or the suspension is not held to have been wholly unjustified; unless the Board of Management expressly declares at the time that it shall count, and then it shall count only to such extent as the Board of Management may declare.

(ii) Extraordinary leave without allowances.

Note

Extraordinary leave may be allowed to count at the discretion of the appointing authority in the following instances:

(1) if it is taken on appointment in another University/Institution or any other Authority and that University/Institution/Authority or the person concerned makes necessary contribution towards his pension;

(2) if it is taken on medical certificates;

(3) if it is taken due to the inability of the person concerned to join or rejoin duty due to civil commotion or a natural calamity or any other cause beyond his control provided that he has no other type of leave to his credit; and

(4) if it is taken for academic pursuits directly connected with the teaching/ research job of the employees in the University.

(iii) Unauthorised absence in continuation of authorised leave of absence.

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(iv) Service below the age of 18 years.

Explanation III Addition to qualifying service:

An employee may add to his service qualifying for superannuation pension but not for any other class of pension the actual period not exceeding one-fourth of the full length of his service or the actual period by which his age at the time of recruitment exceeds twenty- five years or a period of five years, whichever is least, if the post is one:

(a) for which Post-Graduate Research or specialist qualifications or experience in scientific, technological or professional field is essential; and

(b) to which candidates of more than twenty-five years of age are normally recruited.

Provided that this concession shall not be admissible to any such employee unless his actual qualifying service at the time he quits University service is not less than ten years. The decision to grant this concession shall be taken by the Board of Management at the time of recruitment of the employee.

Explanation IV

(a) The Board of Management may, by order condone interruption in service up to a period of one year under the following circumstances:

(i) The interruptions should have been caused by reasons beyond the control of the employees:

(ii) the total service excluding one or more interruptions, if any, should not be less than five years duration:

(iii) the interruption, including two or more interruptions, if any should not exceed one year.

(*k*) "special pay" means an addition in the nature of pay to the emoluments of a post or of a person granted in consideration of the specially arduous nature of his duties or of a specific addition to his work or responsibility.

(*1*) 'tenure post" means a permanent post which an individual may not hold for more than a limited period.

(*m*) "year" means the financial year of the University.

(*n*) "university" means the Indira Gandhi National Open University.

(*o*) "Registrar" shall mean the Registrar of the Indira Gandhi National Open University dealing with Administration.

(*p*) "Vice-Chancellor" means the Vice-Chancellor of the Indira Gandhi National Open University.

(4) (a) **Application of Statutes**

A person who joins the University service on or after the 20th September, 1985 shall opt for one of the two alternative schemes set out in Appendices A and B to this Statute. The option provided for in this sub-clause shall be exercised and communicated to the Registrar in writing within 3 months

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of the date of notification of the General Provident Fund-cum-Pension-cum-Gratuity Scheme and Contributory Provident Fund-Cum-Gratuity Scheme or within 3 months of joining the University service in the case of a new entrant and, option when once exercised, shall be final.

A person who does not exercise his option within the aforesaid period of three months, shall be deemed to have opted for the General Provident Fund-cum-Pension-cum-Gratuity Scheme set out in Appendix 'A'.

(b) A person who holds a temporary appointment in the service of the University shall, after continuous service of one year, be entitled to the benefits of the General Provident Fund-cum-Pension-cum-Gratuity Scheme set out in Appendix 'A' to this Statute, or according to his option of the Contributory Provident Fund-cum-Gratuity Scheme set out in Appendix 'B' to this Statute, from the date of commencement of service.

(5) The provisions of this Statute shall not apply to purely temporary and daily wage staff, persons appointed on consolidated salary or on special terms and deputationists. The pensioners re-employed after Superannuation are eligible only for Contributory Provident Fund. The persons appointed on contract, for a fixed term, shall be governed by the provisions of Appendix 'B' to this Statute. No person who is permitted to subscribe to the Contributory Provident Fund shall be eligible to subscribe to the General Provident Fund.

Provided that a person who is initially appointed on contract and is subsequently continued permanently shall have on cancellation of his contract terms, the option to choose either of the two Schemes set out in Appendices A and B and he shall have for the purpose of the schemes the benefit of the service rendered under contract, if the retirement benefits under the contract terms are paid back by him to the University.

6. (i) Transfer of employees from Central Government, Central University or autonomous bodies of Central Government

Where an employee of Central Government/Central University/autonomous body of Central Government including a statutory body is permanently absorbed in the University, such of the past services rendered by him as would have counted for retirement benefits in that Government/organization shall count for retirement benefits payable by the University subject to the following:

(a) The transfer is with the consent of the parent Government/organisation and is in public interest.

(b) The employee has not opted to receive pro-rata retirement benefits from the parent Government/organisation,

(c) The Central Government/autonomous bodies of Central Government including a statutory body, discharges its pension liability, paying in lumpsum, by a one time payment, the pro-rata pension/service gratuity/ terminal gratuity and retirement gratuity for the service up to the date of absorption in the University.

(d) In case the employee is on CPF Scheme the accumulations in the CPF account and the capitalised value of gratuity, if any, is transferred by the

parent government/organisation to the University at the time of permanent absorption. If, however, the employee has opted, within one year of permanent absorption, for counting past service rendered in the parent body as qualifying for pension by foregoing employers share of CPF Contribution with interest, such accumulations; along with capitalised value of gratuity, if any, be transferred by the parent organisation to the University at the time of permanent absorption.

(ii) **When an employee of State Government/State University is 'permanently absorbed in the University,**

On his permanent absorption in the University such of the past services of an employee of State Government/State University as would have counted for retirement benefit in State Government/State University should count for retirement benefits payable by the University' provided that the transfer is certified to be in public interest of which the Board of Management of the University shall be the sole judge, subject to the following:

(a) The transfer is with the consent of the State Govt./State University;

(b) 'the State Government/State University concerned pays to the University at the time of his permanent absorption in the University, the capitalised value of the retirement benefits in respect of the past service of the employee in that organisation;

(c) In case the employee in question is on Contributory Provident Fund Scheme the accumulations in his Contributory Provident Fund account shall be transferred by State Govt./State University to the University at the time of permanent absorption.

(iii) **When an employee of the University is transferred to Central Government, Central Government autonomous bodies, Public sector undertaking and autonomous bodies under the State Government.**

The orders issued by the Government of India and as may be amended from time to time, regarding grant of pro-rata retirement benefits or benefits of combined service under autonomous bodies to the employees of Central Government in the event of their transfer/ permanent absorption in the autonomous bodies, public sector undertakings etc. will apply *mutatis mutandis* in cases of transfer of employees of the University to Central Govt./ autonomous bodies etc.

(iv) In all cases of absorption where the liability of retirement benefits is to be borne by a body other than the University, prior approval of that body to the arrangement proposed should be obtained.

(7) As and when the Central Government amends its rules relating to the General Provident Fund, Contributory Provident Fund, Pension, Gratuity etc., such amendments shall be deemed to have been incorporated in the Statutes with effect from the date such amendments are brought into force by the Central Government with respect to its employees.

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General (Miscellaneous)

(8) (i) The sanction and payment of retirement benefits admissible under this Statute shall be regulated by such procedural instructions' as would be issued by the Board of Management.

(ii) *Interpretation*: If any question arises relating to the interpretation of this Statute it shall be referred to the Visitor whose decision thereon shall be final.

24. *Seniority Lists*

(1) Whenever, in accordance with these Statutes, any person is to hold an office or be a member of an authority of the University by seniority, such seniority shall be determined according to length of continuous service of such person in his grade, and in accordance with such other principles as the Board of Management may, from time to time, determine.

(2) It shall be the duty of the Registrar, designated by the Board of Management, 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 provisions of the foregoing clause.

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

25. *Date of Submission of Annual Report*

The Annual Report of the University for a financial year prepared in accordance with the section 28 of the Act shall be submitted to the Visitor before December 31, following.

26. *Ordinances how made*

(1) All ordinances, from the date of commencement of this Statute, shall be made by the Board of Management.

(2) The first Ordinances made under sub-section (2) of Section 26 may be amended or repealed at any time by the Board of Management provided that no Ordinance shall be made or amended or repealed, on any matter affecting the academic functioning of the University, except after consultation with the Academic Council, or unless the draft of such Ordinances has been proposed by the Academic Council.

Statute 24 on Seniority Lists, made by the Board of Management at its meeting held on 7th October, 1988 (Resolution No. 12.9.1) received the approval of the Visitor vide MHRD teller No. F.5-77/88-U.l. (Desk) dated 21.12.88.

Statute 25 on Date of submission of Annual Report, made by the Board of Management at its meeting held on October 7, 1988 (Resolution No.12.9. 1) received the approval of the Visitor vide MHRD letter No. F.5-75/88-U.I. (Desk) dated August 1, 1989.

Statute 26 was made by the Board of Management at its meeting held on December 14, 1990 and received the approval of the Visitor vide MHRD letter No. P.5/16/91-U.I (Desk) dated April 18, 1991.

Provided further that if the Board of Management considers any amendment necessary to draft Ordinance proposed by the Academic Council, it may return the draft Ordinance with the suggested amendment to the Academic Council for reconsideration. If the Academic Council does not accept the suggestions for amendment, the Board may finalise the Ordinance after taking the views of the Academic Council into consideration.

(3) Every Ordinance made by the Board of Management shall come into effect immediately.

(4) All Ordinances made by the Board of Management shall be submitted to the Visitor within three weeks from the date of its adoption. The Visitor may, within four weeks of the receipt of any Ordinance, inform the University about his objection, if any, to that Ordinance, and direct that its operation shall remain suspended until he has had an opportunity of exercising his power of disallowance. The Visitor may, after receiving the comments of the University, either withdraw his order of suspension or disallow the Ordinance, and his decision shall be final.

IndiaCode

27. *Regulations how made*

(1) The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances

(a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;

(b) providing for all matters which are required by this Act, the Statutes or the Ordinances to be prescribed by Regulations;

(c) Providing for all such matters as are necessary to be provided by Regulations for the functioning of such authorities or committees appointed by them.

(2) Every authority of the University may make Regulations providing for notice for the meetings to be given to its members; the manner in which the business at any meeting shall be conducted; and the manner in which the record of any proceedings of the meeting are kept.

(3) The Board of Management shall have the power to amend or annul, any regulation which is not consistent with the provisions of this Act, the Statutes & the Ordinances.

28. *Deleted*

Statute 27 was made by the Board of Management at its meeting held on December 14, 1990 and received the approval of the Visitor vide MHRD letter No. F.5-15/91-U.I (Desk) dated April 18, 1991.

In terms of the provisions of IGNOU Act, read with decision of 40th DEC and 115th BOM, the Visitor approved repealing of Statute 28 dealing with Distance Education Council, as conveyed by the MHRD vide their letter No.F.6-20/2010-DL dt.22.2.2013.

29. *Redundant*

30. *Procedure for regulating the work of Tribunal of Arbitration*

(1) Definitions

In this Statute, unless the context otherwise requires,

i) "Tribunal" means the Tribunal of Arbitration referred to in Section 31 of the IGNOU Act, l985 and

ii) "Party" means either the employee or the Indira Gandhi National Open University, as the case maybe, whose dispute is referred to the Tribunal of Arbitration.

(2) Equal treatment of parties:

The parties shall be treated with equality and each party shall be given a full opportunity to present his case.

Provided that if a Party so desires, he can present his case through a representative nominated by him with the approval of the Tribunal.

(3) Determination of rules of procedure:

(i) The parties are free to agree on the procedure to be followed by the Tribunal in conducting its proceedings.

(ii) Failing any agreement referred to in sub-clause (i) above, the Tribunal may conduct the proceedings in the manner it considers appropriate and such procedure shall be binding on the Parties.

(iii) The power of the Tribunal under sub-clause (ii) includes the power to determine the admissibility, relevance, materiality and weight of any evidence.

(4) Place of arbitration:

The place of arbitration shall ordinarily be the office of the University at its Headquarters.

Provided that the Tribunal can meet at any other place where the University offices are located for purpose of consultation among its members, for hearing witnesses, experts or the parties, or for inspection of documents. etc.

(5) Commencement of arbitral proceedings:

Unless otherwise agreed by the parties, the arbitral proceedings in respect of a particular dispute commence on the date on which a request for that dispute to be referred to arbitration is received by the respondent.

(6) Language:

(i) The parties may agree upon the language or languages to be used in the proceedings of the Tribunal.

Statute 29: With the amendments/addition of the provisio to sub-section (2), under Section 3 and Section 6 of IGNOU Act, 1985, vide 'The IGNOU (Amendment(Act, 1997' brought out by the Govt. of India, Ministry of Law and Justice, the Statute 29, proposed by the BOM at its 46th meeting, becomes redundant.' (BM 83.4.2)

Statute 30 was made by the Board of Management as its 51st meeting held on 19/6/97 and received the approval of the Visitor vide MHRD Letter No. F. 5-7/97 Desk (4) (A) dt. 30/10/98.

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(ii) In the absence of such an agreement, the proceedings shall be conducted either in English or in Hindi.

(iii) The Tribunal may direct that any documentary evidence shall be accompanied by a translation into the language or languages agreed upon by the parties or determined by the Tribunal.

(7) Statements of claim and defence:

(i) Within the period of time agreed upon by the parties or determined by the Tribunal the claimant shall state the facts supporting his claim. The points at issue and the relief or remedy sought, and the respondent shall state his defence in respect of these particulars unless the parties have otherwise agreed as to the required elements of those statements.

(ii) The parties may submit with their statements all documents they consider to be relevant or may add a reference to the documents of other evidence they will submit.

(iii) Unless otherwise agreed by the parties, either party may amend or supplement his claim or defence during the course of the proceedings unless the Tribunal considers it inappropriate to allow the amendment or supplement having regard to the delay in making it.

(8) Hearings and written proceedings:

(i) Unless otherwise agreed by the parties, the Tribunal shall decide whether to hold oral hearings for the presentation of evidence or for oral argument, or whether the proceedings shall be conducted on the basis of documents and other materials:

Provided that the Tribunal shall hold hearings, at an appropriate stage of the proceedings, on a request by a party, unless the parties have agreed that no oral hearing shall be held.

(ii) The parties shall be given sufficient advance notice of any hearings and of any meeting of the Tribunal for the purpose of inspection of documents and other relevant material.

(iii) All statements, documents or other information supplied to, or applications made to the Tribunal by one party shall be communicated to the other party, and any expert report or documents on which the Tribunal may rely in making its decision shall be communicated to the parties.

(9) Default of a party:

Unless otherwise agreed by the parties, where, without showing sufficient cause.

(a) the Claimant fails to communicate his statement of claim in accordance with Sub-Clause (i) of Clause (6), the Tribunal shall terminate the proceedings;

(b) the respondent fails to communicate his statement of defence in accordance with Sub-Clause (i) of Clause (6), the Tribunal shall continue the proceedings without treating the failure in itself as an admission of the allegations by the claimant;

(c) a party fails to appear at an oral hearing or to produce documentary evidence. The Tribunal may continue the proceedings and make the award on the evidence before it.

IndiaCode

(10) Expert appointment by the Tribunal:

(i) Unless otherwise agreed by the parties, the Tribunal may

(a) appoint one or more experts to report to it on specific issues to be determined by the Tribunal, and

(b) require a party to give the expert any relevant information or to produce, or to provide access to any relevant documents and materials for his inspection.

(ii) Unless otherwise, agreed by the parties, if a party so requests or if the Tribunal considers it necessary, the expert shall, after delivery of his written or oral report, participate in an oral hearing where the parties have the opportunity to put questions to him and to present expert witnesses in order to testify on the points at issue.

(iii) Unless otherwise agreed by the parties, the expert shall, on the request of a party make available to that party for examination all documents, relevant material in the possession of the expert, with which he was provided in order to prepare his report.

(11) The Meetings of the Tribunal shall be conducted by the Umpire nominated by the Visitor on a Tribunal.

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APPENDIX 'A'

(to Statute 23-refer to 23 (i) (a))

GENERAL PROVIDENT FUND-CUM-PENSION-CUM GRATUITY SCHEME

SECTION 1

GENERAL PROVIDENT FUND

1. *Nominations*

1.1 A subscriber shall, at the time of joining the Fund, send to the Finance Officer, a nomination in the prescribed form conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death, before that amount has become payable or having become payable has not been paid:

1.1.1 Provided, that if, at the time of making nomination, the subscriber has a family the nomination shall not be in favour of any person or persons other than the members of his family.

1.1.2 Provided further that the nomination made by the subscriber in respect of any other fund to which he was subscribing before joining the Provident Fund shall, if the amount to his credit, in such other fund, has been transferred to his credit in the Fund, be deemed to be a nomination duly made under this rule until he makes a nomination in accordance with this rule.

1.2 If a subscriber nominates more than one person under Rule 1.1 he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

1.3 Every nomination shall be in the Form I appended.

1.4 A subscriber may at any time cancel a nomination by sending a notice in writing to the Finance Officer. The subscriber shall, along with such notice or separately, send a fresh nomination made in accordance with the provisions of this rule,

1.5 A subscriber may provide in a nomination:

(a) in respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination, provided that such other person or persons shall if the subscriber has other members of his family, be such other member or members. Where the subscriber confers such a right on more than one person under this clause, he shall specify the amount or share payable to each of such persons in such a manner as to cover the whole of the amount payable to the nominees.

Statute 23 (Appendix A) approved by the Board of Management in its 9th meeting held on 24-6-1988, and assented by the visitor as per the Ministry's letter No. F.5.68/88-UI (DESK) dt. 26-8-88

(b) that the nomination shall become invalid in the event of the happening of a contingency specified therein;

Provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family;

Provided further that if at the time of making the nomination the subscriber has only one member of the family he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall become invalid in the event of his subsequently acquiring other member or members of his family.

1.6 Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of Rule 1.5 or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of Rule 1.5 or the proviso thereto, the subscriber shall send to the Finance Officer a notice in writing cancelling the nomination, together with a fresh nomination made in accordance with the provisions of this rule.

1.7 Every nomination made and every notice of cancellation given by the subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Finance Officer.

2. The University will not be bound by, nor shall it recognise, any assignment or encumbrance executed or attempted to be created which affects the disposal of the amount standing to the credit of a subscriber who dies before the amount becomes payable.

3. *Subscriber's Account*

3.1 An account shall be opened in the name of each subscriber in which will be shown:

(i) his subscriptions;

(ii) interest as provided in Rule 6 on subscriptions; and

(iii) advances and withdrawals from the fund.

3.2 If an employee admitted to the benefit of the fund was previously a subscriber to any contributory/non-contributory provident fund of the Central Government/State Government or of a body corporate, owned or controlled by Government or Universities/ Institutions of University Status or an autonomous organisation registered under the Societies Registration Act 1860, the amount of his accumulations in such contributory or non-contributory provident fund shall be transferred to his credit in the fund.

4. *Conditions of Subscription*

4.1 Every subscriber shall subscribe monthly to the Fund except during the period when he is under suspension.

4.1.1 Provided that a subscriber may at his option not subscribe during

leave which either does not carry any leave salary or carries leave salary equal to or less than half pay.

4.1.2 Provided further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one sum or in instalments any sum not exceeding the maximum amount of arrear of subscription payable for that period.

4.2 The subscriber shall intimate his election not to subscribe during leave by a written communication addressed to the Finance Officer before he proceeds on leave. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe. The option of a subscriber intimated under this sub-rule shall be final.

5. *Rates of Subscription*

5.1 The amount of subscription shall be fixed by subscriber himself subject to the following conditions:

5.1.1 The rate of subscription may not be less than 6 percent of his emoluments and not more than his total emoluments, the amount so calculated being rounded off to the nearest rupee, provided that in the case of subscriptions at the minimum or maximum rates, the rounding off will be to the next higher or the next lower rupee respectively.

5.1.2 It shall be expressed in whole rupees.

5.2 For the purpose of this rule, the emoluments of a subscriber shall be:

5.2.1 In the case of a subscriber who was in service on 31st March of the preceding year, the emoluments to which he was entitled on that date, provided as follows:

(i) if the subscriber-was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;

(ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India;

(iii) if the subscriber joined the Fund for the first time on a day subsequent to the said date, his emoluments shall be the emoluments to which he was entitled on such subsequent date.

5.2.2 In the case of a subscriber who was not in service on the 31st of March of the preceding year, the emoluments to which he was entitled on the first day of his service or, if he joined the Fund for the first time on a date subsequent to the first date of his service, the emoluments to which he was entitled on such subsequent date.

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5.3 The amount of subscription so fixed maybe (a) enhanced twice during the course of the year (b) or reduced once at any time during the course of a year (c) reduced and enhanced as aforesaid provided that when the amount of subscription is so reduced it shall not be less than the minimum prescribed under Rule 5.1.1.

5.4 Provided further that if a subscriber is on leave without pay or leave on half pay for a part of a calender month and he had elected not to subscribe during such leave, the amount of subscription payable shall be proportionate to the number of days spent on duty inclusive of leave, if any.

5A *Realisation of Subscription*

5A.1 When emoluments are drawn from the University, recovery of subscription on account of these emoluments and of the principal and interest of advances shall be made from the emoluments themselves.

5A.2 When emoluments are drawn from any other source the subscriber shall forward his dues monthly to the Finance Officer.

Provided that the case of a subscriber on deputation to a body corporate owned or controlled by Government, the subscriptions shall be recovered and forwarded to the Finance Officer by such body.

6. *Interest*

6.1 The University shall pay to the credit of the account of each subscriber, interest for each year at the same rate as may be determined by the Government of India for each year for paying to the credit of the subscriber under General Provident Fund (Central Civil Service) Rules, 1960.

6.2 Interest shall be credited with effect from the last day in each year in the following manner:

6.2.1 On the amount at the credit of a subscriber on the 31st of March of the preceding year less any sums withdrawn during the current year—interest for twelve months;

6.2.2 On sums withdrawn during the current year—Interest from the 1st of April of the current year up to the last day of the month preceding the month of withdrawal;

6.2.3 On all sums credited to the subscriber's account after the 31st March of the preceding year—Interest from the date of credit up to the 31st of March of the current year;

6.2.4 The total amount of interest shall be rounded to the nearest rupee (50 p. and above counting as the next higher rupee).

6.3 Provided that when the amount standing at the credit of a subscriber has become payable, interest thereon shall be credited under this sub-rule in respect only of the period from the beginning of the current year or from the date of credit as the case maybe, up to the date on which the amount standing to the credit of a subscriber becomes payable.

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6.4 For the purpose of this rule, the date of credit shall in the case of recoveries from emoluments be deemed to be the first day of the month in which it is credited and in the case of emoluments forwarded by the subscriber shall be deemed to be the first day of the month of receipt if it is received by Finance Officer before the fifth day of the month and if received on or after the fifth date of that month, the first day of next succeeding month.

6.5 In all cases interest shall be paid in respect of balance at the credit of a subscriber up to the close of the month preceding that in which payment is made or up to the end of the sixth month after the month in which such amount becomes payable, whichever of these periods is less, provided that no interest shall be paid in respect of any period after the date on which the Finance Officer has intimated to the subscriber or his agent as the date on which he is prepared to make payments.

Note

Payment of interest on the balances in the fund beyond a period of six months up to the period of one year may be authorised by the Finance Officer after he has personally satisfied himself that the delay in payment was occasioned by circumstances beyond the control of the subscriber and in every such case the administrative delay involved shall be fully investigated and action required taken.

6.6 Where the emoluments for the month are drawn and disbursed on the last working day of the same month, the date of credit in the case of recovery of subscription be deemed to be the first day of succeeding month.

6.7 In case a subscriber is found to have overdrawn from the Fund an amount in excess of the amount standing to the credit on the date of the drawal the overdrawn amount shall be paid by him with interest thereon in one lump sum or in default be ordered to be recovered by deduction in one lump sum from the emoluments of the subscriber. If the total amount to be recovered is more than half of subscriber's emoluments recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount together with interest is recovered. The rate of interest to be charged on overdrawn amount would be 2.5 per cent over and above the normal rate on Provident Fund balance under Rule 6.1. Interest on overdrawn amount shall be credited to the revenue account of the University.

7. *Advances from the Fund*

7.1 The payment of advance from the Fund may be sanctioned by the Vice-Chancellor or other officer authorised by him to a subscriber from the amount of his subscription and interest thereon standing to his credit, subject to the following conditions:

7.1.1 No advance shall be granted unless the sanctioning authority is satisfied that the applicant's pecuniary circumstances justify it, and that it will be expended on the following object or objects and not otherwise:

(i) to pay expenses incurred in connection with the illness of the subscriber and members of his family;

(ii) to pay for the overseas passage for reasons of health or education of the subscriber and the members of his family;

(iii) to meet the cost of higher education outside India for academic, technical, professional or vocational courses beyond the High School stage and for any medical engineering or other technical or specialised course in India beyond the High School stage, provided, that the course of study is for not less than three years.

Note

Advances under the sub-clause may be permitted once in every six months.

(iv) to pay obligatory expenses on a scale appropriate to the applicant's status in connection with marriages, funerals or ceremonies which by his religion it is incumbent on him to incur;

(v) to meet the cost of legal proceeding instituted by the applicant for vindicating his position in regard to any allegations made against him in respect of any act done or purporting to be done by him in the discharge of his official duty;

Provided that the advance under this sub-rule shall not be admissible to an applicant who institutes legal proceedings in any court of law either in respect of any matter unconnected with his official duty or against the University in respect of any condition of service or penalty imposed on him;

(vi) to meet the cost of his defence where the applicant is prosecuted by the University in any court of law in respect of any alleged official misconduct on his part:

(vii) to meet the cost of plot or construction of a house or flat for his residence or to make any payment towards the allotment of plot or flat to the Delhi Development Authority or a State Housing Board or a House Building Co-operative Society;

(viii) to meet the cost of travel abroad of the applicant when permitted by the Board of Management to attend academic conferences, symposia or for academic/technical work.

Note

The Board of Management may, in special circumstances, sanction the payment to any subscriber of the advance if the Board is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in Rule 7.1.1.

7.1.2 An advance shall not exceed the following ceiling limits:

(i)	when sanction for any of the objects mentioned in clause (i) to (viii) of Rule 7.1.1	3 months pay of the subscriber

Provided, however, that in no case shall the amount of advance exceed 50 per cent of the amount of the member's subscription and interest thereon standing to the credit of the subscriber in the Fund.

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7.1.3(i) An advance shall not, except for special reasons to be recorded in writing, be granted to any subscriber in excess of the limit laid down in Rule 7.1.2 herein or until repayment of the last instalment of any previous advance.

(ii) When an advance is sanctioned under this Rule before repayment of last instalment of any previous advance is completed, the balance of any previous advance not recovered shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

Note

The advance under this clause will be sanctioned by Vice-Chancellor or any Officer to whom powers in this regard had been delegated.

7.1.4 The sanctioning officer shall record in writing his reasons for granting the advance: Provided that if the reason is of confidential nature, it maybe communicated to the Finance Officer personally and/or confidentially.

7.1.5 The amount of advance shall be recovered in not more than twenty four equal monthly instalments, if the advance was sanctioned for any of the objects mentioned in clauses (i) to (viii) of Rule 7.1.1. In special cases where the amount of the advance exceeds three months' pay of the subscriber the sanctioning authority may fix such number of instalments to be more than 24 but in no case more than 36. Each instalment shall be a number of whole rupees, the amount of advance being raised or reduced, if necessary, to admit of the fixation of such instalments. A subscriber may, at his option, repay in a smaller number of instalments than agreed upon at the time of grant of advance or in a lump sum.

7.1.6 Recovery shall be made from the emoluments of a subscriber and shall commence on the first occasion after the advance is made, on which the subscriber draws emoluments for a full month.

7.1.7 Recoveries made under this rule shall be credited, as they are made, to the subscriber's account in the Fund.

7.2 Notwithstanding anything contained in these rules, if the sanctioning authority is satisfied that money withdrawn as an advance from the Fund under Rule 7.1 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, the amount in question shall be repaid by the subscriber to the Fund or in default be ordered to be recovered by deduction in one sum from the emoluments of the subscriber. If the total amount to be repaid be more than half the subscriber's emoluments, the recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount recoverable be repaid.

Note

The term 'emoluments' as used in this rule does not include subsistence allowance, if any, granted in cases of suspension of an employee pending an enquiry into his alleged misconduct.

8. *Withdrawal from the Fund*

8.1 Subject to the conditions specified herein, withdrawals from the Fund may be sanctioned by the Vice-Chancellor or any officer to whom powers in this regard had been delegated at any time.

(A) After the completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund, for one or more of the following purposes:

(a) Meeting the cost of higher education, including where necessary, the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely:

(i) for education outside India for academic, technical, professional or vocational course beyond the High School stage; and

(ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage.

(b) Meeting the expenditure in connection with the betrothal/marriage of the subscriber or his sons or daughters, and any other female relations actually dependent on him.

(c) Meeting the expenses in connection with the illness, including where necessary, the travelling expenses, of the subscriber and members of his family or any person actually dependent on him.

(B) After the completion of ten years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund for one or more of the following purposes, namely -

(a) Building or acquiring a suitable house or ready-built flat for his residence including the cost of the site.

(b) Repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence.

(c) Purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose.

(d) Reconstructing or making additions or alterations to a house already owned or acquired by a subscriber.

(e) Renovating, additions or alterations or upkeep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from University at a place other than the place of duty.

(f) Constructing a house on a site purchased under clause (c).

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(C) Acquiring a farm land or business premises or both within six months before the date of the subscriber's retirement.

(D) Once during the course of a financial year an amount equivalent to one year's subscription paid for by the subscriber towards Group Insurance Scheme for the University employees on self financing and contributory basis, if any.

Note 1

A subscriber who has availed himself of an advance for house building purpose from the University source, shall be eligible for the grant of final withdrawal under clauses (a), (c), (d) and (f) of clause (B) for the purposes specified therein and also for the purpose of repayment of any loan taken from the University subject to the limit specified in Rule 8.2.

If a subscriber has an ancestral house or built a house at a place other than the place of his duty with the assistance of loan taken from the University he shall be eligible for the grant of final withdrawal under clauses (a), (c) and (f) of clause (B) for purchase of a house- site or for construction of another house or for acquiring a ready-built flat at the place of his duty.

Note 2

Withdrawal under clauses (a), (d), (e) or (f) of clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alterations to be made duly approved by the local municipal body of the area where the site or house is situated and only in cases where the plan is actually got to be approved.

Note 3

The amount of withdrawal sanctioned under sub-clause (b) of clause (B) shall not exceed 3/4th of the balance on date of application together with the amount of previous withdrawal under clause (d) reduced by. the amount of previous withdrawal. The formula to be followed is: 3/4 of balance (as on date plus amount of previous withdrawal(s) for the house in question) minus the amount of the previous withdrawal(s).

Note 4

Withdrawal under sub-clauses (a) or (d) of clause (B) shall also be allowed where the house-site or house is in the name of wife/husband provided she/he is the first nominee to receive Provident Fund money in the nomination made by the subscriber.

Note 5

Only one withdrawal shall be allowed for the same purpose under Rule 8.1. But marriage/ education of different children or illness on different occasions shall not be treated as the same purpose. Second or subsequent withdrawal under clauses (a) or (f) of clause (B) or completion of the same house shall be allowed up to the limit laid down under Note 3.

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Note 6

A withdrawal under Rule 8.1 shall not be sanctioned if an advance under Rule 7 is being sanctioned for the same purpose and at the same time.

8.2 *Conditions for Withdrawal*

8.2.1 Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in Rule 8.1 from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six months pay of the subscriber, whichever is less. The Vice-Chancellor or sanctioning officer may, however, sanction the withdrawal of an amount in excess of these limits up to three-fourths of the balance at his credit in the Fund, having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the Fund.

8.2.2 Provided in no case the maximum amount of withdrawal for purposes specified in clause B of sub-rule 8.1 shall exceed the maximum limit prescribed from time to time for the grant of advances for house building purposes.

8.2.3 In the case of a subscriber who has availed himself of an advance under the Scheme of House Building Advance of the University, for the purpose of house building the sum withdrawn under this sub-rule together with the advance taken under the aforesaid scheme of the University shall not exceed the maximum prescribed for the grant of advance for house building purposes.

8.3 A subscriber who has been permitted to withdraw money from the Fund under this rule, shall satisfy the Vice-Chancellor or sanctioning officer within a reasonable period as may be specified by him that the money has been utilised for the purpose for which it was withdrawn and if he fails to do so, the whole of sums so withdrawn or so much thereof as has been not applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum and in default of such payment it shall be ordered by the Vice-Chancellor or sanctioning officer to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Board of Management.

8.4 A subscriber who has been permitted under sub-clause (a), sub-clause (b) or sub-clause (c) of clause B of sub-rule (1) of this rule to withdraw money from the amount of subscription together with interest thereon standing to his credit in the Fund, shall not part with the possession of the house so built or acquired or house-site so purchased by way of sale, mortgage (other than mortgage to the Vice-Chancellor of the University) or gift, without the previous permission of the Vice-Chancellor. He shall also not part with the possession of such house or house-site by way of exchange or lease for a term exceeding three years, without the previous permission of the sanctioning officer. The subscriber shall submit a declaration not later than the 31st day of December, of every year to the effect that the house or as the case may be, the house-site continues to be in his possession and shall, if so required produce before the sanctioning officer on or before

the date specified by that officer in that behalf the original sale deed and other documents on which his title to the property is based.

8.5 If at anytime before retirement, he parts with the possession of the house or house-site without obtaining the previous permission of the Vice-Chancellor of the University or sanctioning officer as the case may be, the sum withdrawn by him shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such repayment it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as maybe determined by the Vice-Chancellor or sanctioning officer. Continuous service rendered in another Central/State University. State/Central Government or autonomous body under Central Government will be taken into account while determining the period of service for the purpose of this rule.

8.6 A subscriber who has already drawn or may draw in future an advance under Rule 7 for any of the purposes specified in sub-rule 8.1 may convert at his discretion by written request to the sanctioning officer, the balance outstanding into a final withdrawal on his satisfying the conditions laid down in Rules 8.1 and 8.2.

9. *Final Withdrawals of Accumulations in the Fund*

9.1 When a subscriber quits the service of the University, the amount standing to his credit in the Fund shall become payable to him.

9.1.1 Provided that a subscriber who has been dismissed from the service of the University and is subsequently reinstated in service, shall if required to do so repay any amount paid to him from the Fund in pursuance of this rule with interest thereon at the rate provided in these rules in the manner provided. The amount so repaid shall be credited to his account in the Fund.

Explanation

A subscriber who is granted refused leave shall be deemed to have quit the service from the date of compulsory retirement or on the expiry of an extension of service.

10. *Retirement of a Subscriber*

10.1 When a subscriber (a) has proceeded on leave preparatory to retirement or (b) while on leave has been permitted to retire or has been declared by the Consulting Medical Officer of the University or by a competent medical authority that may be prescribed by the Board of Management in this behalf to be unfit for further service, the amount standing to his credit in the Fund shall, upon an application made by him in that behalf to the Finance Officer, becomes payable to the subscriber.

10.1.1 Provided that the subscriber, if he returns to duty shall, if required to do so, repay to the Fund for credit to his account the whole or part of any amount paid to him from the Fund in pursuance of this rule with interest thereon, at the rate provided, by instalments or otherwise by recovery from his emoluments or otherwise as the Vice-Chancellor or the sanctioning officer may direct.

11. *Procedure on the Death of a Subscriber*

11.1 On the death of a subscriber before the amount standing to his credit has become payable or where the amount has become payable before payment has been made:

11.1.1 When a subscriber leaves a family:

(a) if a nomination made by a subscriber in accordance with the provisions of Rule I . I or of the corresponding rule heretofore in force in favour of a member or members of his family subsists the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination.

(b) if no such nomination in favour of a member or members of the family of the subscriber subsists or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be. shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family. become payable to the members of his family in equal shares.

Provided that no share shall be payable to:

(i) sons who have attained majority:

(ii) sons of a deceased son who have attained majority:

(iii) married daughters whose husbands are alive;

(iv) married daughters of a deceased son whose husbands are alive.

if there is any member of the family other than those specified in clauses (i), (ii), (iii) and (iv). Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provision of clause (i) of the first proviso.

11.1.2 When the subscriber leaves no family—if a nomination made by him in accordance with the provisions of Rule 1.1 or of the corresponding rule heretofore in force in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

12. *Deposit Linked Insurance Scheme*

12.1 On the death of a subscriber in service, the person(s) entitled to receive the amount standing to the credit of the subscriber shall be paid by the Finance Officer an additional amount equal to the average balance in the account of the deceased in the Fund during the three years immediately

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preceding the death of the employee subject to the fulfilment of the following conditions:

(a) The balance representing subscription with interest thereon in the account of the employee should not have fallen below the following limits at any time during the three years preceding the date of death:

(i) Teachers, Asstt. Registrars and officials of equivalent scale and above Rs. 25,000/-

(ii) Section officers and other officials in equivalent scale Rs. 15,000/-

(iii) Employees other than those mentioned in (i) and (ii) Rs. 10,000/-

(iv) Lower subordinate staff in scale the maximum of which is Rs. 1,151/- and below Rs. 6,000/-

(b) The additional amount payable under this rule shall not exceed Rs. 60,000/-.

(c) The benefit would be admissible only if the subscriber has put in at least five years service at the time of death.

13. *Statement of Accounts*

13.1 As soon as possible after the 31st of March of each year, the Finance Officer shall send to each subscriber a statement of his account in the Fund, showing the opening balance on the 1st of April of the year, the total amount credited and debited during the year, the total amount of interest credited as on the 31st of March of the year and the closing balance on that date. The Finance Officer shall attach to the statement of account an enquiry whether the subscriber:

(a) desires to make any alteration in any nomination made by the subscriber;

(b) has acquired a family (in cases where the subscriber has made no nomination in favour of his family under the rules).

13.2 Subscribers should satisfy themselves as to the correctness of the annual statement and errors should be brought to the notice of the Finance Officer within six months from the date of receipt of the statement.

13.3 The Finance Officer shall, if required by a subscriber, once, but not more than once in a year, inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

14. *Investment of Fund*

14.1 All sums paid into the Fund under the rules shall be credited in the books of the University to an account named "General Provident Fund Account of the University...." A deposit account shall be opened in such Scheduled Bank as the University may decide upon from time lo time lo be operated in such manner as the Board of Management may direct. The balance of the Fund, after reserving suitable amounts for current needs, shall be

IndiaCode

invested in the National Savings Certificates and/or other investment covered by Section 20 of the Indian Trust Act of 1882 as soon as possible after monthly accounts are closed. The interest received from the above investments shall be credited as receipts in the revenue account of the University.

14.2 Sums of which payment has not been taken within six months after they become payable under these rules shall be transferred to "Deposits" at the end of the year and treated under the ordinary rules relating to deposits.

15. *Relaxation of the Provisions of the Rules in Individual Case*

When the Board of Management is satisfied that the operation of any of these rules causes or is likely to cause undue hardship to a subscriber the Board may, notwithstanding anything contained in these rules, deal with the case of such subscriber in such manner as may appear to be just and equitable.

16. While applying the rules to the employees of the University, the clarifications or ruling given by Government of India relating to GPF (Central Services) Rules 1960 will be taken into consideration.

17. Forms for (a) Application for advances/part final withdrawal/Final payment of balances in the ProvidentFund (b) Sanctions for withdrawals (c) Conversion of an advance into a final withdrawal (d) General Index Register (e) Provident Fund Ledger Folio (f) Broad sheet of GPF etc. shall be in such form as may be prescribed by the Board of Management.

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SECTION II

PENSION

18.1 Every person governed by the provisions of this Section of Appendix 'A' shall be entitled to a pension according to the rules provided hereinafter.

18.2 Subject to such conditions as may be applicable to the categories of pension set out below, no person shall be. eligible for pension unless he has put in a minimum of ten years qualifying service in the University; provided that the minimum age after which service counts for pension shall be eighteen years. In case the qualifying service falls below ten years, gratuity shall be admissible as calculated at a uniform rate of half month's emoluments for every completed six monthly period of service. Temporary employees who retired on superannuation or permanently incapacitated for further service by the appropriate medical authority after rendering ten years of service shall be eligible for pension on the same scale as admissible to those in permanent employment

19.1 Subject to the minimum qualifying service, an employee shall be eligible for one or other of the following classes of pensions, depending upon the circumstances of the cases:

(a) ***Compensation Pension***: If an employee is discharged owing to the abolition of the permanent post and it is not possible to provide him with alternate employment or when a lower post is offered but not accepted by him, he shall be granted a compensation pension on the scale prescribed in Rule 20 below.

(b) ***Invalid Pension***: An invalid pension shall be granted to an employee, on retirement from the service of the University for permanent physical or mental disability incapacitating him for further service, if certified by the competent Medical Authority as may be prescribed by the Board of Management, on the scale prescribed in Rule 20 below.

In respect of an employee who retires on invalid pension, the amount of invalid pension shall not be less than the amount of the family pension under sub Rule 32.9 of Family Pension of this Appendix.

(c) ***Superannuation Pension***: A Superannuation pension shall be granted to an employee who is retired from service on his attaining the age of retirement.

(d) ***Retiring Pension***: A retiring pension shall be granted to an employee who is permitted to retire after completing twenty years of qualifying service or retired prematurely in advance of the age of superannuation.

Provided that in the event of retirement after twenty years of qualifying service but before the completion of the age of superannuation the employee concerned shall give in this behalf a notice in writing to the Registrar at least three months before the date on which he wishes to retire.

20.1 An employee eligible for pension under any of the categories mentioned above shall be granted on retirement, after completing qualifying service of not less than thirty years monthly pension calculated at 50 per cent of the average emoluments subject to a minimum of Rs. 1275/- w.e.f. 1.1.96 and Rs. 1913/-

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w.e.f. 1.4.04 (i.e. Basic Pay + D.P. @ 50% of basic pay), subject to maximum of Rs. 30,000/- p.m. In the case of employees who, at the time of retirement, have rendered qualifying service of 10 years or more but less than 33 years the amount of their pension will be such proportion of the maximum admissible pension as the qualifying service rendered by them bears to the maximum qualifying service of 33 years. The revised provisions shall apply to the employees who retire on or after 1-1-96.

20.2 In the case of voluntary retirement after the completion of twenty years, weightage up to five years will be added to the qualifying service of the official provided that

(a) the total qualifying service including the weightage does not exceed 33 years;

(b) the period does not go beyond the date of normal superannuation of the official;

(c) the weightage of service shall not entitle the employee to any notional fixation of pay for the purposes of calculating pension and gratuity.

This sub-rule shall not apply to an employee who retires from the University service for being absorbed permanently in autonomous body or public sector undertaking.

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21. *Commutation of Pension*

An employee shall, subject to the conditions specified below, be allowed to commute for lumpsum payment of a fraction not exceeding 40% of monthly pension granted to him.

(i) No commutation shall be sanctioned without the medical certificate of competent medical authority as may be prescribed by the Board, except in the cases of employees retiring on compensation pension, superannuation or retiring pension (including those on absorption in or under a Corporation or autonomous body and elect to receive monthly pension) provided the application for commutation is made within a year of the date of retirement

(ii) The lump sum payable on commutation shall be calculated in accordance with the table of value prescribed by Government of India for its employees and applicable to the applicant on the date on which the commutation becomes absolute.

(iii) The commutation of pension shall become absolute on the date of receipt of application, in the prescribed form by the Registrar or on the date following the date of retirement, whichever is later. In the case of commutation after medical examination the date will be the date on which the medical officer signs the medical certificate.

(iv) The reduction in the amount of pension on account of commutation shall be operative from the date of receipt of the amount of commuted value of pension, or at the end of three months after issue of authority by the Finance Officer for the payment of commuted value of pension, whichever is later.

22. Such University pensioners, who will complete 15 years from their respective dates of retirement, will have their commuted portion of pension restored.

23. University employees who get themselves absorbed under Central Public Sector Undertakings/autonomous bodies and have received/or opt to receive commuted value of 40% (Maximum) of pension as well as terminal benefits equal to the commuted value of balance amount of pension left after commuting 40% of pension are not entitled to any benefit under Rule 22 as they cease to be University pensioners.

24. Each pensioner, who is eligible as in Rule 22 above, is required to apply in the prescribed form, duly completed, to the Finance Officer of the University who will restore the commuted portion of pension if the commuted amount has been mentioned in the Pension Payment Order and will also pay the arrears, if any.

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SECTION III

GRATUITY

25.1 An employee who has completed five years of qualifying service in the University and has become eligible for service gratuity or pension under sub-rules 18.1 and 18.2 as well as temporary employee who retired on superannuation or on invalidation after rendering 10 years of service and had become eligible for pension, shall on his retirement, be granted in addition Retirement gratuity in accordance with the scale indicated in Rule 26. In the event of his demise, this gratuity shall be payable to the nominee-or nominees of the deceased in the manner prescribed (vide form II & II A). No gratuity shall be payable on resignation from the service of the University or dismissal or removal from it for misconduct, insolvency or inefficiency not due to age.

25.2 If there is no such nomination, or if the nomination made does not subsist, the gratuity shall be paid in the manner indicated below:

(a) If there are one or more surviving members of the family as in the following sub-clauses (aa), (bb), (cc) and (dd) to all such members in equal shares:

(aa) wife and wives, in the case of a male employee;

(bb) husband in the case of female employee;

(cc) sons including step sons and adopted sons;

(dd) unmarried daughters including step daughters and adopted daughters.

(b) If there are no such surviving members of the family as in clause (a) above but there are one or more members as in the following sub-clauses (aa), (bb) (cc), (dd), (ee), (ff) and (gg) to all such members in equal shares:

(aa) widowed daughter including step daughters and adopted daughters;

(bb) father] including adoptive parents in the case of individuals whose

(cc) mother] personal law permits adoption;

(dd) brothers below the age of eighteen years including step brothers;

(ee) unmarried sisters and widowed sisters including step sisters;

(ff) married daughters; and

(gg) children of pre-deceased son.

Note 1

The right of a female member of the family, or that of a brother, of an employee who dies while in service or after retirement, to receive the share of gratuity shall not be affected if the female member marries or re-marries or the brother attains the age of eighteen years, after the death of the employee and before receiving her or his share of the gratuity.

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Note 2

Where gratuity is granted under this rule to a minor member of the family of the deceased employee, it shall be payable to the guardian on behalf of the minor.

Note 3

Where an employee dies while in service, or after retirement without receiving the amount of gratuity, and-

(a) leaves behind no family; or

(b) has made no nomination; or

(c) the nomination made by him does not subsist;

the amount of death-cum-retirement gratuity payable to him under this rule shall lapse to the University.

26. The amount of Retirement gratuity shall be one fourth of the emoluments of an employee for each completed six monthly period of qualifying service subject to a maximum of 16 1/2 times the emoluments.

Provided that in no case it shall exceed Rs. 3,50,000/- (w.e.f. 1-1-1996).

Provided further that the amount of Retirement gratuity, finally calculated should be rounded off to the next higher rupee.

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27. Residuary Gratuity

If an employee who has become eligible for a pension or gratuity dies within a period of five years after he retires from the service of the University, including compulsory retirement as a penalty and the sums actually received by him at the time of death on account of such pension together with the gratuity granted under the above provisions and the commuted value of any portion of the pension commuted by him are less than the amount equal to twelve times the emoluments, a gratuity to the deficiency shall be granted to the person or persons nominated by him.

28. Death Gratuity

In the event of death in harness, the Death Gratuity shall be admissible at the following rates:

Length of Service	**Rate of Gratuity**
1. less than one year	2 times of emoluments
2. one year or more but less than five years	6 times of emoluments
3. five years or more but less than 20 years	12 times of emoluments
4. 20 years or more	Half the emoluments for every completed six months period of qualifying service subject to maximum of 33 times emoluments provided that the amount of Death Gratuity shall in no case exceed Three lakh and Fifty Thousand rupees.

.

29. The emoluments for the purpose of Retirement gratuity under Rule 26 to 28 shall be reckoned in accordance with sub-clause (b) of clause 3 of Statute 23 provided that if the emoluments of an employee has been reduced during the last ten months of his service otherwise than as a penalty, average emoluments as referred to in sub-clause (c) of clause 3 of Statute 23 shall be treated as emoluments.

30. Temporary Employees with Less than Ten Years of Service

30.1 Terminal Gratuity

A temporary employee, who retire on superannuation is declared invalid for further service before completion of 10 years of service or is discharged on account of retrenchment, will be eligible for a gratuity on the same scale and rates as are applicable to permanent university staff. This is applicable w.e.f. 1-1-996.

Provided that the service is continuous and Satisfactory.

Provided that where the service rendered by the employee is not held to be satisfactory, by the authority competent to appoint and such authority may, by order and for reasons to be mentioned therein, make such reduction in the amount of gratuity as it may consider proper.

Provided also that the amount of terminal gratuity payable under this sub-rule shall not, be less than the amount which the employee would have got as a matching University's Contribution to Provident Fund, if he were the member of Contributory Provident Fund Scheme from the date of his continuous temporary service, subject to the condition that the matching contributions shall not exceed 10 per cent of his pay.

30.2 Provided further, in the case of compulsory retirement as a disciplinary measure, the rate of gratuity payable in his case shall not be less than two thirds of pay, in no case exceeding the rate specified for corresponding continuous service.

30.3 Death Gratuity

The family of a temporary employee, (with less than 10 years service) who dies while in service will be eligible for a death gratuity on the same scale and subject to the conditions as laid down in Rule 28.

No gratuity shall be admissible under this rule to an employee who is re-employed after retirement on superannuation or retiring pension.

Note

For the purpose of this rule

(a) 'Pay' will mean basic pay plus DP. It will not include special pay, personal pay and other emoluments classed as pay. In case the employee concerned was on/leave with or without allowances, pay for this purpose will be the pay which he would have drawn had he not proceeded on such leave.

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SECTION IV

FAMILY PENSION

31) The Family Pension Scheme as detailed below will be applicable to regular employees in pensionable service—temporary or permanent.

32) It will be administered as below:

For those who opt for G.P.F.-cum-Pension-cum-Gratuity Scheme, the-following provisions will apply.

32.1 The family pension, the amount of which shall be determined in accordance with the Table below sub-rule 32.9 will be admissible to the family of the deceased in case of death of the employee while in service, or after retirement from service and on date of death, the retired officer was in receipt of pension. In case of death while in service, the employee should have completed a minimum period of one year of continuous service or before completion of one year of continuous service, the deceased employee was medically examined and found fit by the appropriate medical authority immediately prior to his appointment.

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Note

Continuous service mean service rendered in a temporary or permanent capacity in a pensionable service and does not include (1) period of suspension if any, and (2) period of service rendered before attaining the age of 18 years.

32.2 'Family' for purposes of this scheme will include the following relatives of the employee:

(a) wife in the case of male officer.

(b) husband in the case of female officer;

(c) son who has not attained the age of 25 years;

(d) unmarried daughter who has not attained the age of 25 years.

Note

(i) (c) and (d) will include children adopted legally before retirement but not include son or daughter born after retirement.

(ii) Marriage after retirement will not be recognised for the purpose of the scheme.

32.3 The pension will be admissible:

(a) In the case of widow/widower up to the date of death or remarriage, whichever is earlier;

(b) In the case of a minor son until he attains the age of 25 years;

(c) In the case of an unmarried/widowed/divorcee and unmarried son/ daughter until she attains the age of 25 years or marriage/remarriage whichever is earlier or starts earning more than 2550/- per month.

Provided that if the son or daughter of an employee is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her-unable to earn a living even after attaining the age of 25 years in the case of son and 30 years in the case of daughter, the family pension shall be payable to such son or daughter for life subject to the following conditions, namely:

(i) If such son or daughter is one among two or more children of the employee, the family pension shall be initially payable to the minor children in the order set out in item (c) of sub-rule 32.4 of this rule until the last minor child attains the age of 25 or 30, as the case may be, and thereafter the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life;

(ii) If there are more than one such son or daughter suffering from disorder or disability of mind who are physically crippled or disabled, the family pension shall be paid in the following order, namely:

(a) firstly, to the son, and.if there are more than one son, the younger of them will get the family pension only after the life time of the elder;

(b) secondly, to the daughter, and if there are more than one daughter, the younger of them will get the family pension only after the life time of the elder.

(iii) the family pension shall be paid to such son or daughter through the guardian as if he or she were a minor;

(iv) before allowing the family pension for life to any such son or daughter, the - sanctioning authority shall satisfy that the handicap is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of Civil Surgeon setting out, as far as possible, the exact mental or physical condition of the child;

(v) the person receiving the family pension as guardian of such son or daughter shall produce (i) every three years a certificate from a medical officer not below the rank of Civil Surgeon to the effect that he or she continues to suffer from disorder or disability of mind or continue to be physically crippled or disabled, (ii) every month a certificate (a) that the beneficiary has not started his/her livelihood (b) in case of daughter that she has not yet married, as the case may be.

Note

(1) Where a deceased employee is survived by more than one widow, the pension will be paid to them in equal shares. On the death or re-marriage of widow, her share of pension will become payable to her eligible minor child. If at the time of her death/re-marriage a widow leaves no eligible minor child, the payment of her share of pension will cease.

(2) Where the deceased employee is survived by a widow but has left behind an eligible minor child from another wife, the eligible minor child will be

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paid the share of the pension which the mother would have received if she had been alive at the time of the death of the employee.

32.4 (a) Except as provided in notes (1) and (2) below sub-rule 32.3 the family pension shall not be payable to more than one member of the family at the same time.

(b) If a deceased employee or pensioner leaves behind a widow or widower the family pension shall become payable to the widow or widower, failing which to the eligible child.

(c) If sons and unmarried daughters are alive, unmarried daughters shall not be eligible for family pension unless the sons attain the age of eighteen years and thereby become ineligible for the grant of family pension.

32.5 In the event of re-marriage or death of widow/widower the pension will be granted to the minor children through their natural guardian. In disputed cases, however, payments will be made through a legal guardian.

32.6 When both husband and wife are employees and one of them dies while in service, or after retirement, the family pension in respect of the deceased is payable to the surviving husband/wife and in the event of the death of husband or wife the children of the deceased couple will be granted two family pensions in respect of the deceased parents subject to the limits specified below

From 1.1.1996, family pension shall be 30% of basic pay in all cases, subject to a minimum of Rs. 1275/- (now Rs. 1913/-) p.m. and a maximum of Rs. 30,000/- (now Rs. 45,000/-).

32.7 Family pension admissible under these rules shall not be granted to a person who is in receipt of family pension or is eligible therefor, under any other rules of the Central or a State Government and/or public sector undertaking/ autonomous body/local Fund under the Central or State Government.

32.8 The amount of family pension shall be fixed at monthly rates and be expressed in whole rupees and where the family pension contains a fraction of a rupee it shall be rounded off to the next higher rupee, provided in no case a family pension in excess of the maximum prescribed shall be allowed.

32.9 (i) In the event of the death of an employee while in service after having rendered not less than seven years continuous service, the rate of family pension payable to the family shall be equal to 50% of the pay last drawn or twice the family pension admissible [under sub-clause (a)] whichever is less and the amount so admissible shall be payable from the date of death of the employee, for a period of seven years or up to the date on which he would attain the age of 67 years had he survived whichever period is less.

(ii) In the event of the death after retirement the family pension at enhanced rates shall be payable up to the date on which the employee would have attained the age 67 years had he survived, or for seven years whichever period is earlier but in no case the-amount of family

pension shall exceed the pension sanctioned to the employee at the time of retirement. However, in cases where the amount of family pension admissible [as per the sub-clause (a) above] exceeds the pension sanctioned at the time of the retirement, the amount of family pension sanctioned under this sub-clause shall not be less than that amount. The pension sanctioned at the time of retirement shall be the pension inclusive of any portion which may have been commuted before death. The enhanced family shall not be less than normal family pension.

Note

'Pay' for the purposes of sub-rule 32.9 shall mean (i) the emoluments as defined in Statute 23 or (ii) the average emoluments as defined in Statute 23 if the emoluments of the deceased employee have been reduced during the last ten months of his service otherwise than as penalty.

32.10 All employees entitled to the benefit of family pension shall be required to furnish details of their 'family' as defined in sub-rule 32.2 above i.e. the date of birth of each member with his/her relationship with employee, in Form III. This statement shall be countersigned by the Registrar and pasted in the service record of the employee. The employee will thereafter be required to keep the statement up to date. Addition and alterations in this statement will be made by the Registrar from time to time on receipt of information from the employee concerned.

32.11 In cases where death occurs while in service the Registrar on receiving information of death of an employee while in service shall send a letter as prescribed in Form IV to the family of the deceased and ask for necessary documents mentioned therein. On receiving the documents the Registrar shall take necessary action to sanction the pension to the eligible member of the family.

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SECTION V

EXTRAORDINARY PENSION

33.1 The grant of disability pension, compensation in lieu of disability pension, consolidated extraordinary family pension may be sanctioned by the Board of Management on the advice of an ad hoc committee when an employee sustains injury or dies as a result of an injury or is killed. In making the award the Board of Management will take into consideration the degree of the fault or contributory negligence on the part of an employee who sustains injury or dies as a result of an injury or is killed.

33.2 The said ad hoc committee shall consist of five members, four appointed by the Board of Management from amongst themselves and fifth member will be the representative from the Ministry of Finance, Government of India.

33.3 The amount payable will be at the same rates and on the same conditions as laid down by Government of India CCS (Extraordinary Pension) Rules as amended from time to time.

33.4 When a claim for any disability pension or extraordinary family pension arises it should be placed before the Board of Management through Registrar with the following documents:

(a) A full statement of circumstances in which the injury was received, the disease was contacted or the death occurred;

(b) The application for disability pension or extraordinary family pension as the case may be in the form prescribed;

(c) In the case of injured member of staff a medical report or in the case of diseased member of staff a medical report in the form prescribed. In the case of deceased member of the staff a medical report as to the death or reliable evidence as to the actual occurrence of the death if the member of the staff lost his life in such circumstances that a medical report cannot be Secured.

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APPENDIX 'B'

CONTRIBUTORY PROVIDENT FUND-CUM-GRATUITY SCHEME

(1) The employees who opt for the Contributory Provident Fund-cum-Gratuity Scheme will be subject to the Contributory Provident Fund Rules as contained below.

(2) Gratuity admissible under the Scheme, will however, be at the same rate and on the same conditions as laid down in Appendix A, Section III of General Provident Fund-cum Pension-cum-Gratuity Scheme.

CONTRIBUTORY PROVIDENT FUND RULES

1. Application of Rules

These rules shall apply to all the employees of the University, both academic and non-academic, except the following:

(a) Persons appointed against purely temporary vacancies, part-time servants and daily wages staff who are not entitled to the benefit of the Fund under their conditions of service.

(b) Employees of the Central Government or any State Government who may be serving with the University on Foreign Service Terms and in respect of whom the University pays leave and pension contributions, unless any decision to the contrary is taken at the time of their appointment.

(c) Employees appointed on contract and where conditions of service are laid down in the terms of contract provided that a person who is initially appointed on contract and is subsequently made permanent employee of the University shall be entitled to the benefits of the Fund if the retirement benefits received by him in respect of his contract period are paid back to the University.

Note

(i) A person retired from any civil or military department or the Central Government or from services of any local funds administered by Government or from any other institution may on re-employment in the University be admitted to the Fund by the University subject to such instructions as may be issued from time to time.

(ii) For the purpose of these Rules, emoluments means, pay, dearness pay, leave salary or subsistence grant and includes:

(a) Any wages paid by the University to employees not remunerated by fixed monthly pay.

(b) Any remuneration of the nature of pay received in respect of foreign service.

2. Transfer of an employee from a Central Government Corporate owned or controlled by Government or an autonomous organisation.

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If an employee admitted to the benefit of the Fund was previously a subscriber to any other Contributory Provident Fund, the amount of his subscription and the employees contribution in CPF together with interest thereon shall be transferred to his credit in the Fund with the consent of the body.

3. Nominations

A subscriber shall at the time of joining the Fund send to the Finance Officer, a nomination in the manner provided in Rule 1 of Section I of Appendix 'A' to this Statute.

4. Subscriber's Account

An account shall be opened in the name of each subscriber, in which shall be credited:

(i) The subscriber's subscriptions;

(ii) Contributions made under Rule 8 by the University to this account;

(iiii) Interest as provided by Rule 9 on subscriptions;

(iv) Interest as provided by Rule 9 on contributions;

(v) Advances and withdrawals from the Fund;

5. Conditions of Subscriptions

The conditions of subscriptions will be governed as provided in Rule 4 of Section I of Appendix 'A' to this Statute.

6. Rates of Subscription

6.1 The amount of subscription shall be fixed by the subscriber himself subject to the following conditions, namely:

6.1.1 It shall be expressed in whole rupees;

6.1.2 It may be any sum, so expressed, not less than 10 percent of his emoluments and not more than his emoluments.

6.2 For the purpose of this rule, the emoluments of a subscriber shall be determined as provided in sub-rules 3.2.1, 3.2.2 of Rule 5 of Section 1 of Appendix 'A' to this Statute.

6.3 The amount of subscription so fixed maybe (a) enhanced twice during the course of the year or (b) reduced once at any time during the course of a year and (c) reduced and enhanced as aforesaid provided that when the amount of subscription is so reduced it shall not be less than the minimum prescribed under Rule 6.1.2.

Provided further that if a subscriber is on leave without pay or leave on half pay for part of calendar month and he has elected not to subscribe during such leave the amount of subscription payable shall be proportionate to the number of days spent on duty including leave, if any.

Amendment to 6.1.2 of Appendix B of Statute 23 regarding CPF-cum-Gratuity Scheme is made by the Board of Management at its meeting held on 01.02.1993. The approval of the Visitor is received vide M F.5/3/93 -U. 1 Desk dt. 3/8 Sept 1993.

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7. Realisation of Subscriptions

The realisation of subscriptions shall be governed as provided in Rule 5 A of Section I of Appendix 'A' to this Statute.

8. Contribution by the University

8.1 The University shall, with effect from the 31st of March of each year, make a contribution to the account of each subscriber.

8.1.1 Provided that if a subscriber quits the service or dies during a year contribution shall be credited to his account for the period between the close of the preceding year and the date of the casualty;

8.1.2 Provided that no contribution shall be payable in respect of any period for which the subscriber is permitted under the rules not to, or does not, subscribe to the Fund;

8.1.3 Provided that if, through oversight or otherwise the amount subscribed is less than the minimum subscription payable by the subscriber under Rule 6 and if the short subscription together with the interest accrued thereon is not paid by the subscriber within such time as may be specified by the officer competent to sanction an advance for the grant of which special reasons are required under Rule 10 the contribution payable by the University shall be equal to the amount actually paid by the subscriber or the amount normally payable by University, whichever is less, unless. the University in any particular case, otherwise directs.

8.2 The contribution shall be 10 percent of the subscriber's enioluments drawn on duty during the year or period as the case may be.

8.3 Should a subscriber elect to subscribe during leave, his leave salary for the purpose of this rule, be deemed to be emoluments drawn on duty.

8.4 The amount of contribution payable shall be rounded to the nearest whole rupee (fifty paise or more counting as the next higher rupee).

8.5 The amount of contribution payable in respect of a period of foreign service, shall unless it is recovered from the foreign employer be-recovered, by the University from the subscriber.

8.6 Should a subscriber elect to pay arrears of subscriptions in respect of a period of suspension. the emoluments or portion of emoluments which may be allowed for that period or reinstatement, shall for the purpose of this rule, be deemed to be emoluments drawn on duty.

8.7 If a subscriber is on duty out of India the emoluments which he would have drawn had he been on duty in India shall, for the purpose of this rule be deemed to be emoluments drawn on duty.

Amendment to 8.2 of Appendix B of Statute 23 regarding CPF-cum-Gratuity Scheme is made by the Board of Management at its meeting held on 01.02.1993. The approval of the Visitor is received vide Letter No. F-5-3/93-U1 Desk dt. 3/8 Sept 1993.

The amendment to Rule 8.2 was made by the Board of Management at its meeting held on 17.8.90 and approved by the Visitor vide letter No. F.5.61/90/U.l (Desk) dated 14.12.90.

9. Interest

The University shall pay to the credit of the account of each subscriber interest as provided in Rule 6 of Section 1 of Appendix 'A' to this Statute.

10. Advances From the Fund

Advances from the Fund and recovery thereof shall be governed as provided in Rule 7 of Section I of Appendix 'A' to this Statute.

11. Withdrawal From the Fund

Withdrawal from the Fund may be sanctioned by the Vice-Chancellor or any other officer to whom the power has been delegated in this regard subject to the conditions specified, in Rule 8 of Section I of Appendix 'A' to this Statute.

12. Conversion of an Advance into a Withdrawal

A subscriber who has already drawn or may draw in future an advance under Rule 10 for any of the purposes specified in sub-clause (a). sub-clause (b) or sub-clause (c) of clause B of Rule 8.1 of Section I of Appendix 'A' to this Statute, may convert, at his discretion by written request addressed to the Vice-Chancellor or sanctioning officer the balance outstanding against it into a final withdrawal on his satisfying the condition laid down in Rule 11.

13. Final Withdrawal of Accumulations in the Fund

13.1 The final payment of the amount standing to the credit of the subscriber shall become payable in the circumstances stated in Rules 9, 10 and 11 of Section I of Appendix 'A' to the Statute.

13.2 When a subscriber other than the one who is appointed on contract or one who has retired from service and is subsequently re-employed is transferred without any break to the service under a body corporate owned or controlled by Government or an autonomous organisation registered under the Societies Registration Act, 1960, the amount of subscriptions and the Government contribution together with interest thereon shall be transferred to his new Provident Fund Account, if the subscriber so desires and the concerned orgamsation agrees to such transfer.

The transfer shall include cases of resignation from service in order to take up appointment under a body corporate owned or controlled by Government or an autonomous organisation registered under the Societies Registration Act, 1960 without any break and with proper permission of this University. Time taken to join the new post shall not be treated as a break in service if it does not exceed the joining time admissible.

14. Deductions

Subject to the condition that no deduction maybe made which reduces the credit by more than the amount of any contribution by the University with interest thereon credited under Rules 8 and 9 before the amount standing to the credit of a subscriber in the Fund is paid out of the Fund, the Vice-Chancellor may direct the deduction therefrom and payment to the University of-

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(a) all amounts representing such contribution and interest if the subscriber is dismissed from service due to misconduct, insolvency or inefficiency.

Provided that where the Vice-Chancellor is satisfied that such deduction would cause exceptional hardship to the subscriber, he may by order, exempt from such deduction and amount not exceeding two-third of the amount of such contribution and interest which would have been payable to the subscriber, if he had retired on medical grounds; provided further that if any such order of dismissal is subsequently cancelled the amount so deducted shall on his reinstatement in the service be replaced to his credit in the Fund;

(b) All amounts representing such contribution and interest if the subscriber within five years of the commencement of his service as such, resigns from the service or ceases to be an employee under University otherwise than by reason of death, superannuation or declaration by a competent medical authority that he is unfit for further service, or the abolition of the post or the reduction of establishment;

(c) Any amount due from the subscriber under liability incurred by the subscriber to the University.

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Note

(a) For the purpose of this rule the period of five years shall be reckoned from the commencement of the subscriber's continuous service under the University.

(b) Resignation from service with proper permission to take up appointment in another University without break in service will not constitute resignation of service for the purpose of this rule.

15. Deposit Linked insurance Scheme

The payment under deposit linked insurance scheme shall be governed as provided in Rule 12 of Section 1 of Appendix 'A' to this Statute.

16. Manner of Payment of Amount in the Fund

16.1 When the amount standing to the credit of a subscriber in the Fund, or the balance thereof after any deduction under Rule 14 becomes payable, it shall be duty of that Finance Officer after satisfying himself, when no such deduction has been directed under that rule, that no deduction is to be made to make payment on receipt of a written application as provided in sub-rule 16.3.

16.2 If the person to whom, under these rules, any amount is to be paid is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, IV of 1912, the payment will be made to such manager, and not to the lunatic.

Provided that where no manager has been appointed and the person to whom the sum is payable is certified by a Magistrate to be a lunatic, the payment shall, under the orders of the Collector, be made in terms of sub-section (1) of Section 95 of the Indian Lunacy Act 1912, to the person

having charge of such lunatic and the sanctioning authority in the University shall pay only the amount which he thinks fit, to the person having charge of the lunatic and the surplus, if any, or such part thereof, as he thinks fit, shall be paid for the maintenance of such members of the lunatics family as are dependent on him for maintenance.

16.3 Any person who desires to claim under this rule shall send a written application in that behalf to the Finance Officer. Payment of amounts withdrawn shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements, to receive payment in India.

Note

When the amount standing to the credit of a subscriber has become payable under Rule 13, the Finance Officer, shall effect prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon after as may be.

16.4 Payments of the amount withdrawn shall be made immediately. The persons to whom the amounts are payable shall make their own arrangements to receive payment in India.

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17. Investment of Fund

The deposits shall be credited to the account named 'Contributory Provident Fund Account' of the University, as soon as possible after the monthly accounts are closed. The balance in the Fund shall be kept and invested as provided in Rule 14 of Section I of Appendix A to this Statute.

18. Statement of Accounts

The Statement of the account to the credit of each subscriber shall be furnished to him in the manner provided in Rule 13 of Section 1 of Appendix 'A' to this Statute.

19. General

Clarification or ruling given by Government of India relating to CPF Rules (India) 1962 will be taken into consideration while applying these rules to the employees of the University.

20. Relaxation of the Provision of Rules in Individual Cases

When the Board of Management is satisfied that the operation of any of these rules is likely to cause undue hardship to a subscriber, the Board of Management may, notwith-standing anything contained in these rules, deal with the cases of such subscriber in such manner as may appear to be equitable.

21. Forms for (a) application for advances/part final withdrawal. Final payment of balances in the CPF, (b) sanction for withdrawals, (c) conversion of advances into withdrawals,, (d) general index register, (e) Provident Fund Ledger Folio, (f) Broad Sheet of CPF, (g) Register of Final Payment cases etc. shall be in such form as maybe prescribed for General Provident Fund under Appendix 'A' to Section I.

FORM I

(Referred to In Rule 1.3 of Section I of Appendix 'A')

FORMS OF NOMINATION

(For General/Contributory Provident Fund)

Account No _____

I .....hereby nominate the person(s) mentioned below who is/are member(s)/ non-members of my family as defined in Sub-section (d) of Clause (3) of Statute 23 to receive the amount that may stand to my credit in the Fund as indicated below in the event of my death before that amount has become payable or having become payable has not been paid.

Name & full address of the nominee(s)	Relationships with the subscriber	Age of the nominee(s)	Share payable to each nominee	Contingencies on the happe-ning of which the nomination will become invalid,	Name, address & relation-ship of the person(s) if any to whom the right of nominee shall pass in the event of his her predecessing the subscriber	If the nominee is not a member of the family as provided in Rule 2 indicate the reasons
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Dated this _____ day of _____ 200 _____ at _____

Two witnesses to signature

Name & Address

Signature

1.

2.

Signature of the subscriber _____

Name in Block Letters

Designation_____

(reverse of the Form)

_____Space for use by the Finance Officer

Nomination by Shri/Smt./

Kumari _____

Designation_____

Date of receipt of nomination _____

Accepted

Signature of the Finance Officer _____

Date _____

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FORM II

(Referred in Rule 25.1 of Section III of Appendix 'A')

Nomination for Retirement Gratuity / Death Gratuity

When the employee has a family and wishes to nominate one member, or more than one member, thereof

I.....hereby nominate the person/persons mentioned below who is/are member(s) of my family and confer on him/them the right to receive, to the extent specified below, any gratuity, the payment of which may be authorised by the IGNOU in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death:

Original nominee(s)			Alternate nominee(s)*		
Name & addresses of nominee/ nominees	Relationship with the employee	Age	Amount of share of gratuity to each *	Name, address, relationship and age of the person or persons, if any, to whom the right conferred on the nominee shall pass in the even of the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of gratuity.	Amount or share of gratuity payable to each #
(1)	(2)	(3)	(4)	(5)	(6)

This nomination supersedes the nomination made by me earlier on.....which stands cancelled.

Note— (i) The employee shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

(ii) Strike out which is not applicable.

Dated this.....day of.....200 .....at.....

Witnesses to signature:

1. _____

2. _____ Signature of the employee

(To be filled in by the Registrars Office)

Nomination by _____

Designation_____ Signature of the Registrar

Office_____ Date _____

** This column should be filled in so as to cover the whole amount of gratuity.

The amount/share of gratuity shown in this column should cover the whole amount/share payable to the original nominee(s).

PROFORMA FOR ACKNOWLEDGING THE RECEIPT OF THE NOMINATION FORM BY THE REGISTRAR

To.

Sir,

In acknowledging the receipt of your nomination dated the ...../cancellation, the.....of the nomination made earlier in respect of gratuity in Form ....., I am to state that it has been fully placed on record.

Place: _____ Signature of the Registrar

Dated: _____

Note: The employee is advised that it would be in the interest of his nominees if copies of the nomination and the related notices and acknowledgement are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

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FORM IIA

(Referred in Rule 25.1 of Section III of Appendix 'A')

Nomination for Retirement Gratuity/ Death Gratuity

When the employee has no family and wishes to nominate one person, or more than one person, thereof.

I.....having no family, hereby nominate the person/persons mentioned below and confer on him/them the right to receive, to the extent specified below, any gratuity, the payment of which may be authorised by the IGNOU in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death:

Original nominee(s)			Alternate nominee(s)		
Name & addresses of nominee/nominees	Relationship with the employee	Age	Amount of share of gratuity to each *	Name, address, relationship and age of the person or persons, if any, to whom the right conferred on the nominee shall pass in the even of the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of gratuity.	Amount or share of gratuity payable to each #
(1)	(2)	(3)	(4)	(5)	(6)

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This nomination supersedes the nomination made by me earlier on.....which stands cancelled.

Note— (i) The employee shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

(ii) Strike out which is not applicable.

Dated this.....day of.....200 .....at.....

Witnesses to signature:

1. _____

2. _____ Signature of the employee

(To be filled in by the Registrars Office)

Nomination by _____

Designation_____ Signature of the Registrar

Office_____ Date _____

** This column should be filled in so as to cover the whole amount of the gratuity.

The amount/share of gratuity shown in this column should cover the whole amount/share payable to the original nominee(s).

PROFORMA FOR ACKNOWLEDGING THE RECEIPT OF THE NOMINATION FORM BY THE REGISTRAR

To

Sir,

In ackonwledging the receipt of your nomination dated the ...../ cancellation, the ..... of the nomination made earlier in respect of gratuity in Form ....., I am to state that it has been fully placed on record.

Place: ..... Signature of the Registrar

Dated: .....

Note: The employee is advised that it would be in the interest of his nominees if copies of the nomination and the related notices and acknowledgement are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

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** This column should be filled in so as to cover the whole amount of the gratuity.

The amount/share of gratuity shown in this column should cover the whole amount/share payable to the original nominee(s).

FORM III

(Referred in para 32.10 of Section IV of Appendix 'A')

DETAILS OF FAMILY

Name of the employee

Designation

Date of birth

Date of appointment

Details of the members of my family* as on—

Sl. No.	Name of the member of family*	Date of birth	Relationship with the Officer	Initial of the Head of the Office	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

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I hereby undertake to keep the above particulars up-to-date by notifying to the Head of the Office any addition or alteration.

Dated the ..... Signature of the employee

FORM lV

FORM OF FAMILY PENSION

(See Rule 32.11 of Section IV of Appendix 'A')

Subject: Payment of family pension in respect of the late Shri/Smt .....

The undersigned has learnt with regret the death of Shri/Smt.....

(Designation)

in this University and is directed to inform you that under Clause 32 of Section IV of Appendix A' you are entitled to Family Pension for life/till attaining the date of majority.*

I am accordingly to suggest that formal claim of the grant of family pension may be submitted by you in the enclosed form along with the following documents:

1. Death certificate
2. Two copies of a passport size photograph duly attested by a gazetted officer.
3. Guardianship certificate where pension is admissible to the minor children.

(Designation)

To

_____

_____

_____

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* Where family pension is admissible to the minor children.

MPDD-IGNOU/P.O. - May, 2007

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Print on behalf of Indira Gandhi National Open University, New Delhi by Registrar (MPDD)
Print Production: B. Natarajan, Baldau Dubey, Arvind Kumar, MPDD, IGNOU.
Composed by : Graphic Printers, 204, P. Tower, Mayur Vihar, Ph.-I, Delhi-91
Printed at: M/s Akashdeep Printers