

CODE OF CONDUCT FOR STUDENTS IN UTTARAKHAND SANSKRIT UNIVERSITY

1. PREAMBLE

This Handbook indicates the standard procedures and practices of the Uttarakhand Sanskrit University for all students enrolling with the university for pursuing varied courses. All students must know that it is incumbent upon them to abide by this Code of Ethics and Conduct (hereinafter referred to as the 'Code') and the rights, responsibilities including the restrictions flowing from it. That the University's endeavour by means of enforcing this Code is to pioneer and administer a student discipline process that is egalitarian, conscientious, effectual and expeditious; and providing a system which promotes student growth through individual and collective responsibility. All Students are requested to be well conversant with this Code, which can be also reviewed on the official website of the University

2. JURISDICTION

2.1 The University shall have the jurisdiction over the conduct of the students associated /enrolled with the University and to take cognisance of all acts of misconduct including incidents of ragging or otherwise which are taking place on the University campus or in connection with the University related activities and functions.

2.2 University may also exercise jurisdiction over conduct which occurs off-campus violating the ideal student conduct and discipline as laid down in this Policy and other regulations, as if the conduct has occurred on campus which shall include

- a) Any violations of the Sexual Harassment Policy of the University against other students of the University.
- b) Physical assault, threats of violence, or conduct that threatens the health or safety of any person including other students of the University;
- c) Possession or use of weapons, explosives, or destructive devices off campus
- d) Manufacture, sale, or distribution of prohibited drugs, alcohol etc.
- e) Conduct which has a negative impact or constitutes a nuisance to members of the surrounding off-campus community.

The University, while determining whether or not to exercise such off-campus jurisdiction in situations enumerated hereinabove, the University shall consider the seriousness of the alleged offense, the risk of harm involved, whether the victim(s) are

members of the campus community and/or whether the off campus conduct is part of a series of actions, which occurred both on, and off-campus.

3. Ethics and Conduct

3.1 This Code shall apply to all kinds of conduct of students that occurs on the University premises including in University sponsored activities, functions hosted by other recognized student organizations and any off-campus conduct that has or may have serious consequences or adverse impact on the University's Interests or reputation.

3.2 At the time of admission, each student must sign a statement accepting this Code and by giving an undertaking that

- a) he/she shall be regular and must complete his/her studies in the University.
- b) In the event, a student is forced to discontinue studies for any legitimate reason, such a student may be relieved from the University subject to written consent of the Deans

3.3. University believes in promoting a safe and efficient climate by enforcing behavioural standards. All students must uphold academic integrity, respect all persons and their rights and property and safety of others; etc.

3.4 All students must deter from indulging in any and all forms of misconduct including partaking in any activity off-campus which can affect the University's interests and reputation substantially. The various forms of misconduct include:

3.5 Any act of discrimination (physical or verbal conduct) based on an individual's gender, caste, race, religion or religious beliefs, colour, region, language, disability, or sexual orientation, marital or family status, physical or mental disability, gender identity, etc.

3.6 Intentionally damaging or destroying University property or property of other students and/or faculty members

3.7 Any disruptive activity in a class room or in an event sponsored by the University

3.8 Unable to produce the identity card, issued by the University, or refusing to produce it on demand by campus security guards

3.9 Participating in activities including

3.9.1 Organizing meetings and processions without permission from the University.

3.9.2 Accepting membership of religious or terrorist groups banned by the University/Government of India

3.9.3 Unauthorized possession, carrying or use of any weapon, ammunition, explosives, or potential weapons, fireworks, contrary to law or policy.

3.9.4 Unauthorized possession or use of harmful chemicals and banned drugs

- 3.9.5 Smoking on the campus of the University
- 3.9.6 Possessing, Consuming, distributing, selling of alcohol in the University and/or throwing empty bottles on the campus of the University
- 3.9.7 Parking a vehicle in a no parking zone or in area earmarked for parking other type of vehicles
- 3.9.8 Rash driving on the campus that may cause any inconvenience to others
- 3.9.9 Not disclosing a pre-existing health condition, either physical or psychological, to the Chief Medical Officer which may cause hindrance to the academic progress.
- 3.9.10 Theft or unauthorized access to others resources
- 3.9.11 Misbehaviour at the time of student body elections or during any activity of the University.
- 3.9.12 Engaging in disorderly, lewd, or indecent conduct, including, but not limited to, creating unreasonable noise; pushing and shoving; inciting or participating in a riot or group disruption at the University.
- 3.10 Students are expected not to interact, on behalf of the University, with media representatives or invite media persons on to the campus without the permission of the University authorities.
- 3.11 Students are not permitted to either audio or video record lectures in class rooms or actions of other students, faculty, or staff without prior permission.
- 3.12 Students are not permitted to provide audio and video clippings of any activity on the campus to media without prior permission.
- 3.13 Students are expected to use the social media carefully and responsibly. They cannot post derogatory comments about other individuals from the University on the social media or indulging in any such related activities having grave ramifications on the reputation of the University.
- 3.14 Theft or abuse of the University computers and other electronic resources such as computer and electronic communications facilities, systems, and services which includes unauthorized entry , use, tamper, etc. of University property or facilities, private residences of staff/professors etc. offices, classrooms, computers networks, and other restricted facilities and interference with the work of others is punishable.
- 3.15 Damage to, or destruction of, any property of the University, or any property of others on the University premises.
- 3.16 Indulging in any form of Harassment which is defined as a conduct that is severe and objectively, a conduct that is motivated on the basis of a person's race, colour, national or ethnic origin, citizenship, sex, religion, age, sexual orientation, gender, gender identity, marital status, ancestry,

physical or mental disability, medical condition,

4 If there is a case against a student for a possible breach of code of conduct, then a committee will be formed to recommend a suitable disciplinary action who shall inquire into the alleged violation and accordingly suggest the action to be taken against the said student. . The committee may meet with the student to ascertain the misconduct and suggest one or more of the following disciplinary actions based on the nature of misconduct.

4.1 WARNING- Indicating that the action of the said delinquent student was in violation of the Code and any further acts of misconduct shall result in severe disciplinary action.

4.2 RESTRICTIONS -Reprimanding and Restricting access to various facilities on the campus for a specified period of time.

4.3EXPULSION - Expulsion of a student from the University permanently. Indicating prohibition from entering the University premises or participating in any student related activities or campus residences etc.

4.4 MONETARY PENALTY- May also include suspension or forfeiture of scholarship/fellowship for a specific time period.

4.5SUSPENSION- A student may be suspended for a specified period of time which will entail prohibition on participating in student related activities, classes, programs etc. Additionally, the student will be forbidden to use various University facilities unless permission is obtained from the Competent Authority. Suspension, may also follow by possible dismissal, along with the following additional penalties.

7 ANTI-RAGGING

The University has a coherent and an effective anti-ragging policy in place which is based on the 'UGC Regulation *on Curbing the Menace of Ragging in Higher Educational Institutions, 2009* [hereinafter referred to as the 'UGC Regulations']'.The UGC Regulations have been framed in view of the directions issued by the Hon'ble Supreme Court of India to prevent and prohibit ragging in all Indian Educational Institutions and Colleges.

7.1 Ragging constitutes one or more of the following acts:

- a) any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness any student;
- b) indulging in rowdy or undisciplined activities by any student or students which causes or is likely to cause annoyance, hardship, physical or psychological harm or to raise fear or apprehension thereof in any other student;
- c) asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or

embarrassment so as to adversely affect the physique or psyche of such a student;

- d) any act by a senior student that prevents, disrupts or disturbs the regular academic activity of any student;
- e) exploiting the services of a student for completing the academic tasks assigned to an individual or a group of students;
- f) any act of financial extortion or forceful expenditure burden put on a student by other students;
- g) any act of physical abuse including all variants of it: sexual abuse, stripping, forcing obscene and lewd acts, gestures, causing bodily harm or any other danger to health or person;
- h) any act or abuse by spoken words, emails, post, public insults which would also include deriving perverted pleasure, vicarious or sadistic thrill from actively or passively participating in the discomfiture to any other student ;
- i) any act that affects the mental health and self-confidence of any other student with or without an intent to derive a sadistic pleasure or showing off power, authority or superiority by a student over any other student.

7.2 ANTI-RAGGING COMMITTEE:

The Anti-Ragging Committee, as constituted by the Vice-Chancellor and headed by students affairs advisors shall examine all complaints of anti-ragging and come out with recommendation based on the nature of the incident. The committee shall be headed by students affairs advisors, and can have as its members, the Deans, Student Counselors, Faculty Advisors, Heads of the concerned Department.

7.3 ANTI-RAGGING SQUAD

To render assistance to students, an Anti-Ragging Squad, which is a smaller body, has also been constituted consisting of various members of the campus community. The said Squad shall keep a vigil on ragging incidents taking place in the community and undertake patrolling functions. Students may note that the Squad is active and alert at all times and are empowered to inspect places of potential ragging. The Squad can also investigate incidents of ragging and make recommendations to the Anti-Ragging Committee and shall work under the guidance of the Anti-Ragging Committee.

7.4 A student found guilty by the committee will attract one or more of the following punishments, as imposed by the Anti-Ragging Committee:

- a) Suspension from attending classes and academic privileges.
- b) Withholding/ withdrawing scholarship/ fellowship and other benefits.
- c) Debarring from appearing in any test/ examination or other evaluation process.
- d) Withholding results.
- e) Debarring from undertaking any collaborative work or attending national or international conferences/symposia/meeting to present his/her research work.
- f) Cancellation of admission.

g) Expulsion from the institution and consequent debarring from admission to any other institution for a specified period.

h) In cases where the persons committing or abetting the act of ragging are not identified, the University shall resort to collective punishment.

i) If need be, in view of the intensity of the act of ragging committed, a First Information Report (FIR) shall be filed by the University with the local police authorities.

The Anti-Ragging Committee of the University shall take appropriate decision, including imposition of punishment, depending on the facts and circumstances of each incident of ragging and nature and gravity of the incident of ragging.

7.5 An Appeal against the any of the orders of punishment enumerated hereinabove shall lie to:

i) In case of an order of an institution, affiliated to or constituent part, of the University, to the Vice-Chancellor of the University.

8 STUDENT GRIEVANCE PROCEDURE

Any student of the University aggrieved by any acts of sexual harassment, misconduct or ragging as defined and summarised hereinabove can approach the Students Union at the University. Further, any student who is aware of any violations must report the same to the Cell. The Cell shall consist of members as appointed by the Vice-Chancellor. Said grievance must be in writing and should be made within 60 days from the day of the alleged violation. The Cell shall take cognisance of the grievance and inform the Committee formed to enforce this Code or the Internal Complaints Committee, in cases of any sexual harassment complaints.

10 STUDENT PARTICIPATION IN GOVERNANCE

As Students are members of the University campus, they have a substantial interest in the governance of the University. The Code, policies and the varied procedures laid down herein intends that the principle of student involvement in governance in both administrative and academic areas is essential and it is pivotal that Students must be, at all junctures, be encouraged to put forth their views and advice, for an informed decision making. Student Participation is encouraged and must be strengthened through the involvement of students in all levels. Therefore, all students who are a part of the University and who are going to be enrolled in the University are advised to uphold the policy and inform the University of any violations and assist individually and collectively to improve the quality and effectiveness of this Code and appended policies.

CODE OF CONDUCT FOR TEACHERS IN UTTARAKHAND SANSKRIT **UNIVERSITY**

CODE OF PROFESSIONAL ETHICS

I. TEACHERS AND THEIR RESPONSIBILITIES:

Whoever adopts teaching as a profession assumes the obligation to conduct himself / herself in accordance with the ideal of the profession. A teacher is constantly under the scrutiny of his students and the society at large. Therefore, every teacher should see that there is no incompatibility between his precepts and practice. The national ideals of education which have already been set forth and which he/she should seek to inculcate among students must be his/her own ideals. The profession further requires that the teachers should be calm, patient and communicative by temperament and amiable in disposition.

Teachers should:

- (i) Adhere to a responsible pattern of conduct and demeanour expected of them by the community;
- (ii) Manage their private affairs in a manner consistent with the dignity of the profession;
- (iii) Seek to make professional growth continuous through study and research;
- (iv) Express free and frank opinion by participation at professional meetings, seminars, conferences etc. towards the contribution of knowledge;
- (v) Maintain active membership of professional organizations and strive to improve education and profession through them;
- (vi) Perform their duties in the form of teaching, tutorial, practical, seminar and research work conscientiously and with dedication;
- (vii) Co-operate and assist in carrying out functions relating to the educational responsibilities of the college and the university such as: assisting in appraising applications for admission, advising and counseling students as well as assisting the conduct of university and college examinations, including supervision, invigilation and evaluation; and
- (viii) Participate in extension, co-curricular and extra-curricular activities including community service.

II. TEACHERS AND THE STUDENTS

Teachers should:

- (i) Respect the right and dignity of the student in expressing his/her opinion;
- (ii) Deal justly and impartially with students regardless of their religion, caste, political, economic, social and physical characteristics;
- (ii) Recognize the difference in aptitude and capabilities among students and strive to meet their individual needs;
- (iv) Encourage students to improve their attainments, develop their personalities and at the same time contribute to community welfare;
- (v) Inculcate among students scientific outlook and respect for physical labour and ideals of democracy, patriotism and peace;
- (vi) Be affectionate to the students and not behave in a vindictive manner towards any of them for any reason;
- (vii) Pay attention to only the attainment of the student in the assessment of merit;

- (viii) Make themselves available to the students even beyond their class hours and help and guide students without any remuneration or reward;
- (ix) Aid students to develop an understanding of our national heritage and national goals; and
- (x) Refrain from inciting students against other students, colleagues or administration.

III. TEACHERS AND COLLEAGUES

Teachers should:

- (i) Treat other members of the profession in the same manner as they themselves wish to be treated;
- (ii) Speak respectfully of other teachers and render assistance for professional betterment;
- (iii) Refrain from lodging unsubstantiated allegations against colleagues to higher authorities; and
- (iv) Refrain from allowing considerations of caste, creed, religion, race or sex in their professional endeavour.

IV. TEACHERS AND AUTHORITIES:

Teachers should:

- (i) Discharge their professional responsibilities according to the existing rules and adhere to procedures and methods consistent with their profession in initiating steps through their own institutional bodies and/or professional organizations for change of any such rule detrimental to the professional interest;
- (ii) Refrain from undertaking any other employment and commitment including private tuitions and coaching classes which are likely to interfere with their professional responsibilities;
- (iii) Co-operate in the formulation of policies of the institution by accepting various offices and discharge responsibilities which such offices may demand;
- (iv) Co-operate through their organizations in the formulation of policies of the other institutions and accept offices;
- (v) Co-operate with the authorities for the betterment of the institutions keeping in view the interest and in conformity with dignity of the profession;
- (vi) Should adhere to the conditions of contract;

- (vii) Give and expect due notice before a change of position is made; and
- (viii) Refrain from availing themselves of leave except on unavoidable grounds and as far as practicable with prior intimation, keeping in view their particular responsibility for completion of academic schedule.

V. TEACHERS AND NON-TEACHING STAFF:

- (i) Teachers should treat the non-teaching staff as colleagues and equal partners in a cooperative undertaking, within every educational institution; and
- (ii) Teachers should help in the function of joint staff-councils covering both teachers and the non-teaching staff.

VI. TEACHERS AND GUARDIANS

Teachers should:

- (i) Try to see through teachers' bodies and organizations, that institutions maintain contact with the guardians, their students, send reports of their performance to the guardians whenever necessary and meet the guardians in meetings convened for the purpose for mutual exchange of ideas and for the benefit of the institution.

VII. TEACHERS AND SOCIETY

Teachers should:

- (i) Recognize that education is a public service and strive to keep the public informed of the educational programmes which are being provided;
- (ii) Work to improve education in the community and strengthen the community's moral and intellectual life ;
- (iii) Be aware of social problems and take part in such activities as would be conducive to the progress of society and hence the country as a whole;
- (iv) Perform the duties of citizenship, participate in community activities and shoulder responsibilities of public offices;
- (v) Refrain from taking part in or subscribing to or assisting in any way activities which tend to promote feeling of hatred or enmity among different communities, religions or linguistic groups but actively work for National Integration.

THE UTTARAKHAND GOVERNMENT SERVANTS' CONDUCT RULES, 2002

1. Short title--

These rules may be called the Uttarakhand Government Servants' Conduct Rules, 2002.

2. Definition--

In these rules unless the context otherwise requires--

(a) "Government" means the Government of Uttarakhand;

(b) "Government servants" means a such public servant who is appointed to public services and posts in connexion with the affairs of the State of Uttarakhand.

Explanation--A Government servant whose services are placed at the disposal of a company, a corporation, an organization, a local authority, the Central Government or the Government of another State by the Uttarakhand Government, shall, for the purposes of these rules be deemed to be a Government servant notwithstanding that his salary is drawn from sources other than from the consolidated Fund of Uttarakhand;

(c) "member of the family" in relation to government servant, includes--

(i) The wife, son, step-son, unmarried daughter, or unmarried stepdaughters of such Government servant whether residing with him or not, and, in relation to a Government servant who is a woman, the husband residing with her and dependent on her, and

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(ii) Any other person related, whether by blood or by marriage, to the Government servant or to such Government servant's wife or her husband, and wholly dependent on such Government servant:

But does not include a wife or husband legally separated from the Government servant or a son, step-son, unmarried daughter or unmarried step-daughter who is not longer, in any way dependent upon him or her, or of whose custody, the Government servant has been deprived by law.

3. General--

(1) Every Government servant shall at all times maintain absolute integrity and devotion to duty.

(2) Every Government servant shall at all times conduct himself in accordance with the specific or implied orders of Government regulating behaviour and conduct which may be in force.

(3) Prohibition of sexual harassment of working women--

(i) No Government servant shall indulge himself in any sexual harassment to any women at his working place.

(ii) Every Government servant, who is the In-charge of a working place, will take suitable steps to stop sexual harassment of women.

Explanation--For the purpose of this rule the sexual harassment includes such un-welcome sexually determined behaviour (whether directly or by implication) as--

(a) Physical contact and advances,

- (b) Demand or request for sexual favours,
 - (c) Sexually coloured remarks,
 - (d) Showing pornography,
 - (e) Any other un-welcome physical, verbal or non-verbal conduct of sexual nature.
- (4) No Government servant will employ the children below the age of fourteen years as domestic help.

4. Equal treatment for all--

- (1) every Government servant shall accord equal treatment to people irrespective of their caste, sect or religion.
- (2) No Government servant shall practice untouchability in any form.

4-A. Consumption of intoxicating drinks and drugs--

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A Government servant shall--

- (a) strictly abide by any law relating to intoxicating drinks or drugs in force, in any area in which he may happen to be for the time being;
- (b) not be under the influence of any intoxicating drinks or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drinks or drug;
- (c) refrain from consuming any intoxicating drink or drug in a public place;
- (d) not appear in a public place in a state of intoxication;
- (e) not use any intoxication drink or drug to excess.

Explanation 1--For the purposes of this rule, 'public place' means any place or premises (including a conveyance) to which the public have, or are permitted to have access, whether on payment or otherwise.

Explanation 2--Any club--

- (a) which admits persons other than Government servants as members; or
- (b) The member of which are allowed to invite non-members as guests thereto even though the membership is confined to Government servants, shall also, for purposes of Explanation--1, be deemed to be a place to which the public have or are permitted to have access.

5. Taking part in politics and elections--

- (1) No Government servant shall be a member of, or be otherwise associated with, any political party or any organization which takes part in politics, nor shall he take part in, subscribe in aid or, or assist in any other manner, any movement or organization which is, or tends directly or indirectly to be, subversive of the Government as by law established.

Illustration

XYZ are political parties in the State.

X is the part in power and forms the Government of the day.

A is a Government servant.

The prohibitions of the sub-rule apply to A in respect of all parties, including X, which is the part in power.

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- (2) It shall be the duty of every Government servant to endeavour to prevent

any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly, to be, subversive of the Government as by law established and where a Government servant fails to prevent a member of his family from taking part in, or subscribing in aid of, or make report to that effect to the Government.

Illustration

A is a Government servant.

B is a member of the family of A, as defined in rule 2 (c).

M is a movement or activity, which is, or tends directly or indirectly to lie, subversive of Government as law established.

A becomes aware that B's association with M is objectionable under the provisions of the sub-rule. A should prevent such objectionable association of B. If A fails to prevent such association of B, he should report the matter to the Government.

If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Government thereon shall be final.

(3) No Government servant shall canvass or otherwise interfere or use his influence in connection with, or take part in, an election to any legislature or local authority :

Provided that--

(i) A Government servant qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;

(ii) A Government servant shall not be deemed to have contravened the provisions of this rule by reasons only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

Explanation--The display by a Government servant on his persons, vehicle, or residence, of any electoral symbol shall amount to using his influence in connection with an election within meaning of sub-rule (4).

5-A. Demonstration and strikes--

No Government servant shall--

(1) engage himself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence, or

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(2) resort to, or in any way abet, any form of strike in connection with any matter pertaining to his service or the service of any other Government servant.

5-B. Jointing of association by Government servant--

No Government servant shall join, or continue to be a member of an association the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India or public order or morality.

6. Connection with press or radio--

(1) No Government servant shall, except with the previous sanction of the Government, own wholly or in part or conduct or participate in editing or managing of any newspaper or other periodical publication.

(2) No Government servant shall, except with the previous sanction of the Government, or any other authority empowered by it in this behalf, or in the *bona fide* discharge of his duties, participate in a radio broadcast or contribute any article or write any letter, either anonymously or in his own name or in the name of any other person to any newspaper or periodical :

Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary, artistic or scientific character.

7. Criticism of Government--

No Government servant shall, in any radio broadcast or in any document published anonymously or in his own name, or in the name of any other person, or in any communication to the Press, or in any public utterance, make any statement of fact or opinion--

(1) which has the effect of any adverse criticism of any decision of his supervisor officers or of any current or recent policy or action of the Uttarakhand Government or the Central Government or the Government of any other State or a local authority; or

(2) which is capable of embarrassing the relation between the Uttarakhand Government and Central Government or the Government of any other States; or

(3) which is capable of embarrassing the relations between the Central Government and the Government of any other foreign States :

Provided that nothing in this rule shall apply to any statement made or views expressed by a Government servant in his official capacity or in the due performance of the duties assigned to him.

Illustration

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(1) A, a Government servant is dismissed from service by the Government. It is not permissible for B, another Government servant, to say publicly that the punishment is wrongful, excessive or unjustified.

(2) A public officer is transferred from station A to station B. No Government servant can join the agitation for the retention of the public officer at station A.

(3) It is not permissible for a Government servant to criticise publicly the policy of Government on such matters as the price of sugarcane fixed in any year, nationalization of transport, etc.

(4) A Government servant cannot express any opinion on the rate of duty imposed by the Central Government on specified imported goods.

(5) A neighboring State lays claim to a tract of land lying on the border of Uttarakhand. A Government servant cannot publicly express any opinion on the claim.

(6) It is not permissible for a Government servant to publish any opinion on the decision of foreign State to terminate the concessions given by it to the nationals of another State.

8. Evidence before committee or any other authority--

(1) Save as provided in sub-rule (3) no Government servant shall, except with the previous sanction of the Government, give evidence in connection with any inquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under sub-rule (1) no Government servant giving such evidence shall criticise the policy of the Uttarakhand Government, the Central Government or any other State Government.

(3) Nothing in the rule shall apply to--

(a) evidence given at an inquiry before an authority appointed by the Government, by the Central Government, by the Legislature of Uttarakhand or by Parliament, or

(b) evidence given in any judicial inquiry.

9. Unauthorised communication of information--

No Government servant shall except in accordance with any general or special order of the Government or in the performance, in good faith, of the duties assigned to him, communicate, directly or indirectly, any official document of information to any Government servant or any other person to whom he is not authorised to communicate such document or information.

Explanation--Quotation by a Government servant in his representation to his official superior, of or from the notes in any file shall amount to unauthorised communication of information within the meaning of this rules.

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10. Subscription--

Government servant may, with the previous sanction of the Government, ask for, or accept or participate in the raising of a subscription or other pecuniary assistance for a charitable purpose connected with medical relief, education or other object of public utility; but it shall not be permissible for him to ask for subscription, etc. for any other purpose whatsoever.

Illustration

A Government servant may, with the previous sanction of the Government raise subscription for the boring of a tube-well for the use of the public or for the construction or repair of a public ghat.

11. Gifts--

A Government servant shall not without previous approval of the Government--

(a) accept directly or indirectly on his own behalf or in behalf of any other persons, or

(b) permit any member of his family who is dependent on him to accept any gift, gratuity or reward from any person other than a close relation :

Provided that he may accept or permit any member of his family to accept from a personal friend a wedding present or a present on a ceremonial occasion of a value not exceeding Rs. 1000. All Government servants shall, however, use their best endeavour to discourage even the tender of such presents.

Illustration

The citizens of a town decide to present to a Sub-divisional Officer, a watch exceeding Rs. 1000 in value in appreciation of the services rendered by

him during the flood, A can not accept the present without the previous approval of Government.

11--A. No Government servant shall--

- (1) give or take or abet the giving or taking of dowry; or
- (2) demand directly or indirectly from the parents or guardians of a bride or bridegroom, as the case may be, any dowry.

Explanation--for the purposes of this rule, the word “dowry has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961)”.

12. Public demonstrations in honour of Government servants--

No Government servant shall, except with the previous sanction of the Government, receive any complimentary or valedictory address, or accept any
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testimonial or attend any meeting or public entertainment held in his honour, or in the honour of any other Government servant :

Provided that nothing in this rule shall apply to a farewell entertainment of a substantially private or informal character and held in honour of a Government servant on the occasion of his retirement for transfer or of any person who has recently quitted service of the Government.

Illustration

A, a Deputy Collector, is due to retire, B, another Deputy Collector in the district, may give a dinner in honour of A to which selected persons are invited.

13. Private trade or employment--

No Government servant shall, except with the previous sanction of the Government, engage directly or indirectly in any trade business or undertake any employment :

Provided that a Government servant may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer and that he informs his Head of Department, and when he is himself the Head of the Department, the Government, within one month of his undertaking such work; but he shall not undertake or shall discontinue, such work if so directed by the Government.

The permission to write and publish books and accept royalty therefore, in the case of publication of works other than those of purely literary, artistic or scientific character, will henceforth be granted on the following condition :--

- (1) The book does not bear the imprimatur of Government.
- (2) The author's name appears in the first page of the book without his official designation. There may, however, be no objection to the official designation to be given on the dustcover where the author is introduced to the public.
- (3) The author gives a statement under his name on the first page of the book or at any other suitable place, that the author's views and comments in the book are entirely the responsibility of the author and Government are in no way concerned with the publication of the book.
- (4) The author should also ensure that the book does not contain any statement of fact or opinion which has any adverse criticism of any current or recent policy or action of the State Government or Central Government or

Government of any other State or local authority.

(5) Government servants can be permitted to accept royalty both in lump sum or on a continuing basis on the sale-proceeds of the book written by them; provided that if--

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(a) (i) The book is written solely with the aid of the knowledge acquired in the course of service; or

(ii) The book is a mere compilation of Government rules, regulations or procedures.

The author (Government servant) should be required, unless the Government, by special order, otherwise directs to credit to the general revenues one-third of the income if it is in excess of Rs. 2500 or if the income is a recurring one, it is in excess of Rs. 2500 per annum.

(b) (i) The book is written with the aid of knowledge acquired by the Government servant in the course of his service, but it is not a mere compilation of Government rules, regulations or procedures, but reveals the author's scholarly study of the subject; or

(ii) The work neither has nor is likely to have any connection with the author's official position;

No part of the income recurring or non-recurring derived by him from the sale-proceeds or royalties of the book need be credited to the general revenues.

2--It has also been decided that sanction of Government is not necessary under Rule 13 of the Uttarakhand Government Servants Conduct Rules, 2002, for publication by Government servants of works of literary, artistic or scientific character which are not aided by his official duties and the acceptance of royalty on percentage basis is not proposed. Government servant should, however, ensure that the publication strictly confirm to the conditions mentioned in Para 1 above and do not infringe the provisions of the Government Servants Conduct Rules.

3--Prior sanction of Government should, however, be taken in all cases where continuing royalty is proposed. In granting such permission the possibility of the work being prescribed as a textbook and the misuse of official position arising from such an event should also be considered.

14. Registration, promotion and management of companies--

No Government servant shall, except with the previous sanction of the Government, take part in the registration, promotion or management of any bank or other company registered under the Indian Companies Act, 1913, or under any other law for the time being in force :

Provided that a Government servant may take part in the registration.

Promotion or management of a co-operative society registered under the Cooperative Societies Act, 1912 (Act II of 1912), or under any other law for the time being in force, or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (Act XXI of 1860), or under any corresponding law in force :

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Provided further that, if a Government servant attend any bigger cooperative society or body as a delegate of any co-operative society, he will not seek election for any post of that bigger society or body. He may take part in such election only for purposes of casting his vote.

15. Insurance business--

A Government servant shall not permit his wife or any other relative who is either wholly dependent on him or is residing with him, to act as an insurance agent in the same district in which he is posted.

16. Guardianship of minors--

A Government servant may not, without the previous sanction of the appropriate authority, act as a legal guardian of the person or property of minor other than his dependent.

Explanation 1--A dependent for the purpose of this rule means a Government servant's wife, children and step-children and children's children and shall also include his parents, sisters, brothers, brother's children and sister's children if residing with him and wholly dependent upon him.

Explanation 2--Appropriate authority for the purpose of this rule shall be as indicated below :--

For a Head of Department, The State Government
Divisional Commissioner of a Collector

For a District Judge The Administrative Judge of the High
Court

For other Government servants The Head of the Department
concerned.

17. Action in respect of a relation--

(1) Where a Government servant submits any proposal or opinion or takes any other action, whether for or against any individual related to him, whether the relationship be distant or near, he shall with every such proposal, opinion or action, expressly state whether the individual is or is not related to him, and if so related the nature of the relationship.

(2) Where a Government servant has by any law, rule or order in force power of deciding finally any proposal, opinion or any other action, and that proposal, opinion or action is in respect of an individual related to him, whether the

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relationship be distant or near and whether that proposal, opinion or action affects the individuals favourably or otherwise he shall not take a decision, but shall submit the case to his superior officer after explaining the reasons and the nature of relationship.

18. Speculation--

(1) No Government servant shall speculate in any investment.

Explanation--the habitual purchase or sale of securities of a notoriously fluctuating value shall be deemed to be speculation in investments within the meaning of this rule.

(2) If any question arise whether a security or investment is of the nature referred to in sub-rule (1), the decision of the Government thereon shall be final.

19. Investments--

(1) No Government servant shall make, or permit his wife or any member of his family to make any investment likely to embarrass or influence him in the discharge of his official duties.

(2) If any question arises whether a security or investment is of the nature referred to above; the decision of the Government thereon shall be final.

Illustration

A District Judge shall not permit his wife, or son, to open a cinema house or to purchase a share therein, in the district where he is posted.

20. Lending and borrowing--

(1) No Government servant shall, except with the previous sanction of the appropriate authority, lend money to any person possessing land or valuable property within the local limits of his authority, or at interest to any person :
Provided that a Government servant may make an advance of pay to a private servant, or give a loan of a small amount free of interest to the personal friend or relative, even if such person possess land within local limits of his authority.

(2) No Government servant shall save in the ordinary course of business with a bank, co-operative society or a firm of standing borrow money from, or otherwise place himself under pecuniary obligation to any person within the local limits of his authority, nor shall he permit any member of his family except with the previous sanction of the appropriate authority to enter into any such transaction :

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Provided that a government servant may accept a purely temporary loan of small amount free of interest, from a personal friend or relative or operate a credit account with a *bona fide* tradesman.

(3) When a Government servant is appointed or transferred to a post of such a nature as to involve him in the breach of any of the provisions of sub-rule (1) or sub-rule (2), he shall forthwith report the circumstance to the appropriate authority, and shall thereafter act in accordance with such orders as may be passed by the appropriate authority.

(4) The appropriate authority in the case of Government servants who are gazetted officers shall be the Government and in other cases the Head of the Office.

21. Insolvency and habitual indebtedness--

A Government servant shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Government servant who becomes the subject of legal proceedings for insolvency shall forthwith report the full facts to the Head of the Office or department in which he is employed.

22. Movable, immovable and valuable property--

(1) No Government servant shall, except with the previous knowledge of the appropriate authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family :

Provided that any such transaction conducted otherwise than through a

regular and reputed dealer shall require the previous sanction of the appropriate authority.

Illustration

A, a Government servant, proposes to purchase a house. He must inform the appropriate authority of the proposal. If the transaction is to be made otherwise than through a regular and reputed dealer, A must also obtain the previous sanction of the appropriate authority. The same procedure will be applicable if A proposes to sell his house.

(2) A Government servant who enters into any transaction concerning any movable property exceeding in value, the amount of his pay for one month or rupees five thousand, whichever is less, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the appropriate authority : Provided that no Government servant shall enter into any such transaction except with or through a reputed dealer or agent of standing, or with the previous sanction of the appropriate authority.

Illustration

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(i) A, a Government servant whose monthly pay Rs. 600 purchases a tape recorder for Rs.700, or

(ii) B, a Government servant whose monthly pay is Rs. 2000 sells a car for Rs. 1500. In either case A or B must report the matter to the appropriate authority. If the transaction is made otherwise than through a reputed dealer must also obtain the previous sanction of the appropriate authority.

(3) At the time of first appointment and thereafter at intervals of five years, every Government servant shall make to the appointing authority through the usual channel, a declaration of all immovable property, owned, acquired or inherited by him or held by him on lease or mortgage, and of shares, and other investments, which may, from time to time be held or acquired by him or by his wife or by any member of his family living with, or in any way dependent upon him. Such declarations should state the full particulars of the property, shares and other investments.

(4) The appropriate authority may, at any time, by general or special order, require a Government servant to submit within a period specified in the order a full and complete statement of such movable, immovable property held or acquired by him or by any member of his family as may be specified in the order. Such statement shall, if so required by the appropriate authority, include details of the means by which or the source from which such property was acquired.

(5) The appropriate authority--

(a) in the case of a Government servant belonging to the State service, shall for purposes of sub-rules (1) and (4), be the Government and for sub-rule (2), the Head of the Department.

(b) In the case of other Government servants, for the purposes of subrule (1) to (4) shall be the Head of the Department.

23. Vindication of acts and character of Government servants--

No Government servant shall, except with the previous sanction of the

Government, have recourse (E) to the press for the vindication of any official act which has been the subject-matter of adverse criticism or an attack of defamatory character.

Explanation--Nothing in this rule shall be deemed to prohibit a Government servant from vindicating his private character or any act done by him in private capacity.

24. Canvassing of non-official or other outside influence--

No Government servant shall bring or attempt to bring whether himself personally or through a member of his family, any political or other outside influence to bear upon any question relating to him interest in respect of matters pertaining to his service.

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Explanation--Any act done by the wife or husband, as the case may be, or any member of the family of a Government servant and falling within the purview of this rule, shall be presumed to have been done at the instance, or with the connivance of the Government servant concerned, unless the contrary shall have been proved.

Illustration

A is a Government servant and B a member of the family of A, C is a political party and D is an organization under C. B gained sufficient prominence in C and become an office bearer of D. Through D, B started sponsoring the cause of A to the extent that B sponsored some resolutions against as official superiors. This action which will be in violation of the provisions of the above rule on the part of B shall be presumed to have been done by B at the instance, or with connivance of A unless A is able to prove that this was not so.

24-A. "A Representation by Government servant--

No Government servant shall, whether personally or through a member of his family, make any representation to Government or any other authority except through the proper channel and in accordance with such directions as the Government may issue from time to time. The explanation to rule 24 shall apply to this rule also."

25. Unauthorized pecuniary arrangements--

No Government servant shall enter into any pecuniary arrangement with another Government servant or any other person so as to afford any kind or advantage to either or both of them in any unauthorized manner or against the specific, or implied, provisions of any rule for the time being in force.

Illustration

(1) A is a senior clerk in an office and is due for officiating promotion. A is diffident of discharging his duties satisfactorily in the officiating post. B, a junior clerk, privately offers for a pecuniary consideration to help A. A and B accordingly enter into pecuniary arrangements. Both would thereby infringe the rule.

(2) If, A the Superintendent of an office proceeds on leave, B, the senior most assistant in the office, will be given a chance to officiate. If A proceeds on leave after entering into arrangement with B for a share in the officiating allowance,

A and B both would commit a breach of the rule.

26. Bigamous marriages--

(1) No Government servant who has a wife living, shall contract another marriage without first obtaining the permission of the Government, notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.

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(2) No female Government servant shall marry any person who has a wife living without first obtaining the permission of the Government.

27. Proper use of amenities--

No Government servant shall misuse or carelessly use, amenities provided for him by the Government to facilitate the discharge of his public duties.

Illustration

Among the amenities provided to Government servant are cars, telephones, residences, furniture, orderlies, article of stationery, etc. Instances of misuse or careless use of these are--

- (1) Employment of Government cars at Government expense by members of the family of the Government servant or his guests, or for other non-Government work,
- (2) Making telephone trunk calls at Government expense on matters not connected with official work,
- (3) Neglect of Government residences and furniture and failure to maintain them properly, and
- (4) Use of Government stationery for non-official work.

28. Payment for purchases--

Unless payment by instalments is customary, or specially provided, or a credit account is maintained with a *bona fide* tradesman, no Government servant shall withhold prompt and full payment for the article purchased by him whether the purchases are made on tour or otherwise.

29. Use of services without payment--

No Government servant shall without making proper and adequate payment, avail himself of any service or entertainment for which a hire or price or admission fee is charged.

Illustration

Unless specifically prescribed as part of duty, a Government servant shall not--

- (1) travel free of charge in any plying for hire.
- (2) see a cinema show without paying the admission fee.

30. Use conveyances belonging to other--

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No Government servant shall, except in exceptional circumstances, use a conveyance belonging to a private person or Government servant who is subordinate to him.

31. Purchases through subordinates--

No Government servant shall himself ask or permit his wife, or any other member of his family living with him to ask any Government servant who is

subordinate to him, to make purchases, locally or from outstation on behalf of him, his wife or other member of his family, whether on advance payment or otherwise :

Provided that this rule shall not apply to the purchases which the inferior staff attached to the Government servant may be required to make.

Illustration

A is a Deputy Collector.

B is a Tahsildar under the Deputy Collector.

A should not allow his wife to ask B to have cloth purchased for her.

32. Interpretation--

If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

33. Repeal and saving--

Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to Government servant under the control of the Government of Uttarakhand are hereby repealed :

Provided that an order made or action taken under the rules repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

Constitution of the Executive Council. - (1) The Executive Council shall consist of -

(a) the Vice-Chancellor, who shall be the Chairman thereof;

(b) the Pro-Vice-Chancellor, if any;

(c) the Deans of two Faculties, by rotation in the manner prescribed;

[(cc) two members from amongst the Professors or Readers belonging to the Scheduled Castes or Scheduled Tribes and two members from amongst the Professors or Readers belonging to other backward classes of citizen;]

[(d) in the case of Universities of Kumaun and Bundelkhand and the Doctor Bhimrao Ambedkar University, Agra, the Chhatrapati Shahu Ji Maharaj University, Kanpur, the Hemvati Nandan Bahuguna Garhwal University, the Chaudhary Charan Singh University, Meerut, the Doctor Ram Manohar Lohia Avadh University, Faizabad and the Mahatma Jyotiba Phule Rohikhand University, Bareilly, -

(i) one Professor other than the Pro-Vice-Chancellor or a Dean referred to in clause (c) above, one Reader and one Lecturer of the University to be selected in the manner prescribed;

(ii) three Principals and two other teachers of affiliated colleges, to be selected in the manner prescribed;

and in the case of any other University notified under sub-section (1) of Section 37, four Principals and four other teachers of affiliated colleges to be selected in the manner prescribed;

(dd) in the case of the Deen Dayal Upadhaya Gorakhpur University, Gorakhpur, -

(i) one Professor other than the Pro-Vice-Chancellor or a Dean referred to in clause (c) above, one Reader and one Lecturer of the University to be selected in the manner prescribed;

(ii) one representative of Maharana Pratap Shiksha Parishad, Gorakhpur to be elected by the said parishad from amongst its members;

(iii) three Principals and two other teachers of affiliated colleges, to be selected in the manner prescribed;]

(e) in the case of University mentioned in or notified under sub-section (1) of Section 38

-

(i) two Professors [other than the Pro-Vice-Chancellor or a Dean referred to in clause (c) above], two Readers and two lecturers of the University, to be selected in the manner prescribed;

(ii) one Principal of an associated college to be selected in the manner prescribed;

(f) Four persons to be elected by members of the Court from among such of them as are not enrolled as students of or in the service of the University or an Institute or of a constituent college or an affiliated or associated college or hall or hostel;

(g) four persons of academic eminence to be nominated by the Chancellor;

[Provided that one of the persons so nominated shall be a person who is or has been a Judge of the Supreme Court or High Court.]

[(h) one person, from amongst the reputed industrialists who have made valuable contribution in the field of Higher Education to be nominated by the State Government;]

[(2) The term of office of members mentioned in -

(i) clauses (c), [(cc),] (d) and (e) of sub-section (1) shall be one year;

(ii) clause (f) of sub-section (1) shall be three years; and

(iii) [clause (g) or clause (h)] of sub-section (1) shall be two years.]

(3) No person shall be a member of the Executive Council under clause (f) or clause (g) [or clause (h)] of sub-section (1) for more than two consecutive terms.

(4) Notwithstanding anything in sub-section (1), no person shall be elected or nominated as a member of the Executive Council unless he is a graduate.

(5) A person shall be disqualified for being chosen as, and for being, a member of the Executive Council if he or his relative accepts any remuneration for any work in or for the University or any contract for the supply of goods to or for the execution of any work for the University :

Provided that nothing in this sub-section shall apply to the acceptance of any remuneration by a teacher as such or for any duties performed in connection with an examination conducted by the University or for any duties as Superintendent or Warden of a training unit or any hall or hostel or proctor or tutor for any duties of a similar nature in relation to the University.

Explanation. - In this section 'relative' means the relations defined in Section 6 of the Companies Act, 1956 and includes the wife's (or husband's) brother, wife's (or husband's) father, wife's (or husband's) sister, brother's son and brother's daughter.

21. Powers and duties of Executive Council. - (1) The Executive Council shall be the principal executive body of the University and subject to the provisions of this Act, have the following powers, namely -

(i) to hold and control the property and funds of the University;

- (ii) to acquire or transfer any movable or immovable property on behalf of the University;
- (iii) to make, amend or repeal Statutes and Ordinances;
- (iv) to administer any funds placed at the disposal of the University for specific purposes;
- (v) to prepare the budget of the University;
- (vi) to award scholarship, fellowships, bursaries, medals and other rewards in accordance with the Statutes and Ordinances;
- (vii) to appoint officers, teachers and other employees of the University and to define their duties and the conditions of their service, and to provide for the filling of temporary casual vacancies in their posts;
- (viii) [* * *] to fix the fees, emoluments and travelling and other allowances of the examiners;
- (ix) [Subject to the provisions of Section 37] to admit any college to the privileges of affiliation or recognition or enlarge the privileges of any college already affiliated, recognised or withdraw or curtail any such privilege;
- (x) to arrange for and direct the inspection of Institute, affiliated, associated or constituent colleges, halls, hostels and other places of residence of students;
- (xi) to direct the form and use of the common seal of the University;
- (xii) to regulate and enforce discipline among members of the teaching, administrative and other staff of the University in accordance with the Statutes and the Ordinances;
- (xiii) to manage and regulate the finances, accounts, investments, property, business and all other Administrative affairs of the University, and for that purpose, to appoint such agents as it may think fit;
- (xiv) to invest any money belonging to the University (including any income from trust and endowed property) in such stocks, funds, shares or securities as it shall from time to time think fit or in the purchase of immovable property in India, with the like power of varying such investment from time to time;
- (xv) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;
- (xvi) to enter into, vary, carry out, and cancel contracts on behalf of the University;

(xvii) to regulate and determine all other matters concerning the University as well as Institutes, constituent, affiliated and associated colleges in accordance with this Act, the Statutes and the Ordinances.

(2) No immovable property of the University shall, except with the prior sanction of the State Government, be transferred (except by way of letting from month to month in the ordinary course of management) by the Executive Council by way of mortgage, sale, exchange, gift or otherwise nor shall any money be borrowed, or advance taken on the security thereof except as a condition of receipt of any grant-in-aid of the University from the State Government, or, with the previous sanction of the State Government, from any other person.

(3) No expenditure in respect of which approval of the State Government is required by this Act or the Statutes or Ordinances shall be incurred except with such approval previously obtained, and no post shall be created either in the University or in any Institute or constituent college maintained by the University except with the prior approval of the State Government [or except in accordance with any general or special order of the State Government.]

[(3A) The Executive Council may, with the prior approval of the University Grants Commission and the State Government create supernumerary post of teacher of the University with a view to enabling a teacher who is for the time being holding a responsible position of national importance in India or abroad in educational administration or other similar assignments, to retain his lien and seniority as such teacher and also to continue to earn increments in his pay scale during the period of his assignment and to contribute towards provident fund and earn retirement benefits, if any, in accordance with the Statutes :

Provided that no salary shall be payable to such teacher by the University for the period of such assignment.]

(4) The pay and other allowances to various categories of the employees of the University or of any Institute or constituent college or affiliated or associated college shall be such as may be approved by the State Government.

(5) The Executive Council shall not exceed the limits of recurring and nonrecurring expenditure to be incurred in each financial year fixed by the Finance Committee.

(6) The Executive Council shall not take any action in regard to the number, qualifications and emoluments of teachers, and the fees payable to examiners, except after considering the advice of the Academic Council and the Boards of Faculties concerned.

(7) The Executive Council shall give due consideration to every resolution of the Court, and take such action thereon as it shall deem fit and report to the Court, the action taken or, as the case may be, the reasons for non-acceptance of the resolution.

(8) The Executive Council may, subject to any conditions laid down in the Statutes, delegate such of its powers as it deems fit to an officer or any other authority of the University, or to a Committee appointed by it.

The Vice-Chancellor. - (1) The Vice-Chancellor shall be whole-time salaried officer of the University and shall be appointed by the Chancellor except as provided by sub-section (5) or sub-section (10) from amongst the persons whose names are submitted to him by the Committee constituted in accordance with the provisions of sub-section (2).

(2) The Committee referred to in sub-section (1) shall consist of the following members, namely -

(a) one person (not being a person connected with the university, an Institute, a constituent college, an associated or affiliated college or a hall or hostel) to be elected by the Executive Council [at least three months before the date on which a vacancy in the office of the Vice-Chancellor is due to occur by reason of expiry of his term];

(b) one person who is or has been a Judge of the High Court of Judicature at Allahabad including the Chief Justice there of nominated by the said Chief Justice; and

(c) one person to be nominated by the Chancellor who shall also be the convenor of the Committee :

[Provided that where the Executive Council fails to elect any person in accordance with clause (a), then the Chancellor shall nominate in addition to the person nominated by him under clause (c), one person in lieu of the representative of the Executive Council.]

(3) The Committee, shall, as far as may be, at least sixty days before the date on which a vacancy in the office of the Vice-Chancellor is due to occur by reason of expiry of term or resignation under sub-section (7), and also whenever so required and before such date as may be specified by the Chancellor; submit to the Chancellor the names of not less than three and not more than five persons suitable to hold the office of the Vice-Chancellor. The Committee shall, while submitting the names, also forward to the Chancellor a concise statement showing the academic qualifications and other distinctions of each of the persons so recommended, but shall not indicate any order of preference.

(4) Where the Chancellor does not consider any one or more of persons recommended by the Committee to be suitable for appointment as Vice-Chancellor or if one or more of the persons recommended is or, are not available for appointment and the choice of the Chancellor is restricted to less than three persons, he may require the Committee to submit a list of fresh names in accordance with sub-section (3).

(5) If the Committee in the case referred to in sub-section (3) or sub-section (4) fails or is unable to suggest any names within the time specified by the Chancellor, [or if the Chancellor does not consider any one or more of the fresh names recommended by the committee to be suitable for appointment as Vice-Chancellor] another Committee consisting of three persons of academic eminence shall be constituted by the Chancellor which shall submit the names in accordance with sub-section (3).

(6) No act or proceeding of the Committee shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

[(7)(a) Only such person shall be eligible for appointment to the office of Vice-Chancellor who has not attained the age of 65 years;

(b) The Vice-Chancellor shall hold office for a term of three years from the date he enters upon his office or till he attains the age of sixty-eight years whichever is earlier;

(c) The Vice-Chancellor who has not attained the age of sixty-five years may be appointed as such for second term :

Provided that the Vice-Chancellor may, by writing under his hand addressed to the Chancellor, resign his office, and shall cease to hold his office on the acceptance by the Chancellor of such resignation.]

(8) Subject to the provisions of this Act, the emoluments and other conditions of service of the Vice-Chancellor shall be such as may be determined by the State Government by general or special order in that behalf.

(9) The Vice-Chancellor shall not be entitled to the benefit of any pension, insurance or provident fund constituted under Section 33 :

[Provided that when any teacher or other employee of any University or any affiliated or associated college is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the provident fund to which he is a subscriber and the contribution of the University shall be limited to what it had been contributing immediately before his appointment as Vice-Chancellor.]

(10) In any of the following circumstances (of the existence of which the Chancellor shall be the sole Judge), the Chancellor may appoint any suitable person to the office of Vice-Chancellor for a term not exceeding six months as he may specify -

(a) where a vacancy in the office of Vice-Chancellor occurs or is likely to occur by reason of leave or any other cause, not being resignation or expiry of term of which a report shall forthwith be made by the Registrar to the Chancellor;

(b) where a vacancy in the office of Vice-Chancellor occurs and it cannot be conveniently and expeditiously filled in accordance with the provisions of sub-sections (1) to (5);

(c) any other emergency :

Provided that the Chancellor may, from time to time, extend the term of appointment of any person to the office of Vice-Chancellor under this sub-section so however, that the total term of such appointment (including the term fixed in the original order) does not exceed one year.

(11) Until a Vice-Chancellor appointed under sub-section (1) or sub-section (5) or sub-section (10) assumes office, the Pro-Vice-Chancellor,, if any, or where there is no Pro-Vice-Chancellor, the senior most Professor of the University in the case of the University of Gorakhpur and any University mentioned in or specified under Section 38, or the seniormost Principal of an affiliated college in the case of any other University shall discharge the duties of the Vice-Chancellor as well.

[(12) If in the opinion of the Chancellor, the Vice-Chancellor wilfully omits or refuses to carry out the provisions of this Act or abuses the powers vested in him, or if it otherwise appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interest of the University, the Chancellor may, after making such inquiry as he deems proper, by order, remove the Vice-Chancellor.

(13) During the pendency or in contemplation, of any inquiry referred to in sub-section (12) the Chancellor may order that till further orders -

(a) such Vice-Chancellor shall refrain from performing the functions of the office of Vice-Chancellor, but shall continue to get the emoluments to which he was otherwise entitled under sub-section (8);

(b) the functions of the office of the Vice-Chancellor shall be performed by the person specified in the order.]

13. Powers and duties of the Vice-Chancellor. - (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall -

(a) exercise general supervision and control over the affairs of the University including the constituent colleges and the Institutes maintained by the University and its affiliated and associated colleges;

(b) give effect to the decisions of the authorities of the University;

(c) in the absence of the Chancellor, preside at meetings of the Court and at any convocation of the University;

(d) be responsible for the maintenance of discipline in the University;

[(e) be responsible for holding and conducting the University examinations properly and at due times and for ensuring that the results of such examinations are published expeditiously and that the academic session of the University starts and ends on proper dates.]

(2) He shall be an *ex officio* member and Chairman of the Executive Council. Academic Council and the Finance Committee.

(3) He shall have the right to speak in and otherwise to take part in the meeting of any other authority or body of the University but shall not by virtue of this subsection be entitled to vote.

(4) It shall be the duty of the Vice-Chancellor to ensure the faithful observance of the provisions of this Act, the Statutes and Ordinance and he shall, without prejudice to the powers of the Chancellor [under Sections 10 and 68] possess all such powers as may be necessary in that behalf.

(5) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Executive Council, the Court, the Academic Council and the Finance Committee :

Provided that he may delegate this Power to any officer of the University.

(6) Where any matter [other than the appointment of teacher of the University] is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officer or the authority or other body of the University empowered by or under this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit and shall forthwith report the action taken by him to the Chancellor and also to the officer, authority, or other body who or which in the ordinary course would have dealt with the matter :

Provided that no such action shall be taken by the Vice-Chancellor without the previous approval of the Chancellor, if it would involve a deviation from the provisions of the Statutes or the Ordinances :

Provided further that if the officers, authority or other body is of opinion that such action ought not to have been taken, it may refer the matter to the Chancellor who may either confirm the action taken by the Vice-Chancellor or annul the same or modify it in such manner, as he thinks fit and thereupon, it shall cease to have effect or, as the case may be, take effect in the modified form, so however, that such annulment or modification shall be without prejudice to the validity of anything previously done by or under the order of the Vice-Chancellor :

Provided also that any person in the service of 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 to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon, the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

(7) Nothing in sub-section (6) shall be deemed to empower the Vice-Chancellor to incur any expenditure not duly authorised and provided for in the budget.

(8) Where the exercise of the power by the Vice-Chancellor under sub-section (6) involves the appointment of an officer [* * *], such appointment shall terminate on appointment being made in the prescribed manner or on the expiration of a period of six months from the date of the order of the Vice-Chancellor, whichever is earlier.

(9) The Vice-Chancellor shall exercise such other powers as may be laid down by the Statutes and the Ordinances.