

BYE-LAWS

1. HEAD OF THE DEPARTMENT

(Amendments up to 5-4-97 included)

(i) Appointment

The Director shall ordinarily appoint as Head of Department the teacher of the Department with the maximum length of service in the Institute in the highest post available in the Department, considered in the following order:-

- a. Professor;
- b. Associate Professor (whether appointed directly or by promotion under personal promotion scheme/career advancement scheme);
- c. Assistant Professor (GBR-31 dated 16.3.1996)

Provided that in case of teachers of the erstwhile colleges of the Institute promoted under personal promotion scheme their length of service prior to 1.7.1981 shall be reckoned as given in the seniority list of teachers of Agra University as on 30.6.1981.

Provided further that if after applying the foregoing provision, the length of service of two or more teachers is equal, their inter-se-position shall be determined in accordance with seniority in age. (GBR-10 dated 5.4.1997).

During the absence of a Head of department for any reason, the teacher of the department with the maximum length of service in the Institute in the highest post available in the department (other than Head of the Department), considered in the above mentioned order shall perform the duties of the Head of the department. (GBR-31 dated 16.3.1996)

Transitory Provision

The Principals of the three erstwhile Degree Colleges will be attached to the respective departments in which they were working before being appointed as Principals. However, they will not be the Heads of the departments by virtue of this provision.

(ii) Functions

- a. Subject to the control of the Dean/Principal concerned, to organise and co-ordinate teaching (including continuous evaluation) and Research in the department.
- b. To plan schemes for the development of the department, prepare budget proposals for the same.
- c. To supervise the purchase and maintenance of equipment and furniture of the department.
- d. To write the annual confidential reports of the non-teaching staff working in the department and submit them to the Dean/Principal concerned.
- e. Subject to the control of the Dean/Principal concerned, to take measures for the maintenance of discipline in the department.
- f. To recommend to the Dean, admission of students to post-graduate classes.
- g. To perform such other functions also as may be assigned to him.

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2. FACULTIES

(Amendments upto 30.3.2015 included)

(i) Constitution

Each Faculty shall be constituted as follows :-

- a. Dean - Chairman (ex-officio)
- b. All Heads of departments in the Faculty
- c. All Professors in the Faculty.
- d. One teacher from each department other than Heads of departments and Professors by rotation, on the basis of length of service in the Institute in the highest post, other than Professors, available in the Department considered in the following order.
 - (1) Associate Professor (whether appointed directly or by promotion under personal promotion scheme/career advancement scheme);
 - (2) Assistant Professor (GBR-31 dated 16.3.96)
- e. Up to two members from other faculty/faculties as required, to be nominated by the Director (GBR: 16.7.94).
- f. Two persons not connected with the institute to be nominated by the Director, possessing expert knowledge of different subjects taught in the faculty or assigned to it.

(ii) Term

Two years in respect of members other than ex-officio members.

(iii) Functions

A Faculty shall have the following functions:-

- a. subject to the control of the Academic Council to organise, co-ordinate and regulate teaching and research activities of the departments assigned to the faculty;
- b. to advise on any question referred to it by the Governing Body or the Academic Council;
- c. to scrutinize and forward to the Academic Council proposals received from the Boards of Studies regarding new courses of study and changes proposed thereto and research work in subjects assigned to the Boards of Studies;
- d. to appoint sub-committees consisting of its own members and assign such functions as may be necessary in the above context;
- e. to hold meetings with the approval of the Director jointly with any other faculty or faculties, such joint meetings to be convened and presided over by a Dean nominated by the Director; and
- f. to recommend to the Academic Council creation, amalgamation or abolition of a department in the faculty.

- (iv) A faculty shall meet at least once a year and one-third of the total membership of the faculty shall constitute a quorum.

(v) Departments assigned to each Faculty

- a. Faculty of Arts
 - (1) Drawing & Painting
 - (2) English
 - (3) Hindi

- (4) Home Science
- (5) Music
- (6) Sanskrit
- b. Faculty of Commerce**
 - (1) Accountancy & Law
 - (2) Applied Business Economics(Business Administration Department merged with Management Department of Faculty of Social Sciences, vide GBR-12 dt.13.1.2007)
- c. Faculty of Education** (GBR-8 dated 1.8.91 and GBR-9 dated 2.4.94)
 - (1) Foundations of Education
 - (2) Pedagogical Sciences
- d. Faculty of Engineering**
 - (1) Electrical Engineering
 - (2) Mechanical Engineering(Applied Sciences Department merged with respective Departments of Faculty of Science vide GBR-12 dt.20.11.2009)
- e. Faculty of Science**
 - (1) Botany
 - (2) Chemistry
 - (3) Mathematics
 - (4) Physics and Computer Science (GBR-6 dated 2.2.91)
 - (5) Zoology
- f. Faculty of Social Sciences** (GBR-5 dated 9.5.94)
 - (1) Economics (GBR-9(b) dated 13.5.2006)
 - (2) Management (GBR-9(b) dated 13.5.2006)
 - (3) Psychology
 - (4) Sociology & Political Science
 - (a) Life Long Learning & Extension (GBR-24 dated 13.8.2005)
(Merged in the dept. vide GBR-33/30.3.2015)

(vi) Faculty Committee for Inter-disciplinary programmes

In addition to the above departments under the various faculties there shall be Faculty Committees for Interdisciplinary programme as under :-

- a.** Adult Education
- b.** Institute Core Subjects
- c.** Any other Inter-disciplinary programmes as may be assigned to it by the Governing Body.

(vii) Advisory Committee for the Core Courses in the Institute (Academic Council Resolution No. 21 dated 6-5-1994):-

- a.** Head of the Botany Department
- b.** Head of the Mechanical Engineering Department
- c.** Head of the Sanskrit Department
- d.** Head of the Psychology Department
- e.** Teaching Staff for the core courses viz. Indian Culture, Comparative Study of Religions, Agricultural Operations and Rural Development.

The co-ordinator shall be appointed by the Director for a term of three years.

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3 . DEAN

(Amendments upto 16-3-96 included)

(i) Appointment (GBR-6/ 6.2.93)

The Dean shall be appointed by the Governing Body from amongst the Heads of Departments on rotational basis in alphabetical order of the departments in the faculty, provided he/she is not below the rank of Associate Professor (GBR-31 dated 16.3.96) (whether appointed directly or by promotion under Personal Promotion Scheme/Career Advancement Scheme). In deciding the rotational order, the departments which have been represented earlier, in the ongoing cycle of rotation, shall be by-passed till all departments in the faculty have been represented.

During the absence of a Dean for any reason, the Head of the Department, next in the alphabetical order of the Departments in the faculty shall perform the routine duties of the Dean if the vacancy is of less than one week and all the duties of the Dean if the vacancy is of longer period.

The Senior most Dean shall be one with maximum length of service in the Institute in the highest post available amongst Deans, considered in the following order (GBR-31/16.3.96):

- a. Professor;
- b. Associate Professor (whether appointed directly or by promotion under personal promotion scheme/career advancement scheme).

(ii) Term

The term shall be three years. However, the three Deans who were the Principals of the erstwhile Degree Colleges comprising the Institute shall remain the Deans of their respective faculties as long as they continue to remain on the teaching staff of the Institute.

(iii) Functions

The Dean shall be the Chairman of the Faculty and be responsible for -

- a. general administration and due observance of the rules and bye-laws relating to the faculty;
- b. preparation of Budget proposals and forwarding the same to the Treasurer;
- c. supervision of expenditure of allotment made to the departments in the faculty;
- d. approval of purchase of equipment by Heads of the departments in the faculty to the extent permissible under bye-laws;
- e. maintenance of equipment, buildings and furniture of the faculty;
- f. review confidential reports of non-teaching staff in the faculty and forward them to the Registrar;
- g. grant of leave to the extent of his powers as per the bye-laws;
- h. organization and conduct of teaching and research work of the departments comprised in the faculty;
- i. maintenance of discipline in the faculty;
- j. admission of students in the faculty;
- k. organisation of co-curricular and extra-curricular activities, seminars, conferences and extension lectures in the faculty;
- l. co-ordination of the Time-table for teaching work in the faculty;

- m. recommendation of students for the grant of freeships, stipends, scholarships, medals, prizes and other awards to the competent authority;
 - n. scrutinising and forwarding to the Director, names of persons, recommended by the Heads of the Departments in consultation with two senior teachers (preferably with more than 10 years of teaching experience) of the department for inclusion in the panel of examiners for end-semester examinations; and
 - o. performance of such other functions as may be assigned by the Director, the Governing Body, the Academic Council and the bye-laws framed from time to time.
- (iv) The Dean shall have the right to be present and to speak at any meeting of any Board of Studies of the faculty but shall not have the right to vote thereat.

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4. BOARD OF STUDIES

(Amendments upto 20.11.2009 included)

(i) Constitution

There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the bye-laws. It will be constituted by the Academic Council as under:

- a. Head of the department - Chairman
- b. All Professors in the department
- c. Two teachers other than Head of department and Professors by rotation in order of seniority.
- d. Upto three (GBR-5 dt.20.12.99) persons not connected with the Institute to be nominated by the Director, possessing expert knowledge of the subject(s).
- e. In case all the subjects comprised in a group do not get representation in (a), (b) and (c) above, one teacher of such subject chosen by rotation in order of seniority.

Provided that in cases of subjects having single teacher, Dean of the concerned faculty shall be the Chairman of Board of Studies in those subjects.

Provided further that the Faculty of Engineering shall have the following two Boards of Studies:

A. Board of Studies in Electrical Engineering:

- (1) Head of Department - Chairman
- (2) All Professors in the department
- (3) Three teachers of the department by rotation in order of seniority-one in each area of Power Systems/ Electronics/Computers.
- (4) One teacher from the Mechanical Engineering department by rotation in order of seniority.
- (5) One teacher each from the Department of Chemistry and Department of Physics & Computer Science, Faculty of Science (GBR-12/20.11.2009).
- (6) Head, Department of Mathematics or his nominee from the Department of Mathematics, Faculty of Science (GBR-3.12.93).
- (7) Two external experts to be nominated by the Director.

B. Board of Studies in Mechanical Engineering:

- (1) Head of Department - Chairman
- (2) All Professors in the department
- (3) Three teachers of the department by rotation in order of seniority-one in each area of Production/Thermal/Design Engineering.
- (4) One teacher from Electrical Engineering department by rotation in order of seniority.
- (5) One teacher each from Department of Chemistry and Department of Physics & Computer Science, Faculty of Science. (GBR-12/20.11.2009).
- (6) Head, Department of Mathematics or his nominee from the Department of Mathematics, Faculty of Science (GBR-3.12.93).
- (7) Two external experts to be nominated by the Director.

- (c) Board of Studies for the Department of Life Long Learning & Extension shall consist of the following members (GBR-18 dated 13.5.2006):-

(The department of LLL&E is not in existence due to merger with the Department of Sociology & Political Science vide (GBR-33/30.3.2015)

- (D) Board of Studies for interdisciplinary courses shall be as under (GBR-16.7.94):-

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| 1. Dean of the faculty concerned or the Director's nominee | - Chairman |
| 2. Heads of all the departments in the Faculty | - Members |
| 3. One teacher other than Head, by rotation in order of seniority, from each department in the faculty | - Members |
| 4. Upto two teachers from other faculty/faculties as required, to be nominated by the Director | - Members |
| 5. Upto two outside experts (not connected with the Institute) to be nominated by the Director | - Members |

(ii) Term

Two years in respect of members other than ex-officio members.

(iii) Functions

- a. To make recommendations in regard to courses of studies and examinations in the subject(s) with which it deals.
- b. To initiate proposals regarding new courses of study and propose changes thereto.
- c. Subject to the control of the Academic Council and the Faculty, to prepare proposals for research work in the subjects assigned to the Board of Studies.
- d. To advise on any question referred to it by the Governing Body, the Academic Council, the Faculty or the Director.
- e. Such other functions as may be assigned to it by the Academic Council. (GBR-2(D)2 dated 22-9-90).

- (iv) Any two or more Boards may, at the request of the Director, meet and make a joint report upon any matter which lies within their purview. In such cases, the joint meeting shall be presided over by a Chairman nominated by the Director.

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5. ADHOC AND SHORT-TERM APPOINTMENTS

(Amendments upto 15-12-90 included)

- (i) a. Adhoc and short-term appointments shall be made only in unavoidable circumstances.
- (ii) a. Adhoc appointment to a vacancy of a teaching post, which cannot be delayed without detriment to the interest of a teaching department of the Institute, may be made by the Director upto a period of 6 months on the recommendation of the following Committee :-
- (1) Director or his nominee - Chairman
 - (2) Dean/Principal concerned
 - (3) Head of the Department concerned
 - (4) One expert to be nominated by the President
- b. Adhoc appointments to a vacancy of a non-teaching post which can not be delayed without detriment to administrative work may be made by the Director on the recommendation of the Selection Committee as provided under Rule 29(b) (iii)/29(d) upto a period of one year.
- c. Such vacancies shall be given due publicity, through an advertisement, one insertion, in at least one local daily paper with a minimum notice of 10 days for the applicants.
- (iii) The Director may also make short-term appointment at any time against vacancies of teaching post for a period upto two months and for vacancy of non-teaching post for a period upto three months wherever essential.
- (iv) In case of a vacancy occurring in any category of teaching staff, the adhoc/short-term appointment will be made against the post of a Assistant Professor only. However, the vacancy of a Teaching Assistant will be filled in the same cadre.
- (v) The Governing Body may appoint distinguished Professors/Scholars of eminence for fixed period not exceeding six months in an honorary capacity. They shall be paid travelling allowance for onward and return journey as per rules of the institute and provided free hospitality during their stay in the Institute.

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6. APPOINTMENT OF EXAMINERS AND CONDUCT OF EXAMINATIONS

(Amendments upto 18-5-84 included)

(i) Appointment of Examiners

a. The examiners for end semester examinations shall be appointed by the Director. For this purpose, the Director may consult the panel of 3 to 5 names prepared by the Head of the department or senior most teacher of the subject where there is no department and forwarded by the Dean/Principal.

b. If during the course of an examination an examiner becomes unable of acting as such or when an examiner is not available, the Director shall appoint another examiner to fill the vacancy.

(ii) Conduct of Examinations

There shall be an Examination Committee for conducting examinations in the Institute including its non-university educational institutions consisting of the following members:-

- (1) All the Deans and Principals
- (2) Registrar - Convener

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7. RESULTS COMMITTEE

(Amendments upto 15-12-90 included)

(i) Constitution

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| a. | Director | - | Chairman |
| b. | All the Deans and Principals | | |
| c. | Registrar | - | Secretary |

(ii) Functions

The functions of the Results Committee shall be as follows:-

- a. to prepare the results of the examinations;
- b. to scrutinise and pass the results of the examinations (including continuous evaluation) conducted by the Institute after satisfying itself that the results on the whole and in various subjects are in conformity with the expected standards and to take action in any case where the result is unbalanced;
- c. to scrutinise complaints against question papers and to take necessary action;
- d. to decide cases of candidates whose answer books were lost in transit;
- e. to deal with cases of indiscipline and use of unfair means by the students in the examinations ;
- f. to consider proposal about award of Grace Marks (GBR-4(B) of 15/12/90); and
- g. to perform such other functions as the Academic Council may delegate to it from time to time.

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8. TRAVELLING & DAILY ALLOWANCES RULES

(Amendments upto 7.8.2010 included)

(i) Members of the various authorities of the Institute, Special Invitees, Members of the Selection Committee, Members of the other Committees and Sub-Committees, External viva-voce examiners for Ph.D. thesis (GBR-5 dt.20.12.99) and persons deputed by the Director for work of the Institute:-

The provisions of this clause shall apply to persons who are not employees of the Institute.

Railway Journey (GBR-39 dated 26.8.2000):

A.C. three tier/First class/A.C. two tier sleeper/ Shatabdi Chair Car charges for the onward and return journey by shortest route and upto one first class rail fare (excluding reservation charges) for incidental expenses. The Director at his discretion may permit a person of the above categories to travel in higher class or by a mode other than rail journey and such deviations shall be reported to the Governing Body at its next meeting.

In case of external experts from Delhi, the actual incidental expenses upto a limit of 150% of admissible incidental expenses may be reimbursed. (GBR-11 dated 15.1.1996)

The Director may sanction payments over and above the Travelling Allowance where actual expenditure exceeds the amount of the Travelling Allowance admissible to the members of the various authorities and committees who come to attend the meetings of the concerned authorities/committees. (GBR-24 dated 10-9-91).

Persons allowed to travel by air, shall travel by shortest route to Agra and in case direct flight is not available to Agra, to the nearest Air-port to Agra from where they shall travel by train to Agra. At the intermediate station where they change from air to train journey no charges other than taxi charges from the Air-Port to Railway Station shall be admissible. For Journey by air, only air fare and no incidental charges shall be admissible, however, for the portion of journey performed by train normal rules for train journey shall apply.

Daily Allowance (GBR-7 dated 9.5.94):

For outstation members availing Institute's Guest House facilities :-

Free guest house facilities be provided to them without any Daily Allowance. The said free hospitality will be to the extent of meeting cost of boarding expenses per day of meeting which shall not exceed Rs.185/- (GBR-7 dated 7.8.2010). This facility will only be available for the days of meeting plus normal arrival and departure time.

For local members residing at Agra and outstation members who do not avail Institute's Guest House facilities :-

A lump sum amount of Rs.185/- (GBR-7 dated 7.8.2010) per day of meeting be paid as Daily Allowance along with a mid-day meal.

(ii) Employees of the Institute including its non-university educational institutions and examiners:-

a. Railway/Road Journey

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| 1. Teaching and non-teaching staff with Grade Pay Rs.5400/- or above and examiners coming to the Institute for conducting examinations. | Chair Car/AC 3 tier/I class/AC 2 tier charges, depending on the availability in the given order, for onward and return journey by shortest route or bus fares for onward and return journey by shortest route (amount not exceeding two first class rail fares) if journey is performed by road. Upto half of the I class rail fare (excluding reservation charges) shall be admissible for incidental expenses. |
| 2. Staff other than those covered under (1) above. | <p>(a) Sleeper class/AC Chair Car/AC 3 Tier rail fare for onward and return journey by shortest route and upto two sleeper class rail fares (excluding reservation charges) for incidental expenses.</p> <p>(b) If journey is performed by road, bus fares (ordinary/express) for onward and return journey by shortest route and upto two bus fares (ordinary/express) for return journey by shortest route for incidental expenses.</p> |

Note:

- (i) If part of a journey is performed by rail and part by road, the total expenses (including incidental expenses) charged shall not exceed the limit laid down for journey by railway.
- (ii) In case journey is performed by own vehicle/taxi, actual cost in performing the journey or permissible rail fare, whichever is less, shall be re-imbursed.

b. Conveyance Allowance

A conveyance allowance for the work of the Institute will be admissible at the following rates (GBR-7 dated 7.8.2010):

1. Within the town of duty outside Agra (provided that no conveyance is arranged by the Institute):
 - i. Grade pay less than Rs. 5,400/-
@ Rs 6.50 per km. or actual whichever is less.
 - ii. Grade pay Rs. 5,400/- or above
@ Rs. 8.00 per km. or actual whichever is less.

Note:If journey is performed by own vehicle, conveyance allowance will be paid as per the actual cost of performing journey or as proposed in (i) and (ii) above, whichever is less.

2. In Agra town (provided that no conveyance is arranged by the Institute):
 - i. Grade pay less than Rs. 5,400/-
@ Re.5/- per km. but not exceeding Rs.70/- for the round trip by the shortest route or actual whichever is less.
 - ii. Grade pay of Rs.5,400/- or above:-
@ Rs.8.00 per km. but not exceeding Rs.80/- for the round trip by shortest route or actual whichever is less.

Note:If journey is performed by own vehicle, conveyance allowance within the city will be admissible as per (i) and (ii) above.

- c. Where concessional railway fares are available, payment shall be made according to such concessional fares.

d. **Daily Allowance** (GBR-7 dated 7.8.2010)

1. Teaching and Non-teaching staff in the Grade pay 5,400/- or above :-
 - (i) Class "X" cities : Rs.230/-
 - (ii) Other cities : Rs.185/-
2. Staff other than those covered above:-
 - (i) Class "X" cities : Rs.200/-
 - (ii) Other cities : Rs.160/-

Note: "X" classified cities are: Delhi, Greater Mumbai, Kolkata, Chennai, Hyderabad & Bangaluru in terms of Govt. of India's G.O. No.2(21)/E.II.(B)/2004 dt. 13.11.2004.

e. **Daily Allowance for examiners coming to the Institute for conducting examinations** (GBR dated 20.12.99 & GBR-7 dated 7.8.2010):-

(1) For outstation examiners availing Institute's Guest House facilities:-

Free guest house facilities be provided to them without any Daily Allowance. The said free hospitality will be to the extent of meeting cost of boarding expenses per day of examination which shall not exceed Rs.185/-. This facility will only be available for the day(s) of examination plus normal arrival and departure time.

(2) For local examiners residing at Agra and outstation examiners who do not avail Institute's Guest House facilities:-

A lump sum amount of Rs.185/- per day of examination be paid as Daily Allowance along with mid-day meal.

- (iii) **President, Director, Treasurer & Registrar :-** Actual expenses.

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9. LEAVE RULES

(Amendments upto 7.8.2010 included)

(i) SHORT TITLE & APPLICABILITY

These rules shall be called "Leave Rules" and these shall be applicable to the employees of the Institute, including employees of the non-university educational institutions other than those who had opted for earlier rules applicable to them before taking over of these institutions by the Institute.

(ii) DEFINITIONS

- a. "Academic Session" or "Session" means the period commencing from first day of July to the 30th day of June in the succeeding year.
- b. "Authority competent to grant leave" means the authority as specified in clause xvii.
- c. "Calendar Year" means the period commencing from first day of January to 31st day of December of the year.
- d. "Permanent employee" means an employee who holds a permanent post substantively or who holds a lien thereon.
- e. "Service" in the term "completed years of service" means continuous service in the Institute including all period of leave other than extraordinary leave without pay.
- f. "Teaching staff" means -
 - (1) Professors, Associate Professor and Assistant Professor.
 - (2) Teaching Assistants.
 - (3) Principals and teachers of non-university educational institutions.
 - (4) Such other staff as is notified as teaching staff by the Governing Body.All other staff shall be treated as non-teaching staff.
- g. "Vacation" means the summer vacation.
- h. "Vacation staff" means -
 - (1) Teaching staff.
 - (2) Such other staff as is notified by the Director as vacation staff.

All other staff shall be treated as non-vacation staff.

(iii) GENERAL PROVISIONS:-

- a. Leave cannot be claimed as a matter of right and its grant is always subject to the exigencies of service. Leave once granted can be cancelled at any time due to exigencies of service. In case an employee is recalled to duty before expiry of his leave, it shall be mandatory for him to join duty.
- b. Leave should always be applied for on the form prescribed for the purpose and got sanctioned before it is availed of except in cases of emergency and for satisfactory reasons.

However, in the case of casual leave and medical leave, where in case of emergencies, circumstances do not permit, a message should be sent on the day the leave is desired to be availed of and this should also be followed by a written application as soon as possible.
- c. No employee shall leave station, except in an emergency, without obtaining prior permission of the leave sanctioning authority and without submitting the outstation address on which communication may be established with the staff concerned, if needed. In emergent cases, the application for permission to leave station shall be submitted as soon as possible.

d. All kinds of leave other than extraordinary leave without pay, except when extraordinary leave without pay is availed on medical grounds or for study purposes or on account of civil commotion, shall be treated as qualifying period of service for all purposes in the service matters.

e. In case of leave of 30 days or longer duration, an employee may return to duty, before the expiry of the period of leave granted, only with the prior permission of the leave sanctioning authority. In case where a substitute has been appointed, permission of the Director shall be necessary if an employee desires to resume duty before expiry of his leave.

f. When a vacation/Sunday/holiday/semester break falls between two periods of leave, other than casual leave, resulting in a continuous period of absence from duty during the entire period, such vacation/Sunday/holiday/semester break shall be treated as part of the leave. Casual leave shall be governed by clause (v).

g. The staff desirous of availing leave of 60 days or longer duration should submit their application for grant of such leave at least 90 days in advance. Applications for study leave should be submitted as per provisions of clause (xi) (k).

h. If an employee other than a permanent one fails to return to duty on the expiry of the leave granted to him and is absent without leave, he shall be deemed to have resigned his appointment and shall forthwith cease to be in the service of the Institute including its non-university educational institutions. Cases of permanent employees will be dealt with in accordance with the Rules and Bye-laws of the Institute in this behalf.

i. Prefixing and/or suffixing Sundays/holidays/semester breaks are admissible in cases of all kinds of leave including extraordinary leave without pay.

j. While affording credit of leave of any kind, fraction of a day less than half shall be ignored and fraction half and above shall be counted as one day.

k. In case of resumption of duty after availing any kind of leave (other than casual leave or compensatory leave), a joining report in the prescribed form must be submitted by the employee.

l. Right to request a particular kind of leave shall rest with the employee.

m. (1) In case of leave on full pay, pay equal to pay drawn immediately before proceeding on leave shall be payable.

(2) In case of leave on half pay, pay equal to half the pay drawn immediately before proceeding on leave shall be payable.

(3) In case of extra-ordinary leave without pay, an employee shall not be entitled to any pay.

Admissible allowances payable during the leave period shall be calculated on the basis of full pay or half pay as the case may be. During extraordinary leave without pay no allowances shall be admissible.

n. No leave shall be granted to an employee under suspension and leave shall also not be granted to an employee against whom a decision has already been taken to remove or dismiss him from service as a result of disciplinary action.

o. In case of overstaying after expiry of leave, an employee will be allowed to resume duty only on written order of the authority competent to sanction leave for the total period of absence involved (GBR-25 dated 25.11.1995 - 'Director' prior to 25.11.1995).

p. Any period of unauthorised absence from duty of an employee, where the appointing authority is not satisfied with the explanation of the employee may be treated as break in service of the employee and in such a case his earlier services shall stand forfeited.

q. Employees holding lien on permanent post in the Institute if appointed on any other post on short-term or temporary basis may be considered for grant of leave as

per their entitlement on their permanent post. (GBR-11 dt. 11-9-93).

r. Grant of leave to the employees appointed on probation, temporary basis and short-term basis during emergencies (applicable from 1-10-93 vide GBR-30 dt. 29-10-93):-

(1) employees appointed on probation may be given advance credit of various kinds of leave to the extent which they shall earn during the period of their probation (GBR - 15 dt. 2-4-94) in accordance with bye-laws No.9(v)(g), 9(ix)(b) and 9(xii)(a) (GBR-5 dt.20.12.99).

(2) employees appointed on temporary basis for a period of one year or longer may be given appropriate advance credit of various kinds of leave.

(3) in case of new comers appointed on temporary basis for a period of less than one year or on short term basis, such appointees may be sanctioned extraordinary leave without pay upto a total of 3 days in addition to the leave due to them.

The leave sanctioning authority for such leave shall be the Director.

s. In case a permanent employee is sanctioned Casual Leave and then he falls sick and applies for leave other than Casual Leave for the period of his illness, the period of casual leave shall be converted to leave of the kind due and the Casual Leave sanctioned to him earlier shall be cancelled (GBR-20.12.99).

t. In case an employee applies for earned leave and earned leave although due is not admissible under the Rules and the employee has exhausted all his extraordinary leave without pay, he may be sanctioned leave without pay but the period of leave shall be debited against his earned leave on half pay and if earned leave on half pay is not due, then earned leave on full pay (GBR-20.12.99).

(iv) KINDS OF LEAVE

Leave shall be of the following kinds:

- a. Casual leave on full pay
- b. Special Casual leave on full pay
- c. Duty leave on full pay
- d. Earned leave:-
 - (1) Earned leave on full pay
 - (2) Earned leave on half pay
- e. Medical leave on full pay
- f. Maternity leave on full pay
- g. Study leave:-
 - (1) Study leave on full pay
 - (2) Study leave on half pay
- h. Extraordinary leave without pay
- i. Compensatory leave on full pay

(v) CASUAL LEAVE

- a. Casual leave shall be on full pay and will be credited in advance on 1st July of each session.
- b. It cannot be combined with any other kind of leave or vacation.
- c. It may be granted at the discretion of the leave sanctioning authority subject to the condition that it should be got sanctioned before it is availed of except in case of unforeseen circumstances and satisfactory reasons and such cases shall be dealt as per provision of clause (iii)(b).

d. It shall be for not more than 14 days in a session and shall not accumulate. Casual leave shall be proportionately reduced for the period of study leave and extraordinary leave without pay availed. Employees serving part of a session shall be given credit of casual leave on prorata basis.

e. It can be suffixed and or prefixed with holidays, Sundays, semester breaks provided that total period of absence from duty is not more than 10 days.

f. Sundays and holidays falling in between the casual leave shall not be counted as casual leave.

g. Short-term employees, ad-hoc employees and temporary employees appointed for a period of less than one year and employees on probation shall be entitled to casual leave on prorata basis at the rate of one day for 26 days of service. However, in cases of all these employees if casual leave is followed by any other leave, the period of casual leave will be treated as the leave of kind due or extraordinary leave without pay.

h. In such cases where Casual Leave is availed by the employee appointed on short-term, adhoc, temporary basis or employees on probation and then the leave is extended on medical grounds, the entire period of leave including casual leave shall be converted into extraordinary leave without pay, irrespective of the fact whether extraordinary leave without pay is due or not.

(vi) SPECIAL CASUAL LEAVE

a. Special casual leave on full pay upto 6 days in case of a male permanent employee or a temporary male employee with atleast two years of continuous service, having one or two children, undergoing vasectomy may be granted by the Director on production of a medical certificate from a registered medical practitioner. Holidays & Sundays prefixed and or suffixed and holidays & Sundays falling during the intervening period of such leave shall not be counted in period of such special casual leave.

b. Special casual leave on full pay upto 14 days in case of a permanent female employee or a temporary female employee with at least two years of continuous service, having one or two children, undergoing tubectomy may be granted by the Director on production of a medical certificate from a registered medical practitioner. Holidays & Sundays prefixed and or suffixed and the holidays & Sundays falling during the intervening period of such leave shall not be counted in the period of such special casual leave.

c. The special casual leave granted for keeping small family norms may be allowed in combination with any other kind of leave.

(vii) DUTY LEAVE

a. A confirmed employee or an employee working on a scheme post may, with the previous sanction of the Director, be granted duty leave on full pay for attending business meetings, meetings of the Staff Selection Committees, delivering academic lectures, inspecting academic institutions of any university or a Government or a statutory body or for attending congresses, seminars, symposia, workshops and sessions of any academic conference duly recognised by the Institute provided that the work is of non-remunerative type. The total period of such leave shall not exceed 15 days in an academic session and it shall not accumulate. Duty leave shall be on full pay.

b. The Director, at his discretion, may grant duty leave on the basis of merit of individual cases, to persons serving on probation.

c. Reasonable travelling time by the shortest route shall also be permissible as duty leave, besides the actual days of the assignment.

d. Duty leave may be sanctioned to a staff only for the purposes which are connected with the requirement of their post. (GBR-10 dated 1-5-93)

(viii) EARNED LEAVE

a. GENERAL PROVISIONS:-

(1) Earned leave shall not be granted to a member of staff before completion of one year of continuous service in the Institute.

(2) Application for earned leave for less than 31 days should be submitted at least 7 days in advance and application for earned leave for 31 days or more but

upto 59 days should be submitted at least 15 days in advance and for longer period as specified in clause (iii)(g).

Provided that such leave can only be availed after obtaining sanction except in unforeseen circumstances and /or emergencies (GBR-7/7.8.2010)..

(3) Earned leave shall not be sanctioned for a period of less than four days, except in extraordinary circumstances.

(4) In case of vacation staff, earned leave shall not be sanctioned a second time before the expiry of thirty days from the last day of the earlier earned leave availed, except in an emergency.

(5) Earned leave can be prefixed and or suffixed to Sundays, holidays or semester breaks but if the Sundays, holidays or semester breaks fall in between the earned leave, the entire period shall be treated as earned leave.

(6) Earned leave on full pay shall accumulate upto a maximum of 300 days (GBR:7/7.8.2010) after which earning of such leave shall cease.

(7) The maximum period of earned leave that can be granted at one time shall be 120 days. However, this restriction shall not apply to cases of prolonged illness, leave preparatory to retirement and approved studies.

(8) The vacation may either be prefixed or suffixed, but not both, to the earned leave with the prior permission of the leave sanctioning authority provided that the leave taken in conjunction with vacation shall not exceed one hundred and twenty days.

(9) In case earned leave is taken in conjunction with duty leave or vacation, the total period of leave and vacation shall not exceed one hundred and twenty days.

(10) It shall be obligatory for an employee desirous of availing leave on medical grounds, other than casual leave to submit an interim certificate specifying expected period required for his treatment in regard to his illness to Head of office or Dean as the case may be, within 10 days if he is in station or within 20 days if he is out of station. For illness upto 7 days a photo copy of medical prescription would also meet the requirement of the interim sickness certificate. Application for grant of such leave on medical ground, will have to be supported by a medical certificate (for the duration of illness) and fitness certificate on recovery from a registered medical practitioner. (GBR-5 dt.20.12.1999).

b. EARNED LEAVE ON FULL PAY FOR NON-VACATION STAFF

(1) Earned leave on full pay shall be earned at the rate of 30 days for each completed year of service. Credit of such leave shall be given on the first day of July every year following. Employees serving a part of a year shall earn the leave on prorata basis at the rate of one day for 12 days of service.

(2) The credit of the leave shall be reduced by 1/12th of the period of extraordinary leave without pay availed during a session.

(3) The appointing authority at its discretion, in recognition of long and meritorious services of an employee, may allow to the employee having put in permanent service of over 30 years in the Institute including that in its erstwhile colleges before the formation of the institute as an institution deemed to be a university or its non-university educational institutions, leave upto maximum of 180 days as may be due on full pay, as leave preparatory to retirement.

c. EARNED LEAVE ON FULL PAY FOR VACATION STAFF

(1) Earned leave on full pay shall be earned at the rate of 10 days for each completed session. Credit of such leave shall be given on the 1st day of July every year following. Employees serving part of a session shall earn the leave on prorata basis at the rate of one day for 36 days of service.

(2) The credit of leave shall be reduced by 1/36th of the period of extraordinary

leave without pay availed during a session.

(3) The appointing authority at its discretion, in recognition of long and meritorious services of an employee, may allow to the employee having put in permanent service of over 30 years in the Institute including that in its erstwhile colleges before the formation of Institute as an institution deemed to be a university or its non-university educational institutions, leave upto a maximum of 180 days as may be due on full pay, as leave preparatory to retirement. But such an employee shall not be given re-employment after attaining the age of superannuation.

d. EARNED LEAVE ON HALF PAY

(1) Earned leave on half pay shall be earned at the rate of-

- (i) 30 days for each completed year of service for non-vacation staff and
- (ii) 15 days of each completed year of service for vacation staff.

The credit of leave earned during the previous year shall be given on 1st day of July every year following. Employee serving part of a year shall earn the leave on pro-rata basis.

(2) The earning and crediting of earned leave on half pay in the whole service of an employee shall be limited to a maximum amount of 365 days only after which earning and crediting of earned leave on half pay shall cease and no employee will be allowed to avail of earned leave on half pay for more than 365 days in his entire service.

(3) The credit of the leave shall be reduced (a) by 1/12th of the period of extraordinary leave without pay availed during a session by non-vacation staff and (b) by 1/24th of the period of extraordinary leave without pay availed during a session by vacation staff.

(4) Earned leave on half pay may be commuted by the appointing authority, at its discretion, on application by an employee (GBR-5 dt.20.12.99), to half the leave on full pay, when needed for illness or for leave preparatory to retirement. Twice the amount of commuted leave granted shall be debited against earned leave on half pay.

Provided that :-

- (i) Commutation of earned leave on grounds of illness shall only be considered if medical leave and or earned leave on full pay is not due. Commutation of earned leave on grounds of illness shall not be allowed 6 months prior to the date of superannuation.
- (ii) An employee availing re-employment upto the end of session after attaining the age of superannuation shall not be allowed commutation of earned leave preparatory to retirement.

Note: Sanction of leave preparatory to retirement and grant of leave on grounds of illness shall be governed by the provisions of relevant bye-laws i.e. bye-law No.9(viii)(b)(3), 9(viii)(c)(3) and 9(ix). (GBR-5 dt.20.12.99).

(ix) MEDICAL LEAVE:-

a. The medical leave on full pay shall be admissible in advance at the rate of 10 days in a session and shall accumulate. It can be availed of as accumulated but for not more than one year in all during the entire service of an employee. (GBR-5 dt.20.12.99).

b. Short-term/ad-hoc/temporary employees appointed for a period of less than one year and shall be entitled to medical leave on prorata basis at the rate of one day of leave for 36 days of service. Employees on probation and temporary employee

appointed for a period of one year or more shall be dealt with as per clause (ix)(a) above. (GBR-5 dt.20.12.99).

c. The application for grant of medical leave will have to be supported by a certificate from a Registered Medical Practitioner.

d. It shall be obligatory for an employee desirous to avail of leave on medical ground to submit an interim sickness certificate specifying expected period required for his treatment in regard to his illness to the office of his attendance within 10 days if he is in station i.e. Agra or within 20 days if he is out of station. For illness upto seven days a photo copy of medical prescription would also meet the requirement of the interim sickness certificate. In case the period of sickness is less than seven days duration, the employee shall be allowed to resume duty on presentation of illness and fitness certificate(s) on the day of his reporting for duty.

e. An employee after recovery from his illness shall be allowed to resume duty on production of a fitness certificate from a registered medical practitioner provided that the period of his absence on account of his sickness has been covered by a medical certificate issued by a registered medical practitioner. The employee shall have to give written explanation for any period not covered by the medical certificate. The Director may allow the employee to join duty if he feels satisfied by the explanation.

f. If so required by the Director, an employee shall produce a medical certificate in respect of his illness and or fitness from Medical Officer of the Institute or a Physician not below the rank of Chief Medical Officer of a District or a Government Hospital. The Director may in addition or as an alternative, require any employee seeking medical leave or leave on medical grounds to appear before a medical board constituted for the purpose by the Director and he may take into account the report of the Board in considering the leave application. (GBR-5 dt.20.12.99).

g. If the date on which the employee is due to resume duty after his fitness falls on Sunday, holiday or semester break, these days shall be suffixed with the medical leave and shall not count as part of the leave but the Sundays, holidays, or semester break falling between the period of sickness shall be treated as leave on medical grounds and debited to the leave account of the employee.

h. A vacation staff member must report for duty to the Dean or Principal concerned/Registrar on the day of fitness itself, if it falls during a vacation or on the next working day if the Faculty/Institution/Central Administrative Office is closed on the day of fitness.

(x) MATERNITY LEAVE :-

a. Maternity leave on full pay may be granted to a female member of staff provided that -

(1) It shall be admissible to a confirmed employee or a temporary employee who has put in atleast two years of continuous service.

(2) It may be granted for not more than 270 (GBR:7/7.8.2010) days in the entire service and may be availed:

- (i) for period upto 135 days in case of confinement in a normal pregnancy, or
- (ii) for period upto 45 days in case of abortion or miscarriage.

(3) The request is supported by a certificate from a registered medical practitioner indicating date of confinement/abortion/ miscarriage.

b. Leave in continuation of maternity leave may be allowed only on medical grounds and on the recommendations of the proper Medical Board constituted by the Director.

c. Application for grant of maternity leave should be sent sufficiently in advance treating it as a prolonged period of leave as per clause (iii) (g), except in case of abortion/ miscarriage/medically terminated pregnancy.

d. Application for grant of extension of any further leave in continuation of maternity

leave should be sent sufficiently in advance to enable the Director to constitute the Medical Board in time

(xi) STUDY LEAVE:-

a. Sanction of study leave shall be considered only if the proposed studies are relevant to the nature of duties of the employee and it would help in the performance of his duty better. Study leave may be granted for approved studies by the appointing authority on the recommendation of the Director to a permanent member of staff, provided he has to his credit equivalent of three years entitlement of earned leave on full pay :

(1) After six years of service (applicable to both teaching and non-teaching staff) upto 300 days on full pay or 600 days on half pay including the entire period of earned leave on full pay to his credit with the provision that -

(i) In order to complete a course of study, a staff member may apply for extension of leave and in case such extension is granted he may be sanctioned earned leave on half pay or extraordinary leave without pay as may be due to him.

(ii) The total duration of the leave shall not exceed two years.

(2) In case of teaching staff, two further spells of study leave may be sanctioned as under-

(i) After three years or more of availing the first study leave: upto 120 days on full pay or 240 days on half pay including the earned leave on full pay at his credit.

(ii) After three years or more after availing the second spell of study leave: upto 60 days on full pay or 120 days on half pay including the earned leave on full pay at his credit.

b. Such leave may be prefixed and or suffixed to Sundays, holidays, semester breaks or vacations but Sundays, holidays, semester breaks or vacations falling during the period of study leave shall be counted as study leave.

c. An employee shall be allowed either to avail study leave on full pay or half pay at any one occasion but both kinds of study leave shall not be admissible in any one spell of study leave. Furthermore, if leave on half pay of any kind has been availed of, it shall not be converted into leave on full pay of any kind. Extension of leave in such cases may be considered under sub-clause (a)(1) above.

d. Casual leave, earned leave, medical leave, duty leave and extraordinary leave without pay shall not be earned and credited during the period of study leave.

e. The period of study leave shall count towards increment but the increase in pay shall be payable only after the person concerned resumes the duty on expiry of the leave.

f. Before availing the study leave, an employee will have to execute a bond on a proper stamp paper to serve the Institute on return from the leave for a period of at least two years or double the period of leave whichever is more for the first spell of study leave and one year or double the period of leave whichever is more for subsequent spells of study leave. In the event of his failure to serve the Institute for the whole or any part of the period he will have to refund to the Institute all money received by him during the leave period from the Institute together with an amount as determined by the appointing authority not exceeding Rs.5, 000/- by way of damages for breach of contract. The Employee shall give a personal bond of Rs.15,000/- and two surities each of the like amount for fulfilment of the condition mentioned in the clause.

g. An employee availing study leave shall submit a report about the progress of the work to the Registrar every six months or at the end of the study leave if it is of shorter duration and also a report at the end of the period of leave for the consideration of the Director. The Director will place the final report before the Academic Council.

h. An employee availing study leave may receive in addition to leave salary, a scholarship or stipend that may be awarded to him, for which a written permission should be taken from the Director.

i. Salary during leave period will be paid on submission of the following documents :-

- (1) Joining certificates from the concerned Institution/ Supervisor.
- (2) Progress report and certificates of continuance from the concerned Institution/Supervisor every six months.

j. Study leave will not be granted to an employee who will retire within five years.

k. The Study Leave should be availed from the beginning of an academic session or the actual date of starting of a course where admission is being sought and staff desirous to avail study leave should plan in advance and submit application for grant of such leave through proper channel at least by 31st December preceding the session during which he would like to avail of the leave.

(xii) EXTRAORDINARY LEAVE WITHOUT PAY

a. Extraordinary leave without pay may be granted to an employee by the competent authority in extraordinary circumstances such as for illness or pursuit of approved studies or undertaking a job outside the Institute as per rules etc., when no other leave is due and admissible to him or when leave is admissible but the employee applies in writing for the grant of extraordinary leave without pay. It shall be earned at the rate of two and half days per month of service and may be sanctioned subject to the following conditions :-

- (1) Short term and adhoc employees-not more than two and half days per month of service.
- (2) Temporary employees employed for a period of less than two years and employees on probation-not more than 10 days on any one occasion.
- (3) Temporary employees employed for a period of two years or more-not more than 30 days on any one occasion.

Provided that the Director may sanction extraordinary leave without pay under extraordinary circumstances to a temporary employee or an employee under probation and the leave may be converted to casual or medical leave when it becomes due and if so requested by the employees.

- (4) Permanent employees :- not more than 30 days on any one occasion except on medical grounds and for approved studies.

Provided that the appointing authority may grant extraordinary leave without pay to a permanent employee upto a period of one year in case of prolonged illness and or approved studies.

Provided further that the leave sanctioned shall not exceed the leave earned and due. (GBR-5 dt.20.12.99).

Provided also that the total period of extraordinary leave without pay in the entire service period shall not exceed ninety days for temporary employees on a scheme post and two years for permanent employees.

b. Extraordinary leave without pay shall not be sanctioned a second time before expiry of a period of one year from the previous such leave availed except in case of prolonged illness of the employee.

c. Short term employees, adhoc employees, temporary employees (during first year of service) and employees on probation shall not be entitled for extraordinary leave without pay, except on medical grounds.

d. After ten years of confirmed service, an employee may be granted extraordinary leave without pay for a period upto one year for taking up employment outside the Institute and during this period his lien shall be maintained on the post held by him in the Institute provided that no credit to leave account, provident fund account and retirement benefits shall be made by the Institute during such employment. Provided further that facility of such leave shall be available only once in the entire service of the employee in the Institute.

Provided also that in case the employee fails to resume duty on expiry of the lien period, his/her services shall be terminated after due process (GBR-7/7.8.2010).

e. The appointing authority may commute retrospectively period of absence without leave into extraordinary leave without pay.

f. Casual leave, earned leave, medical leave and duty leave shall not be earned and credited during the period of extraordinary leave without pay.

g. Extraordinary leave without pay may be granted in combination with any other kind of leave except casual leave.

(xiii) COMPENSATORY LEAVE

a. VACATION STAFF

Presence on duty during Sundays, holidays, vacations and or breaks, if required for the work of the Institute shall be obligatory. Where a member of staff is required to remain present on duty during Sundays, holidays, vacations and or breaks with the prior permission of the Director, he shall be entitled to Compensatory Leave on full pay at the rate of one day for each day spent on duty during the first 15 days and half the number of days for the remaining period in a session provided no honorarium is paid to him (GBR-8 dated 9.5.94). A separate account of Compensatory Leave shall be maintained. Such leave shall be availed of within one year of earning and shall not accumulate.

b. NON-VACATION STAFF

Presence on duty on Sundays and or holidays if required for the work of the Institute, shall be obligatory. Where a member of staff is required to remain on duty with the prior permission of the Director on Sundays and or holidays, he shall be entitled to compensatory leave on full pay at the rate of one day for each day spent on duty during a month provided no honorarium is paid to him (GBR-8 dated 9.5.94). A separate account of compensatory leave shall be maintained. Such leave shall be availed of within one month of earning and shall not accumulate.

c. Compensatory leave can be combined with any kind of leave, vacation, break, holidays or Sundays except casual leave.

(xiv) APPLICATION OF LEAVE RULES TO EMPLOYEES WORKING ON SCHEME POSTS

These leave rules shall also apply to employees serving on scheme posts in the Institute as under -

a. for appointments upto one year:- Same rules as applicable to employees on probation,

b. for appointments longer than one year:- Same rules as applicable to permanent employees, unless otherwise provided.

(xv) LEAVE ADMISSIBLE TO TEACHERS DURING THE PERIOD OF THEIR RE-EMPLOYMENT (Governing Body Resolution No.9 of 1.5.1993):

a. Teachers during the period of re-employment shall be given following leave,

similar to short-term, adhoc and temporary employees appointed for a period of less than one year.

- (1) One day Casual Leave for every completed period of 26 days.
- (2) One day Medical Leave for every completed period of 36 days.
- (3) One day Extraordinary Leave without pay for every completed period of 12 days.

Provided that leave availed but not due, may be adjusted against leave of the kind concerned when earned in future.

(xvi) PROVISION FOR UNFORESEEN SITUATIONS

Any matter relating to leave of employees not provided in the bye law shall be placed before the Governing Body for appropriate decision.

(xvii) LEAVE SANCTIONING AUTHORITY

a. CASUAL LEAVE

1. Deans, Principals, Treasurer, Registrar and others holding independent charge - Director
2. Staff in the Faculties - Dean concerned
3. Staff of non-university educational institutions concerned - Principal concerned
4. Registrar's office staff - Registrar
5. Treasurer's office staff - Treasurer
6. Other staff - Respective Incharge provided they are not in a pay scale lower than that of a Lecturer.

b. DUTY LEAVE:

For all employees - Director

c. EARNED LEAVE

1. Deans, Principals, Teaching Staff, Treasurer, Registrar and non-teaching staff other than Class III and IV staff:
 - i. upto sixty days - Director
 - ii. more than sixty days - Appointing Authority
2. Class III and IV staff in the faculties/non-university educational institutions:
 - i. upto thirty days - Concerned Dean/Principal
 - ii. more than thirty days - Director
3. Class III and IV staff other than those covered in (c)(2) above:
 - i. upto thirty days - Registrar
 - ii. more than thirty days - Director

d. MEDICAL LEAVE

1. Deans, Principals, Treasurer and Registrar - Director

2. Staff of faculties/non-university educational institutions:
 - i. upto ten days - Concerned Dean/Principal
 - ii. more than ten days - Director
3. Staff other than those covered under 1 & 2 above:
 - i. upto ten days - Registrar
 - ii. more than ten days - Director
- e. MATERNITY LEAVE**

For all employees - Director
- f. EXTRAORDINARY LEAVE WITHOUT PAY**

For all employees -

 - (1) upto thirty days - Director
 - (2) more than thirty days - Appointing Authority
- g. COMPENSATORY LEAVE**

For all employees - Director
- h. STUDY LEAVE: -** - Governing Body
- i. Leave other than mentioned above in (a) to (h):-** -do-
- (xviii) AUTHORITY FOR SANCTIONING EXTENSION OF LEAVE**

If leave is extended in continuation of any kind of leave, it shall be sanctioned only by the same authority who has originally sanctioned it provided that the total period of leave is within the competence of the earlier sanctioning authority, but in case it exceeds that limit, it shall be sanctioned by the competent sanctioning authority.

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10. STANDING COMMITTEE OF THE ACADEMIC COUNCIL

(i) Constitution

- a.** Director - Chairman
- b.** All the Deans and Principals
- c.** Registrar - Secretary

(ii) Powers and duties

- a.** To invite such other internal members of the Academic Council as it may deem fit, for its meeting which shall be convened under instructions from the Director.
- b.** To advise on equivalence of examinations and such matters as may be referred to it by the Academic Council or the Director.
- c.** To deal with matters assigned to it by the Academic Council.

(iii) In every case where the Standing Committee disposes off any matter, it shall be reported to the Academic Council at its next meeting.

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11. EQUIPMENT COMMITTEE

(Amendments upto 7/7-8-2010 included)

(i) Constitution

- a. Director or his nominee (GBR-4 dt. 29.7.2000) - Chairman
- b. Treasurer or his nominee (29.7.2000)
- c. Dean of the concerned faculty/Principal concerned/ Registrar in all other cases (GBR-7/7.8.2010)
- d. Head of the concerned department/Chairman, Library Committee/Incharge of the concerned centre (GBR-7/7.8.2010)
- e. Teacher/equivalent position (GBR-7/7.8.2010) from whom the proposal for the purchase of equipment has originated.
- f. Registrar for purchases in Central Administrative office.
- g. One expert from outside the faculty/non-university educational institution concerned, nominated by the Director.

Note: In case the Director's nominee chairs the meeting on behalf of the Director, the minutes of the meeting shall be submitted to the Director for his approval before implementation (GBR-4 dt. 29.7.2000).

(ii) Functions

To scrutinise quotations and approve the purchase of equipment (single item) costing more than Rs. 20,000/- (GBR-7 dt. 7.8.2010).

- (iii) Purchase of single item of equipment costing above Rs. 30,000/- shall be made after obtaining approval of the Governing Body (GBR-7/7.8.2010).

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12. PROCEDURE FOR WRITING-OFF OF THE UNSERVICEABLE/ OBSOLETE ARTICLES FROM THE STOCK

(Amendments upto 28-1-1985 included)

- (i) Items of book value below Rs. 500/- be written-off under the signature of the Director on the recommendation of the Head of the department concerned or seniormost teacher of the subject where there is no department and the Dean/Principal/Registrar (in case of Central Administrative Office).
- (ii) Items of book value between Rs. 500/- and Rs. 2,000/- be written-off under the signature of the Director on the recommendations of a Committee consisting of the Head of the department concerned or seniormost teacher of the subject where there is no department and the Dean/Principal/Registrar (in case of Central Administrative Office) and the Treasurer. Expert advice may be taken as may be necessary.
- (iii) Items of book value beyond Rs. 2,000/- be written-off by the Governing Body/Managing Council on the recommendations of the Committee as envisaged under item (ii) above and the Director.
- (iv) Articles written off shall be auctioned and if no bid is received, these be suitably disposed-off to the best advantage of the Institute.
- (v) The applications and other documents received for the various posts and which have been rejected be disposed off after one month from the date of confirmation of the incumbents selected to the concerned post. (GBR-20 dated 28-1-85)
- (vi) The applications and other documents for admission to the various courses of studies in the Institute which have been rejected be disposed off after one year from the last date of receipt of the applications. (GBR-21 dated 28-1-85)

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13. BUILDING COMMITTEE

(Amendments upto 29-7-2000 included)

(i) Constitution

- a. Director or his nominee not below the rank of Professor - Chairman
- b. Superintending Engineer of Agra division of the Central Public Works Department.
- c. A representative of the Planning Board of the Institute.
- d. Treasurer.
- e. Principal Co-ordinator of the DEI Engineering Committee (GBR-40 dated 17.12.96)
- f. Superintendent of Works of the Institute (GBR-29.7.2000)
- g. Registrar - Member Secretary

(ii) The Committee shall have the power to co-opt members as and when needed.

(iii) Three members of the Committee shall form a quorum for its meetings.

(iv) The term of the member under clause (i)(c) shall be three years. He shall, however, be eligible for re- nomination. (GBR-4 dt. 29.7.2000).

(v) The Committee shall meet atleast twice a year.

(vi) Functions:

- a. To select and recommend sites for construction of the buildings;
- b. To accord technical sanctions to the detailed plans and estimates;
- c. To approve the construction of new buildings and alteration to the existing buildings and to invite and approve tenders for the purpose;
- d. To recommend for sanction of expenditure incidental to the execution of each work, subject to the allotment made for it by the Governing Body;
- e. Generally recommend such steps as may be necessary or expedient for executing efficiently the new works of the Institute.

(vii) Execution of all new works shall require the administrative approval of the Governing Body and the technical sanction of the Building Committee, provided that in the case of minor works estimated to cost Rs. 5,000/- or less, such approval or sanction may, subject to the budget provision, be accorded by the Chairman of the Building Committee.

(viii) Unless decided otherwise by the Building Committee, the schedule of rates as prescribed by the Central Public Works Department for the time in force shall be followed in preparing the estimates for the Institute works and where the schedule does not make any mention of rates, the Building Committee shall fix them.

(ix) Building projects for which assistance is provided by the University Grants Commission should be got approved from the Commission in principle indicating rough cost and area etc., and thereafter the project be referred to the Central Public Works Department for scrutiny purposes.

(x) The Building Committee will be responsible for finalising the plans and estimates of the various building projects approved by the University Grants Commission, proper utilisation of the grants from the Commission and the State Government/university and for ensuring completion of the building in accordance with the accepted plans and estimates.(GBR-9 dt 26/9/87).

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14. PROCEDURE FOR SELECTION OF STAFF

(Amendments upto 29-7-2000 included)

(i) All vacancies for permanent appointment in the teaching posts of the Institute including its non-university educational institutions shall be duly advertised, one insertion each, in atleast three newspapers- two of which must be of all India level. All other posts, except those of teaching and class IV posts shall be advertised, one insertion each, in atleast two newspapers. A notice of atleast one month shall be given for submission of applications.

(ii) The prescribed application forms for various posts of Groups A, B, C and D will be supplied at a cost to be fixed by the Governing Body from time to time. The Governing Body shall also fix the registration fee.

Candidates desiring the forms by post should send a self- addressed envelope with the required postage.

(iii) The decision for calling qualified candidates for interview will be taken by a Committee consisting of the following:-

a. For teaching posts -

(1) Director

(2) Dean/Principal concerned, provided he is not below the rank for which selection is made.

(3) Head of the Department/the seniormost teacher in the subject where there is no department provided he is not below the rank for which selection is made.

b. For Non-teaching posts other than ministerial and class-IV posts (GBR-4 dt.29.7.2000) in the faculties/ Institutions-

(1) Dean/Principal concerned

(2) Head of the Department concerned or seniormost teacher in the subject where there is no department.

c. For ministerial and class IV posts (such as Peon Jamadar, Peon, Office Attendant, Chowkidar, Mali, Farrash, Safai Sewak) in the Institute except those in the Administrative Office (GBR-29.7.2000):-

(1) Treasurer

(2) Registrar

(3) Concerned Dean of the Faculty/Principal/Head of Office/Library/Centre as the case may be.

d. For posts in the Administrative Office -

Treasurer and Registrar

e. For posts other than ministerial and class-IV posts (29.7.2000) in- (1) Computer Centre, (2) Libraries and (3) Life Long Learning & Extension: (GBR- dt.17-9-94)

(1) Director or his nominee

(2) Head of the Computer Centre; Chairman, Library Committee or Head of the Department of Sociology & Political Science, as the case may be.

(The department of LLL&E is not in existence due to merger with the Department of Sociology & Political Science vide (GBR-33/30.3.2015)

(iv) The Selection Committee, constituted under Rule 29(b), will interview the candidates and recommend names in order of merit for final selection and appointment to the appointing authority.

Provided that where the appointing authority does not approve the recommendation of the Selection Committee or proposes to make an appointment otherwise than in accordance with the order of merit arranged by the Selection Committee, the appointing authority shall record its reasons in writing.

(v) If no appointment is made to a post by the appointing authority within one year from the date of the recommendation of the Selection Committee, the post shall be readvertised before making the appointment.

An advertisement for a post shall remain valid upto one year only.

(vi) Procedure for Selection of Staff to cater for the posts sanctioned in the Institute for fixed duration under various Schemes and which do not carry any scale of pay and where the total emoluments upto Rs.6000/- per month (GBR-4 dated 30.7.88; GBR-2(ii) dated 13.4.91; GBR-4 dated 29.7.2000).

a. Vacancies having total emoluments upto Rs. 2500/- per month may be given publicity through Notice Boards etc., surrounding areas and local publicity,

b. Vacancies having total emoluments of more than Rs. 2500/- shall be advertised once in atleast one newspaper besides the local publicity.

c. A notice of atleast 2 weeks time shall be given for submission of applications on plain paper.

d. The applications shall be screened and applicants interviewed through a Committee consisting of the following members:

- (1) Director's nominee;
- (2) Scheme/Project Incharge; and
- (3) Head of Department concerned.

e. The recommendations of the Committee shall be submitted to the Director and the Director may appoint the staff considering the recommendations of the aforesaid Committee for a period upto the duration of the Scheme and the appointments so made shall be reported to the Governing Body at its next meeting.

f. Under the Scheme of Life Long Learning Extension where Instructors are engaged for specialised courses which run for short duration of a few weeks only, the part-time Instructors may be engaged on daily wages basis @ Rs. 50/- to Rs. 100/- per day (GBR-29.7.2000) for the duration of the course with the prior approval of the Director.

(vii) **Selection Committee for the post of JRF** (GBR-2(iii) dated 18.8.90):

- | | |
|-----------------------------|------------|
| (1) Dean | - Chairman |
| (2) Head of the Department | - Member |
| (3) Principal Investigator | - Member |
| (4) Nominee of the Director | - Member |

Three members of the Selection Committee shall constitute the quorum but the presence of the Principal Investigator shall be essential.

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15. ADMISSION OF STUDENTS TO THE INSTITUTE INCLUDING ITS NON-UNIVERSITY EDUCATIONAL INSTITUTIONS

(Amendments upto 3.11.2007 included)

- (i) A student seeking admission to the Institute shall, on or before the date prescribed for submission of applications for admission to the Institute, submit his application duly completed on the prescribed form to be obtained from the Institute on payment of the prescribed fee.
- (ii) **a.** No student shall be admitted to the Institute for pursuing a course of study unless he has passed the qualifying examination as may be prescribed for the particular course of study by the Institute from time to time.
- b.** No student migrating from another University/Board shall be admitted to any course of study unless he has passed an examination which has been recognised by the Institute as equivalent to the qualifying examination.
- c.** No applicant shall be admitted to a course of study at the Institute unless he is willing to appear for examination in all the subjects prescribed for the particular course of study.
- d.** No student enrolled in the Institute shall be admitted to any subsequent higher class unless he has passed the qualifying prerequisite examination.
- (iii) **a.** A candidate for admission to the Institute shall submit along with his application for admission, a Character Certificate from the Head of institution last attended.
- b.** Maintenance of good conduct throughout the stay of the student in the Institute is necessary for continuance in the Institute.
- (iv) **a.** No student who has passed a part of any course of study from another University/Board shall be admitted to subsequent higher class for such course of study in the Institute.
- b.** No person who has been rusticated from an educational institution shall be admitted to any course of study in the Institute.
- (v) **a.** Admission of students shall be completed by the Deans/Principals concerned within the specified date of the academic session concerned.
- b.** A completed list of all students admitted to the Institute shall be forwarded by the Dean/Principal concerned to the Registrar within four weeks from the date of admission.
- (vi) **a.** A student shall be considered as admitted as a student in the Institute as soon as he is admitted by the Dean/Principal concerned and he has registered for admission on the prescribed registration day or the next working day following it and he has paid the prescribed fees in cash on the scheduled fee collection day or by bank draft by the next working day otherwise he shall forfeit his claim for admission.
- b.** A student shall be considered as enrolled if after admission as per clause (a) above, he has submitted completed enrolment form and transfer/migration certificate.
- c.** A student admitted within the first two weeks from the prescribed day of registration after the commencement of the session shall be required to pay prescribed fees from the beginning of the session. However, a student admitted within the first two weeks from the prescribed day of registration after forfeiting claim for admission as per clause (a) shall be required to pay additional late fee of Rs.100/- each for late registration and late deposit of fee.

d. Except in case of admission in the first semester of a course of study, students failing to either register and/or deposit prescribed fees by the scheduled date or both may be allowed to register and/or deposit the prescribed fees within two more weeks from the said scheduled dates by paying a late fee each of Rupees one hundred only.

Provided also the Director may, for special reason(s) to be recorded, allow further time for late registration and/or deposit of prescribed fees till 31 August of the session except in case of admission in first semester of a course of study with a late fee each of Rupees Two hundred only. Beyond the above date i.e. 31 August, the permission will be granted after approval of the Governing Body (GBR:2(ii)/3.11.2007).

Note: GBR- 29.7.2000: Amendments to these four clauses are applicable to students admitted from the session 2001-2002 and onwards.

(vii) The Director on the recommendation of the Dean/Principal concerned may permit a student to change his optional subjects for a course or to change the course of study within two weeks after the start of the session.

(viii) Foreign students shall be admitted to the Institute in accordance with the rules laid down for the purpose by the Government of India.

(ix) Admission granted to a student in the Institute may be cancelled if it is discovered at a later date even after the completion of the course of study, that the student had obtained admission by fraudulent means by misrepresentation of facts. In such a case, he shall forfeit all the accruing benefits and if the degree/diploma has been awarded, it shall be cancelled.

(x) Students from one branch of Diploma in Engineering may be transferred to another branch of the said course on their requests in the DEI Technical College subject to the following stipulation (GBR-30 dated 7.10.89) :-

- a.** In the branch to which transfer is sought, vacancies should be available within sanctioned intake.
- b.** In the discipline from where the transfer is sought, after the transfer the class strength should not come down below 60% of the sanctioned intake.
- c.** Requests for transfer shall only be entertained after the Second Semester and from the session 1990-91 and such requests shall be entertained only upto 15th July of the session.
- d.** Transfers shall be made in order of merit of the marks obtained by the students in first two semesters.

(xi) a. For admission to various courses in the Institute, additional weightage of 10% marks shall be allowed while preparing the merit list of candidates for calling them for written test or interview, as the case may be and this additional weightage shall not be given thereafter at any later stage in the selection process (GBR-6 dated 1.5.93) .

b. The above weightage of 10% is applicable to the following categories of candidates:-

- (1) those who have passed the prequalifying and/or qualifying examinations from the Dayalbagh institutions, and
- (2) sons, daughters or spouses of confirmed employees of the Institute with atleast 5 years service irrespective of the institution from which they have passed the prequalifying and/or qualifying examination.
- (3) the total additional weightage shall not exceed 10% in the case of candidates who are covered under both categories of (1) and (2) as stated in (b) above.

(xii) The students who pass their three years Honours degree course from this Institute in first class with distinction (A Grade) may be admitted to the Postgraduate classes directly in their own subject/faculties, subject to the following conditions (GBR-28 dated 1.5.93) :-

- a.** they submit their applications in time for the next academic session.
- b.** the number of such students shall not exceed 50% of the sanctioned strength of

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the concerned Postgraduate class. Admissions shall be made in the order of merit of the graduation examination. Students not admitted as above shall be considered along with other general applicants.

c. admissions upto 40% over and above the sanctioned strength of the PG class concerned, may be allowed by the Director on recommendations of the Admission Committee.

(xiii) Those students who passed the following courses from this Institute in first division with distinction (A Grade) may be admitted directly to the post-graduate courses in their own subject in the faculty, subject to the conditions as laid down in Bye-law No. 15(xii): (GBR-14 dated 9.5.94 read with GBR-3 dated 29.7.2000).

(1) B.Ed.

(2) B.Tech (GBR-79 dated 15-12-2012)

(xiv) Students who pass their Intermediate examination from the DEI Prem Vidyalaya Girls Intermediate College in Arts and Science in first division may be admitted to the undergraduate classes, for which they are eligible, directly in the concerned faculty i.e. Arts and Science, subject to the following conditions (GBR-17 dated 18.5.96) :-

a. They submit their applications in the prescribed form in time for the next academic session.

b. Such admissions shall be considered against supernumerary seats which shall be over and above the sanctioned strength of the concerned undergraduate class and shall not exceed 20% of the sanctioned strength. Also these admissions shall be made in order of merit of the result of the Intermediate Examination of the Institute. Students not admitted as above shall be considered along with other general applicants.

c. Such admissions against supernumerary seats upto 20% over and above the sanctioned strength of the undergraduate classes concerned may be allowed by the Director on the recommendation of the Admission Committee.

(xv) In any postgraduate programme, where facility exists for both full time and part-time courses (such as in M.Tech. Programme) withdrawal from all the courses on medical grounds or any other valid grounds (such as job related exigencies) may be allowed by the Director of the Institute if he deems fit. If such a withdrawal is granted to a full time student, the full time status of the student will be automatically converted into a part-time status and the concerned semester(s) will be treated as a gap semester. Even if a student is granted gap semester he will have to deposit the fees and complete registration formalities for the gap semester(s). Also, if a gap semester is granted, the student can opt for those courses which he missed in the gap semester, only when they are floated again by the concerned department. The gap semester(s) will also be counted in reckoning the maximum allowed time but not the minimum prescribed time for completion of the postgraduate course. (GBR-12 dated 28.7.97).

Admission Committee (ACMR-5 dated 31.5.82 and ACMR-6 dt. 3.1.87)

- a. All the Deans and Principals
- b. Registrar - Convener

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16. ENROLMENT OF STUDENTS IN THE INSTITUTE INCLUDING ITS NON-UNIVERSITY EDUCATIONAL INSTITUTIONS

(Amendments upto 29-7-2000 included)

- (i) A student who has passed the qualifying examination prescribed for a particular course of study and admitted to the course of study may be enrolled as a student of this Institute.
- (ii) Application for enrolment as a student of the Institute shall be made to the Registrar in the prescribed form and it shall be accompanied by an enrolment fee as prescribed. Such an application shall be submitted through the Dean/Principal concerned.
- (iii) No student shall be deemed to have been admitted to any course of study as a regular student of the Institute unless his name is borne on the Register of enrolled students.
- (iv) The procedure for submission of applications for enrolment of students shall be as follows:-

- a. The Dean/Principal concerned shall send all enrolment forms of the students together with migration/transfer certificate as the case may be, by the last date prescribed, to the Registrar.

- b. Students failing to submit enrolment forms along with their transfer/migration certificates by the prescribed date shall be allowed to submit enrolment forms and/or transfer/migration certificates within two more weeks from the prescribed date by paying a late fee as may be prescribed by the Governing Body which at present is Rupees one hundred.

Provided that students who have submitted their enrolment forms by the prescribed date or within two more weeks from the prescribed date but have failed to submit their valid transfer/migration certificates may be allowed to submit these with late fee of Rs.100/-, on furnishing a written undertaking seeking further time for submission of their transfer/migration certificates at the latest upto the 31st August of their first semester. Names of students failing to submit their transfer/migration certificates by 31st August of first semester shall be struck-off from the rolls of the Institute.

Provided further that the Director may, for special reason(s) to be recorded, allow further time for submission of enrolment forms and/or transfer/migration certificates upto the 30th September of the session on payment of a late fee each as may be prescribed by the Governing Body which at present is Rupees two hundred.

Note: This shall apply to fresh students admitted in the session 2001-2002 and onwards (GBR-3 dt. 29.7.2000).

- c. In case of all students who apply for enrolment, the Dean/Principal concerned shall certify and send to the Registrar a general certificate to the effect that he has verified the certificates issued by the appropriate authorities and satisfied himself that in each case the student concerned has passed the qualifying examination which under the rules of the Institute, entitles him to join the course to which he seeks admission.

- (v) a. Every student will, in consultation with his Academic Adviser formally register for the respective courses which he desires to opt for the particular semester by a prescribed date. Those who fail to register by the said date may do so within two weeks from the said prescribed date by paying a late fee as may be prescribed by the Governing Body which at present is Rupees one hundred.

Provided that the Director may, except in case of admissions in the first semester of a course of study, for special reason(s) to be recorded, allow further time for late registration upto 31 August of the session on payment of a late fee as may be prescribed by the Governing Body which at present is Rupees two hundred. (29-7-2000)

Note: This amendment shall apply to fresh students admitted in the session 2001-2002 and onwards (GBR-3 dated 29.7.2000).

- b.** All students shall be required to fill in a Registration form in the beginning of every semester by the prescribed date indicating the courses offered by them for the course of study. These will be the subjects in which they will be assessed throughout each semester and at the end-semester examination.
- (vi) a.** A student enrolled in the Institute may apply for a change, correction or alteration in one's own name or surname to the Registrar of the Institute with a fee to be prescribed by the Governing Body.
- b.** The application for any change or correction in the name shall be made through the Dean/Principal concerned and shall be supported by an affidavit made on a proper stamp paper. Before making such a request, the student must notify in a leading newspaper to this effect and submit a cutting of the same with the application.
- c.** The Registrar, if he is satisfied with the reasonableness of the request, may pass order for the change or correction of the name of the student.
- d.** Any change, addition or modification shall be recorded in the Institute Register in red ink under the attestation of the Registrar and a certificate to the effect shall be issued to the applicant.
- e.** Under no circumstances shall any alteration be made in the Institute's certificate, diploma, degree and other document issued in favour of the applicant prior to the order of the Registrar for a change or correction in the name/surname as the case may be.
- f.** In all subsequent documents, certificate, diplomas and degrees of the Institute the former as well as the new name shall be entered for use in all future correspondence.

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17. EXAMINATIONS

(Amendments upto 25-5-2009 included)

- (i) The scope of studies in different subjects for an examination shall be as prescribed by the Institute from time to time.
- (ii) The students who get themselves registered late shall be deemed to have secured a zero in all the components of continuous evaluation that might have been conducted upto the date of registration.
- (iii) a. The evaluation of student's performance shall be assessed throughout a semester by continuous evaluation followed by an end semester examination.
- b. The weightage of marks allotted to each course depends on the relative time, a student is expected to devote for the respective course.
- c. Each component of evaluation shall be assigned a certain weightage towards the computation of overall performance in each course. In general no individual test would be assigned a weightage of more than 25% of marks.
- d. The performance of a student in each semester shall be indicated through a progress/result card issued to the student after the end-semester examination, showing his achievement in each of the course registered for.
- e. The declaration of result of each academic session shall be based on student's performance at both the semesters of the session. In this bye-law an academic session shall mean both the semesters of the session taken together.
- f. The final result card issued to a student on completion of all the semesters comprising a course of study shall be computed from the results of the various semesters and the overall performance shall be indicated as under:- (GBR-72 dt.25.4-2009)

Grade	Grade Point	Achievement Level
A	10	Outstanding
A-	9	Excellent
B	8	Very Good
B-	7	Good
C	6	Above Average
C-	5	Average
D	4	Below Average
D-	3	Just Pass
F	0	Very Poor

- g. (1) Minimum percentage of marks for a pass in all the courses of studies other than post-graduate programme shall be 35% in each individual course as well as in the aggregate of all courses. Securing less than 35% marks in any course will be treated as having failed in that course.
- (2) If a candidate fails in three or less than three courses in one academic session, then alone he may opt for Summer Remedial Course(s).
- (3) If a candidate fails in more than three courses in one academic session or if he does not pass all the courses after the summer remedial course(s) or if he misses one/both the semesters of an academic session in part or whole, he will get only one more chance to repeat all the courses of the said session in the next succeeding session but in that case he can do so only when he re-registers for all the courses afresh
- (4) During the repeat session also if a candidate:-

- (i) Fails in three or less than three courses, he may opt for Summer Remedial Course(s).
 - (ii) Fails in more than three courses or he does not pass all the courses after the summer remedial course(s) or if he misses one/both semesters, he will leave the Institute and he will not be re-admitted in the same course of study.
- h.** Minimum percentage of marks for a pass in the Master's programme shall be 30% in each individual course and 35% in the aggregate of all courses. There shall be no Remedial Course in the Master's programme.
- i.** Failure in a course due to non-appearance in studies and/or examination(s) on medical or any other ground, whatsoever, will be treated as failure in that course.
- (iv)** The provisions of clause (iii) above will apply to all students, including those in the second year of the course, as also in subsequent years, if the course consists of more than two years duration.
- (v)** The Registrar shall prepare and duly publish a programme for the conduct of the end-semester examinations specifying the date of each examination and the Deans and Principal concerned would conduct the examination in their respective faculties/institutions accordingly. They shall be personally responsible for the safe custody of question papers and the answer-books sent to them and shall render to the Assistant Registrar (Academic) a complete account of used and unused question papers and answer-books.
- (vi)** The Director in consultation with the Dean/Principal concerned may cancel an examination if he is satisfied that there has been a leakage of question paper or any other irregularity which warrants such step. Cases involving use of unfair means and cancellation of examinations, if any, be reported to the Governing Body/Managing Council, as the case may be, at its next meeting.
- (vii)** Except as otherwise decided by the Governing Body, the examination answer-books and the documents regarding the marks obtained by the examinees except the consolidated Result Charts, shall be destroyed or otherwise disposed off after six months from the date of declaration of the results, unless required for some pending representation or some proceedings in a court of law or required to be retained for any special reason as per the orders of the Director/Registrar (GBR-3 dt. 29.7.2000).
- (viii)** The Academic Council shall lay down the procedure and rules to be followed for the conduct of examinations which shall be strictly observed.
- (ix)** A candidate who is unable to present himself at an examination shall not receive a refund of his fee.
- (x)** The result of the examinations, both continuous evaluation and end-semester examination, will be tabulated in duplicate by two sets of tabulators in the Examination Department of the Institute and these sets will be duly collated before declaration of the results.
- (xi)** The cases of indiscipline and the use of unfair means by the candidates in the examination will be dealt by the Results Committee according to the bye-laws on the subject.
- (xii) a.** The marks obtained in the continuous assessment can be questioned by a student only within ten days of their display on the notice board of the respective faculty/institution and beyond that date the marksheet signed by the course teacher, Head of the Department and the Dean/Principal concerned shall be the conclusive proof of the marks obtained by the student and thereafter the marks so obtained shall not be subject to any revision/scrutiny whatsoever.
- b.** Scrutiny of the awards obtained in written and or practical end-semester examinations may be got conducted by the Registrar on an application made not later

than one month after the declaration of the result, and payment of a fee as prescribed by the Governing Body from time to time.

(xiii) The Registrar may issue a provisional certificate to a candidate who has completed all the requirements for a particular course of study after the declaration of the examination result and before the date of the Convocation on a written request.

(xiv) Original certificates and their duplicates, marked "DUPLICATE" shall be granted on payment of the fee as prescribed by the Governing Body from time to time.

Provided that duplicate of Institute Diploma/Migration certificate/ Provisional certificate of passing an examination shall only be granted to an applicant if such a request is accompanied by an affidavit made on a proper stamp paper and also provided that the Director is satisfied that the applicant has lost it or it has been destroyed and the applicant has real need for a duplicate. Before making such a request the applicant must indemnify the Institute by furnishing an 'Indemnity letter' (form to be obtained from the Institute) executed on proper stamp paper.

Provided further that in place of a "TRIPLICATE" another duplicate copy of the Migration Certificate or any other document provision for which exist in the Bye-laws may be issued to the applicant(s) doubling the fee each time and such copies shall also be marked as "DUPLICATE" (GBR-45 dated 29.7.2000).

(xv) The Governing Body may authorise the Registrar to publish the results of the examinations of the Institute as passed by the Results Committee on the Notice Board of the office of the Institute.

(xvi) In dissertation/major project only, a continuation grade i.e. "X" grade may be awarded upto a maximum of 3 terms provided this is within the maximum allowed period for completion of the post graduate courses. Weighted percentage for the concerned semester (term) in which "X" grade is awarded will be worked out without considering the credits allocated to the dissertation/major project. (effective from the session 1997-98: GBR-13 dt. 28.7.97).

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18. PROVIDENT FUND

(Amendments upto 2-4-1994 included)

(i) In this bye-law -

- a. 'Dependent' means any of the following relations of a deceased subscriber to Provident Fund viz. a wife, husband, son, daughter, deceased son's widow, son of the deceased son, daughter of the deceased son, parents, minor brothers and unmarried sisters, and where no parent of the subscriber is alive, a paternal grand-parent.
- b. 'Employee' means employee as defined in the Bye-law on Conditions of Service for employees.
- c. 'Interest' means the interest which is paid on a deposit in the savings bank of the post office or Nationalised Bank or Co-operative Bank from time to time.
- d. 'Length of Service' in the Institute shall mean service rendered by the subscriber in a permanent post in the Institute including in any of its non-university educational institutions.
- e. 'Salary' means Salary as defined in the Bye-law on Conditions of Service for employees.
- f. 'Savings Bank' means a Savings Bank of any Post Office or Nationalised Bank or Co-operative Bank.
- g. 'Subscriber' means an employee on whose behalf a deposit is made under this bye-law. Persons appointed on probation to a permanent post shall be eligible to subscribe to the fund on confirmation or from the date of joining a new post in the Institute on probation if the appointee is a serving confirmed employee of the Institute.

(GBR-8 dated 31.5.88) A confirmed employee of the Institute when appointed in the Institute against a temporary post or on temporary basis against a permanent post should be allowed to subscribe for the Provident Fund during his temporary service against his substantive post.

(ii) Every employee shall subscribe to the Provident Fund at the rates as prescribed by the Institute from time to time for which an account will be opened in a Savings Bank. The deduction shall be made by the Institute upon every salary bill presented. In the calculation of this deduction fractions of a rupee shall be omitted. The amount so deducted together with the contribution by the Institute under para (iii), if any, shall be deposited in the Savings Bank. The post office or the bank will open an account in the joint names of the individual subscriber to the Provident Fund and the Treasurer. A Provident Fund ledger will be maintained in the office of the Treasurer and the entries therein shall be verified by the subscriber at the close of the year and signed as a token thereof. The Institute shall not be responsible for any error remaining after verification by the subscriber. The account will be operated by the individual subscriber and the Treasurer jointly and all sums to be credited in these accounts shall be sent to the post office or the Bank accompanied by -

- a. Savings Bank pass book; and
- b. A list in such form as may be prescribed by the Treasurer showing in detail the amount to be credited to each account.

Note:

(1) Subscribers to the Provident Fund are given option of raising their subscription to the Provident Fund upto 25% of the pay drawn by them.

(2) A subscriber may, at his option not subscribe during leave. He shall intimate his election not to subscribe during leave by written communication to the Registrar before proceeding on leave. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe during leave. The subscription of the subscriber while on leave with allowance shall be assessed on the full amount of his pay and not on the leave salary.

(3) No subscriber shall subscribe to the fund while on leave without pay or absence without leave or while under suspension.

(4) Discontinuation of subscription (GBR-29 dated 29-10-93):-

i. Employees governed under General Provident Fund Scheme (G.P.F.) and are due to attain the age of superannuation, are exempted from making any subscription to their G.P.F.-

(a) during the last 3 months of their service in case of employees working on UGC financed posts and

(b) during the last 4 months of their service in case of employees working on U.P. Government financed posts.

The discontinuance of the subscription will be compulsory and not optional.

ii. Employees governed under Contributory Provident Fund Scheme (C.P.F. Scheme) will not subscribe to their C.P.F. account for the last month in which they are due to attain the age of superannuation unless before commencement of the said month, they communicate to the Treasurer, in writing, their option to subscribe for the said month.

(iii) In case of employees covered by contributory provided fund scheme, the Institute shall also make a contribution at the rate as prescribed by the Institute from time to time.

Provided that no contribution shall be made by the Institute out of its funds for the period during which a subscriber does not or is not permitted to subscribe to the fund.

(iv) a. Investment, in the post office cash certificates or in Government Securities or in fixed deposit with the Nationalised Bank or Co-operative Bank of the amount to the credit of a subscriber in his Provident Fund is also permissible if the subscriber so desires on the condition that no security or fixed deposit of the face value of less than Rs. 1000/- is purchased at one time.

b. The Post Office cash certificates, securities and fixed deposit receipts shall remain in the custody of the Treasurer.

(v) The Director may permit a subscriber to take temporary advance from the amount standing at the credit of the subscriber exclusive of the amounts invested for fixed periods in the fund. Temporary advance will be admissible for the following purposes :

a. to pay expenses in connection with the prolonged illness of the subscriber or any member of the family actually dependent on him;

b. to pay for overseas passage for reasons of health or education of the subscriber or any person actually depending on him;

c. to meet the cost of education of the subscriber or of any person actually dependent on him;

d. to pay obligatory expenses appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with marriage or other ceremonies of the subscriber or marriage, funeral, and other ceremonies of any person actually dependent on him;

e. to make good the loss of the Institute money caused by the subscriber;

f. to meet expenses in connection with any legal proceedings in which the subscriber is a party upto 50% of one's own contribution only; and

g. to meet the expenses connected with the purchase of site for the subscriber's own house, its construction and repairs.

Provided that the sum advanced for the purposes listed under (a) to (f) shall not exceed 100% of the sum subscribed by the subscriber together with the interest

accumulated thereon and for purpose (g) the advance shall not exceed nine months pay of the subscriber or 100% of the sum subscribed by him together with the interest accumulated thereon, whichever is less.

Provided further that advance will be available to employees having more than five years of service in the Institute.

Note:

1. A second advance shall not be granted unless after the repayment in full with interest, if any, of the previous advance.
2. Where the subscriber was sanctioned an advance for the construction of his own house he shall not be sanctioned any further advance during the period of his entire service for building a second house though a second advance may be sanctioned for extension to his own house.

(vi) The amount advanced under para (v) shall be refunded along with the interest due in the fund by a maximum of 36 equal monthly instalments in all cases except when the advance is for the purpose of site or for the construction of own house in which case the number of instalments shall be 96. Recoveries will be made monthly commencing from the first payment of a full month's salary after the advance is granted.

The instalments will be paid by compulsory deduction from salary or leave salary and will be in addition to the usual subscription.

(vii) a. Withdrawal will be permitted when a subscriber's services in the Institute come to an end by his retirement, resignation, death or otherwise provided that -

(1) No employee whose services have been dispensed with for what in the opinion of the appointing authority, is gross misconduct, shall be entitled to receive the amount of the contribution made by the Institute on his behalf and the interest thereon.

(2) No employee shall be entitled to receive the amount contributed by the Institute on his behalf and the interest thereon, unless he had been in the service of the Institute, for continuous period of three years from the date he has been allowed to subscribe to the Provident Fund and has been permitted to resign his appointment.

b. Any contribution and interest thereon withheld under this Bye-law shall belong to the Institute and shall be credited to the Institute fund.

(viii) a. (GBR-6 dated 15.2.86) Subject to the conditions specified hereunder, withdrawal may also be sanctioned to a subscriber by the Director at any time within two years of the date of his retirement on superannuation for one or more of the following purposes:

(1) meeting the cost of higher education, including where necessary, the travelling expenses of any child of the subscriber actually dependent on him for education inside/outside India for academic, technical, professional or vocational course beyond the High School stage provided that the course of study is for not less than three years;

(2) meeting the expenditure in connection with the marriage of the subscriber's son or daughter and of any other female relation dependent on him;

(3) meeting the expenses in connection with the illness, including where necessary, the travelling expenses of the subscriber or any person actually dependent on him;

(4) building or acquiring a suitable house for his residence including the cost of site or reconstructing or for making additions and alterations to a house already owned or acquired by the subscriber; and

(5) purchasing site for his own house.

b. The sum withdrawn by a subscriber shall not exceed 50% of his own subscription and standing to his credit in his provident fund account inclusive of the interest thereon but exclusive of the amounts invested for fixed periods in the fund or nine months' pay, whichever is less.

c. An employee will authorise the Institute for withdrawal, from his Provident Fund, a sum equivalent to the monthly premium for the purpose of Group Savings Linked Insurance Scheme for the employees working on UGC financed posts for payment to the L.I.C. of India during the period when the employee does not earn any salary such as extra-ordinary leave without pay etc. (GBR-5 dated 2.4.94).

(ix) Each subscriber must file in the office of the Registrar a declaration in such form as may be prescribed by the Registrar showing how he wishes the amount of his accumulation in the fund to be disposed of in the event of his death or becoming insane.

Provided that if the subscriber has got dependents he shall not be permitted to nominate any outsider.

Provided further that where a subscriber has no dependent at the time of nomination but subsequently comes to have one or more dependents he shall get the nomination changed in favour of such dependent or dependents as soon as possible.

The subscriber may from time to time, change his nominee(s) by a written application, duly witnessed, to the Registrar. A register of such nominees shall be kept in the Institute office under the personal custody of the Registrar.

(x) Any sum standing to the credit of any subscriber to the fund at the time of his death and payable to any dependent of the subscriber or to such persons as may be authorised by law to receive payment on his behalf, shall subject to any deduction authorised by the Rules and Bye-laws vest in the dependent and shall be free of any debt or other liability incurred by the dependent before the death of the subscriber.

Provided that if no nomination has been made by the subscriber such sum shall be paid to the dependents in order of preference given in clause (a) of para (i).

(xi) Any debit remaining outstanding against an employee, may, if so directed by the Appointing Authority, be realised from the dues standing at the credit of such an employee excluding the amount subscribed by him to his Provident Fund and interest earned thereon provided that the recovery so effected may not exceed the limit of an amount contributed by the Institute to the Provident Fund of the employee including interest earned thereon.

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19. CASES OF INDISCIPLINE AND / OR USE OF UNFAIR MEANS BY STUDENTS DURING THE EXAMINATIONS

(Amendments upto 29-7-2000 included)

(i) In this bye-law the word 'examination' shall include any kind of test which forms a part of assessment of the academic performance of a student of the Institute including its non-university educational institutions.

(ii) Action shall be taken against an examinee who is found creating indiscipline and/or using or attempting to use unfair means during an examination in the Institute including its non-university educational institutions.

(iii) INDISCIPLINE

a. In this bye-law indiscipline shall include the following:

- (1) misbehaviour in connection with the examination, with the Centre Superintendent appointed by the Director, the Invigilator, Flying Squad on duty or the other staff working at the Examination Centre, or with any other candidate, in or around the examination centre, before, during or after the examination hour;
- (2) leaving the examination room without permission of the Invigilator Incharge in the Examination Hall before the expiry of half an hour with or without handing over the answer book to the Invigilator Incharge or without signing the attendance sheet;
- (3) intentionally tearing off the answer book or a part thereof or a continuation sheet;
- (4) disturbing or disrupting the examination;
- (5) boycotting or walking out from an examination;
- (6) inciting others to leave the examination room or to disturb or disrupt the examination;
- (7) carrying into the examination centre any weapon of offence.

b. Procedure for dealing with cases of indiscipline

In the examination hall the candidate shall be under the disciplinary control of the concerned invigilator(s), Centre Superintendent and the Dean/Principal concerned. The candidate shall obey the instructions issued or announced. In the event of a candidate disobeying the instructions or indulging in indiscipline or indecent behaviour in any manner whatsoever, the Dean/Principal concerned may expel the candidate for the rest of that particular examination, and if a candidate acts in a violent manner or brings any dangerous weapon or uses force or makes display of force towards the Invigilator(s)/Members of the Flying Squad/Centre Superintendent at the examination centre or in the precincts and endangering safety of any one of them or acts in a manner likely to harm/hinder the authorities in the discharge of their duties, the Dean/Principal concerned may expel the candidate from the examination and if necessary, may request the Director for the help of the police.

In cases where action is taken by the Dean/Principal concerned as above, a full report shall be sent by the Dean/Principal concerned to the Registrar on the same day and it would be considered by the Results Committee of the Institute which shall award him any or all of the punishments listed later in this bye-law depending on the gravity of the offence.

(iv) Use of Unfair means

a. In this bye-law use of unfair means shall include the following:

- (1) assisting in any manner whatsoever, any other candidate in answering the question paper during the course of the examination;

- (2) Taking assistance from any other candidate or any other person or from any book, paper, notes or other material in answering the question paper during the course of the examination;
- (3) carrying into the examination room any book, paper, notes, or other material whatsoever, likely to be used directly or indirectly by the candidate in connection with the examination;
- (4) smuggling in an answer book or a continuation sheet;
- (5) failure to hand over the answer book(s) to the Invigilator or taking away the answer book(s);
- (6) taking out or arranging to send out an answer book or any of its page or continuation sheet during or after the examination;
- (7) replacing or getting replaced an answer book or its any page or continuation sheet during or after the examination;
- (8) getting impersonated by or impersonating any person in the examination;
- (9) deliberately disclosing one's identity or making any distinctive mark in the answer book for that purpose;
- (10) communicating with or talking to any other candidate or unauthorised person in or around the examination room during the course of the examination;
- (11) communicating or attempting to communicate directly or through a relative, guardian and friend with an examiner with the object of influencing him in the award of marks.

b. Procedure to be followed in dealing with the case of use of unfair means-

- (1) The examinee shall be called upon to surrender all objectionable material found in his possession including his own answer book and a memorandum shall be prepared with date and time in the prescribed proforma by the invigilator(s)/ member(s) of the flying squad and the Centre Superintendent along with a written statement duly signed by the examinee.
- (2) The examinee shall be issued a fresh answer book marked "duplicate-using unfair means" to attempt answers in continuation to what he has already attempted before being caught, within the remaining time prescribed for the examination.
- (3) All the materials so collected, as listed in paras **a.** and **b.** above shall be submitted to the Dean/Principal concerned who shall forward the same to the Registrar by name in a separate confidential sealed cover marked "unfair means".
- (4) The material so collected from the examinee together with the duplicate answer book, if any, shall be sent to the Examiner by the Registrar for assessing both the answer books separately and to determine if the examinee has actually used unfair means in view of the material collected.
- (5) The cases of the use of unfair means in the examination as reported by the Dean/Principal concerned along with the report of the invigilator(s)/member(s) of the flying squad and the Centre Superintendent and the report of the Examiner shall be examined by Results Committee of the Institute.
- (6) If a candidate is found guilty of using or attempting to use unfair means at any examination, the Results Committee may award him any or all of the punishments listed later in this bye-law depending on the gravity of the offence.

- (v) The Results Committee may also punish a candidate if it is discovered afterwards that

the candidate was in any manner guilty of misconduct and or use of unfair means in connection with his examination.

In every case of possible indiscipline and/or use of unfair means by the students during examinations, the Registrar shall issue a charge sheet to the student concerned. On receipt of the reply from the student, the same shall be submitted to the Results Committee. The Results Committee, after considering the charge sheet and reply, will decide if a minor penalty is called for and in that case award the minor penalty to the student concerned. In case, however, the Results Committee is of the opinion that a minor penalty will not serve the purpose then it shall give student concerned an opportunity to show cause in writing as to why the proposed penalty may not be awarded to him and he shall be given not less than a week's time for submitting a written reply and thereafter the Results Committee shall consider his reply, if any, if submitted in writing within the specified time before awarding the penalty.

(vi) List of penalties

- a. warning in writing;
- b. deduction of marks under the head 'Discipline';
- c. monetary fine;
- d. cancellation of a particular examination and its inclusion in the overall assessment;
- e. cancellation of all the components of assessment of one/two/three courses of a semester [GBR-3 dt.29.7.2000].
- f. cancellation of all the examinations of first test series/make up test series/end semester examinations, with/without inclusion in the overall assessment [GBR-3 dt.29.7.2000].
- g. cancellation of the entire result of a session;
- h. expulsion from Institute for one year or more or forever.

Penalties listed at Sl.No. (a) to (f) above shall be considered minor penalties and those listed at (g) and (h) as major penalties.

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20. THE DEGREE OF DOCTOR OF PHILOSOPHY (Ph.D.)

(Approved by the Governing Body vide Resolution no.7 dated 25.7.2009 and effective from 11.7.2009 i.e. from the date of publication of the UGC notification in the Gazzette of India)
(Amendments included approved by Governing Body vide its resolution no.8 dated 7.8.2010 & GBR-80/15.12.2012)

- (i) The degree of Doctor of Philosophy may be granted in any subject under the courses of studies included in the faculties of the Institute, subject to the conditions and regulations laid down in this bye-law.
- (ii) (a) The research shall be a distinct contribution to the existing knowledge in any branch or branches of knowledge; it shall be an original contribution or a critical study or a new interpretation of existing theories and data.
(b) Ph.D. programme will not be conducted in distance education mode (GBR:7/25.7.2009).
(c) The Institute will notify, department wise, the number of seats available for Ph.D. programme before the beginning of each semester. (GBR:7/25.7.2009).
- (iii) A Research Entrance Test and interview will be conducted for determining suitability of candidates for their admission to Ph.D. programme subject to provisions contained in the subsequent clauses regarding exemption from the test (GBR:7/25.7.2009).

(iv) Eligibility

A person who holds any of the qualifications laid down below will be considered eligible for research study leading to the award of the degree of Doctor of Philosophy under the relevant Faculty of the Institute provided that the Research Degree Committee (RDC) concerned is satisfied that the candidate possesses the requisite qualifications to take up the proposed research work: (GBR:7/25.7.2009)

- a. Master's degree of this Institute or an equivalent degree with at least 55% marks.
- b. B.Sc. Engineering or an equivalent Engineering degree with at least 75% marks (or 90 percentile or more in G.A.T.E. (Graduate Aptitude Test in Engineering) with at least one year relevant professional experience or one published paper in a standard journal.
- c. A permanent teacher of the Institute with post-graduate qualification.
- d. SC/ST category students will be given relaxation of 5% marks wherever eligibility for admission is based on minimum qualifying marks.

Provided that the following candidates will be exempted from appearing at the Research Entrance Test:-

- (1). A candidate who has qualified National Eligibility Test as NET-JRF (Junior Research Fellowship)/GATE (Graduate Aptitude Test in Engineering). However, candidates possessing NET-LS (National eligibility test for Lectureship) only shall not be eligible for exemption from appearing at the entrance test.
- (2). Graduate Aptitude Test for Engineering (GATE/NET) will be considered for admission to disciplines under Faculty of Engineering only.
- (3). A candidate who is a recipient of National Doctoral Fellowship or other fellowships from government/semi-government organizations such as Council of Scientific and Industrial Research (CSIR), University Grants Commission (UGC), All India Council for Technical Education (AICTE), Department of Science and Technology (DST), Defence Research and Development Organization (DRDO), Department of Atomic Energy (DAE), Department of Biotechnology (DBT), and similar national-level organizations awarded through an All India selection procedure conducted by the agency/organization concerned- provided that candidates selected for any post in the research project funded by such organizations shall not be eligible for exemption.
- (4). Those candidates who have qualified S.L.E.T. (State Level Eligibility Test), recognised by U.G.C. will be exempted from aforesaid mandatory entrance test.
- (5). Interview shall be conducted for all candidates and suitability of the candidate shall be tested through the interview by a panel of teachers along with the concerned head of the department.

e. Direct Admission :To promote talented students of the Institute for Ph.D. programme who have passed post-graduate examination from respective departments of DEI and scored CGPA 9.0 or above (or 75% & above marks as may be applicable) shall be eligible for consideration to direct admission to the Ph.D. programme. Number of seats in such cases shall be treated as supernumerary subject to a maximum 20% of total available seats.

(v) Registration

a. The candidate shall apply on the prescribed form for admission to the Institute by 1st March or by 1st September of every session to the Dean of the Faculty concerned. A research entrance test will be conducted twice in an academic session. Thereafter the interview will be held in the concerned department i.e. in the department in which the candidate desires to do research work. On the basis of the performance of the candidate in the research entrance test and interview, the Head of the Department will forward the application of the selected candidates to the concerned Dean within a month along with the name of the proposed Supervisor keeping in view the preference expressed by the candidate and taking into consideration other administrative and infra-structural aspects. The Dean will forward the application with his recommendations to the Registrar for processing admission to Ph.D. programme.

b. After admission in the Ph.D. programme, the candidates will undertake prescribed course work (including a course on research methodology) for a minimum period of one semester. A Departmental Research Committee with the Head as its Chairman and the senior staff members as member shall recommend courses to be covered by the candidate. However, those candidates who have undertaken the prescribed course work during their M.Phil. studies will be exempted from the aforesaid mandatory requirement of course work.

c. The candidate shall submit the topic of his proposed research work along with six copies of synopsis thereof duly endorsed by the proposed Supervisor, Head of the Department and the Dean within six months of admission which shall be placed before the RDC for consideration.

d. The application for registration shall be placed before the RDC consisting of the Director of the Institute, the concerned Dean, the Head of the Department, and two external experts in the subject, appointed by the Director in consultation with the Head of the Department and Dean concerned. The Supervisor shall be co-opted member of the RDC for his candidate. Should there be any difficulty in procuring presence of external experts in RDC, their opinion may be obtained by correspondence out of which at least one shall be available for consideration during the meeting. The RDC shall satisfy itself that the subject offered is one which can be profitably pursued in the Institute and that the candidate possesses the requisite qualifications. The RDC shall then either approve, amend or reject the proposal. The date of submission of a synopsis which has been approved shall be considered as the date of registration of the candidate. The recommendations of the RDC shall be reported to the Academic Council at its next meeting.

e. A candidate may request changes in the topic of his thesis with the approval of the RDC within one year from the date of registration.

f. Other issues relating to the research, not provided otherwise in rules, may be decided by the Director on the advice of a Committee consisting of the concerned Dean, Head of the Department and the Supervisor.

(vi) Research Study

a. A candidate shall be a full-time research scholar of the Institute for pursuing his research studies for duration of at least two calendar years from the date of registration in case of a post-graduate candidate, at least three calendar years from the date of registration in case of a candidate with B.Sc. Engineering or an equivalent degree. The permanent staff or the persons appointed on probation on the permanent posts or the temporary staff appointed for one year against permanent post or the persons appointed on scheme posts for three years duration or more, of the Institute hereinafter referred as "staff of the Institute", registered for the degree will be treated as part-time research

scholars and shall be required to put in a minimum of three calendar years from the date of their registration. (GBR:17/3.5.2014)

Part-time Ph.D. registration is permitted for any eligible candidate (not necessarily a teacher of DEI) who is jointly guided by a teacher at DEI as Supervisor and a teacher at another Institute with which DEI has signed an MoU, as co-supervisor. The candidate must fulfill course requirements, if any, at either of these Institutes or through Web based courses offered by DEI in distance mode. To fulfill the attendance requirements the candidate must produce a certificate from both Supervisor and Co-Supervisor that he/she has been regular in his/her work (GBR-7/7.8.2010).

Dual Degree Mode

Research scholars enrolled for Ph.D. may pursue M.Phil. in Dual Degree Mode in the first four semesters by registering for the M.Phil. Programme in the department whether it is open mode or dual mode. The duration for completion of M.Phil for Ph.D. candidates registering in dual mode will be same as that of those pursuing M.Phil. of the department in open or dual mode as the case may be. They need not pay any additional fees. They can submit synopsis within one year of joining the Ph.D. programme and can get one year additional time for submission of thesis if necessary with the approval of the Director. (GBR-7/7.8.2010) (GBR-20/3.5.2014)

Commented [D1]: Presently in open mode (GBR-20/3.5.2014). It should be deleted

Provided that if a research scholar fails to complete his research work and submit thesis, within four calendar years from the date of registration in case of a post-graduate candidate, five calendar years from the date of registration in case of a candidate with BTech or an equivalent degree or a part-time research scholar of the Institute, his registration shall lapse automatically. In very exceptional situation the Director may allow extension of one year for submission of thesis provided the candidate applies giving reasons for extension before expiry of normal term. (GBR-79 dated 15-12-2012)

b. A full-time scholar shall be required to ensure a minimum of 75% of attendance of at least four hours of research work daily in the Institute during working hours from the date of his admission in the Institute till he submits his thesis or till he is granted exemption from daily attendance in the Institute, as provided elsewhere in this bye-law.

c. A research scholar shall pursue his research at the Institute unless the Director, on the recommendation of the Supervisor, the Head of Department and the Dean concerned, gives him leave of absence for not more than one calendar year provided the Director is satisfied that it is in the interest of the research work of the scholar and that he should work at another recognised institution for which facilities are not available in the Institute. The period of absence need not be a continuous one. The scholar shall have to produce a certificate of attendance from the Head of the institution concerned. During this period he shall not take any paid assignment.

d. A research scholar shall submit semester-registration form along with six-monthly progress report on the work done by him to the Director through his Supervisor, Head of the Department, and the Dean of the Faculty. Failure to submit semester-registration form and the progress report or unsatisfactory progress report shall result in cancellation of the concerned semester (which shall however count in the reckoning of the maximum duration of research work). Cancellation of three semesters shall result in the cancellation of the registration.

e. A whole-time Research Scholar may be allowed leave for not more than one month in a year.

f. A research scholar may be required to help in the departmental teaching and three to six hours per week of work load may be assigned to him by the Head of the Department on the advice of the Supervisor in respect of the laboratory work and Seminar & Group Discussions only by way of assistance and not as an independent charge.

g. Prior to submission of thesis, the candidate will make an open presentation of the research work carried out by him in connection with his Ph.D. studies, before the research students and faculty members for getting feedback and comments, which may be suitably incorporated into the draft Ph.D. thesis under the advice of the Supervisor of the Candidate. (GBR-7/25.7.2009)

h. Ph.D. candidate shall publish one research paper in a refereed journal before submission of Ph.D. thesis. (GBR-7/25.7.2009)

(vii) Submission of the thesis

a. On completion of the research work, the research scholar shall submit an application to the Registrar through the Supervisor, Head of the Department, and the Dean concerned along with the certificate from the Supervisor that the work has been completed and six copies of summary of the thesis at least two months before the date on which he proposes to submit his thesis to the Institute.

b. After the submission of the application along with (i) the certificate of completion, (ii) the evidence of publication or acceptance of one research paper, and (iii) the summary of the Ph.D. thesis (GBR:7/7.8.2010) a meeting of the RDC would be convened. The RDC, after review of the summary will recommend a panel of at least six examiners for the thesis. Should there be any difficulty in procuring the presence of external experts in the meeting of the RDC, a panel of at least three names from each expert may be obtained by correspondence along with panel of three names from the Supervisor of the candidate. The internal members of the RDC shall draw a panel of at least six names from these three lists for the appointment of two external examiners by the Director. The RDC will meet as per announced schedule.

c. The medium of the thesis may be English or Hindi language. Provided that in case of languages, the medium may be the language on which the research has been conducted.

d. The research scholar may incorporate in his thesis the content of any work which he may have published on the subject provided that he shall not submit as his thesis the content of any work which he may have submitted for the conferment of any other degree to this or any other institution. He may attach papers published on the results of his research work carried out on the subject along with his thesis.

e. The research scholar shall submit to the Registrar three typed and bound (initially soft bound) copies of his thesis, including abstract of a maximum of 500 words, preferably along with a 3.5" floppy diskette containing material of the thesis compiled in a standard word processor.

f. The thesis shall be accompanied by a certificate from the Candidate and the Supervisor duly forwarded by the Head of the Department and the Dean concerned that the thesis embodies the results of the scholar's own research and that he has worked in the Institute for the period specified under para vi(a) of this bye-law.

g. The thesis shall comply with the following conditions:

(1) It must be a piece of research work characterized either by discovery of new facts or a fresh approach towards the interpretation of facts of theories. In either case, it should evince the scholar's capacity for critical examination and sound judgement. The scholar shall communicate how far the thesis embodies the results of his own observations and in what respects his investigations appear to him to advance knowledge in the subject, and

(2) It should be satisfactory from the point of language and presentation of subject matter.

(viii) Appointment of Examiners

On finalisation of the panel of examiners by the RDC, the Director shall appoint two external examiners from the recommended panel of external examiners, at least one of which should be from outside the state. External examiner(s) can also be appointed from outside the country (GBR-8/7.8.2010). The Supervisor and the Co-Supervisor, if any, shall collectively be treated as one examiner, as internal examiner and they shall submit a joint report.

If an examiner fails to submit his report of a thesis within a period of two months from the date of receipt of the thesis, steps may be taken to send reminder before considering recall of the thesis and appointment of another examiner.

(ix) Evaluation

a. Each examiner shall examine the thesis and shall submit his written report, within the time specified, on the form prescribed for the purpose. They shall make recommendation for the approval, or resubmission after modifications indicated or rejection. In case of approval with minor suggestions the candidate would be required to make the suggested minor revision in the thesis, duly certified by the Supervisor, and the same will be clarified by the candidate and so certified by the examiners at the time of viva voce examination.

(1) If all the three examiners recommend approval of the thesis, the Institute shall arrange for the viva-voce examination of the scholar.

(2) If two examiners recommend rejection of the thesis, the thesis shall stand rejected.

(3) If two examiners recommend resubmission after revision and the third recommends its approval, the matter shall be placed before the Results Committee and the scholar shall be allowed to resubmit his thesis, only once, after modifications as per the suggestions of the examiners within one year from the date of communication of the decision of the Results Committee in this regard. The thesis so revised shall be sent to all the examiners for evaluation and recommendations for its approval or rejection.

In case the recommendations for the approval of the thesis, are unanimous, the scholar shall appear for viva-voce examination. In case of any recommendation for revision or rejection of the revised thesis, it shall stand rejected.

(4) If-

(a) two examiners recommend approval of the thesis and the third its revision or rejection,

OR

(b) one examiner recommends approval of the thesis, the other its revision and the third its rejection,

OR

(c) two examiners recommend revision of the thesis and the third its rejection,

The Registrar shall arrange to circulate the reports together with the clarification provided by the candidate for the examiner's reports, among all the examiners. After this exchange of reports, the examiners shall again make written recommendations for the approval or resubmission after modifications indicated or rejection.

(i) If all the examiners recommend approval of the thesis, the scholar shall appear for viva-voce examination.

(ii) If two examiners recommend rejection of the thesis, it shall stand rejected.

(iii) If two examiners recommend revision and the third its approval, the thesis shall be revised and action as per para (ix) (a) (3) shall follow.

(iv) If-

1. two examiners recommend approval of the thesis and the third its revision or rejection,

OR

2. one examiner recommends approval of the thesis, the other its revision and the third its rejection, the matter shall be placed before the Results Committee and a fourth examiner (external) shall be appointed by the Director from among the names contained in the panel drawn up for the purpose (under clause vii). The thesis shall be sent to the fourth examiner for evaluation and recommendation for its approval or revision or rejection. In case of approval, the scholar shall appear for viva-

voce examination. In case of recommendation for rejection, the thesis shall stand rejected. In case revision of the thesis is recommended by the fourth examiner, action as per clause (ix) (a) (3) shall follow with the difference that the revised thesis shall be sent only to the fourth examiner for evaluation. If the fourth examiner approves the revised thesis, the scholar shall appear for viva-voce examination. In case of recommendation for revision or rejection of the revised thesis, the thesis shall stand rejected.

- (v) If two examiners recommend revision of the thesis and third its rejection, the matter shall be placed before the Results Committee and a fourth examiner (external) shall be appointed by the Director from among the names contained in the panel drawn up for the purpose (under clause viii). The thesis shall be sent to the fourth examiner for evaluation, and action be taken as per provisions contained in para ix(a)(4)(iv)(2).

b. Viva-voce Examination

The viva-voce examination shall be conducted by a board of examiners consisting of any one of the external examiners so appointed by the Director and the Supervisor of the candidate as the internal examiner. The viva-voce examination will be defended by the candidate, openly (GBR-7/25.7.2009). The examiners shall report whether:-

- (1) the candidate is acquainted with the literature on the subject,
- (2) the thesis is genuinely the work of the candidate,
- (3) the candidate evinces capacity for critical examination and judgement,
- (4) the Board recommends the thesis for
 - (i) the award of the degree,
 - (ii) no award of the degree, and
 - (iii) second viva voce examination after three months.

In case second viva voce is held, the Board of Examiners shall recommend after the second viva voce examination whether the degree be awarded to the candidate or not, and

- (5) the candidate has incorporated suggested revision/corrections/ additions, as indicated in the thesis evaluation reports.

(x) After the viva-voce examination the reports regarding the thesis and the viva-voce examination shall be placed before the Results Committee which shall accept all unanimous recommendations after which the Registrar will declare the result and issue a provisional certificate and communicate the result to the Academic Council and the Governing Body.

- (a) The candidate will be required to submit a soft copy of the Ph.D. thesis to the Institute, for onward transmission by the Institute to the U.G.C. within a period of thirty days from the date of the meeting of the Results Committee. (GBR-7/25.7.2009)
- (b) The candidate will be issued a provisional certificate (free of cost) regarding his being eligible for award of a Ph.D. degree of the Institute, which will also certify that this Ph.D. degree has been earned by him in accordance with the UGC minimum standards and procedure for the award of Ph.D. degree, Regulations 2009 (GBR-7/25.7.2009).

(xi) Supervisor

a. The supervisor shall be a member of staff of the Institute with expertise in the subject concerned or in a related field and

- (1) shall have a doctorate degree and with published research work to his credit and (i) experience of successfully guiding at least one doctorate thesis or (ii) experience of teaching for at least two years of post-graduate classes/five years of degree engineering classes/ seven years of degree classes in the subject concerned or in related field in the Institute.

OR

(2) shall be a scholar of eminence in the subject concerned.

b. A supervisor shall not have more than the number of candidates as indicated below for the Ph.D. studies at one time under his supervision: .(GBR-80/15.12.2012)

Professor	- Five
Associate Professor	- Three
Assistant Professor	- Two

However, the teacher may be allowed to have one extra candidate registered a year before some scholar under him submits the thesis. Joint supervision of two candidates of the Institute will amount to supervision of one candidate.

c. A teacher shall not be appointed as supervisor two years prior to his retirement. In case a teacher is appointed as supervisor within three years of his due date of retirement, a co-supervisor shall also be appointed along with him. Should the supervisor retire before submission of thesis of this candidate, his status will automatically change to co-supervisor and the existing co-supervisor, if fulfilling the criteria of supervisorship as mentioned in xi(a) above, or some other teacher of the Institute will be appointed as supervisor of the candidate.

(xii) Co-Supervisor

The Director, on the recommendations of a Committee consisting of the concerned Dean, Head of the Department and the Supervisor may permit a co-supervisor for the Ph.D. work from within the Institute or outside the Institute, should the nature of the research work so demand, provided he fulfills the academic requirements prescribed for supervisorship as contained in para xi(a) above, but age limit will not apply to him.

(xiii) Non-Resident Research Scholar

a. A Ph.D. scholar of the Institute may be allowed to leave the Institute, if so desired by him after completing the minimum residency period as required under Bye-law no.20(vi)(a) subject to the following conditions:

- (1) The scholar must complete the Ph.D. work within the stipulated period in accordance with the Bye-law no.20(vi)(a) proviso.
- (2) The scholar must submit progress report every six months to the Institute through his Supervisor and the concerned Head of the Department and the Dean and should also get registered every semester. His continuance shall be subject to satisfactory six monthly progress report.

b. Such Research Scholars shall be treated as non-resident scholars.

(xiv) Publication of Ph.D. Thesis

a. Thesis approved for award of Ph.D. degree by the Institute may be allowed to be published by the concerned research scholar if so desired by him, provided that-

- (1) The scholar submits an application to the Registrar of the Institute in writing for permission to publish the thesis.
- (2) The scholar will acknowledge the name of the Institute and his supervisor(s) properly in the thesis so published.
- (3) The thesis will be published by a reputed publisher to ensure quality publication.
- (4) The copy of the Ph.D. thesis proposed for publication should be sent by the scholar to the Institute for authenticating that the scholar has incorporated relevant suggestions for improvement of the thesis as given by the examiners in the evaluation reports and viva-voce examination report.

(5) The copy of the Ph.D. thesis, so authenticated by the Institute shall be the authorised copy for publication.

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(6) Two copies of the published thesis should be provided to the Institute for its official record out of which one will be kept in the Institute library and second will be kept in Registrar's Office.

(7) A soft copy of the Ph.D. thesis shall also be made available by the candidate to the Institute (GBR-7/25.7.2009).

(8) Following the successful completion of the evaluation process and announcements of the award of Ph.D., the Institute shall use the soft copy of the Ph.D. thesis for hosting it in INFLIBNET (GBR-7/25.7.2009).

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21. SENIORITY RULES FOR TEACHERS OF THE INSTITUTE

(Amendments upto .7.8.2010 included)

- (i) a. For the purpose of this bye-law, the seniority of teachers of the various Departments, Faculties and the Institute will be reckoned and maintained within the cadres of:

1. Professor
2. Associate Professor
3. Assistant Professor

Provided that a Professor will rank senior to a Associate Professor and a Associate Professor will rank senior to Assistant Professor.

Provided further that Assistant Professor (Selection grade); Assistant Professor (Senior scale); and Assistant Professor shall be considered as common cadre of Assistant Professor for the purpose of Seniority Rules (GBR-4 dated 6.2.93) (from 27.3.91 to 6.2.93 separate in each cadre GBR-7/7.8.2010).

- b. The seniority of a teacher in a cadre in the Institute shall be determined by the length of service in that cadre in the Institute.

Explanation: 'Service' means service in the concerned cadre in the Institute including service in its three erstwhile Degree Colleges and in its non-university educational institutions of the Institute (GBR-8 dated 29.7.2000) excluding temporary, adhoc or short-term service.

- c. The seniority of a teacher within a Department of Faculty shall be determined in accordance with his seniority in the seniority list of the Institute.

- (ii) The seniority of the teachers in the non-university educational institutions shall be maintained cadre-wise separately for each of the institutions as per different cadres prevailing in the respective institutions. The principle of determining the seniority as given in clauses (i) (b) and (c) shall mutatis mutandis apply to teachers of the non-university educational institutions as they apply to teachers of the Institute.

Provided that the seniority position of the teachers of these institutions, within their cadre, as prevailing on the date of taking over these institutions by the institute shall be maintained so long as they continue in that cadre.

- (iii) If the length of service of two or more teachers in any cadre is equal, their seniority inter-se shall be determined in accordance with the length of continuous service in the cadre in the Institute immediately below, if any.

- (iv) If after calculation in accordance with paragraph (iii) above, the seniority inter-se of two or more teachers in any cadre is equal, their seniority inter-se shall be determined in accordance with the length of continuous service in the cadre, if any, immediately below the cadre considered under para (iii) above.

- (v) If after applying the foregoing provisions to the extent possible, the seniority of two or more teachers is equal, their seniority inter-se shall be determined in accordance with seniority in age.

- (vi) The Assistant Professor approved for placement as Associate Professor under Career Advancement Scheme be designated as Associate Professor from the date of the meeting of the Governing Body approving the promotion keeping their earlier inter-se-seniority intact within that group of promotees. (GBR-8 dt.15-2-92 and G.B. dated 6-2-93).

- (vii) If two teachers appointed by direct recruitment join on same day, one being an internal candidate and the other external, the internal candidate shall rank senior to the other.

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(viii) If two Associate Professor join on the same day, one being a direct recruitee and other a promotee, the later shall rank senior.

(ix) The seniority of teachers of erstwhile degree colleges of the Institute, already in the service of the Institute at the time of the starting of the Institute as an institution deemed to be a university, as determined by the Agra University on 30 June, 1981 shall be maintained amongst themselves, so long as they continue in the cadre in which they were placed on 30 June, 1981.

(x) Transitory Provision:

Notwithstanding anything contained in the foregoing paras, the promotions made in pursuance of the Personal Promotion Scheme vide G.O. No.6868/15-(15)-46 (52)/82 dated 12 December, 1983 read with G.O. No. 501/15-(15)-46 (52)/82 dated 25 February, 1984 issued by the Department of Education (U.P.) or selection made to the post of Reader, in the academic session 1985-86, would be deemed to have taken place as on 31 March, 1986, only for the purpose of deciding seniority, and the inter-se seniority of the teachers so promoted shall be determined on the basis of their relative position in the seniority list of Assistant Professor of the Institute and the seniority of the teachers promoted as Associate Professor vis-a-vis Assistant Professor of the Institute appointed as Associate Professor through direct recruitment within the year shall be determined on the basis of length of service rendered by them as Assistant Professor in the Institute.

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22. PREPARATION AND MAINTENANCE OF SENIORITY LISTS

(Amendments upto 6.2.93 included)

- (i) The Registrar shall prepare and maintain seniority lists in respect of teachers of the Institute cadrewise as Professors, Associate Professor, Assistant Professor as on (15th July upto 6.2.93) 1st July each Year in accordance with the procedure laid down in the clauses hereinafter appearing. The seniority lists of the teachers of the non-university educational institutions of the Institute shall be prepared separately for each institution, cadrewise.
- (ii) The first seniority list prepared in 1985 which has been made final, after due process, shall be the basis for future seniority lists and it shall not be subject to any change.
- (iii) The changes from previous list, if any, shall be published by 1st of July and made available for inspection in the office of the Registrar upto 30th July of that year.
- (iv) Upon its publication, any teacher who feels aggrieved by any additional entry or omission or change made in the finalised list of the previous year, may file an objection upto 14th August stating his reasons and with evidence in support of his contention, addressed to the Registrar.
- (v) The Director shall, before the 25th August, appoint a Committee consisting of a member of the Governing Body and two senior teachers other than those who are members of the Governing Body/Managing Council for dealing with objections to the seniority lists, that may be filed. The Director shall nominate one of them to be the Convener of the Committee.
- (vi) The Committee appointed by the Director shall meet at such time and on such dates as the Convener of the Committee may fix.
- (vii) The Convener may, where necessary, call for the parties concerned, or inspect any documents, file, register or record in the possession of the Institute or elsewhere.
- (viii) The Committee shall provide reasonable opportunity to hear the objector if the objector desires to be heard in person.
- (ix) All decisions of the Committee shall be taken by majority and communicated to the Registrar not later than 30th September, for approval of the Governing Body or the concerned Managing Council.
- (x) The seniority list, as finalised by the Governing Body or the concerned Managing Council shall be published by the Registrar, not later than one month of the aforesaid decision by forwarding two copies to each faculty/institution for reference of the members of the staff.
- (xi) Seniority of teachers joining after 1st July of a year till the preparation of the next seniority list shall be decided by the Director.
- (xii) Regarding teachers promoted as Associate Professor under Career Advancement Scheme, the following procedure be adopted in determining their seniority (GBR-8 dt. 15-2-92):-

All eligible cases from 1st July to 30th June of a session may be processed as and when due during the session but all the cases be placed before the Governing Body in one lot after all of them have been processed.

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23. CONDITIONS OF SERVICE FOR EMPLOYEES OF THE DAYALBAGH EDUCATIONAL INSTITUTE INCLUDING ITS NON-UNIVERSITY EDUCATIONAL INSTITUTIONS.

(Amendments up to 07-8-2010)

(i) Applicability and definitions

a. Save as otherwise provided in the Rules and the Bye-laws, the provisions of this Bye-law shall apply to all employees of the Institute including its non-university educational institutions.

b. In this Bye-law:

(1) "Employee" means an employee of the Institute including its non-university educational Institutions.

(2) "Pay" means the amount drawn monthly by an employee as:

i. "Substantive pay" i.e. pay other than special pay, personal pay or emoluments classed as pay under (2) above, to which an employee is entitled on account of holding a post to which he has been appointed substantively in a cadre;

ii. The pay, other than special pay or additional pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively in a cadre;

iii. "Personal Pay" i.e. additional pay granted to an employee-

(a) to save him from a loss of substantive pay in respect of a permanent post due to revision of pay;

(b) in exceptional circumstances on other personal considerations including qualifications of an employee.

iv. Special pay.

v. Any other emolument which may be specifically classed as pay by the appointing authority.

(3) "Average pay" means the average monthly pay earned during the ten completed months immediately preceding the month in which the event occurs which necessitates the calculation of average pay;

(4) "Salary" means the total monthly pay and allowances drawn by an employee;

(5) "Time-scale-pay" means pay which rises by periodical increments from minimum to a maximum.

(6) "Vacation staff" means staff as defined in the bye-law on Leave Rules of the Institute.

(ii) Appointment and tenure

a. Appointment against a permanent post shall in the first instance, be on probation for a period of one year. The period of probation may be extended by such further period as the appointing authority may deem fit, but in no case the total period of probation shall exceed two years.

Provided that there shall be no automatic confirmation and the period of probation, as contained in the orders already issued will be deemed to continue till orders of confirmation are communicated to the employee as per the decision of the appointing authority taken in its meeting held following the expiry of the period of probation.

b. No person shall be appointed to a post on probation in the Institute without the production of a certificate of physical fitness given by a Medical Practitioner of such category as may be specified by the appointing authority. The fees of such examination shall be paid by the employee.

Provided that production of such a certificate from the Medical Practitioner shall not be necessary for persons who are already in the permanent employment of the Institute (Rule 37 (a) (ii) as on 5-5-92).

c. Temporary/ad-hoc/Short-term appointment may be made against a temporary/permanent post.

d. An employee shall devote his whole time to the service of the Institute and shall not engage, directly or indirectly, in any trade or business or any work that may interfere in the proper discharge of his duties but the prohibition herein contained shall not apply to academic work and consultative practice undertaken with the prior permission of the Director, which may be given subject to such conditions as may be laid down by the appointing authority/Bye-laws.

e. The Dean, Principal or Head of the non-teaching section such as Central Administrative Office, Libraries etc. under whom the employee is working shall send reports to the Registrar in the form prescribed-

(1) Every year not later than 31st December-

An Annual Confidential Report on the work and conduct of each member of the non-teaching staff during the preceding year ending on 30th June. For Principals and the Heads of non-teaching sections, the annual confidential report shall be written by the Director.

In case of adverse report, the staff concerned shall be so informed.

(2) Not later than one month before the date of the expiry of the probationary period of an employee, a report about the work and conduct of the employee appointed to a permanent post giving his assessment about the employee's fitness or otherwise for confirmation in service.

f. An appointment on probation or a fixed-term or temporary appointment may be terminated by either party without assigning any reason by giving a notice of clear one month or one month's salary of the employee concerned in lieu thereof. However, the salary need not be tendered by the employer simultaneously with the notice and may be tendered within a month from the date of termination. No such notice or payment of salary will be necessary in case of termination of ad-hoc/short-term appointment or service of work-charged or contingency paid employee.

g. Every person appointed on a permanent post under the Institute shall on satisfactorily completing his period of probation, be eligible for confirmation against that post.

h. (1) A permanent employee shall be required to give a notice of clear three months in case he wishes to resign or he shall pay to the Institute three months' salary in lieu thereof. If the Institute terminates the services of a permanent employee, a notice to that effect shall be served on him three months before the date on which he is to be relieved. In the absence of such notice, the Institute shall pay him three months' salary. However, the salary need not be tendered by the employer simultaneously with the notice and may be tendered within a month from the date of termination. No such notice or payment of salary shall be necessary if the employee is removed from service, dismissed or compulsorily retired.

(2) Any leave availed of during the notice period by an employee resigning from service, shall result in automatic extension of the notice period by the number of days for which the leave is availed of. This condition will apply to both the above paras (f) and (h) of this section.

i. Deleted and a comprehensive para on age of superannuation/ retirement added as clause (viii).

j. An employee shall begin to draw the pay and allowances, if any, attached to his post with effect from the date when he assumes the duties of that post and shall cease to draw them as soon as he ceases to discharge those duties on termination of his service.

k. An employee appointed on probation against a post carrying a scale of pay shall get his first increment from the date of his confirmation or after the date of his

confirmation deferring the period of his extraordinary leave without pay, if any, and he shall be eligible to subscribe to the Provident Fund from the date of his confirmation in accordance with the provisions of the bye-laws on Provident Fund. However, in case of an employee appointed initially against a temporary post carrying a scale of pay, the annual increment shall be allowed on completion of one year's continuous service deferring period of his extraordinary leave without pay, if any, but he shall not be considered eligible to subscribe to the Provident Fund unless otherwise specifically permitted by the appointing authority.

l. If an annual increment falls on a date during the period of leave other than casual leave or duty leave, the increment shall be drawn on the date the concerned employee resumes duty without prejudice to the normal date of increment.

m. Extra-ordinary leave without pay shall not count towards annual increment and the date of annual increment shall be shifted by the number of days of such leave but the date of annual increment shall always remain the first day of the month in which it actually falls due after taking period of extraordinary leave without pay into account.

Provided that in case of extraordinary leave availed for studies, the appointing authority on the recommendation of the Director, may waive the above condition.

n. A staff member of the Institute appointed on any other post in the Institute shall maintain his lien on the earlier post held by him during the initial period of probation on the later post for one year [GBR-10 dated 18-AUG-1990]. However, such an employee shall be entitled to all the benefits which he was getting in his earlier post in the Institute, provided that the same are available to him on the new post against which he is being appointed.

o. An employee who joins the Institute after coming in force of this Bye-law shall join the compulsory group insurance scheme in the Institute, if any, from the date of his joining.

p. Before leaving service of the Institute an employee, whether appointed temporarily or on probation or permanently shall hand over the charge of his post to the person duly authorised to receive charge and shall return to the Institute all articles entrusted to him for his use and shall pay up in full all the charges due against him for occupation of residential quarters, if any inclusive of Municipal taxes, water and electric charges etc. If he fails to do so, the Institute shall have the right to recover the amount from the arrears of salary payable to him or from that of the Institute's contribution to his Provident Fund, if he has any, or from any other sources. He shall vacate the house given to him because of his service in the Institute failing which all his accounts, including provident fund and gratuity, if applicable, with the Institute shall be withheld till he vacates the said house.

q. In all other respects, the service of an employee shall be governed by the Memorandum of Association, Rules and Bye- laws of the Institute those are already in existence or may be framed from time to time.

(iii) a. Every employee shall at all times:

- (1) maintain absolute integrity;
- (2) maintain devotion to duty; and
- (3) do nothing which is unbecoming of an employee of the Institute.

b. No employee shall join or continue to be a member of such association, the objects or activities of which are prejudicial to the interests of the Institute or public order, decency or morality.

c. No employee shall:

- (1) engage himself or participate in any demonstration which is prejudicial to the interests of the Institute, public order, decency or morality or which involves

contempt of court, defamation or incitement to an offence or violence;

(2) resort to or in any way abet any form of violence in connection with any matter pertaining to his service or the service of any employee;

(3) remain on unauthorised absence from duty; and

(4) resort to disobedience and indiscipline.

d. (1) No employee shall, except with the previous sanction of Director, own wholly or in part, or conduct, or participate in the editing or management of any newspaper or periodical publication.

(2) No employee shall, except with the previous sanction of the Director or in the bonafide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter either in his own name or anonymously, pseudonymously in any newspaper or periodical or write a book. No such permission shall be withheld for writing a research paper or a book connected with his subject.

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

f. No employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Institute.

g. No employee shall, except with the previous written sanction of the Director join any educational institution or appear at any examination conducted by the Institute or any other examining body.

Permission to pursue such studies will be granted only, if it is consistent with the interest of the Institute but it cannot be claimed as a matter of right.

h. A confirmed employee shall be allowed to apply for employment outside the Institute twice in a session (July to the succeeding June), whereas there shall be no restriction on the number of applications made for the purpose by temporary, adhoc or short-term employees including those on probation.

i. Any infringement of provisions of above paras (a) to (h) and provisions of any of the Bye-laws shall be regarded as misconduct.

j. The following lapses would also constitute misconduct on the part of persons holding teaching posts in the Institute:

(1) failure to perform satisfactorily his academic duties such as lectures, demonstration, assessment, guidance, invigilation etc.;

(2) gross partiality in assessment of students deliberately over-marking/under-marking or attempts at victimization or favouritism on any grounds;

(3) inciting students against other students, colleagues or administration. This does not interfere with the right of a teacher to express his differences on principles in seminars or other places where students are present;

(4) raising questions of caste, religion, race or sex in his relationship with his colleagues and trying to use the above considerations for improvement of his prospects;

(5) refusal to carry out the decisions of appropriate administrative and academic bodies and/or functionaries of the Institute. This will not inhibit his right to express his differences with their policies or decisions.

(iv) a. The services of an employee may be terminated on any one or more of the

following grounds:

- (1) physical or mental unfitness;
- (2) conviction by a court of law for an offence involving moral turpitude;
- (3) insolvency;
- (4) breach of any term of the contract;
- (5) misconduct;
- (6) incompetence;
- (7) wilful neglect of duty; and
- (8) abolition of the post.

b. The service of an employee may also be terminated by the appointing authority by giving three months' notice or payment of three months' salary in lieu thereof (the salary need not be tendered simultaneously with the notice and may be tendered within a month from the date of termination) on medical grounds if certified by a medical board nominated by the appointing authority that his retention in service is considered undesirable by such appointing authority.

(v) Suspension, Penalties And Disciplinary Action

a. The appointing authority at its discretion may place an employee under suspension:

- (1) where a disciplinary proceeding against him is contemplated or is pending,

OR

- (2) where a case against him in respect of any criminal offence is under investigation, inquiry or trial.

b. An employee shall be deemed to have been placed under suspension by an order of the appointing authority with effect from the date of his conviction, if in the event of a conviction for an offence he is sentenced to a term of imprisonment exceeding forty-eight hours and is not to be forthwith dismissed or removed or compulsorily retired consequent to such conviction.

c. An order of suspension made or deemed to have been made shall continue to remain in force until it is modified or revoked by the appointing authority.

d. Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any disciplinary proceeding is commenced against him during the continuance of the suspension, the authority competent to place him under suspension may, for reasons to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.

e. On being suspended, an employee shall handover the charge of his post to the person duly authorised to receive charge.

During the period of suspension, an employee shall put his signatures on attendance register on all working days in the office of his attendance. He shall not leave station without permission of the Dean, Principal or Registrar as the case may be and in case of Dean/Principal/ Treasurer/Registrar without the permission of the Director.

If an employee fails to fulfill any of the requirements of this clause he shall not be paid any subsistence allowance.

- f. (1) An employee under suspension shall be entitled, for the first six months of suspension, to subsistence allowance at an amount equal to leave salary which he would have drawn if he had been on earned leave on half pay and in addition

dearness allowance admissible on the basis of such leave salary [GBR Dated 21-MAY-2001].

Provided that where the period of suspension exceeds six months, the authority who ordered the suspension shall increase the amount of subsistence allowance by an amount not exceeding 50% of the amount paid during the first six months, if the period of suspension has been prolonged for reasons attributable to the Institute.

Provided further that the authority who ordered the suspension shall reduce the amount of subsistence allowance by an amount not exceeding 50% of the amount paid during the first six months, if the period of suspension has been prolonged due to reasons directly attributable to the employee.

(2) The employee shall also be entitled to any other allowances admissible from time to time on the basis of pay if the employee continues to meet the expenditure for which they are granted.

(3) No payment shall be made unless the employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation.

g. The appointing authority may, for good and sufficient reasons, impose on an employee the following penalties:

(1) censure;

(2) recovery from his pay of the whole or part of any pecuniary loss caused by him to the Institute by negligence or breach of orders;

(3) withholding of increments of pay for a specified period with further directions as to whether on the expiry of such period this will or will not have the effect of postponing the future increments of his pay;

(4) reduction to lower stage in the same time scale of pay for a specified period with further directions as to whether on the expiry of such period the reduction will or will not have the effect of postponing future increments of his pay;

(5) compulsory retirement;

(6) removal from service;

(7) dismissal from service which shall ordinarily be disqualification for future employment in the Institute.

Penalties listed at Sl. No. 1 to 3 under this clause shall be considered as minor penalties and the other penalties listed at Sl.No. 4 to 7 shall be considered as major penalties.

h. In every case of possible misconduct committed by an employee, the Registrar under instructions from the Director, shall issue a chargesheet to the employee concerned. On receipt of the reply, the same along with the chargesheet shall be submitted to the appointing authority. The appointing authority after considering the chargesheet and reply will consider if a minor penalty is called for and in that case award the minor penalty to the employee. In case, however, the appointing authority is of the opinion that a minor penalty will not serve the purpose, then a disciplinary inquiry will proceed with. [GBR dated 27-OCT-1990] During the inquiry the employee concerned shall be allowed to present his case personally and may be permitted to be represented by another employee of the Institute, if he so desires.

i. Notwithstanding the provision, contained in clause (g) it shall not be necessary to follow the procedure mentioned above where an employee is dismissed on ground of conduct which has led to his conviction on a criminal charge.

j. (1) When an employee who has been dismissed, removed or suspended, is reinstated, the appointing authority shall make a specific order:

i. regarding the pay and allowance to be paid to the employee for the

period of suspension, and

- ii. whether or not the said period shall be treated as period spent on duty for all purposes.

Provided that it shall not be necessary to hear the employee before passing such an order.

(2) Where the appointing authority holds that the employee has been fully exonerated or in the case of suspension that it was wholly unjustified the employee shall be given the full pay to which he would have been entitled had he not been dismissed, removed or suspended, as the case may be, together with any allowance of which he was in receipt prior to his dismissal, removal or suspension.

(3) In other cases the employee shall be given such proportion of such pay and allowances as the appointing authority may prescribe.

Provided that the payment of allowance under sub clauses (2) or (3) shall be subject to all other conditions under which such allowances are admissible.

(4) In cases falling under clause (2) the period of suspension shall be treated as a period spent on duty for all purposes.

(5) In cases falling under clause (3) the period of absence from duty shall not be treated as a period spent on duty, unless the appointing authority specifically directs that it shall be so treated for any specified purpose.

(vi) Miscellaneous

a. If a confirmed employee of the Institute of at least 5 years service dies during service, his spouse or one of his dependent sons/daughters may be given employment at the level of lowest class III or a class IV post in the Institute if the conditions of the family so demand, provided some post is available and the applicant meets minimum qualifications prescribed for the post [GBR-20 dated 7-OCT-1989. Refer Bye-law No.33: Recruitment on Compassionate grounds].

b. In case an employee of the Institute dies during service, an advance up to Rs.3000/- or 75% of the amount standing to the credit of the employee with the Institute, whichever is less, may be sanctioned by the Director to meet urgent expenses, if a request for such an advance is received from the nominee of the deceased [GBR-19 dated 7-OCT-1989].

c. Recommendations of UGC vide its letter No.F.1-5/83(SA-I) dated 5-7-1989 regarding (1) Special lien (2) Pay and (3) CPF accepted w.e.f. 1-11-1989 to Research Scientists in those cases only where the application was recommended by the Institute to the University Grants Commission for such appointment [GBR-28 dated 31-OCT-1989].

d. Experience of a person before appointment as a Lecturer in the University/College, in equivalent grade in other Universities/Colleges and national laboratories or R & D organisations (CSIR/ICAR/DRDO, UGC etc.) and UGC Research Scientists be counted as qualifying service for placement in the Senior Scale / Selection Grade, vide UGC letter No. 1-6/90 (P.S. Cell) dated 29-1-1990. This shall apply to the appointments made hereinafter but not retrospectively [GBR-50 dated 6/7 April, 1990].

e. A confirmed employee of the Institute holding substantive post, when appointed on temporary, adhoc or short-term basis against a permanent or temporary post in the Institute, will be allowed continuance of salary and other benefits such as contribution to his Provident Fund, Group Insurance Scheme etc., which were available to him on his substantive post in the Institute during the period of such temporary, adhoc or short-term appointment.

The amount of salary and benefits shall be calculated on the same rates as if he was working on his substantive post [GBR-3 dated 7-JUL-2001].

(vii) Pay fixation of an employee of the Institute on direct recruitment or promotion to a higher post or equivalent post shall be done in the following manner [GBR-3 Dated 07-JUL-2001]

a. Where an employee of the Institute holding a substantive post is appointed in a substantive capacity to a higher post or promoted through Career Advancement, to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time scale of the higher post shall be fixed at the same stage as the notional pay arrived at by increasing his pay in respect of the lower post held by him regularly by an increment at the stage at which such pay has accrued or rupees twenty five only, whichever is more; and if there is no such stage in the time scale of the higher post, his initial pay shall be fixed at the stage next above that notional pay.

Provided that where an employee is, immediately before his appointment on regular basis to a higher post or promotion, drawing pay at the maximum of the time scale of the lower post, his initial pay in the time scale of the higher post shall be fixed at the same stage as the pay notionally arrived at by increasing his pay in respect of the lower post held by him on regular basis by an amount equal to the last increment in the time scale of the lower post or rupees twenty-five, whichever is more; and if there is no such stage in the time scale of the higher post, his initial pay shall be fixed at the stage next above the pay notionally arrived at.

b. When the appointment to the new post does not involve such assumption of duties and responsibilities of greater importance, an employee shall draw as initial pay in the time scale of the new post, the stage of the time-scale which is equal to his pay in respect of the old post held by him on regular basis, or, if there is no such stage, the stage next above his pay in respect of the old post held by him on regular basis.

Provided that where the minimum pay of the time scale of the new post is higher than his pay in respect of the post held by him regularly, he shall draw the minimum as the initial pay;

Provided further that in a case where pay is fixed at the same stage, he shall continue to draw that pay until such time as he would have received an increment in the time scale of the old post. In cases where pay is fixed at the higher stage, he shall get his next increment on completion of the period when an increment is earned in the time scale of the new post.

c. If the post to which appointment is made is on the same scale of pay as the post which the employee holds on a regular basis at the time of his appointment, or on a scale of pay identical therewith, his pay in the new post shall be fixed at the stage of the time scale which is equal to his pay in respect of the old post held by him on a regular basis and he shall continue to draw that pay until such time as he would have received an increment in the time scale of the old post.

(viii) Age of Superannuation/Retirement [GBR-3 Dated 7-JUL-2001]

a. Every permanent employee of the Institute shall retire from service on superannuation at the age as laid down hereunder for various categories of employees in accordance with the age of retirement prescribed by the University Grants Commission (UGC) and the Government of India (GOI) for the posts financed and approved by the UGC and the GOI, and by the U.P. Government as prescribed for the posts financed by it.

b. For State financed posts in the Institute excluding non-university educational institutions:

(1) For teaching staff: The age of superannuation for the teachers (Professor/Associate Professor/ Assistant Professor) including Teaching Assistant in the Faculty of Engineering shall be 60 or 62 years as per their option. (GBR-8 dated 7.8.2004), (As per G.O. No.213/Sattar-2-2004-16(79) TC dated 04-FEB-2004 issued by the Department of Higher Education Section-2, U.P. Government, Lucknow and Governing Body Res. No.5 dated 28-2-2004 regarding increase in the age of superannuation for teachers on state financed posts)

Provided that if the date of birth of a teacher falls on June 30 or July 1, the

teacher shall retire from service on the afternoon of June 30 of that calendar year.

Provided further that if the date of birth of a teacher does not fall on June 30 or July 1 the teacher shall continue in service till the end of the academic session i.e. June 30 following and the teacher will be treated as on re-employment from the date of his birth till June 30 following, subject to the conditions given below:

- i. They are working on the posts continuously for the last three years and their work & conduct are satisfactory.
- ii. There are no proceedings continuing against them regarding misconduct.
- iii. They are having good health.

Provided that-

- (a) the leave balances at the credit of the employee shall lapse at the commencement of re-employment and during the period of re-employment the employee shall be entitled only for casual leave and medical leave on prorata basis as per Bye-law No.9(v)(g) and 9(ix)(b) respectively.
- (b) the period of re-employment shall not be counted for pensionary benefits.
- (c) during the period of re-employment, the employee shall not hold any office like Head of the Department, Dean, etc.

Provided further that the Governing Body may permit retirement on the last day of the month in which the age of 60/62 years is attained in case of teachers who seek such retirement. (GBR-8/7-8-2004)

Provided also that the teaching staff who have opted for General Provident Fund Scheme* and who have opted to retire at the age of 60 years, may change their option one year before their retirement to retire at the age of 62 years, only if they have not taken any service advantage earlier available to employees retiring at the age of 60 years. This facility of changes in the option is not available to those who have opted to remain the C.P.F.Scheme.

(GBR-8/7-8-2004)

(2) For Non-Teaching Staff:- The age of superannuation for the non-teaching staff and other staff not covered in para (1) above shall be 60 years. (GBR-12 dated 22.1.2005 & GBR-7/7.8.2010)

Provided that they will retire in the afternoon of the last day of the month in which they attain the age of 60 years. (GBR-7 dated 7.8.2010)

Provided further that an employee whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month, on attaining the age of sixty years. (GBR-7/ 7.8.2010)

Note: As per G.O. No.4657/Sattar-2-2004-16(57)/2004 dated 25.11.2004 issued by the Secretary, Higher Education Section-2, U.P. Government, Lucknow (Reported in the Governing Body vide its resolution no.12 dated 22.1.2005) effective from 25 November, 2004, the option to retire at 58 years is withdrawn and the non-teaching staff will retire at 60 years with gratuity.

c. For UGC financed posts in the Institute excluding non- university educational institutions:

(1) The age of superannuation for various categories of UGC financed posts shall be as under:-

- (a) All persons holding teaching positions on regular employment against sanctioned posts as on 15.3.2007:- 65 years (UGC letter No.F.3-1/94 (PS) Vol.9 dt. 30.3.2007 & GBR:14/19.5.2007, GBR:7/7.8.2010).
- (b) Registrar: 62 years (UGC letter No.F.31-22/98 (CU) dt. 20.1.1999 &

GBR: 30/20.2.99, GBR:7/7.8.2010).

- (c) Assistant University Librarian, Assistant Director of Physical Education (University) and Training & Placement Officer:- 62 years (UGC letter No.F.3-1/94 (PS)-7 dt. 19.10.2006 & GBR:11/13.1.2007 and UGC letter No.F.31-20/98 (CU/JCRC) dt. 18.5.2007 & GBR:42/25.8.2007 for TPO & GBR:7/7.8.2010).

Provided that they shall retire on the last day of the month in which they attain the above mentioned age of superannuation for respective categories of staff. (GBR-7/7.8.2010)

Provided further that an employee whose date of birth is first of a month shall retire from service on the afternoon of the last day of the month preceding the month in which he attains the above mentioned age of superannuation. (GBR-7/7.8.2010)

- (2) For Non-teaching staff including Assistant Registrar#, Assistant Librarian and other staff not covered in para (1) above:-

The age of superannuation shall be sixty years provided that they shall retire on the last day of the month in which they attain age of sixty years.

Provided further that an employee whose date of birth is first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years.

As per UGC letter No.F.3-1/94(PS) dt. 5-OCT-2000 and GBR-26 dt. 28-OCT-2000.

d. For staff of Non-University Technical Educational Institutions:

- (1) The age of superannuation for the employees of the non-university technical educational institutions will be 60 or 62 years. as per option exercised by them.(G.O.No.338/Solah-Pra.Shi.-2-2004-30 T/2001 dated 21-2-2004 applicable to all the Polytechnics in U.P.) and GBR/7/7-8-2004

Provided that teachers superannuating at the age of 60 years will retire in the afternoon of the last day of the month in which they attain the age of 60

Provided further that an employee whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years.

- (2) Teachers superannuating at the age of 60 or 62 years as per option exercised by them and whose date of birth falls on June 30 or July 1, shall retire from service on the afternoon of June 30 of that calendar year.

- (3) Teachers superannuating at the age of 60 or 62 years as per option exercised by them and whose date of birth does not fall on June 30 or July 1, will continue in service till the end of the academic session i.e. June 30 following and the teacher will be treated as on re-employment from the date of his superannuation till June 30 following, subject to the conditions given below:

- i. They are working on the post continuously for the last three years and their work & Conduct are satisfactory.
- ii. There are no proceedings continuing against them regarding misconduct.
- iii. They are having good health.

(4) Non-teaching staff (Clerical and class-IV)

- (i) The age of superannuation for the non-teaching staff of the non-university technical institutions will 60 years and they will retire on the last day of the month in which they attain the age of 60 years.(GBR-.....)
- (ii) Provided that an employee whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of 60 years. .(GBR-)

e. For staff of Non-University General Educational Institutions:-

(1) The age of superannuation for the teachers of the non-university general educational institutions will be 60 or 62 years as per option exercised by them.(G.O. No.127/15-8-2004-16/Niyam/2003 TC dated 04-FEB-2004),(GBR-8/7.8.2004 & 7/11.3.2006)

Provided that if the date of birth of a teacher falls on June 30 or July 1, the teacher shall retire from service on the afternoon of June 30 of that calendar year.

Provided further that if the date of birth of a teacher does not fall on June 30 or July 1 the teacher shall continue in service till the end of the academic session i.e. June 30 following and the teacher will be treated as on extension of service from the date of her/his birth till June 30 following, subject to the conditions given below:

- i. They are working on the posts continuously for the last three years and their work & conduct are satisfactory.
- ii. There are no proceedings continuing against them regarding misconduct.
- iii. They are having good health.
- iv. During the period of extension of service till the end of session, the teacher shall be entitled to all the service benefits which she/he was enjoying during her/his service period prior to extension.

Note: During the period of extension of service, the teachers shall be entitled to increments in pay, pay revision, admissible earned leave and also to count their extension in service for the purpose of pension and gratuity.

(2) The age of superannuation for the non-teaching staff shall be 60 years.

(GO No.19/15-8-91/3003(78)/90 dt. 4-NOV-91 issued by the Deputy Secretary, Education-8, U.P. Government, Governing Body resolution No.25 dt. 28-JUL-1997 and Managing Council (General) resolution No.4 dt. 20-JAN-1998).

Such staff shall retire on the last day of the month in which the age of sixty years is attained.

Provided that an employee whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years.

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24. PROFESSIONAL CONSULTANCY

(i) The Director and members of the academic staff shall be eligible to engage themselves in consultancy practice but their involvement in consultancy work shall not interfere with the discharge of their duties.

(ii) All consultancy, whether carried out by an individual or a group of faculty consultants and irrespective of the quantum of facilities of the Institute availed, shall be deemed as Institute consultancy and no consultancy job will be undertaken by any staff member in his individual capacity.

(iii) All consultancy assignment by faculty members should be undertaken with prior concurrence of the Head of the department and the Dean and permission of the Director and in case of the Director with the approval of the Governing Body. The agreement regarding the consultancy work shall be between the consultant and the client.

(iv) A faculty member may be allowed to spend normally a maximum of forty days a year including vacation for consultancy. In special cases exceeding forty days permission of the Governing Body shall be necessary.

(v) Examinations, Lectures, Selection Committee Meetings and other professional work of faculty are not to be included in the consultancy.

(vi) All remuneration for consultancy work will be received by a bank draft in favour of the Registrar of the Institute and the same shall be credited to the Industrial Liaison Fund Account of the Institute. Individual faculty members shall not receive any payment directly.

(vii) A faculty member or a group will receive fifty percent of technical consultancy fees (item (f) 7 of para xiii) paid by the client and the rest of the fee shall go to the Institute.

(viii) Remuneration paid to an individual faculty member for consultancy as his share in one academic year shall not exceed his total salary for the year. Any amount in excess of this prescribed limit due to a faculty member shall be remitted to the Industrial Liaison Fund of the Institute.

(ix) Quarterly statements of consultancy services rendered by each faculty showing the total fees received by individual staff member upto date shall be forwarded by the Dean, for record and information of the Director.

(x) T.A./D.A. are to be paid as permissible according to Institute rules or as per agreement with the client.

(xi) The consultant may use the Institute computer on payment basis or a computer from outside for the consultancy job and such payment shall be made on the actual basis.

(xii) The consultancy work shall not interfere with normal teaching/research work of the department/Institute and other duties which may be assigned to staff by Institute authorities.

(xiii) Before accepting the Consultancy, the faculty member shall make a proposal through the Head of the department and the Dean concerned giving the following details:

- a. name and address of the client/organisation;
- b. title of the consultancy job;
- c. a brief description of the work to be done and the expected period to be taken for completion of the work;
- d. names of the staff members and other outside experts who will be involved in giving their consultancy;
- e. whether the consultant will make use of any Institute facilities like laboratory equipment or laboratory staff (give details); and

f. an estimate of the charges proposed to be received from the client under the following headings-

- (1) Expenses to be incurred on Laboratory work/ honorarium to staff of laboratory and others who are not consultants;
- (2) Cost of material used in carrying out the consultancy;
- (3) Computer charges;
- (4) Charges for use of Laboratory Equipments and instruments(15% of total charges);
- (5) T.A./D.A. for visits to site etc.;
- (6) Administrative /overhead charges (5% of total charges); and
- (7) The technical consultant's fees

Total

The expenses under the first five categories will be on actual basis. However, any shortage under these heads will be debited to the client organisation.

(xiv) The Head of the Department concerned will consider the consultancy proposal submitted by the academic staff (Lecturers and above) and in case he feels that the job can be done by the academic staff without affecting adversely the institute work, will recommend the proposal to the Director through the Dean concerned.

(xv) After the total consultancy charges (Item (xiii) (f)) have been deposited by the client organisation to the Institute, the concerned authority shall authorise the academic staff to take up the consultancy job.

(xvi) The consultant may draw advances from the Industrial Liaison Fund A/C as needed for the purchase of materials, meeting travel expenses etc. limited to the estimates given in the proposal. He will clear the advances by producing vouchers of expenses as per the rules of the Institute.

(xvii) The Industrial Liaison Fund shall be operated by the Treasurer as per the Institute rules but the balances in the fund shall not lapse after the financial year but the fund is allowed to grow and shall be utilised for furthering R and D work and industrial collaboration. The needs of the earning departments shall be given priority over others in this respect by assigning to each earning department 50% of the balance amount accumulated in the Industrial Liaison Fund from its earnings.

(xviii) After the conclusion of the consultancy project, the consultant shall submit a completion report to the concerned authority along with a bill for the payment of the consultants share and other payments to the technical/administrative staff indicating amounts payable to staff, name-wise.

(xix) The bills duly approved and passed for payment by the concerned authorities shall be paid by the accounts section after necessary scrutiny.

(xx) Consultancy on retainerhip basis is not allowed to be undertaken.

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25. FUNCTIONS OF MANAGING COUNCILS

(Amendments upto 6-4-90 included)

(i) The Managing Councils shall govern non-university educational institutions under their control and their functions shall be:

- a. to direct the affairs and general administration of the institutions;
- b. to formulate educational policies and programmes for their growth and development;
- c. to maintain them upto the academic standards as required by the Institute;
- d. to recommend creation and/or abolition of Departments of studies in these institutions to the Governing Body;
- e. to recommend to the Governing Body the cadre and grades of the staff, creation, suspension or abolition of posts and emoluments;
- f. to appoint teaching and non-teaching staff as may be found necessary and to terminate service of any employee in these institutions in accordance with the rules and bye-laws;
- g. to manage and regulate the finances of the institutions;
- h. to consider the Budget and the Annual Accounts as submitted by the Treasurer and to submit the same to the Finance Committee;
- i. to consider the Annual Report of these institutions and to submit the same to the Governing Body through the Director;
- j. to sanction to file, withdraw, defend or compromise any suit, appeal, petition, application or any legal proceeding, civil, criminal, revenue or any other proceeding of any nature, whatsoever, in any court of law, office or department or before any tribunal or to authorise any reference by or on behalf of the Institute and/or authorise person or persons to discharge the above functions, including the authority to sign and verify pleadings and to engage Counsel; and
- k. to exercise such other powers and perform such other duties, as may be necessary for the proper functioning of these institutions under their control or may be conferred on or assigned to them by the Governing Body from time to time.

(ii) In the matter of management of the institutions, the Managing Councils shall be the final authority bounded by rules and bye- laws of the Institute and directions of the Governing Body.

(iii) The Managing Councils shall exercise such other powers not otherwise provided for in this bye-law and not inconsistent with the provisions of rules and bye-laws of the Institute and directions of the Governing Body for the proper functioning of the Institutions.

(iv) The decisions of the Managing Councils of the Non-University Educational Institutions which may effect the Institute in general, shall be made operative only after they have been approved by the Governing Body (GBR-59 dated 6/7.4.90).

(v) The minutes of all the meetings of the Managing Councils shall be reported to the Governing Body (GBR-59 dated 6/7.4.90).

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26. POWERS & DUTIES OF THE PRINCIPALS OF THE NON-UNIVERSITY EDUCATIONAL INSTITUTIONS OF THE INSTITUTE

(Approved vide GBR - 10 of 10-1-1987)

(i) The Principal shall be the Chief Executive and Academic Officer of the Institution concerned subject to the overall control of the Director, the Managing Council and the Governing Body of the Institute. He shall also participate in the teaching work of the institution.

(ii) Subject to the general control of the Director, the Managing Council and the Governing Body, the Principal in respect of the institution concerned, shall be responsible for:-

- a. general administration and due observance of the rules & bye-laws;
- b. preparation of Budget proposals to be sent to the Treasurer;
- c. supervision of expenditure;
- d. approval of the purchases of the equipment by Heads of the Departments to the extent permissible under the bye-laws;
- e. maintenance of equipment, buildings and furniture;
- f. maintenance of confidential record of the staff;
- g. grant of leave of the staff to the extent of his powers as per the bye-laws;
- h. correspondence and custody of records;
- i. maintenance of discipline;
- j. admission of students as per the provisions of the bye-laws;
- k. organisation and conduct of teaching and other activities;
- l. assignment of duties in respect of teaching, administrative work and extra-curricular activities to the teaching and other staff and to see the proper performance thereof;
- m. organisation of co-curricular and extra-curricular activities, seminars, conferences and extension lectures;
- n. preparation of the time-table for teaching;
- o. recommendation of students for grant of freeships, stipends, scholarships, medals, prizes and other awards to the Director;
- p. maintenance of the Library; and
- q. performance of such other duties as may be assigned to him by the Director, the Managing Council, the Academic Council, the Governing Body and the bye-laws for the time being in force.

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27. BOARD OF STUDIES FOR THE D.E.I. TECHNICAL COLLEGE

(Amendments upto 23-2-89 included)

(i) Constitution

a. There shall be a Board of Studies for each of the Automobile/Electrical/Mechanical Engineering subjects of the DEI Technical College consisting of the following members:

- (1) Principal of the College - Chairman
- (2) Head of the Department concerned in the College.
- (3) One teacher from the Science - Mathematics subjects by rotation in order of seniority.
- (4) One person, not connected with the Institute to be nominated by the Director, possessing expert knowledge of concerned or allied subject(s).

Provided that each Board of Studies may have members from the other disciplines also and that each Board of Studies may have more than one external expert in the subject(s) concerned, if so approved by the Director. (GBR- 55 dated 23.2.1989).

b. The Chairman, Board of Studies shall have the power to co-opt, if necessary, upto two members (preferably not connected with the College) with the approval of the Director.

(ii) Term

Two years in respect of members other than ex-officio members.

(iii) Functions

- a. To make recommendations in regard to courses of studies and examinations in the subject/subjects with which it deals;
- b. To initiate proposals regarding new courses of study and propose changes thereto;
- c. To prepare proposals for research work in the college; and
- d. To advise on any matter referred to it by the Director, the Managing Council, the Academic Council or the Governing Body.

(iv) Any two or more Boards may at the request of the Director meet and make a joint report upon any matter which lies within their purview.

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28. ADMISSION COMMITTEE OF THE DEI TECHNICAL COLLEGE

(Approved vide GBR - 10 of 10-1-1987)

There shall be an Admission Committee for admission of students to the DEI Technical College consisting of the following members:

- a. Principal - Chairman
- b. Heads of the Departments of Automobile, Electrical and Mechanical Engineering.

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29. DISCIPLINARY COMMITTEE

(Approved vide GBR - 10 of 10-1-1987)

There shall be a Disciplinary Committee, to deal with the cases of indiscipline, other than connected with examinations, committed by the students of the Institute including its non-university educational institutions, consisting of the following members:

- a. Director - Chairman
- b. All the Deans and Principals
- c. One nominee of the Director
- d. Registrar

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30. LIBRARY COMMITTEE

(Amendments upto 7/7.8.2010 included)

(i) There shall be a Library Committee for supervising the work of the libraries of the Institute consisting of the following members:

- a. All the Deans and Principals
- b. One teacher from each of the faculty/non-university educational institutions to be nominated by the Director in consultation with the Dean/Principal concerned (Term two years)
- c. Treasurer
- d. The Incharge, Central Library (GBR:7/7.8.2010)

The senior-most Dean will act as Chairman of the Committee.

(ii) Routine day-to-day work shall be carried out by following Working Committees:-

(1) Working Committee for Central Library:-

- (a) Chairman, Library Committee
- (b) All Deans of the Faculties
- (c) Incharge, Central Library

(2) Working Committee for Faculty/Departmental Library:-

- (a) Dean of the concerned faculty
- (b) Faculty member nominated by the Director of the Institute from the concerned department for 2 years.
- (c) Incharge, Central Library
- (d) Incharge, Faculty Library/Departmental Library

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31. FINANCIAL RULES

(Amendments upto 1.11.2014 included)

(i) General

- a. These rules cover all matters relating to the finances of the Institute including Non-University Educational Institutions, other than financial matters already covered by existing bye-laws, viz. bye-law No. 12 (Procedure for writing off of the unserviceable/obsolete articles) and No. 18 (Provident Fund).
- b. These rules should be read subject to the provisions of the Memorandum of Association and the Rules of the Institute, the directions of the Governing Body, and the administrative instructions issued by the authorities of the Institute from time to time.
- c. Unless otherwise provided, the powers delegated to the various authorities and functionaries in Appendix-I shall not be delegated further without the express authority of the Governing Body.
- d. The exercise of financial powers by the various functionaries of Faculties and Non-university educational institutions shall be subject to the budgetary allocations made under the relevant heads of expenditure and no expenditure in excess of such allocations shall be incurred without prior sanction of the Director within the limits laid down in Clause (viii)(b).
- e. All expenditure under the various grants is subject to the guidelines and other directions received from the grant-giving agencies.
- f. The powers delegated to a lower authority/functionary shall be automatically exercisable by the higher authority/ functionary.
- g. No powers of expenditure delegated to any functionary shall be exercised by it in its own favour.

(ii) Funds

The funds of the Institute shall consist of:

- a. grants received from the University Grants Commission and Central and State Governments,
- b. fees from students,
- c. subscriptions and donations from individuals, trusts, societies and other bodies,
- d. income from investments,
- e. miscellaneous income and receipts, and
- f. borrowings and loans.

(iii) Receipts

- a. All amounts due to the Institute shall be received by the staff of the Accounts Department as authorised by the Treasurer.
- b. Cheques, Demand Drafts and Postal Orders etc., received shall be examined by the Assistant Registrar (Accounts)/ Internal Auditor, before being lodged with the bank, to see that they are in order in all respects.
- c. All amounts received shall be deposited in the bank without delay the same day or latest by the next working day.

d. Pay-in-slips for monies, cheques, etc., to be deposited in the bank shall be prepared by the Accounts Department staff and entered on the receipt side of the Cash Book. The entry shall be attested by the Assistant Registrar (Accounts) by reference to the counterfoil returned by the bank duly stamped, and the credit in the bank account watched through the bank statement. Delay in collection of over 3 days in respect of local cheques, demand drafts etc., and over a fortnight in respect of outstation cheques, demand drafts, etc., shall be immediately enquired into.

e. Official receipts for amounts above Rs. 1,000/- shall be signed by the Treasurer/Registrar. Receipts for amounts not exceeding Rs. 1,000/- may be signed by the Assistant Registrar (Accounts) and those for amount not exceeding Rs.100/= may be signed by the Accounts Department staff as authorised by the Treasurer.

(iv) Payments

a. No payment shall be made unless-

- (1) there is a budget provision or a grant has been received for meeting the expenditure, and
- (2) the expenditure has been authorised by the proper authority as per statement of Delegation of Financial Powers (Appendix I).

b. Bills and other vouchers presented for payment shall be examined by the Assistant Registrar (Accounts)/Internal Auditor to see that these have pay order mentioning the amount in words and figures, and are otherwise in order in all respects.

c. All payments other than those made out of imprest money shall normally be made by crossed 'account payee' cheques/bank drafts after the relative bills, vouchers have been pre-checked by the Assistant Registrar (Accounts)/ Internal Auditor. Normally all salaries shall be paid by bank transfer to the accounts of the payees.

d. Each cheque issued shall be entered in the Cash Book on payment side and signed as per details given under clause (vi) Banking Operations.

e. Each voucher shall be stamped "paid by cheque no. _____ dated ____ for Rs. _____" and shall be passed by one of the officers signing the cheques.

f. Each voucher shall be given a serial number with an identifying code. All vouchers shall be filed along with their receipts in chronological order.

g. All entries on the payment side of the Cash Book shall be attested by the Assistant Registrar (Accounts) on the day of issue of the cheques and all cheques issued shall be accounted for in the Cash Book at the end of the day.

h. The Assistant Registrar (Accounts) shall on each day of transaction verify the entries in the Cash Books and check their totals.

i. The Treasurer shall verify the Cash Book balances as at the end of each month by reference to the Bank reconciliation statement.

(v) Accounts Books

a. Proper books of accounts shall be kept with respect to:

- (1) all sums of money received and expenditure incurred, and
- (2) the assets and liabilities of the Institute.

b. The books/registers to be maintained are listed in Appendix- II.

c. All Cash Book entries and/or totals shall be posted in the Ledger under the appropriate heads at the end of each month.

d. All credit and adjustment transactions shall be posted in the Cash Book on the day of the transactions.

e. At the end of each month, the following statements shall be prepared by the Accounts Department staff, checked by the Assistant Registrar (Accounts) and submitted to the Treasurer:

- (1) Statements of staff salaries and Provident Fund deductions to be sent to

the bank.

- (2) Statement of staff premiums to be sent to Life Insurance Corporation.
- (3) Statement of staff 'Cumulative Time Deposits' to be sent to the Post Office.
- (4) Monthly return of tax deducted at source from staff salaries to be submitted to Income Tax Officer.
- (5) Bank reconciliation statement.
- (6) Trial Balance and a progressive statement of income and expenditure.

f. The books of accounts shall be closed at the end of each financial year, that is 31st March.

(vi) Banking operations

- a. Bank accounts shall be opened under the authority of the Governing Body, which will also prescribe the procedure for the operations thereon.
- b. All bank accounts of the Institute (other than those of non- university educational institutions) shall be operated by the Treasurer, (or the Assistant Registrar (Accounts) for amounts not exceeding Rs. 1,000/-) jointly with the Registrar (or the Assistant Registrar (Administration) for amounts not exceeding Rs. 1,000/-) or the Director. (GBR-14 dated 1.11.2014).
- c. All the bank accounts of the various non-university educational institutions shall be operated by the Principal of the institution jointly with the Treasurer (or the Assistant Registrar (Accounts) for amounts not exceeding Rs. 1,000/-).
- d. Signature of any one of the authorised persons shall be sufficient for the purpose of endorsement of negotiable instruments paid into the bank account of the Institute, including non-university educational institutions, for collection or discount or negotiation by the bank.

(vii) Annual Accounts and Budget Estimates

- a. The Treasurer will be responsible for the preparation of the Institute's annual accounts and budget estimates and for their presentation to the Governing Body after these have been considered by the Finance Committee. In the case of non-university educational institutions, the annual accounts and the budget estimates will first be considered by the respective Managing Council before submission to the Finance Committee.
- b. The following budget calendar shall be followed:
 - (1) Deans/Principals shall prepare and submit to the Treasurer by the end of August each year the revised estimates for the year and budget estimates for the following year for their respective Faculties/ Institutions in the form prescribed by the Treasurer.
 - (2) Estimates to be placed before Finance Committee by 30th September.
 - (3) Estimates to be placed before Governing body by 15th October.
 - (4) Estimates to be submitted to Government/U.G.C. by 31st October.
- c. No expenditure, other than that provided in the budget, shall be incurred by the Institute without the prior approval of the Finance Committee.
- d. The budget is not to be taken as any sanction or authority in the matter of seniority, pay and allowances or in any matter requiring separate administrative and/or financial sanction.
- e. If during a financial year any scheme not included in the budget is sanctioned by the Government or University Grants Commission, it shall be reported to the Finance Committee and Governing Body at their next meeting.

f. The Finance Committee shall fix the limits of the total recurring and the total non-recurring expenditure for the year, based on the income and resources of the Institute including those of non-university educational institutions. No expenditure shall be incurred by the Institute in excess of the limits so fixed, without the prior approval of the Finance Committee and the Governing Body.

(viii) Appropriation and Re-appropriation

a. Based on the experience of last five years, amounts should be so appropriated to the various heads in the budget that there may not normally be any need for re-appropriation (i.e. transfer of funds from one head of expenditure to another) beyond 10 percent.

b. Re-appropriation of funds from one head to another to the extent of 10% or Rs. 10,000/- (GBR-8 dated 6.4.90) whichever is more, may be sanctioned by the Director on the recommendation of the Treasurer. Reappropriation of funds beyond this limit shall require the approval of the Governing Body.

c. Reappropriation of funds for expenditure on any new item shall require the prior sanction of the Governing Body.

d. A statement showing the original allotments under the various heads of expenditure in the budget, as modified subsequently by reappropriations sanctioned by the competent authority, actual expenditure up to January 31 and estimates for the remaining months of the financial year, shall be submitted to the Governing Body in February/March each year.

(ix) Audit of Accounts

Arrangements shall be made by the Institute for the yearly audit of the accounts of the Institute including non-university educational institutions by a Chartered Accountant.

(x) Investments

a. All investments shall be held in the name of the Institute and relative receipts, documents, etc. kept in the custody of the Treasurer/Assistant Registrar (Accounts).

b. Funds not required for immediate disbursement shall be deposited in short-term deposits/saving bank accounts. Interest earned thereon shall be credited to revenue of the Institute.

(xi) Borrowings

a. The Institute shall not borrow any money without the prior sanction of the Governing Body.

b. Temporary overdrafts from the bank or transfers of funds from one account to the other for payment of salaries or making urgent payments may be authorised by the Director on the recommendation of the Treasurer. Such overdrafts and transfers shall be reported to the Governing Body at its next meeting and adjusted as early as possible.

(xii) Custody and Accounts of Stocks/Stores

a. Stocks/Stores shall be kept in the custody of officials duly authorised by the Dean/Principal/Registrar in the case of C.A.O. In addition, a permanent register will be maintained at the Central Administrative Office for non-consumable items costing Rs. 1,000/- or more.

b. Proper accounts of Stocks/Stores shall be maintained to prevent losses through theft, fraud or otherwise and to make it possible at any time to check the actual balance with the book balance.

c. Separate accounts shall be kept for:

- (1) consumable stores
- (2) other assets like buildings, plant, machinery, equipment, furniture, fixtures, etc.

d. Receipts and issues of stores shall be entered in the Stock Register without

delay, both quantities and values shall be shown in the accounts, and a balance struck immediately.

- e. Stores shall not be held in excess of the requirements of a reasonable period.
- f. Stores shall be inspected atleast once a month by an official authorised by the Registrar, the Dean or the Principal, as the case may be.
- g. Physical verification of Stocks/Stores shall be made at least once in a year latest by 31 August. The verification shall be conducted by a responsible official conversant with the classification, nomenclature etc. of the particular class of stocks/stores to be verified, to be nominated by the Director, the Dean or the Principal, as the case may be. The verifying officer shall submit his report to the Director within fifteen days after completion of the verification.
- h. Losses due to theft and fraud, and damage due to neglect or any other causes shall be immediately reported by the concerned official and/or the verifying official to the Director, the Dean, or the Principal, as the case may be.
- i. The previous sanction of the competent authority shall be obtained before writing of the losses stated in (h) above.

(xiii) Miscellaneous

- a. Payment of salaries to staff shall not be made earlier than the last working day of the month, except on special occasions with the written permission of the Director.
- b. Members of staff handling cash/stores/other valuables shall be covered by a fidelity guarantee policy taken out by the Institute in their names.

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Appendix I to the Financial Rules iv(a)2.**STATEMENT OF DELEGATION OF FINANCIAL POWERS**

Item No.	Nature of powers	Authority empowered	Extent of Delegation
I. <u>CIVIL WORKS</u>			
A. <u>Civil Works- Major</u> (above Rs.1,00,000/-)(GBR:7.8.2010)			
1.	Administrative approval of all new civil works or major additions to existing ones; setting of financial limits for all such works.	Governing Body	Full powers
2.	Sanction of excess expenditure over estimates beyond 25% (GBR-7/7.8.2010) of approved civil works or major additions to the existing ones.	-do-	-do-
3.	Technical sanction of the detailed plans and estimates of new building; unless decided otherwise by the Building Committee, the schedule of rates as prescribed by the CPWD for the time in force shall be followed in preparing the estimates for the Institute's work, and where the schedule does not make any mention of rates, the Building Committee shall fix them.	Building Committee	-do-
4.	Approval of the construction of new buildings and alterations to existing buildings and inviting and approval of tenders for the purpose.	-do-	-do-
5.	Recommending to the Governing Body for sanction of expenditure incidental to the execution of each work, subject to the allotment made for it by the Governing Body.	-do-	-do-
6.	Sanction of day to day expenditure incidental to the execution of each work.	Director	-do-
B. <u>CIVIL WORKS – MINOR</u> (Upto Rs.1,00,000/-)(GBR:7/7.8.2010)			
7.	Administrative, technical and financial approval of all minor works and repairs to buildings, roads, paths etc. and sanction of day-to-day expenditure.	Director	Upto Rs.1,00,000/-

C. CIVIL WORKS – MINOR

8.	Repairs and maintenance of buildings, roads, paths etc. including sanitary and electrical works.	Dean/ Principal/ Registrar	Upto Rs.5000/-
		Head of Dept./ Incharge of Centre	Upto Rs.2,500/-

D. CIVIL WORKS – GENERAL

9.	Repayment of security deposits and earnest money of contractors.	Director	Full Powers
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II. PURCHASES (GBR-7/7.8.2010)

Every authority delegated powers for purchasing/procurement of goods shall have the responsibility and accountability to bring efficiency, economy, transparency in matters of purchase and for fair and equitable treatment of suppliers. The person authorised to purchase goods should satisfy himself that the price is reasonable and consistent with the quality required.

Procedure for Purchase of Goods**(i) Purchase of goods without quotation:**

Purchase of goods upto the value of Rs.15,000/- only on each occasion may be made without inviting quotations or bids on the basis of a certificate to be recorded by the Competent Authority in the following format:-

"I..... am personally satisfied that these goods purchased are of the requisite quality and specification and have been purchased from a reliable supplier at a reasonable price."

Note: Competent Authority for this purpose would be at least a Assistant Professor or a non-teaching post of an equivalent status.

(ii) Purchase of goods by a Purchase Committee:-

Purchase of goods costing above **Rs.15,000/-** and upto **Rs.1.00 lac** only on each occasion may be made on the recommendations of the Purchase Committee/Equipment Committee which will ascertain the reasonableness of rate, quality and specifications and identify the appropriate supplier. Quotations should be obtained from firms which are registered with Trade Tax Department and under no circumstances from general order supplier. Before recommending placement of the purchase order, the members of the committee will jointly record a certificate as under:-

"Certified that we, the members of Purchase Committee/Equipment Committee are jointly and individually satisfied that the goods recommended for purchase are of requisite specification and quality, priced at the prevailing market rate and the supplier recommended is reliable and competent to supply the goods in question."

(iii) For purchase of goods costing more than **Rs.1.00 lac and upto **Rs.25.00 lacs** Limited Tender (direct invitation to a limited number of firms) method is to be followed.**

Limited Tender Enquiry should be issued to past successful suppliers plus all other known manufacturers, sole selling agent, authorised dealers whose details should be ascertained from Trade Directories, Internet, etc. Copies of enquiry should be sent directly by speed post/registered post/courier/e-mail to firms. Tenders shall be opened in the presence of equipment/purchase committee.

(iv) For Purchase of goods costing **Rs.25.00 lacs and above:-**

Advertised Tender Enquiry should be used for procurement of goods. It may also be notified on the web site. Ordinarily, the minimum time to be allowed for submission of bids should be three weeks from the date of publication of the tender notice. Where bids are also obtained from abroad, the minimum period should be kept as four weeks for both domestic & foreign bidders. Advertisement should be given in atleast one national daily having wide circulation.

Provided that purchase through Limited Tender Enquiry may be adopted even where the estimated value of the goods to be purchased is more than Rs.25.00 lacs in the following circumstances:-

- (a) The Director certifies that the demand is urgent and the purchase not through Advertised Tender Enquiry is justified in view of urgency. The nature of urgency and reasons as to why the procurement could not be anticipated should be recorded.
- (b) There are sufficient reasons, to be recorded in writing by the Director indicating that it will not be in the interest of the Institute to procure the goods through Advertised Tender Enquiry.
- (c) The sources of supply are definitely known and possibility of fresh source(s) beyond those being tapped, is remote.

10. Purchase/hire of Equipment, Furniture and Fixtures (GBR:7.8.2010):-

Equipment/ Purchase Committee	Full powers provided that in the case of a single item costing above Rs.30,000/- the prior approval of the Governing Body would be necessary.
Director	A single item costing up to Rs.20,000/- and single order not exceeding Rs.1,00,000/-
Dean/ Principal/ Treasurer/ Registrar	A single item costing up to Rs.12,000/- and single order not exceeding Rs.25,000/-
Head of the Department/ Incharges of Centres	A single item costing up to Rs.8,000/- and single order not exceeding Rs.15,000/-

11. Purchase of office stationery and consumable items including purchase of building materials for works they are competent to sanction under Item-I Civil Works of Appendix-I above (GBR-7/7.8.2010)	Purchase Committee	Full powers
	Director	One time order upto Rs.1,00,000/-
	Dean/ Principal/ Treasurer/ Registrar	One time order upto Rs.25,000/-
	Head of Department / Asstt. Registrar/ Incharge of Centres (GBR-7/7.8.2010)	One time order upto Rs.8,000/-,

Composition of Purchase Committee

For Faculties, Central Library, Centres

For Central Administrative Office:

and Non-Univ. Edu. Institutions:

- | | |
|--|-----------------------------|
| 1. Director or his nominee | 1. Director or his nominee |
| 2. Treasurer or his nominee | 2. Treasurer or his nominee |
| 3. Dean of the concerned faculty/Principal concerned/Registrar in all other cases (GBR-7/7.8.2010) | 3. Registrar |
| 4. Head of the Department/Chairman, Lib.Committee / I/c Centres | |

Note:-

1. In case the Director's nominee chairs the meeting on behalf of the Director, the minutes of the meeting shall be submitted to the Director for his approval before implementation.
2. The various offices listed above shall exercise the above powers of purchases within the allocated budget and subject to availability of grant.

- | | | | |
|-----|--|--|---|
| 12. | Purchase of books, journals & periodicals including news papers in the faculties/non-university educational institutions (GBR-13.10.01). | Departmental Library Committee consisting of concerned Dean/ Principal, concerned Head / Seniormost teacher of the Department, and Assistant University Librarian/ Faculty Librarian | Upto Rs.20,000/- per order (GBR-7/7.8.2010) |
| | | Library Committee or its Working Committee as mentioned in Bye-law No.30 (GBR-7/7.8.2010) | Full Powers |

- | | | | |
|-----|---|---|---|
| 13. | Purchase of books and periodicals including news-papers at the Central Administrative | Registrar/ Treasurer/ Head of the Centre/ | Full powers, subject to the approval of the Director. |
|-----|---|---|---|

Office and other
Centres/Sections
(GBR:13.10.2001).

Section and
Assistant
Registrar
(Academic)/
Assistant
Registrar
(Accounts)/
next senior
most officer in
the Centre/
Section

III. SIGNING OF CONTRACTS, AGREEMENTS AND DOCUMENTS

- | | | | |
|-----|---|---|-------------|
| 14. | Execution of documents relating to contracts | Director | Full powers |
| 15. | Execution of service agreements of staff | Registrar | Full powers |
| 16. | Signing of documents relating to sale/transfer of securities, provided the sale/transfer has been approved by the Governing Body. | Director/
Treasurer | Full powers |
| 17. | Writing off of losses due to theft, fraud and damage through negligence. | Governing Body /
Managing Council on the recommendation of the Director and the Committee for writing off of losses. | Full powers |

The committee for writing off losses will consist of the Head of the dept. concerned or the senior most teacher of the subject, where there is no dept., the Dean/ Principal/ Registrar in the case of Central Admin. Office and the Treasurer.

Director, on the
recommen-
dation of the
Committee

Items of book value upto
Rs.2000/-

for writing off
of losses

Director, on
the
recommen-
dation of the
Head of the
dept.
concerned or
senior most
teacher of the
subject where
there is no
dept. and the
Dean/
Principal/
Registrar in
the case of
the Central
Admn. Office.

Items of the book value
upto Rs.500/-

All actions taken under item 17 shall be reported to the Governing Body.

IV. **SANCTION OF IMPREST CASH & TEMPORARY ADVANCES**

- | | | | |
|-----|---|---|----------------|
| 18. | Sanction of limits for imprest money (within the limits prescribed by the Governing Body) | Director on the recommendation of the Treasurer | Full powers |
| | | Treasurer, on the recommendation of the Dean/ Principal/ Registrar in the case of Central Admn. Office. | Upto Rs.1000/- |
| 19. | Sanction of temporary advances for the Institute's work. | Director, on the recommendations of the Treasurer | Full powers. |

V. **MISCELLANEOUS**

- | | | | |
|-----|---|-----------|----------------------------------|
| 20. | Expenditure on publications and Printing (GBR-777.8.2010) | Director | Full powers |
| 21. | Expenditure on Advertisements | Director | Full powers |
| | | Registrar | Upto Rs.1000/- per Advertisement |
| 22. | Expenditure on Law suits and other legal matters | Director | Full powers |
| | | Registrar | Upto Rs.500/- per law suit. |

23.	Awarding of Fellowships (Visiting & Research Fellows)	Director on the recommendations of the Standing Committee of the Academic Council	Full powers.
24.	Sanction to staff from the un-assigned grant	-do-	Full powers within the UGC guidelines.
25.	Awarding of medals, prizes and other awards etc, for academic achievements.	Governing Body on the recommendations of the Academic Council	Full powers
26.	Payment of honorarium	Director	Full powers
27.	Granting of freeships, stipends and scholarships and aid from poor aid fund to students	Director on the recommendation of the Dean/ Principal	Full powers
28.	Refund of Caution Money	Treasurer	Full powers
29.	Sumptuary expenses: Abolished vide Director's order dt. 14.11.1991.		
30.	Sanction of expenditure on Institutional Hospitality	Director	Full powers
		Treasurer/ Registrar	Upto Rs.25/- per head subject to a maximum of Rs.250/- per meeting and Rs.3000/- per year.(GBR:7/7.8.2010)
		Deans/ Principals	Upto Rs.15/- per head subject to a maximum of Rs.150/- per meeting and Rs.1500/- per year.
		Asstt. Registrar/ Heads of Depts.	Upto Rs.10/- per head subject to a maximum of Rs.100/- per meeting and Rs.600/- per year.
31.	Expenditure on maintenance of Guest House	Director	Full powers
32.	Hiring of motor vehicles, furniture, fixtures and miscellaneous items (GBR-7/7.8.2010)	Director	Full powers
33.	T.A. & D.A. Bills :-		
(i)	Bills conforming to T.A./D.A. rules -		
	(a) At CAO	Treasurer/ Registrar	Full powers
	(b) At faculties/Non. Univ. educational	Dean/ Principal	Full powers

	institutions		
(ii)	Bills not conforming to TA/ DA rules, like travel by a class higher than the admissible class etc.	Director, subject to report to the Governing Body	Full powers.
34.	Sports (GBR-15 dated 21.10.92) :-		
(i)	Power to sanction expenditure on sports activities for all types of items e.g. refreshments, contingencies etc.	Sports Officer	Upto Rs.200/-
(ii)	Power to sanction purchase of sports material where required for emergent use	Sports Officer	Upto Rs.500/-
(iii)	Power to sanction expenditure on sports activities for which prior administrative sanction of the Director has been obtained	Sports Officer	Upto Rs.1000/-
35.	Repair of equipment, furniture, vehicles and appliances based on approval of necessary estimates (GBR-48 dated 22.3.95)		
	Administrative and Financial Powers	Head of the Department/ Chairman, Library Committee/ Incharges, Centres (GBR-7/7.8.2010)	Upto Rs.5000/-
	-do-	Dean/ Principal/ Treasurer/ Registrar	Upto Rs.10,000/- (GBR-7/7.8.2010)
	-do-	Director	Upto Rs.20,000/- (GBR-7/7.8.2010)
	-do-	Repair Committee (constitution same as of Equipment Committee: Bye-law No.11)	Upto Rs.50,000/- (GBR-7/7.8.2010)
	-do-	Governing Body	Full powers

Note: These powers would be exercised subject to budget provision/ availability of grant.

Appendix-II to the Financial Rules 31(V)(b) LIST OF BOOKS/REGISTERS

- A. Central Administrative Office
(i) Accounts Section: 1. Annual Statement of salaries paid Register

- | | | | |
|----|--|-----|---|
| | | 2. | Assets Register |
| | | 3. | Bank Reconciliation Register |
| | | 4. | Cash Book |
| | | 5. | Caution Money Refund Register |
| | | 6. | Grants Allocation Register |
| | | 7. | Investment Register |
| | | 8. | Ledger |
| | | 9. | Maintenance Grant Register |
| | | 10. | Pending Grants Register |
| | | 11. | Pension Register |
| | | 12. | Plan Grants Register |
| | | 13. | Provident Fund Advances Refund Register |
| | | 14. | Provident Fund Investment Register |
| | | 15. | Provident Fund Register |
| | | 16. | Registration of Candidates Register |
| | | 17. | Salary Increments Register |
| | | 18. | Salary Register |
| | | 19. | Scholarship Register |
| | | 20. | Stock Register (Consumable stock) |
| | | 21. | Stock Register (Non-Consumable stock) |
| | | 22. | Staff Security Deposit Register |
| | | 23. | Subsidiary Cash Book |
| | | 24. | Trial Balance Register |
| | (ii) General Section: | 1. | Assets Register |
| | | 2. | Bill Register |
| | | 3. | Prospectus Sale Register |
| | | 4. | Prospectus Stock Register |
| | | 5. | Remuneration cum T.A./D.A. Register |
| | | 6. | Stock Register (Consumable stock) |
| | | 7. | Stock Register (Non-consumable stock) |
| | | 8. | Telephone Bills Book |
| B. | Faculties: | 1. | Bill Register |
| | | 2. | Day Book |
| | | 3. | Fee Demand & Collection Register |
| | | 4. | Stock Register (Consumable stock) |
| | | 5. | Stock Register (Non-consumable stock) |
| C. | Non-university Educational Institutions: | 1. | Abstract Register |
| | | 2. | Contributory Provident Fund Register |
| | | 3. | Cash Book |
| | | 4. | Fee Demand & Collection Register |
| | | 5. | General Provident Fund |
| | | 6. | Grants Register |
| | | 7. | Salary Register |
| | | 8. | Scholarship Register |
| | | 9. | Security Register |

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32 . DEPUTATION OF TEACHERS ON APPROVED FACULTY DEVELOPMENT PROGRAMMES

(Amendments upto 6.2.93 included)

- (i) The Institute may depute a teacher on an academic programme/course of study, if it considers such deputation to be in the academic interest of the Institute.
- (ii) Such deputation shall be made subject to the following conditions:
 - a. The programme/course of study should not be of a duration longer than one year or shorter than three months.
 - b. The programme/course of study should be an approved UGC/Government of India programme.
 - c. The UGC/Government of India agrees to pay the salary of the teacher during the period of such deputation.
 - d. Provision exists for appointment of a substitute in the programme.
 - e. In case some charges are payable for the course/programme in question, they shall be paid either by the UGC/Government of India or the candidate himself.
- (iii) Confirmed teachers who have completed at least five years of service shall only be eligible for such deputation.
- (iv) Teachers deputed on approved courses/programmes shall be considered to be 'on duty' for purposes of leave, service and seniority.
- (v) Teachers deputed on approved courses/programmes shall be required to execute a bond on proper stamp paper prior to going on deputation to serve the Institute on return for a period of at least two years. In the event of his failure to serve the Institute for the whole or any part of the prescribed period he will have to pay damages for breach of contract as may be decided by the Governing Body. The Provident Fund of the employee amounting to the amount of damage so fixed will be treated as security for the performance of the conditions of this bond and will be adjusted towards liabilities he may incur under this clause.
- (vi) The teacher shall submit a report on the work done to the Director within one month of the end of the period of deputation.
- (vii) Such facilities shall not be given to a teacher who will retire within five years.
- (viii) No teacher shall be deputed for the second time unless he has completed five years of service after returning from the previous deputation under this bye-law.
- (ix) Provision for attending Orientation Course, Refresher Course, Summer School, Winter School, Short-term Course etc:-

Provided if it does not affect the teaching work, a teacher may be permitted by the Director to attend an Orientation Course/Refresher Course/Summer School/Winter School/Short-term course etc. for which he shall be treated as on duty, but no compensatory leave shall be admissible for any part of vacation/break/holidays/Sundays spent on such an assignment. A substitute may be appointed for the period of aforesaid assignment provided that the period is not less than four weeks. (Shifted from Leave Rules, GBR-3 dated 6-2-1993).

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33. RECRUITMENT ON COMPASSIONATE GROUNDS - PROCEDURE

(Amendments up to 10.5.2008 included)

(i) If a confirmed employee of the Institute including the non- university educational institutions die during service, his spouse or one of his dependent son /daughter may be given employment at the level of lowest class III post or a class IV post provided that :-

- a. The deceased confirmed employee has put in at least 5 years continuous and satisfactory service excluding short-term/ temporary appointment.
- b. The spouse, son or daughter was dependent on the employee at the time of his death and is not employed anywhere.
- c. Some post is available and the candidate fulfils the minimum qualifications prescribed for the post.
- d. The application of such a candidate be addressed to the Registrar stating the qualifications, experience etc. supported by documents, accompanied with the death certificate of the employee concerned.
- e. The application should be forwarded by the concerned Dean of the faculty, Head of the office or Principal of the non-university educational institution as the case may be, stating the following :
 - (1) Name of the class III or class IV post/posts lying vacant in the faculty, office, college as the case may be, mentioning the nature of duties for the post.
 - (2) Recommendations of the Dean, Head or Principal concerned, as the case may be, about the suitability or otherwise of the applicant for the post. The Dean, Head or Principal should record his statement after satisfying himself about the suitability of the applicant by testing (in case of class III post) and interviewing the candidate.

(ii) The Director, if satisfied that the case is a deserving one and the applicant was dependent on the deceased is not employed anywhere and is suitable for the post, may recommend the case to the Governing Body (GBR:3/10.5.2008) for the appointment stating name of post, pay and pay scale.

(iii) Deleted (GBR-3 dt. 10.5.2008).

34. VOLUNTARY RETIREMENT OF THE EMPLOYEES OF THE INSTITUTE HOLDING POSTS FINANCED BY THE UNIVERSITY GRANTS COMMISSION AND GOVERNED BY THE PENSION SCHEME .

(Approved by the Governing Body vide its res. no. 27 dt. 16-7-94)

(i) Short Title and Commencement

(1) This Bye-law may be called "VOLUNTARY RETIREMENT OF THE EMPLOYEES OF THE INSTITUTE HOLDING POSTS FINANCED BY THE UNIVERSITY GRANTS COMMISSION TO WHOM PENSION SCHEME IS APPLICABLE".

(2) This Bye-law shall come into force on the 1st July, 1994.

(ii) Application

This Bye-law shall apply to the permanent employees of the Institute to whom pension scheme as per the Pension Bye-law for the employees of the Institute holding posts financed by the University Grants Commission is applicable, but shall not apply to -

- (1) Persons paid from contingencies;
- (2) Persons entitled to benefit of Contributory Provident Fund; and
- (3) Persons employed on contract basis where the contract does not provide for voluntary retirement.

(iii) Definitions

(1) 'Appointing Authority' for the purpose of this Bye-law means the authority who has got powers to make substantive appointment to the post from which the employee seeks retirement or is retired or on which he holds a lien.

(2) 'Employee' means the employee of the Institute to whom this Bye-law is applicable.

(3) 'Qualifying Service' for the purposes of this Bye-law shall have the same meaning as is assigned to it under the Pension Bye-law of the Institute for the posts financed by UGC.

(iv) Notwithstanding anything contained in the Bye-law of the Institute relating to the service conditions of the employees, a permanent employee to whom this Bye-law is applicable, may retire voluntarily before he attains the age of superannuation as per provisions given hereunder :

- (1) A permanent employee may retire from service -
 - (a) after attaining the age of fifty-five years or
 - (b) after completion of twenty years of qualifying service,by giving a notice of not less than three months in writing to his Appointing Authority through the Registrar.

Provided that -

i. in the case of an employee who has attained the age of fifty five years, the retirement shall become effective unless the Appointing Authority withholds permission to the employee to retire in cases where the employee is under suspension, or in whose case disciplinary proceedings have been instituted or in which prosecution is contemplated or may have been launched in a Court of Law against the employee; and

ii. in the case of an employee who has rendered not less than twenty years of qualifying service, permission of the Appointing Authority shall be required for the employee to retire, but where such permission is not refused before expiry of the said notice period, the retirement shall become effective from the date of expiry of the notice period.

- (2) An employee who has given the necessary notice to retire voluntarily, shall be precluded from withdrawing it subsequently except with the approval of the Appointing Authority, provided that the request for withdrawal is made before the intended date of retirement.

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35. PENSION BYE-LAW, 1994 FOR EMPLOYEES RETIRING FROM POSTS FINANCED BY THE UNIVERSITY GRANTS COMMISSION.

(Approved by the Governing Body vide its res. no. 28 dt. 16-7-94)

(i) Short Title and Commencement

- a. This Bye-law may be called "PENSION BYE-LAW, 1994 FOR THE EMPLOYEES OF THE INSTITUTE RETIRING FROM POSTS FINANCED BY THE UNIVERSITY GRANTS COMMISSION" (U.G.C.).
- b. It shall come into force on the 1st July, 1994.
- c. Pension Bye-law for the posts in the Institute financed by the UGC will be governed by the following provisions.
- d. This Bye-law will be subject to modifications by the Governing Body in accordance with the directions issued by the University Grants Commission from time to time.

(ii) Application

- a. This Bye-law shall apply to the employees of the Institute who were/are appointed permanently to posts financed by UGC and who retire from such posts on or after 1.7.1994.
- b. (1) An employee to whom this Bye-law is applicable, shall have to contribute compulsorily to the General Provident Fund.
(2) There shall not be any Contributory Provident Fund (CPF) scheme for employees appointed on or after 1st July, 1994.
- c. (1) All permanent employees holding posts financed by UGC who were in service on 1st July 1994 and governed by the Contributory Provident Fund (CPF) scheme, shall be deemed to have come over to the Pension Scheme as per this Bye-law from 1st July, 1994 provided that such employees shall have an option to continue under the CPF Scheme, if they so desire. The option will have to be exercised and conveyed by such employees to the Registrar in the prescribed form by 30th September, 1994 if they wish to continue under the CPF Scheme.

If no option is received by the Registrar from the employee by 30th September, 1994, he shall be deemed to have come over to the Pension Scheme as per this Bye-law.

The option once exercised shall be final.
(2) In the case of employees who come over or are deemed to have come over to the Pension Scheme in accordance with this Bye-law, the Institute's contribution to the CPF together with the interest thereon credited to the CPF Account of the employee shall be resumed by the Institute. The employee's contribution together with the interest thereon at his credit in the CPF Account will be transferred to his General Provident Fund Account to be allotted to him on his coming over to the Pension scheme.

(iii) Definitions

- a. "Appointing Authority" for the purpose of this Bye-law means the authority who has got powers to make substantive appointment to the post from which the employee seeks retirement or is retired or on which he holds lien.
- b. 'BASIC PAY' means pay other than special pay or additional pay granted in view of special qualification or personal pay or any other emoluments classed as pay by the Institute to which any employee is entitled on account of holding a post to which he has been appointed substantively or in an officiating or temporary capacity.
- c. 'CHILD' means a son or un-married daughter of the employee, under twenty five years of age and the expression 'children' shall be construed accordingly.

- d. 'Employee' means an employee of the Institute appointed permanently to a post in the Institute financed by UGC.
- e. 'Family pension' means family pension admissible under para (xvii) of this Bye-law but does not include dearness relief.
- f. 'Gratuity' includes -
 - (1) 'service gratuity' payable under para (xx) of this Bye-law.
 - (2) 'Retirement gratuity' or 'Death gratuity' payable under para (xix) or para (xxi) of this Bye-law.
- g. 'Institute' means The Dayalbagh Educational Institute.
- h. 'Minor' means a person who has not completed the age of eighteen years.
- i. 'Pension' includes gratuity except when the term pension is used in contradistinction to gratuity, but does not include dearness relief.
- j. 'Qualifying Service' for the purpose of this Bye-law means service rendered in the Institute while on duty or otherwise which shall be taken into account for the purposes of pension and gratuity admissible under the Bye-law.
- k. 'Retirement Benefits' includes pension or service gratuity and retirement gratuity, where admissible.
- l. 'Words' and 'Expressions' used in this Bye-law and not defined here but defined in other Rules/Bye-laws of the Institute shall have meanings respectively assigned to them in those Rules/Bye-laws.

SECTION 'A'

GENERAL CONDITIONS FOR GRANT OF PENSION / FAMILY PENSION

(iv) Regulation of Claims to Pension, Gratuity or Family Pension

- a. Any claim to pension gratuity or family pension shall be regulated by the provisions of this Bye-law in force at the time when an employee retires or is retired or dies, as the case may be.
- b. The day on which an employee retires or is retired or is discharged or is allowed to resign from service, as the case may be, shall be treated as his last working day. The date of death shall also be treated as a working day.

Provided that in the case of an employee who retires voluntarily under the Bye-law of the Institute on voluntary retirement, the date of retirement shall be treated as a non-working day.

(v) Pension Subject to Future Good Conduct

- a. Future good conduct shall be an implied condition of every grant and continuance of pension under this Bye law.
- b. The Appointing Authority may, by order in writing, withhold or withdraw a pension or part thereof, whether permanently or for a specified period, if a pensioner is convicted of a serious crime or is found guilty of grave misconduct.

Provided that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below rupees three hundred and seventy five per mensem.

(vi) Right of Appointing Authority to Withhold or Withdraw Pension and Gratuity

The Appointing Authority shall have the right to withhold a pension or gratuity, or both either in full or in part, or withdrawing a pension in full or in part, whether permanently or for a specified period and of ordering recovery from a pension or gratuity of the whole or part of any pecuniary loss caused to the Institute, if, in any disciplinary or judicial proceedings, the pensioner is found guilty of grave misconduct or negligence during the period of service.

Provided that where a part of pension is withheld or withdrawn, the amount of pension shall not be reduced below the amount of rupees three hundred and seventy five per mensem.

(vii) Qualifying Service for Pension

a. subject to the provisions of this Bye-law, 'Qualifying service' of an employee for pension commences from the date he takes charge of post to which he is first appointed either substantively or in an officiating or temporary capacity.

b. (1) Save as otherwise provided, the service of an employee shall not qualify for pension unless it is on a post financed by the University Grants Commission.

(2) In the case of a permanent employee working on a post financed by UGC, who had earlier worked in the Institute on a post financed by the U.P. Government and was governed by the pension scheme, the continuous qualifying service in the said post followed without break by service in the post financed by UGC, shall qualify for pension and gratuity.

(3) In the case of a permanent employee working on a post financed by UGC who had earlier worked on a post financed by the U.P. Government/Institute and was governed by CPF Scheme, the continuous service in the said post followed without break in the post financed by UGC, shall qualify for pension and gratuity provided that the employee authorises surrender to the Institute of the employer's share of contribution to his CPF Account alongwith the interest thereon by 30th September, 1994 if in service on 1st July 1994 or within three months from the date of confirmation on the post financed by UGC in other cases.

Note:- On being granted pension, gratuity etc. on the basis of the total qualifying service rendered on the post financed by the UGC including that rendered on the post financed by the U.P. Government, no pension, gratuity etc, shall be admissible and paid to him on the latter post separately for the service rendered.

(4) All the employees who entered into Central Government Service or in the service of an Autonomous Body set up by Central Government (satisfying the conditions laid down in para 4 of O.M. dated 29.8.1984), on or before 31.12.2003 and who were governed by old pension scheme under the Central Civil Services (Pension) Rules, 1972, will continue to be governed by the same pension scheme and same rules, for the purpose of counting of their past service under the said rules or under the provisions of the DP & AR's O.M. No. 28/10/84-PU dated 29.8.1984, as amended from time to time, if such employees submit technical resignation on or after 1.1.2004 and joined the services of the Institute. Similarly employees of State Government or State Autonomous Bodies who were appointed on or before 31.12.2003 and who were governed by the old non-contributory Pension Scheme similar to CCS (Pension) Rules, 1972 of their respective Governments/organizations, shall be governed by CCS (Pension) Rules 1972 on their appointment in Institute even after 1.1.2004 on satisfying the conditions OM No. 28/10/84-P*PW dated 7.2.86 and O.M. No. 28/10/84-Pension unit dated 29.8.84. [Ministry of Personnel, Public Grievances & pension's letter no.28/30/2004-P&PW(B) dated 26.7.2005 and letter No. 28/30/2004P&PW(B) dated 28.10.2009]

c. The following periods of service shall count as qualifying service :

(1) Duty and periods treated as duty.

(2) All leave during service for which leave salary is payable.

(3) All Extraordinary leave granted on medical grounds or for prosecuting higher studies or due to inability of the employee to rejoin duty on account of civil commotion.

(4) Service on probation followed by confirmation

(5) Temporary service of an employee followed by confirmation without a break.

(6) Time passed by an employee under suspension pending enquiry into his

conduct where on conclusion of such enquiry, he has been fully exonerated. In other cases, the period of suspension shall not count unless the authority competent to pass orders under the rule governing such cases expressly declares at the time that it shall count to such extent as he may declare.

(7) An employee who is dismissed, removed or compulsorily retired from service, but is reinstated on appeal or review, is entitled to count his past service as qualifying service. The period of interruption in service between the date of dismissal, removal or compulsory retirement and the date of reinstatement shall not count as qualifying service unless regularised as duty or leave by a specific order of the authority which passed the order of reinstatement.

d. The following periods of service shall not count as qualifying service for pension :

- (1) Service rendered before attaining the age of eighteen years.
- (2) Unauthorised absence treated as 'dies non'.
- (3) Overstay of leave or joining time not regularised as leave with leave salary.
- (4) Suspension followed by major penalty, if the reinstating authority does not order that it shall count as qualifying service.
- (5) Extraordinary leave without pay except of the kind referred to in sub-para (c)(3) above.
- (6) Extraordinary leave allowed to an employee for taking appointment outside the Institute when lien in the Institute is maintained.
- (7) The period of deputation to an outside organisation deemed as duty, provided the pension contribution for the period of deputation is not paid to the Institute by that organisation or by the employee.

e. In calculating the length of qualifying service, fraction of a year equal to three months but less than six months shall be treated as a completed one half-year and reckoned as qualifying service.

f. Addition to qualifying service for calculation of pension/gratuity on Voluntary Retirement:

The qualifying service as on the date of intended retirement of the employee retiring voluntarily under Bye-law No. 34 shall be increased by a period not exceeding five years, subject to the condition that the total qualifying service rendered by the employee does not in any case exceed thirty three years and it does not take him beyond the date of superannuation.

(viii) Forfeiture of Service on Dismissal or Removal

Dismissal or Removal of an employee from the service of the Institute entails forfeiture of his past service.

(ix) Forfeiture of Service on Resignation

Resignation from service of the Institute by an employee when it becomes effective, entails forfeiture of his past service.

(x) Effect of Interruption in Service

- a.** A break in service of an employee where it is not covered by authorised leave of absence entails forfeiture of his past service.
- b.** Treatment of Wilful Absence from Duty not Regularised - 'Dies Non'

The period of absence from duty not covered by grant of leave shall be treated as 'Dies Non' for the purpose of grant of pension and gratuity. Such absence without leave where it stands singly and not in continuation of any authorised leave of absence, will constitute an interruption of service for the purpose of pension and gratuity and unless the Appointing Authority exercises its power under sub-para (c)

below to treat the period of absence without leave as extraordinary leave, the entire past service of the employee will stand forfeited for the purpose of pension and gratuity.

c. Notwithstanding anything contained in sub-para (a), the Appointing Authority may, by order, commute retrospectively the periods of absence without leave as extraordinary leave.

d. The period of interruption shall not count as qualifying service.

(xi) Basic Pay to be taken into account for calculation of Pension, Family Pension and Gratuities

'Basic Pay' which an employee was drawing immediately before his retirement or on the date of his death in service, shall be taken into account for the purposes of pension, family pension and gratuities subject to the following:

a. If an employee immediately before his retirement or death while in service had been absent from duty on leave for which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the basic pay which he would have drawn had he not been absent from duty or suspended shall be the basic pay for the purpose of this paragraph.

Provided that any increase in pay other than increment referred to in sub-para (d) below which is not actually drawn shall not form part of his basic pay for calculation of pension etc.

b. Where an employee immediately before his retirement or death while in service had proceeded on leave for which leave salary is payable after having held a higher appointment whether in an officiating or temporary capacity, the benefit of basic pay drawn in such higher appointment shall be given only if it is certified by the appointing authority that the employee would have continued to hold the higher appointment but for his proceeding on leave.

c. If an employee immediately before his retirement or death while in service had been absent from duty on extraordinary leave without pay or had been under suspension, the period whereof does not count as service, the basic pay which he drew immediately before proceeding on such leave or being placed under suspension shall be taken into account for the purpose of this paragraph.

d. If an employee immediately before his retirement or death while in service, was on earned leave, and earned an increment which was not withheld, such increment, though not actually drawn, shall form part of his basic pay for calculation of pension and gratuity etc under this Bye-law.

Provided that the increment was earned during the currency of the earned leave not exceeding one hundred and twenty days, or during the first one hundred and twenty days of earned leave where such leave was for more than one hundred and twenty days.

(xii) Average Basic Pay

'Average basic pay' means average of the Basic Pay drawn by an employee during the last ten months of his service.

NOTE-1: If during the last ten months of his service an employee had been absent from duty or leave for which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the basic pay which he would have drawn had he not been absent from duty or suspended, shall be taken into account for determination of average basic pay.

Provided that any increase in pay (other than increment referred to in NOTE-3 below) which is not actually drawn, shall not form part of his basic pay.

NOTE-2: If, during the last ten months of his service, an employee had been absent from duty on extraordinary leave without pay, or had been under suspension, the period whereof does not count as service, the aforesaid period of leave or suspension, shall be disregarded in the calculation of the average basic pay and equal period before the ten

months shall be included.

NOTE-3: In the case an employee who was on earned leave during the last ten months of his service and earned an increment, which was not withheld, such increment though not actually drawn, shall be included in the average basic pay.

Provided that the increment was earned during the currency of the earned leave not exceeding one hundred and twenty days or during the first one hundred and twenty days of earned leave where such leave was for more than one hundred and twenty days.

(xiii) Classes of Pension and Conditions Governing their Grant

a. SUPERANNUATION PENSION

A superannuation pension shall be granted to a permanent employee who is retired on his attaining the age of superannuation of 60 years as provided in the Bye-Law No. 23(ii) (i) relating to Service Conditions.

b. RETIRING PENSION

A retiring pension shall be granted to an employee who retires in accordance with the provisions of the Bye-law of the Institute for voluntary retirement of employees holding posts financed by the University Grants Commission to whom pension scheme is applicable.

c. INVALID PENSION

Invalid pension may be granted to an employee who retires from service on account of any bodily or mental infirmity which permanently incapacitates him from service in the Institute.

An employee applying for an invalid pension shall submit a medical certificate of incapacity from the Appropriate Medical Authority constituted by the Appointing Authority.

d. COMPULSORY RETIREMENT PENSION

An employee compulsorily retired from service before the date of superannuation may be granted, by the Appointing Authority, pension or gratuity or both at a rate not less than two-thirds and not more than the pension to which he may be entitled for the qualifying service he has rendered or gratuity or both admissible to him on the date of compulsory retirement.

(xiv) Forfeiture of Pension and Gratuity

a. An employee who is dismissed or removed from service of the Institute shall forfeit his pension and gratuity.

b. An employee who resigns from the service of the Institute shall forfeit his pension and gratuity.

(xv) Recurring Monthly Payment of Pension

a. Recurring monthly payment of pension to a permanent employee will be admissible on retirement on superannuation at the age of sixty years or on Voluntary Retirement permissible under the Bye-law of the Institute or on being declared permanently incapacitated for further service by the appropriate medical authority of the Institute, if he has rendered not less than ten years of qualifying service.

b. The employee who has rendered qualifying service of less than 10 years shall be entitled to receive service gratuity, in accordance with the provisions of para (xx) of the Bye-law.

(xvi) Regulation of amounts of Pension

a. (1) (GBR-39 dated 12.11.99) W.e.f. 1.1.96 full pension of all pensioners irrespective of their date of retirement shall not be less than 50% of the minimum pay in the revised scale of pay introduced w.e.f. 1.1.1996 of the post last held by the pensioner.

However, the existing provisions in the rules governing qualifying service and minimum(revised)pension shall continue to be operative.

(2) (GBR-39 dated 12.11.99) In the case of an employee retiring in accordance with

the provisions of the Bye-law after completing qualifying service of not less than thirty three years, the amount of pension shall be calculated at fifty percent of the average basic pay as defined in para (xii) of this Bye-law subject to a minimum of Rs.1275/- per month and a maximum of upto 50% of the highest pay applicable to a employee which is Rs.30000/- p.m. from 1.1.96 but the full pension in no case shall be less than 50% of the minimum of the revised scale of pay introduced w.e.f. 1.1.96 for the post held by the employee at the time of his retirement. However, such pension will be suitably reduced prorata, where the pensioner has less than the maximum required service for full pension as per the rule applicable to the pensioner as on the date of his/her superannuation/retirement and in no case it will be less than 1275/- p.m.

This pension shall be treated as basic pension for the purpose of future grant of dearness relief on pension.

(3) In the case of an employee retiring in accordance with the provisions of Bye-law of the Institute before completing qualifying service of thirty three years, but after completing qualifying service of ten years, the amount of pension for that qualifying service shall be proportionate to the amount of pension admissible for a qualifying service of thirty three years.

(4) Notwithstanding anything contained in sub-para (a) above, the amount of invalid pension shall not be less than the amount of family pension admissible under sub-para (a) of para (xvii) of this Bye-law.

b. The amount of pension finally determined under sub-para (a) above, shall be expressed in whole rupees and where the pension contains a fraction of a rupee, it shall be rounded off to the next higher rupee.

(xvii) Family Pension

a. Where a permanent employee dies after completion of one year of continuous service or after retirement from service and was on the date of death in receipt of or eligible for a pension, the family of the deceased shall be entitled to Family Pension under this Bye-law.

From 1.1.96 Family Pension shall not be less than 30% of the minimum pay in the revised scale introduced w.e.f. 1.1.96 for the post held by the pensioner/deceased employee subject to a minimum of Rs.1,275/- per month and a maximum of 30% of the highest pay i.e. Rs.30,000/- since 1.1.1996 (provided the minimum and maximum as above are confirmed by the UGC)(GBR-39 dt.12-11-99)

Explanation :-

(1) "Family" for the purpose of family pension under this Bye-law includes deceased employee's surviving spouse, son(s) who has not attained the age of 25 years and unmarried daughter(s) who has not attained the age of 25 years.

(2) 'Continuous Service' means service rendered by a permanent employee on a post financed by the UGC and does not include the period of suspension, if any, and period of service, if any, rendered before the age of eighteen years.

b. The amount of family pension shall be fixed at monthly rates and may 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 that in no case, a family pension in excess of the maximum prescribed under this para shall be allowed.

c. (1) (i) Where an employee dies while in service after having rendered not less than seven years of continuous service, the rate of family pension payable to the family shall be equal to 50 per cent of the pay last drawn or twice the family pension admissible under sub-para (a), whichever is less, and the amount so admissible shall be payable from the date following the date of death for a period of seven years, or for a period upto the date on which the deceased employee would have attained the age of 65 years had he survived, whichever is less.

(ii) In the event of death of an employee after retirement, the family pension as determined under sub-para (c)(1)(i) shall be payable for a period of seven years, or for a period upto the date on which the retired deceased employee would have attained the age of 65 years had he survived, whichever is less.

Provided that in no case the amount of family pension determined under this clause shall exceed the pension authorised on retirement from service of the Institute.

Provided further that where the amount of pension authorised on retirement is less than the family pension admissible under sub-para (a), the amount of family pension determined under this clause shall be limited to the amount of family pension admissible under sub-para (a).

Explanation-

For the purpose of this clause, pension authorised on retirement includes the part of the pension which the retired employee may have commuted before death.

(2) After the expiry of the period referred to in clause (1), the family in receipt of family pension under that clause shall be entitled to family pension at the rate admissible under sub-para (a) of para (xvii).

d. Period for which Family Pension is payable

The period for which family pension is payable shall be as follows :-

- (1) in the case of a widow or widower, up to the date of re-marriage, or death;
- (2) in the case of a son, until he attains the age of twenty five years;
- (3) in the case of an unmarried daughter, until she attains the age of twenty five years or until she gets married, whichever is earlier.

e. (1) Except as provided in sub-para (f) of this para, the family pension shall not be payable to more than one member of the family at the same time.

(2) 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.

(3) Family pension to the children shall be payable in the order of their birth and the younger of them will not be eligible for pension unless the elder next above him/her has become ineligible for the grant of family pension.

Provided that where the family pension is payable to twin children, it shall be paid in the manner set out in sub-para (f) of this para.

f. Where the family pension is payable to twin children, it shall be paid to such children in equal shares.

Provided that when one such child ceases to be eligible, his/her share shall revert to the other child and when both of them cease to be eligible, the family pension shall be payable to the next eligible single child /twin children.

g. Where a deceased employee or pensioner leaves behind more children than one, the eldest eligible child shall be entitled to the family pension for the period mentioned in clause (2) or clause (3) or sub-para (d) of the para, as the case may be, and after the expiry of that period, the next child shall become eligible for the grant of family pension.

h. Where family pension is granted under this para to a minor, it shall be payable to the guardian on behalf of the minor.

i. In case both wife and husband are employees of the Institute and are governed by the provisions of this para, and one of them dies while in service or after retirement,

the family pension in respect of the deceased shall become payable to the surviving husband or wife and in the event of the death of the husband or wife, the surviving child or children shall be granted family pension in respect of the deceased parents, subject to the limits specified below, namely :-

- (1) If the surviving child or children is or are eligible to draw two family pensions at the rate mentioned in sub-para (c) (1), the amount of both the pensions shall be limited to two thousand five hundred rupees per mensem.
 - (2) If one of the family pension ceases to be payable at the rate mentioned in sub-para (c)(1) and in lieu thereof the pension at the rate mentioned in sub-para (a) becomes payable, the amount of both the pensions shall also be limited to two thousand five hundred rupees per mensem.
 - (3) If both the family pensions are payable at the rate mentioned in sub-para (a), the amount of family pension shall be limited to one thousand two hundred and fifty rupees per mensem.
- j. (1) As soon as an employee enters service of the Institute, he shall give details of his family in the form prescribed for the purpose, to the Registrar.
- (2) If the employee has no family, he shall furnish to the Registrar the details in the prescribed form as soon as he acquires a family.
- (3) In case of the existing employees, they shall also be required to give details of their family in the prescribed form to the Registrar in accordance with clause (1) and clause (2) above.
- (4) The employee shall communicate to the Registrar any subsequent change in the size of his family, including the fact of marriage of his female child.

The Registrar shall on receipt of communication from the employee regarding any change in the size of the family, shall have such a change incorporated in the record.

(xviii) a. Dearness Relief on Pension and Family Pension

'Dearness Relief' on gross pension before commutation and family pension will be payable every month to the pensioner at such rates and subject to such conditions as the Director may notify from time to time after approval of the Governing Body.

b. Procedure for Disbursement of Pension/Family Pension

The detailed procedure for authorisation and disbursement of pension shall be as prescribed from time to time by the Director.

SECTION `B`

SERVICE GRATUITY/DEATH GRATUITY/RETIREMENT GRATUITY

(xix) Retirement Gratuity

An employee who has completed five year's qualifying service, shall, on his retirement, be granted retirement gratuity equal to one-fourth of his basic pay at the time of retirement for each completed six-monthly period of qualifying service, subject to a maximum of 16 1/2 times the basic pay drawn at the time of retirement or rupees one lakh whichever is less.

(xx) Service Gratuity

If a permanent employee retires before completion of ten years of qualifying service, he shall be paid service gratuity, in addition to retirement gratuity which may be admissible to him on completion of five years of qualifying service, at the rate of one-half of his basic pay at the time of retirement for every completed six-monthly period of qualifying service. No recurring monthly pension will be admissible in such cases.

(xxi) Death Gratuity

If an employee dies while in service, Death Gratuity shall be paid to his family at the rates given below :

Length of Qualifying Service	Rate at which death gratuity is payable
a. Less than 1 year	2 times of Basic Pay last drawn
b. One year or more but less than five years drawn	6 times of Basic Pay last drawn
c. Five years or more but less than 20 years	12 times of Basic Pay last drawn
d. 20 years or more	Half of Basic Pay last drawn for every completed six-monthly period of qualifying service subject to a maximum of 33 times the Basic Pay or Rs. One lakh, whichever is less.

(xxii) a. If the Basic Pay of an employee has been reduced during the last ten months of service of the employee otherwise than as a penalty, average Basic Pay drawn by the employee during the last ten months of his service shall be reckoned for the purpose of calculation of gratuity.

b. Where the amount of retirement or death gratuity as finally calculated contains a fraction of rupee, it shall be rounded off to the next higher rupee.

c. In calculating the length of qualifying service, fraction of a year equal to three months but less than six months shall be treated as a completed six-monthly period and reckoned as qualifying service.

(xxiii) For the purpose of payment of death gratuity and paras (xxiv),(xxvi) & (xxvii), 'Family' in relation to an employee, means -

a. wife or wives including judicially separated wife or wives in the case of a male employee;

b. husband, including judicially separated husband in the case of a female employee;

c. sons including step sons and adopted sons;

d. unmarried daughters including step-daughters and adopted daughters;

e. widowed daughters including step-daughters and adopted daughters;

f. father including adoptive parent in the case of individuals whose personal law permits adoption;

g. mother including adoptive parent in the case of individuals whose personal law permits adoption;

h. brothers below the age of eighteen years including step-brothers;

i. unmarried sisters and widowed sisters including step-sisters;

j. married daughters; and

k. children of a pre-deceased son.

(xxiv) Persons to whom Gratuity is payable

a. (1) The gratuity payable under para (xix) or para (xxi) shall be paid to the

person or persons on whom the right to receive the gratuity is conferred by means of a nomination under para (xxvi).

(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 :-

i. If there are one or more surviving members of the family as in sub-para (a),(b),(c) and (d) of para (xxiii), to all such members in equal share.

ii. If there are no such surviving members of the family as in sub-clause (1) above, but there are one or more members as in sub-para (e), (f), (g), (h), (i), (j), & (k) of para (xxiii), to all such members in equal shares.

b. If an employee dies after retirement without receiving the gratuity admissible under para (xix) or para (xxi), the gratuity shall be disbursed to the family as indicated in sub-para (a) above.

c. 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 his or her share of gratuity.

d. Where gratuity is granted under para (xix) or (xxi) to a minor member of the family of the deceased employee, it shall be payable to the guardian on behalf of the minor.

(xxv) Procedure for Disbursement of Gratuity

The detailed procedure for authorisation and disbursement of gratuity shall be as prescribed from time to time by the Director.

(xxvi) Nomination

a. An employee shall, on his initial confirmation make a nomination in the prescribed form, obtainable from the Registrar's office, conferring on one or more persons the right to receive the retirement gratuity /death gratuity payable under para (xix) or para (xxi).

Provided that if at the time of making the nomination -

(1) the employee has a family, the nomination shall not be in favour of any person or persons other than the members of his family; or

(2) the employee has no family, the nomination may be made in favour of a person or persons, or a body of individuals, whether incorporated or not.

b. If an employee nominates more than one person under sub-para (a), he shall specify in the nomination the amount of share payable to each of the nominee, in such manner as to cover the entire amount of gratuity.

c. An employee may provide in the nomination -

(1) that in respect of any specified nominee who pre-deceases the employee, or who dies after the death of the employee but before receiving the payment of gratuity, the right conferred on that nominee shall pass to such other person as may be specified in the nomination.

Provided that if at the time of making the nomination, the employee has a family consisting of more than one member, the person so specified shall not be a person other than the member of his family.

Provided further that where the employee has only one member of his family, and a nomination has been made in his favour, it is open to the employee to nominate alternate nominee or nominees in favour of any person or a body of individuals whether incorporated or not.

(2) that the nomination shall become invalid in the event of the happening of the contingency provided therein.

d. The nomination made by an employee who has no family at the time of making it, or the nomination made by an employee under the second proviso to clause (1) of sub-para (c) where he has only one member in the family shall become invalid in the event of the employee subsequently acquiring a family, or an additional member in the family, as the case may be.

e. An employee may, at any time, cancel a nomination by sending a notice in writing to the Registrar.

Provided that he shall, alongwith such notice, send a fresh nomination made in accordance with this para.

f. Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (1) of sub-para (c) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (2) of that sub-para, the employee shall send to the Registrar a notice in writing cancelling the nomination together with a fresh nomination made in accordance with this para.

(1) The Registrar shall, immediately on receipt of such nomination countersign it indicating the date of receipt and keep it under his safe custody.

(2) suitable entry regarding receipt of nomination shall be made in the service book of the employee concerned.

h. Every nomination made, and every notice of cancellation given by an employee shall to the extent that it is valid, take effect from the date on which it is received by the Registrar.

(xxvii) Lapse of Retirement Gratuity/Death Gratuity

When an employee dies while in service or after retirement without receiving the amount of gratuity and leaves behind no family and -

- a. has made no nomination, or
- b. the nomination made by him does not subsist,

the amount of retirement gratuity/death gratuity payable in respect of such an employee will lapse to the Institute.

Provided that the amount of death gratuity/ retirement gratuity shall be payable to the person in whose favour a succession certificate in respect of the gratuity in question has been granted by a Court of Law.

SECTION 'C'

(xxviii) Commutation of Pension

a. Eligibility

Every employee governed by this Bye law who may be entitled to or may have been authorised to receive any class of pension referred to in para (xiii) of this Bye-law is eligible to commute a portion of his monthly pension for a lump sum payment, called "commuted value" of pension subject to the conditions specified below. An employee or pensioner against whom departmental or judicial proceedings are pending shall not, however, be eligible to commute a portion of his pension till completion of such proceedings.

b. Application for Commutation

Employees who are eligible for commutation of pension and are desirous of having a portion of their pension commuted shall have to apply to the Registrar in the prescribed form obtainable from the Registrar's Office in accordance with the procedure given below:

i. An employee who is due to retire on superannuation and desires payment of commuted value of pension at the time of retirement, shall apply in the prescribed form not later than 3 months before the date of superannuation. Commutation amount will be paid without medical examination of the employee in such a case. Provided that the Institute shall have no liability for the payment of the commuted value of pension if the employee dies before the date of superannuation or forfeits claim to pension before such retirement.

ii. A pensioner who is eligible for or is in receipt of any pension referred to in sub-para (d) of this para and applies for commutation of pension after the date of his retirement from service but before the expiry of one year from the date of retirement, shall apply for commutation in the prescribed form. Commutation amount will be paid without medical examination of the pensioner.

Provided that in the case of an applicant referred to in clause (3) of sub-para (d) of this para in whose case departmental or judicial proceedings have been instituted, the period of one year shall be reckoned from the date of issue of the orders consequent on the finalisation of the departmental or judicial proceedings.

iii. A pensioner who retires on Invalid Pension or Compulsory Retirement Pension or has retired on one of the pensions referred to in sub-para (d) of this para and who applies for commutation after more than one year of the date of his retirement shall have to apply for commutation in the prescribed form. Commutation amount will be paid to the pensioner only after it is certified by the Appropriate Medical Authority of the Institute that his bodily health and prospects of duration of life are such as to justify commutation in his case. The Appropriate Medical Authority shall also add years to his actual age to determine his assumed age, if it considers it necessary, based on the condition of his health and life expectancy. After this addition of years to his actual age, it will be taken as his assumed age for the purpose of calculation of commuted value of pension as in sub-para (h).

Note-1: Withdrawal of application for Commutation on Medical Certificate is permissible (a) before medical examination, (b) after medical examination if the pensioner declines to accept addition to his actual age directed in the medical report of the Appropriate Medical Authority within 14 days of its receipt or (c) is treated as withdrawn if the pensioner fails to take the medical examination.

Note-2: The applicant shall be required to pay for medical examination such fee as may be prescribed by the Governing Body.

c. Amount Admissible for Commutation

(1) An employee/pensioner shall be entitled to commute for a lump-sum payment a fraction not exceeding one-third of his pension.

(2) The employee/pensioner shall indicate in the Application Form for commutation (see sub-para (b) of this para), the fraction of pension which he desires to commute and may either indicate the maximum limit of one-third of pension or such lower limit as he may desire to commute.

(3) If fraction of a pension to be commuted results in fraction of a rupee, such fraction of a rupee shall be ignored for the purpose of commutation.

(4) Commutation will be allowed on the minimum pension of Rs. 375/- if actual pension is less than Rs. 375/-.

(5) If commutation is applied for after the date of withholding or withdrawal of a part of the pension, the admissible amount that can be commuted will have to be calculated with reference to the pension payable to the person after that date.

d. Class of Pensions which can be commuted without Medical Examination:

An applicant who is authorised -

- (1) a superannuation pension under para (xiii) (a) of this Bye-law; or
- (2) a retiring pension under para (xiii) (b) of this Bye-law; or
- (3) a pension in whole or in part on the finalisation of the departmental or judicial proceedings referred to in para (vi) of this Bye-law and issue of final orders thereon;

shall subject to the limit in sub-para (c) of this para, be eligible to commute a fraction of his pension without medical examination.

Provided that he applies for commutation of pension in the prescribed form in accordance with the provisions of the sub-para (b) of this para.

Note: Pension referred to in clause (1) and (2) of this sub-para shall include provisional pension sanctioned, if any.

e. Appropriate Medical Authority for Commutation of Pension

Appropriate Medical Authority for commutation of pension shall be as prescribed by the Governing Body of the Institute.

f. Second Medical Examination

A pensioner who has declined to accept commutation on the basis of addition of years to his actual age as recommended by the appropriate medical authority for commutation or has refused commutation on medical grounds, is eligible to take second medical examination for commutation of pension after one year from the date of the first medical examination for commutation of pension. However, the second medical examination may be held even before the expiry of one year, if the pensioner appeals to the Director against the medical verdict and seeks review thereof by a second medical authority. The appeal should be preferred within a month of receipt of the medical certificate by the pensioner.

g. When Commutation Becomes Absolute

The commutation becomes absolute and the commuted value of pension becomes payable on the date -

- (1) following the date of retirement in the case where the application for commutation of superannuation pension is received by the Registrar on or before the date of superannuation;
- (2) of receipt by the Registrar of the application for commutation of pension without medical examination before the expiry of one year as provided in clause (ii) of sub-para(b) of this para;
- (3) on which the Appropriate Medical Authority signs the medical report for commutation;
- (4) on which the first medical authority recorded its opinion or its decision is set aside or modified on appeal.

h. Calculation of Commuted Value of Pension

- (1) The lump sum payable on commutation will be with reference to the commutation value expressed as number of years purchase taken from the Table of Values given in Appendix I to this Bye-law, relevant to the 'Age Next Birthday' of the employee/pensioner. The 'Age Next Birthday' shall be the applicant's age on his birthday next after the date on which the commutation becomes absolute or if the medical authority directs that

years will be added to that age, to the consequent assumed age.

The Table of Values may be amended by the Governing Body of the Institute from time to time and applicable to the applicants for commutation of pension on the date on which commutation becomes absolute.

(2) Lump Sum payable as commuted value of pension will be governed by the following formula :

Lump sum payable on commutation of pension	Commutation value expressed as number of years purchase relevant to the age next birthday X 12 X Amount of Pension offered for commutation.
--	---

Note: Commuted value of pension as finally calculated shall be rounded off to the next higher rupee.

i. Commutation of Provisional Pension

An employee to whom, pending assessment of final pension, provisional pension has been sanctioned, shall be eligible to commute a fraction of such provisional pension subject to the limit specified in sub-para (c) of this para. For the purpose of commutation of provisional pension, the provisions applicable to commutation of pension under this para shall apply.

j. Reduction of Pension on Commutation

(1) After commutation of pension, the balance of pension not commuted shall be paid to the pensioner every month.

(2) The reduction in the amount of pension on account of commutation shall be operative from the date of receipt of the commuted value of pension by the pensioner or at the end of three months after issue of authority by the Accounts Office of the Institute for the payment of commutation value of pension, whichever is earlier.

(3) In the case of an applicant governed by clause (i) of sub-para (b) of this para in whose case the commuted value of pension becomes payable on the day following the date of his retirement, the reduction in amount of pension on account of commutation shall be operative from its inception.

k. Payment of difference in Commuted Amount on Revision of Pension

When pension is revised upwards retrospectively, payment of commuted value of the quantum of increase in pension may be authorised without further application from the pensioner. However, in the case of commutation after medical examination, if the fraction of the original pension commuted is less than Rs. 100/- and the fraction based on the revised pension is more than Rs. 100/-, the commutation beyond Rs. 100/- shall be treated as fresh commutation and allowed subject to examination by the appropriate medical authority.

l. Nomination

(1) An applicant shall make a nomination in the prescribed form alongwith the application referred to in sub-para (b) of this para, conferring on one or more persons the right to receive commuted value of pension in case the applicant dies without receiving the commuted value on or after the date on which commutation becomes absolute.

(2) If there is no such nomination, or if the nomination made does not subsist, the commuted value shall be paid to the family in the manner

indicated in sub-para (xxvi) of the Bye-law.

(3) If in any case the commuted value cannot be paid in the manner indicated in clause (1) or clause (2) of this sub-para, the same shall be paid to his heirs.

m. Restoration of Commuted Value of Pension

Pensioners who have commuted a portion of their pension are entitled to have the commuted portion of pension restored on the expiry of fifteen years from the date of retirement, if the commutation is simultaneous with retirement. In other cases, the commuted portion of pension will be restored after fifteen years from the date of commutation. For this purpose, the pensioner should apply to the Registrar.

n. Authorisation And Disbursement of Pension

The detailed procedure for authorisation/ disbursement of commuted amount shall be as prescribed from time to time by the Director.

-----X-----

APPENDIX-I

[para (xxviii)(h)(1)]

COMMUTATION VALUES FOR A PENSION OF

Re. 1 PER ANNUM

Age next birthday	Commutation value expressed as number of years purchase	Age next birthday	Commutation value expressed as number of years purchase	Age next birth day	Commutati on value expressed as number of years purchase
17	19.28	40	15.87	63	9.15
18	19.20	41	15.64	64	8.82
19	19.11	42	15.40	65	8.50
20	19.08	43	15.15	66	8.17
21	18.91	44	14.90	67	7.85
22	18.81	45	14.64	68	7.53
23	18.70	46	14.37	69	7.22
24	18.59	47	14.10	70	6.91

DEI:BYE-LAWS(2010) PENSION RULES - UGC: BL-35

25	18.47	48	13.82	71	6.60
26	18.34	49	13.54	72	6.30
27	18.21	50	13.25	73	6.01
28	18.07	51	12.95	74	5.72
29	17.93	52	12.66	75	5.44
30	17.78	53	12.35	76	5.17
31	17.62	54	12.05	77	4.90
32	17.46	55	11.73	78	4.65
33	17.29	56	11.42	79	4.40
34	17.11	57	11.10	80	4.17
35	16.92	58	10.78	81	3.94
36	16.72	59	10.46	82	3.72
37	16.52	60	10.13	83	3.52
38	16.31	61	9.81	84	3.32
39	16.09	62	9.48	85	3.13

DAYALBAGH EDUCATIONAL INSTITUTE

DAYALBAGH, AGRA-282005

FORM-1

(See para (ii)(c) of the Pension Bye-law,1994 (UGC Financed Posts)

FORM OF OPTION

To,

The Registrar

Dayalbagh Educational Institute

Dayalbagh, Agra-282005

I - - - - - (Name in Capital letters) employed as - - - - - (Designation) in the Department/Office of - - - - - do, hereby opt to continue under the Contributory Provident Fund Scheme in terms of para (ii) (c) of the 'Pension Bye-law, 1994 for the employees retiring from posts financed by the University Grants Commission'.

Signature of the employee

Place: - - - - -

Date: - - - - -

Name : -----

Designation of the post held : -----

NOTE:

1. In case any employee who was in service on 1st July, 1994 and was holding a post financed by UGC in a substantive (permanent) capacity on the said date, fails to exercise his option under Para (ii) (c) of the Pension Bye-law, 1994 (UGC Financed Posts) within the stipulated date, he shall be deemed to have opted for being governed by the Institute Pension Scheme as per the Pension Bye-law, 1994 (UGC Financed Posts).
2. The option once exercised shall be final.
3. The option form (Form -1) will have to be submitted to the Registrar of the Institute in triplicate.

FORWARDED

COUNTERSIGNED

DEAN/HEAD OF OFFICE

REGISTRAR

Date

DATE

(STAMP)

(STAMP)

DAYALBAGH EDUCATIONAL INSTITUTE

DAYALBAGH, AGRA- 282005

FORM - 2

(See Para (xvii) (j) of Pension Bye-law for persons holding posts financed by the University Grants Commission)

DETAILS OF FAMILY

1. Name of the employee :
2. Designation & Department :
3. Date of Birth :
4. Date of appointment to a post financed by UGC :
5. Details of the members of my family* as on:

Sl.No.	Name of the members of my family	Date of birth	Relationship with the employee	Remarks
1	2	3	4	5

--	--	--	--	--

hereby undertake to keep the above particulars up-to-date by notifying to the Registrar any addition or alteration.

Place: (Signature of the employee)

Dated :

FORWARDED

COUNTERSIGNED

DEAN/HEAD OF OFFICE

REGISTRAR

* Family for this purpose means family as defined in Explanation-(1) below sub-para (a) of para (xvii) of the Pension Bye-law, 1994 for employees retiring from posts financed by the University Grants Commission and include deceased employee's surviving spouse, son(s) who has not attained the age of 25 years and unmarried daughter(s) who has not attained the age of 25 years.

DAYALBAGH EDUCATIONAL INSTITUTE

DAYALBAGH, AGRA-282005

FORM-3

(See para (xxvi)(a)(1) of the Pension Bye-law, 1994 (UGC Financed Posts)

NOMINATION FOR RETIREMENT GRATUITY/DEATH GRATUITY

When the employee has a family and wishes to nominate one member or more than one member of the family.

I (Name) 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 Institute 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, address of the nominee(s) and relationship with the employee	Age	Amount of Share of Gratuity payable to each*	Name, Address, Relationship and age of the person or persons to whom the right conferred on the nominee shall pass in the event of the nominee pre-deceasing the employee or the nominee dying after the death of the employee but before receiving	Amount of share of gratuity payable to each**

			payment of gratuity	
(1)	(2)	(3)	(4)	(5)

This nomination supersedes the nomination made by me earlier which stands cancelled.

Note:

1. The employee should draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

2. Strike out which is not applicable.

 * The column should be filled in to cover the whole amount of the gratuity.

** The amount/share of the gratuity shown in the column should cover the whole amount/share payable to the original nominee(s).

Dated this _____ day of _____ (month), 199____ at _____.

Witnesses to signature :

1. Signature :

Name :

Address :

2. Signature :

Name :

Address :

 (Signature of employee)

Designation _____

Department/Office _____

Faculty _____

FORWARDED

COUNTERSIGNED

DEAN/HEAD OF OFFICE	REGISTRAR
DATE (STAMP)	DATE (STAMP)

DAYALBAGH EDUCATIONAL INSTITUTE

DAYALBAGH, AGRA-282005

FORM-4

(See para (xxvi)(a)(2) of the Pension Bye-law, 1994(UGC Financed Posts).

NOMINATION FOR RETIREMENT GRATUITY/DEATH GRATUITY

When the employee has no family and wishes to nominate one person, or more than one person.

I (Name), 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 Institute 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, address of the nominee(s) and relationship with the employee	Age	Amount of Share of Gratuity payable to each*	Name, Address, Relationship and age of the person or persons if any, to whom the right conferred on the nominee pre-deceasing the employee or the nominee dying after the death of the employee but before receiving payment of gratuity shall pass	Amount of share of gratuity payable to each**
(1)	(2)	(3)	(4)	(5)

This nomination supersedes the nomination made by me earlier on which stands cancelled.

Note:

1. The employee should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.
2. Strike out which is not applicable.

* The column should be filled in to cover the whole amount of the gratuity.

** The amount/share of the gratuity shown in the column should cover the whole amount/share payable to the original nominee(s).

Dated this _____ day of _____ (month), 199 at _____.

Witnesses to signature :

1.Signature :

Name :

Address :

2.Signature :

Name :

Address :

(Signature of employee)

Designation _____

Department/Office _____

Faculty _____

FORWARDED

COUNTERSIGNED

DEAN/HEAD OF OFFICE

REGISTRAR

DATE

DATE

(STAMP)

(STAMP)

DAYALBAGH EDUCATIONAL INSTITUTE

DAYALBAGH, AGRA-282 005

FORM - 5

(See para (xxviii) (b) (i) of the Pension Bye-law, 1994 (UGC Financed Posts).

**FORM OF APPLICATION FOR COMMUTATION OF A FRACTION OF
SUPERANNUATION PENSION WITHOUT MEDICAL EXAMINATION WHEN APPLICANT
DESIRES THAT THE PAYMENT OF THE COMMUTED VALUE OF PENSION SHOULD
BE AUTHORISED ON RETIREMENT.**

(To be submitted in duplicate at least 3 months before the date of retirement)

To,

The Registrar
Dayalbagh Educational Institute
Dayalbagh, Agra-282005

Subject : Commutation of Pension without medical examination.

Sir,

I desire to commute a fraction of my pension (subject to maximum of one-third of pension) in accordance with the provisions of the Pension Bye-law, 1994 (UGC Financed Posts). The necessary particulars are given below :

1. Name (in Block letters) _____
2. Father's Name (also husband's name
in case of a female employee) _____
3. Designation _____
4. Name of Department/Office in which employed _____
5. Date of Birth (by Christian era) _____
6. Date of retirement on superannuation _____
7. Fraction of superannuation pension proposed to be commuted _____

Yours Faithfully

Place : -----

Date : -----

(Signature of the employee)

Postal address after retirement :-

Present Postal Address:-

DAYALBAGH EDUCATIONAL INSTITUTE

DAYALBAGH, AGRA-282 005

FORM - 6

(See para (xxviii)(b)(ii) of the Pension Bye-law, 1994 (UGC Financed Posts).

**FORM OF APPLICATION FOR COMMUTATION OF A FRACTION OF PENSION
WITHOUT MEDICAL EXAMINATION.**

-

(To be submitted in duplicate after retirement but within one year of the date of retirement)

To,

The Registrar

Dayalbagh Educational Institute

Dayalbagh, Agra-282005

Subject : Commutation of Pension without medical examination.

Sir,

I desire to commute a fraction of my pension (subject to maximum of one-third of pension) as indicated below in accordance with the provisions of the Pension Bye-law, 1994 (UGC Financed Posts). The necessary particulars are given hereunder :

1. Name (in Block letters) _ _ _ _ _
2. Father's Name (also husband's name in case of a female employee _ _ _ _ _
3. Designation at the time of retirement _ _ _ _ _
4. Name of Department/Office in which last employed _ _ _ _ _
5. Date of Birth (by Christian era) _ _ _ _ _
6. Date of retirement _ _ _ _ _
7. Class of pension on which retired _ _ _ _ _
8. Amount of pension authorised (In case final pension
has not been authorised, indicate the amount of
provisional pension sanctioned / authorised) _ _ _ _ _
9. Fraction of pension proposed to be commuted _ _ _ _ _
10. No. and date of pension payment order, if issued _ _ _ _ _

Yours Faithfully,

Place : -----

Date : -----

(Signature of the Pensioner)

Postal Address:-

DAYALBAGH EDUCATIONAL INSTITUTE

FORM- 7

(See para (xxviii)(b)(iii) of the Pension Bye-law(UGC Financed Posts)

FORM OF APPLICATION FOR COMMUTATION OF PENSION AFTER MEDICAL EXAMINATION

(To be submitted in duplicate)

TO,

The Registrar
Dayalbagh Educational Institute
Dayalbagh, Agra-282005

Space for
photograph

Subject: Commutation of pension after medical examination.

Sir,

I desire to commute a fraction of my pension (subject to maximum of one-third of pension) in accordance with the provisions of the pension Bye-law (UGC Financed Post). An attested copy of my photograph is pasted on this application form and an unattested copy is enclosed. The necessary particulars are furnished below :

1. Name (in block letters) _____
2. Father's name (and also husband's
name in case of a female employee) _____
3. Designation _____
4. Name of Department/Office in which last employed _____
5. Date of Birth (Christian era) _____
6. Date of retirement _____
7. Class of pension on which retired _____
8. Amount of pension authorised (indicate
the amount of provisional pension if
full pension is not authorised) _____
9. Fraction of pension proposed to be commuted _____
10. The number and date of the pension
payment order _____
11. Approximate date from which commutation
is desired to have effect. _____
12. The amount of pension already commuted, if any. _____

Yours Faithfully,

Place : _____

Dated : _____

(Signature of the Pensioner)

Postal Address : _____

DAYALBAGH EDUCATIONAL INSTITUTE
DAYALBAGH, AGRA-282005

FORM-8

(See para (xxviii)(I) of the Pension Bye-law, 1994 (UGC Financed Posts)

NOMINATION FOR COMMUTED VALUE OF PENSION

TO,

The Registrar

Dayalbagh Educational Institute

Dayalbagh, Agra-282005

I (Name of the pensioner in capital letters) hereby nominate the person/persons named below conferring on him/them the right to receive commuted value of pension in case I die without receiving the commuted value on or after the date on which commutation becomes absolute.

Name and address of the nominee	Relationship with the pensioner	If the nominee is a minor		Name and address of other nominee in case the nominee under column 1 pre-deceased the pensioner	Relationship with the Pensioner	Date of birth if the other nominee is minor	Name and address of person who may receive the commuted value of pension during the other nominee's minority	Contingency on happening of which nomination shall become invalid
		Date of Birth	Name and address of the person who may receive the said commuted value during the nominees minority					

Place : _____

Date : _____

Signature or thumb

impression (if illiterate)

and name of Pensioner : _____

Witness Signature :

Address :

Name :

Address :

Signature of the Registrar

(To be deleted)

36. PENSION BYE-LAW, 1994 FOR THE EMPLOYEES OF THE INSTITUTE RETIRING FROM POSTS IN THE FACULTY OF ENGINEERING, FACULTIES OTHER THAN ENGINEERING, AND NON-UNIVERSITY TECHNICAL EDUCATIONAL INSTITUTION (TECHNICAL COLLEGE) FINANCED BY THE GOVERNMENT OF UTTAR PRADESH.

(Approved by the Governing Body vide its res. no. 3 dt. 5/11/1994)

This bye-law has been withdrawn since the procedure of payment of pension is changed i.e. the pension to the employee retiring from state financed posts is being paid by the State Government directly to the pensioners through the treasury ()

(i) Short Title and Commencement

- a.** This Bye-law may be called "PENSION BYE-LAW, 1994 FOR THE EMPLOYEES OF THE INSTITUTE RETIRING FROM POSTS IN THE FACULTY OF ENGINEERING, FACULTIES OTHER THAN ENGINEERING, AND NON-UNIVERSITY TECHNICAL EDUCATIONAL INSTITUTION (TECHNICAL COLLEGE) FINANCED BY THE GOVERNMENT OF UTTAR PRADESH".
- b.** It shall be deemed to have come into force from the 1st July, 1994.
- c.** This Bye-law will be subject to modifications by the Governing Body of the Institute in accordance with the directions issued from time to time by the Government of Uttar Pradesh hereinafter referred to as the State Government.
- d.** This Bye-law will be governed by the following provisions.

(ii) Application

- a.** The Bye-law shall apply to the employees of the Institute who were/are appointed permanently on posts financed by the State Government and who retire from such posts on or after 1.7.1994 but shall not apply to the employees appointed permanently on such posts prior to 1.7.1994 who have opted for continuing under the Contributory Provident Fund Scheme of the Institute on the introduction of pension schemes.
- b.** (1) An employee governed by the Bye-law will have to compulsorily subscribe to the General Provident Fund Scheme as prescribed by the Institute.
(2) There shall not be any contributory Provident Fund Scheme for the employees governed by this Bye-law.
- c.** This Bye-law shall not apply to (i) persons in casual/daily-rated employment paid from funds financed by the State Government, (ii) persons paid from contingencies, (iii) persons appointed on adhoc basis, and (iv) persons employed on contract basis except when the contract provides otherwise.

(iii) Definitions

- a.** Appointing Authority for the purpose of this Bye-law means the authority who has got powers to make substantive appointment to the post from which the employee seeks retirement or is retired or on which he holds a lien.
- b.** 'Basic Pay' means pay other than special pay or additional pay granted in view of special qualifications or personal pay or any other emoluments classed as pay by the Institute to which any employee is entitled to on account of holding a post to which he has been appointed substantively or in an officiating or temporary capacity.
- c.** 'Child' means a son or unmarried daughter of the employee, under twenty five years of the age and the expression 'children' shall be constructed accordingly.
- d.** 'Emoluments' means emoluments as defined in para (xi) of this Bye-law.
- e.** 'Employee' means an employee of the Institute appointed permanently to a post financed by the State Government.

- f. 'Family Pension' means family pension admissible under para (xiv) of this Bye-law but does not include dearness relief.
- g. 'Institute' means the Dayalbagh Educational Institute.
- h. 'Minor' means a person who has not completed the age of eighteen years.
- i. 'Pension' includes gratuity except when the term pension is used in contradistinction to gratuity, but does not include dearness relief.
- j. 'Qualifying Service' for the purpose of this Bye-law means service rendered while on duty or otherwise which shall be taken into account for the purpose of pension and gratuity admissible under this Bye-law.
- k. 'Retirement Benefits' includes pension or service gratuity and retirement gratuity, where admissible.
- l. 'Words' and 'Expressions' used in this Bye-law and not defined here but defined in other Rules/Bye-laws of the Institute shall have meaning respectively assigned to them in those Rules/Bye-laws.

SECTION 'A'

GENERAL CONDITIONS FOR GRANT OF PENSION/FAMILY PENSION

(iv) Regulation of Claims to Pension, Gratuity or Family Pension

- a. Any claim to pension, gratuity or family pension shall be regulated by the provisions of this Bye-law in force at the time when an employee retires or is retired or dies, as the case may be.
- b. The day on which an employee retires or is retired or is discharged or is allowed to resign from service, as the case may be, shall be treated as his last working day. The date of death shall also be treated as a working day;

Provided that in the case of an employee who retires voluntarily, the date of retirement shall be treated as a non working day.

(v) Pension Subject to Good Future Conduct

- a. Future good conduct shall be an implied condition of every grant of pension and its continuance under the Bye-law.
- b. The Appointing Authority may, by order in writing, withhold or withdraw a pension or part thereof, whether permanently or for a specified period, if a pensioner is convicted of a serious crime or is found guilty of grave misconduct:

Provided that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below rupees three hundred and seventy five per mensem.

(vi) Right of Appointing Authority to Withhold or Withdraw Pension or Gratuity

The Appointing Authority reserves to himself the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period and of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to the Institute, if, in any departmental or judicial proceedings, the pensioner is found guilty of grave misconduct or negligence during service.

Provided that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below rupees three hundred and seventy five per mensem.

(vii) Qualifying Service for Pension and Gratuity

- a. Subject to the provisions of this Bye-law 'Qualifying Service' of an employee for pension under this Bye-law commences from the date he takes charge of the post financed by the State Government to which he is first appointed either substantively or in an officiating or temporary capacity.
- b. (1) Save as otherwise provided, the service of an employee shall not qualify

for pensionary benefit unless it is a continuous service on post financed by the State Government.

(2) In the case of a permanent employee working on a post financed by the State Government, who had earlier worked in the Institute on a post financed by the University Grants Commission (UGC) and was governed by pension scheme, the relevant applicable rules of the State Government will be followed in reckoning the continuous qualifying service on the said post followed without break by service on the post financed by the State Government, for pensionary benefits.

(3) In the case of a permanent employee working on a post financed by the state Government who had earlier worked on a post financed by the UGC and was governed by Contributory Provident Fund Scheme, the continuous service in the said post followed without break in the post financed by the State Government, shall qualify for pensionary benefits, provided that the employee authorises surrender to Institute of the employer's contribution to his C.P.F. Account alongwith the interest thereon (upto the date of payment) by 31st January, 1995 if the employee was in service on 1st July, 1994, or within 3 months from the date of confirmation on post financed by the State Government in other cases.

NOTE: On being granted pensionary benefits on the basis of the total qualifying service on the post financed by the State Government, no pensionary benefits shall be admissible and paid to him on the latter post separately for the service rendered.

(4) In case of a permanent employee working on a post financed by the State Government, who had earlier worked as a teacher in an intermediate college/college within Uttar Pradesh and was governed by the Contributory Provident Fund Scheme, the continuous service on the said post followed without break by service on the post financed by the State Government, shall qualify for pensionary benefits provided the amount of employer's contribution to the Contributory Provident Fund pertaining to the earlier services alongwith interest thereon (till the date of the deposit) is deposited in the Government Treasury within one year from the date of confirmation in the Institute or within one year from the date of coming into force of this Bye-law (viz. 1st July 1994.), whichever is later.

(5) In case of a permanent employee working on a post financed by the State Government, who had earlier worked as a teacher in an intermediate college/college within Uttar Pradesh and was governed by the Pension Scheme, the relevant applicable rules of the State Government will be followed in reckoning the continuous qualifying service on said post followed without break by service on the post financed by the State Government for pensionary benefits.

c. The following periods of service shall count as qualifying service:

- (1) Duty and periods treated as duty.
- (2) All leave during service for which leave salary is payable.
- (3) All Extraordinary leave without pay granted on medical grounds or for prosecuting higher technical and scientific studies or due to inability of the employee to rejoin duty on account of civil commotion.
- (4) Service on probation followed by confirmation.
- (5) Temporary service of an employee followed by confirmation without interruption.
- (6) Time passed under suspension pending enquiry into the conduct of the employee where on conclusion of a such enquiry he is fully exonerated. In other cases, the period of suspension shall not count unless the authority competent to pass orders under the rules governing such cases expressly declares at the time that it shall count.

(7) An employee who is dismissed, removed or compulsorily retired from service, but is re-instated on appeal or review, is entitled to count his past qualifying service. The period of interruption in service between the date of dismissal, removal or compulsory retirement and the date of re-instatement shall not count as qualifying service unless regularised as duty or leave by a specific order of that authority which passed the order of re-instatement.

d. The following periods of service shall not count as qualifying service for pension and gratuity:

(1) Service rendered before attaining the age of twenty years and after attaining the age of fifty eight years.

(2) Unauthorised absence treated as "dies non"

(3) Overstay of leave or joining time not regularised as leave with leave salary.

(4) Suspension followed by major penalty, if the reinstating authority does not order that it shall count as qualifying service.

(5) Extraordinary leave without pay except of the kinds referred to in sub-para (c) (3) above.

(6) Extraordinary leave without pay allowed to an employee for taking appointment outside the Institute when lien in the Institute is maintained.

(7) The period of deputation to an outside organisation deemed as duty, provided the pension contribution for the period of deputation is not paid to the Institute by that organisation or by the employee.

e. In calculating the length of qualifying service, fraction of a year equal to or exceeding three months but less than six months shall be treated as a completed one-half year and reckoned as qualifying service.

(viii) Forfeiture of Service on Dismissal or Removal

Dismissal, removal or compulsory retirement of an employee from the service of the Institute entails forfeiture of his past service and accordingly, no pensionary benefits would be admissible for such service on dismissal, removal or compulsory retirement from the service of the Institute to him.

(ix) Forfeiture of Service on Resignation

Resignation from service of the Institute by an employee when becomes effective, entails forfeiture of his past service and consequently, no pensionary benefits will be admissible for such past service on resignation from the service of the Institute to him.

(x) Effect of Interruption in Service

a. An interruption in service of an employee where it is not covered by authorised leave of absence entails forfeiture of his past service.

b. Treatment of wilful absence from duty not regularised - "Dies Non".

The period of absence from duty not covered by grant of leave shall be treated as "Dies Non" for the purpose of grant of pension and gratuity. Such absence without leave where it stands singly and not in continuation of any authorised leave of absence, will constitute an interruption of service for the purpose of pension and gratuity and unless the Appointing Authority exercises its power under sub-para (c) below to treat the period of absence without leave as extraordinary leave without pay, the entire past service of the employee will stand forfeited for the purpose of pension and gratuity.

c. Notwithstanding anything contained in sub-para (a), the Appointing Authority may, by order, commute retrospectively the periods of absence without leave as extraordinary leave without pay.

d. The periods of interruption shall not count as qualifying service.

(xi) Emoluments

"Emoluments" means "Basic Pay" which an employee was drawing immediately before his retirement or on the date of his death in service.

Explanation:

In case of persons who have opted for retirement at the age of sixty years, the "Emoluments" means "Basic Pay" which he was drawing on attaining the age of fifty-eight years.

Note-1: If an employee immediately before his retirement or death while in service had been absent from duty on leave for which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the emoluments which he would have drawn had he not been absent from duty or suspended shall be emoluments for the purpose of this Bye-law.

Provided that any increase in pay (other than increment referred to in Note-4) which is not actually drawn, shall not form part of his emoluments.

Note-2: Where an employee immediately before his retirement or death while in service had proceeded on leave for which leave salary is payable after having held a higher appointment whether in an officiating or temporary capacity, the benefits of emoluments drawn in such higher appointment shall be given only if it is certified by the appointing authority that the employee would have continued to hold the higher appointment but for his proceeding on leave.

Note-3: If an employee immediately before his retirement or death while in service had been absent from duty on extraordinary leave without pay or had been under suspension, the period whereof does not count as service, the emoluments which he drew immediately before proceeding on such leave or being placed under suspension shall be the emoluments for the purpose of this Bye-law.

Note-4: If an employee immediately before his retirement or death while in service, was on earned leave, and earned an increment which was not withheld, such increment, though not actually drawn, shall form part of his emoluments.

Provided that the increment was earned during the currency of the earned leave not exceeding one hundred and twenty days, or during the first one hundred and twenty days of earned leave where such leave was more than one hundred and twenty days.

(xii) Average Emoluments

"Average Emoluments" means average of the emoluments drawn by an employee during the last ten months of his service.

Explanation:

In case of persons who have opted for retirement at the age of sixty years, the words 'last ten months of his service' shall mean the 'ten months of his service immediately before attaining the age of fifty eight years'.

Note-1: If during the last ten months of his service an employee had been absent from duty on leave for which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the emoluments which he would have drawn had he not been absent from duty or suspended, shall be taken into account for determination of average emoluments:

Provided always that his pension must not be increased on account of increase in pay not actually drawn (except as referred to in note-3 below). For example, when an employee is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodical increments, these intermediate increments are not reckoned in calculation.

Note-2: If during the last ten months of his service, an employee has been absent from duty on leave without allowances not counting for pension or suspended under

such circumstances that the period of suspension does not count as service, the period so passed should be disregarded in the calculation of the average emoluments and an equal period before the ten months being included.

Note-3: In the case of an employee who was on earned leave during the last ten months of his service and earned an increment, which was not withheld, such increment though not actually drawn shall be included in the average emoluments:

Provided that the increment was earned during the currency of the earned leave not exceeding one hundred and twenty days or during the first one hundred and twenty days of earned leave where such leave was for more than one hundred and twenty days.

(xiii) Classes of Pension and Conditions Governing their Grant

a. Superannuation Pension

A superannuation pension shall be granted to a permanent employee holding a post financed by the State Government who is retired on his attaining the age of superannuation of sixty years or fifty eight years, as the case may be, as per his option as provided in the Bye-law no. 23(ii) (i) and proviso thereto relating to service conditions.

b. Retiring Pension

A retiring pension shall be granted to an employee who applies for voluntary retirement before the age of superannuation on grounds of long illness or on having become invalid which renders him incapacitated from further service and is permitted to retire on merits of his case by the appointing authority after approval of the State Government, provided he has rendered not less than ten years of qualifying service till the date of his voluntary retirement.

SECTION -"B"

(xiv) Pension/Family Pension

a. Pension

(1) Recurring monthly payment of pension to a permanent employee based on the length of his qualifying service and average emoluments during the last ten months of his service before retirement, will be admissible on retirement on superannuation or on voluntary retirement, under the State Government Orders, as may be applicable to him.

Provided that in all these cases, pension shall be admissible to the employee if he has rendered not less than ten years qualifying service.

(2) Pension shall be payable at the rates and subject to conditions prescribed in the State Government orders issued from time to time by the Departments of the State Government as specified in para (xv) below.

b. Family Pension

Where a permanent employee dies after completion of one year of continuous service or after retirement from service and was on the date of death in receipt of or eligible for a pension, the family of the deceased shall be entitled to Family Pension at the rate and subject to conditions which shall be regulated under the State Government orders issued from time to time by the Departments of the State Government as specified in para (xv) below.

(xv) Regulation of Amounts of Pension/Family Pension

- a.** (1) The amount of Pension/Family Pension admissible and the conditions under which it is payable to an employee retiring from a post in the Faculty of Engineering shall be regulated in accordance with the State Government orders

issued by the Department of Technical Education/Higher Education from time to

time, applicable to the degree level Engineering institutions and the Faculty of Engineering of the Institute.

(2) The amount of Pension/Family Pension admissible to and the conditions under which it is payable to an employee retiring from a post in the Technical College shall be regulated in accordance with the State Government orders issued from time to time by the Department of Technical Education/Higher Education as applicable to non-government aided polytechnics and the Technical College of this Institute.

(3) The amount of Pension/Family Pension and the conditions under which it is payable to an employee retiring from a post in the Institute financed by the State Government, except those other than a post in the Faculty of Engineering or the Technical College, shall be regulated in accordance with the Government Orders issued from time to time by the Department of Higher Education/Finance, U.P., applicable to the faculties of the Institute other than Faculty of Engineering.

b. Amount of Pension

(1) In the case of an employee retiring in accordance with the provisions of this Bye-law after completing qualifying service of not less than thirty three years, the amount of pension shall be calculated at fifty percent of the average emoluments subject to a maximum of four thousand and five hundred rupees per mensem.

(2) In the case of an employee retiring in accordance with the provisions of this Bye-law before completing qualifying service of not less than thirty three years, but after completing qualifying service of ten years, the amount of pension for the qualifying service actually rendered shall be proportionate to the amount of pension admissible for a qualifying service of thirty three years under clause (1) above and in no case, the amount of pension shall be less than rupees three hundred and seventy five per mensem.

Example:-

Qualifying Service: 32 years Average Emoluments: Rs. 2,975

Pension admissible for a qualifying service of 33 years

= 50 per cent of Rs. 2,975 = Rs. 1487.50 p.

(as per sub-para (b) (1) above)

Pension admissible for qualifying service of 32 years

= Rs. 1487.50 X 32/33 = Rs. 1442.92 Rounded off to Rs. 1443/- Per mensem.

The amount of pension finally determined under clause (1) or clause (2) above shall be expressed in whole rupees and where the pension contains a fraction of a rupee, it shall be rounded off to the next higher rupee.

c. Amount of Family Pension :

(1) Where an employee of the Institute confirmed on a post financed by the State Government dies after completion of one year of continuous service or after retirement from service and was on the date of death in receipt of or eligible for a pension, the family of the deceased shall be entitled to Family Pension under this Bye-law, the amount of which shall be determined in accordance with the table below:

Basic pay of employee

(1) Not exceeding Rs.1,500/-

Amount of monthly family pension

30% of Basic Pay subject to a

- | | | |
|-----|---|---|
| | | minimum of Rs.375/- |
| (2) | Exceeding Rs.1,500/- but not exceeding Rs.3,000/- | 20% of Basic Pay subject to a minimum of Rs.450/- |
| (3) | Exceeding Rs.3,000/- | 15% of Basic Pay subject to a minimum of Rs.600/- and a maximum of Rs.1,250/- |

Explanation-

- (1) i. 'Continuous Service' means service rendered in a permanent capacity on a post in the Institute financed by the UP State Government and does not include the period of suspension, if any, and period of service, if any below of the age of twenty years.
- ii. 'Family' for the purpose of family pension includes deceased employee's surviving spouse, son(s) who has not attained the age of twenty five years and unmarried daughter(s) who has not attained the age of twenty five years.

- (2) The amount of Family Pension shall be fixed at monthly rates and may 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 that in no case, a family pension in excess of the maximum prescribed under this sub-para shall be allowed.

- (3) i. (a) Where an employee dies 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 per cent of the pay last drawn or twice the family pension admissible under clause (1) of sub-para (c) above whichever is less, and the amount so admissible shall be payable from the date following the date of death for a period of seven years or for a period up to the date on which the deceased employee would have attained the age of 65 years had he survived, whichever is less.

- (b) In the event of death of an employee after retirement, the family pension as determined under sub-clause (1) (i) above shall be payable for a period of seven years, or for a period up to the date on which the retired deceased employee would have attained the age of 65 years had he survived, whichever is less.

Provided that in no case the amount of family pension determined under sub-clause (1)(ii) above shall, exceed the pension authorised on retirement from service of the Institute.

Provided further that where the amount of pension authorised on retirement is less than the family pension admissible under clause (1) of sub-para (c), the amount of family pension determined under the sub-clause shall be limited to the amount of Family Pension admissible under clause (1) of sub-para (c).

Explanation:

For the purpose of this sub-clause, pension authorised on retirement includes the part of the pension which the retired employee may have commuted before death.

- ii. After the expiry of the period referred to in sub-clause (3) of sub-para (c), the family under the clause shall be entitled to family pension at the rate admissible under clause (1) of sub-para (c).

d. Period for which Family Pension is payable

The period for which family pension is payable shall be as follows :

- (1) In the case of a widow or widower, up to the date of death or re-marriage,

whichever is earlier;

(2) In the case of a son, until he attains the age of twenty-five years;

(3) In the case of an unmarried daughter, until she attains the age of twenty-five years or until she gets married, whichever is earlier.

e. (1) Except as provided in sub-para (f) of this para, the Family Pension shall not be payable to more than one member of the family at the same time.

(2) 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.

Provided that where there are two or more widows, the Family Pension shall be paid to the seniormost surviving widow. After her re-marriage/death, Family Pension shall be payable to the next surviving widow, if any. Seniority for payment will be according to the date of marriage.

(3) Family Pension to the children shall be payable in the order of their birth and the younger of them will not be eligible for pension unless the elder next above him/her has become ineligible for the grant of Family Pension.

Provided that where the family pension is payable to twin children, it shall be paid in the manner set out in sub-para (f) of this para.

f. Where the family pension is payable to twin children, it shall be paid to such children in equal shares.

Provided that when one such child ceases to be eligible, his/her share shall revert to the other child and when both of them cease to be eligible, the Family Pension shall be payable to the next eligible single child/twin children.

g. Where a deceased employee or pensioner leaves behind more children than one, the eldest eligible child shall be entitled to the Family Pension for the period mentioned in clause (2) or clause (3) of sub-para (d), as the case may be, and after the expiry of that period, the next child shall become eligible for the grant of Family Pension.

h. Where Family Pension is granted under this sub-para to a minor, it shall be payable to the natural guardian on behalf of the minor. In case of dispute, Family Pension will be paid through the legal guardian.

i. In case both wife and husband are employees of the Institute and are governed by the provisions of this Bye-law, and one of them dies while in service or after retirement, the Family Pension in respect of the deceased shall become payable to the surviving husband or wife and in the event of the death of the husband and wife, the surviving child or children shall be granted Family Pension in respect of the deceased parents, subject to the limits specified below, namely:-

(1) i. If the surviving child or children is or are eligible to draw two family pensions at the rate mentioned in clause (3) sub-para (c), the amount of both the pensions shall be limited to one and a half times the Family Pension payable as per clause (1) of sub-para (c) or two thousand five hundred rupees per mensem, whichever is less.

ii. If one of the Family Pension ceases to be payable at the rate mentioned in clause (3) of sub-para (c) and in lieu thereof the pension at the rate mentioned in clause (1) of sub-para (c) becomes payable, the amount of both the pensions shall also be limited to two thousand five hundred rupees per mensem.

(2) If both the Family Pensions are payable at the rate mentioned in clause (1) of sub-para (c), the amount of pension shall be limited to one thousand two hundred and fifty rupees per mensem.

j. (1) As soon as the employee enters service of the Institute, he shall give

details of his family in FORM-A to the Registrar.

(2) If the employee has no family, he shall furnish the details in FORM-A to the Registrar as soon as he acquires a family.

(3) In case of the existing employees, they shall also be required to give details of their family in FORM-A to the Registrar in accordance with clause (1) and clause (2) above.

(4) The employee shall communicate to the Registrar any subsequent change in the size of his family, including the fact of marriage of his female child.

(5) The Registrar, on receipt of the FORM-A, shall countersign it and get it pasted on the service book of the employee concerned and acknowledge receipt of the said FORM-A and all further communications received from the employee in this behalf.

The Registrar, on receipt of communication from the employee regarding any change in the size of the family, shall have such a change incorporated in FORM-A.

(xvi) Dearness Relief on Pension and Family Pension

'Dearness Relief' on gross pension before commutation and family pension will be payable every month to the pensioner at such rates and subject to such conditions as the State Government may specify from time to time in respect of its civil pensioners.

(xvii) Procedure for Disbursement of Pension/Family Pension

The detailed procedure for authorisation and disbursement of pension shall be as prescribed from time to time separately by the Institute.

SECTION - "C"

RETIREMENT GRATUITY / SERVICE GRATUITY / DEATH GRATUITY

(xviii) Retirement Gratuity

a. Retirement Gratuity shall be payable to an employee of the Institute, if the employee at the time of his appointment to a post financed by the State Government opts to retire at the age of fifty eight years (instead of sixty years) with the benefit of pension, Family Pension and gratuity or when asked by the Institute had opted in favour of such retirement.

b. No Retirement Gratuity shall be payable if the employee at the time of his appointment to a post financed by the State Government opts to retire at the age of sixty years (instead of 58 years) with the benefit of pension and Family Pension or when asked by the Institute had opted in favour of such retirement.

c. Retirement Gratuity shall be payable on retirement to an employee, who has rendered not less than five years qualifying service. An employee who opts or has opted for retirement at the age of fifty eight years and who has completed not less than five years qualifying service, shall, on his retirement, be granted retirement gratuity equal to one-fourth of his emoluments at the time of retirement for each completed six-monthly period of qualifying service, subject to a maximum of sixteen and half times the basic pay drawn at the time of retirement or rupees one lakh whichever is less. Payment of service gratuity shall be regulated in accordance with the State Government Orders issued from time to time by its Departments as in the case of pension.

(xix) Service Gratuity

If a permanent employee retires before completion of ten years of service, service gratuity may be admissible to him on completion of five years of qualifying service, at the rate of one half of his basic pay at the time of his retirement for every completed six-monthly period of qualifying service. No recurring monthly pension will

be admissible in such cases.

(xx) Death Gratuity

- a. If an employee who has opted to retire at the age of fifty eight years dies while in service, Death Gratuity shall be paid to his family at the rates and subject to the conditions prescribed in the State Government Orders which may be applicable to the employees of the Institute issued from time to time by its Departments, as indicated in the case of pension. The entitlement is based on the length of qualifying service of the employee at the time of death.
- b. If an employee dies while in service, Death Gratuity shall be paid to his family at the rates given below:

<u>Length of Qualifying service</u>	<u>Rate at which death gratuity is payable</u>
(a) Less than 1 year	2 times of Basic Pay last drawn
(b) One Year or more but Less than five years	6 times of basic pay last drawn
(c) Five years or more but less than 20 years	12 times of Basic Pay last drawn
(d) 20 Years or more	Half of basic pay last drawn for every completed six-month period of qualifying service subject to a maximum of 33 times the Basic Pay or Rs One lakh, whichever is less.

- (xxi) a. Where the amount of retirement or death gratuity as finally calculated contains a fraction of a rupee, it shall be rounded off to the next higher rupee.

b. Rounding off of qualifying service of 3 months or more but less than six months into a completed six-monthly period applies to retirement, service or death gratuity.

- (xxii) For the purpose of payment of death gratuity, 'Family' in relation to an employee, means-

- a. Wife or wives including judicially separated wife or wives in the case of a male employee;
- b. Husband, including judicially separated husband in the case of a female employee;
- c. Sons including step sons and adopted sons;
- d. Unmarried daughters including step daughters and adopted daughters;
- e. Widowed daughters including step daughters and adopted daughters;
- f. Father including adoptive parents in the case of individuals whose personal law permits adoption;
- g. Mother including adoptive parents in the case of individuals whose personal law permits adoption;
- h. Brothers below the age of eighteen years including step brothers;
- i. Unmarried sisters and widowed sisters and step sisters;
- j. Married daughters; and
- k. Children of pre-deceased son.

(xxiii) Persons to whom Gratuity is payable in case of death of the employee

- a. (1) The gratuity payable under para (xviii), or para (xx) shall be paid to the person or persons on whom the right to receive the gratuity is conferred by means of a nomination under para (xxv).

(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:

- i. If there are one or more surviving members of the family as in sub-
paras (a), (b), (c) and (d) of para (xxii), to all such members in equal
shares;
 - ii. If there are no such surviving members of the family as in sub-clause
(i) above, but there are one or more members as in sub-para (e), (f), (g),
(h), (i), (j) and (k) of para (xxii), to all such members in equal shares.
- b.** If an employee dies after retirement without receiving the gratuity admissible under para (xviii) or para (xx), the gratuity shall be disbursed to the family as indicated in sub-para (a) above.
- c.** 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 his or her share of gratuity.
- d.** Where gratuity is granted under para (xviii) or para (xx) to a minor member of the family of the deceased employee, it shall be payable to the natural guardian on behalf of the minor. In case of dispute, it shall be paid through the legal guardian of the minor.

(xxiv) Procedure for Disbursement of Gratuity

The detailed procedure for authorisation and disbursement of gratuity shall be as prescribed from time to time by the Institute.

(xxv) Nomination

- a.** An employee shall, on his initial confirmation in service or post, make a nomination in FORM-B or FORM-C, as may be appropriate in the circumstances of the case, conferring on one or more persons the right to receive the retirement gratuity/death gratuity payable under para (xviii) or para (xx);

Provided that if at the time of making the nomination-

- (1) the employee has a family, the nomination shall not be in favour of any person or persons other than the members of his family; or
- (2) the employee has no family, the nomination may be made in favour of person or persons or a body of individuals whether incorporated or not.

- b.** If an employee nominates more than one person under sub-para (a), he shall specify in the nomination the amount of share payable to each of the nominee, in such manner as to cover the entire amount of gratuity.

- c.** An employee may provide in the nomination-

- (1) that in respect of any specified nominee who pre-deceases the employee, or who dies after the death of the employee but before receiving the payment of gratuity, the right conferred on that nominee shall pass to such other person as may be specified in the nomination.

Provided that if at the time of making the nomination, the employee has a family consisting of more than one member, the person so specified shall not be a person other than a member of his family.

Provided further that where the employee has only one member of his family, and a nomination has been made in his favour, it is open to the employee to nominate alternate nominee or nominees in favour of any person or body of individuals whether incorporated or not.

- (2) that the nomination shall become invalid in the event of the happening of the contingency provided therein.

- d.** The nomination made by an employee who has no family at the time of making it, or the nomination made by employee under the second proviso to clause (1) of sub-

para (c) where he has only one member in the family, shall become invalid in the event of the employee subsequently acquiring a family, or an additional member in the family, as the case may be.

e. An employee may at any time cancel a nomination by sending a notice in writing to the Registrar.

Provided that he shall, alongwith such notice, send a fresh nomination made in accordance with this para.

f. Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under the clause (1) of sub-para (c) or on the occurrence of any event by the reason of which the nomination becomes invalid in pursuance of clause (2) of that sub-para, the employee shall send to the Registrar a notice in writing cancelling the nomination together with a fresh nomination made in accordance with this para.

g. (1) Every nomination made (including every notice of cancellation, if any, given) by an employee under this para shall be sent to the Registrar.

(2) The Registrar shall, immediately on receipt of such nomination countersign it indicating the date of receipt and keep it under his safe custody.

(3) Suitable entry regarding receipt of nomination shall be made in the service book of the employee concerned.

h. Every nomination made, and every notice of cancellation given by an employee shall, to the extent that it is valid, take effect from the date on which it is received by the Registrar.

(xxvi) Lapse of Retirement Gratuity /Death Gratuity

When an employee dies while in service or after retirement without receiving the amount of gratuity and leaves behind no family and-

- a. has made no nomination, or
- b. the nomination made by him does not subsist,

the amount of retirement gratuity/death gratuity payable in respect of such an employee will lapse to the Institute.

Provided that the amount of death gratuity /retirement gratuity shall be payable to the person in whose favour a succession certificate in respect of the gratuity in question has been granted by a Court of Law.

SECTION - "D"

(xxvii) Commutation of Pension

a. Facility for commutation of a portion of the monthly pension for a lump sum payment shall be regulated in accordance with the State Government Orders issued from time to time by its Departments, as indicated in the case of pension.

b. The procedure for authorisation and disbursement of commutation amount shall be as prescribed by the Institute.

c. General Provisions Governing Commutation of Pension

(1) Eligibility

i. Every employee or pensioner governed by this Bye-law who may be entitled to or have been authorised any class of pension referred to in para (xii) of this Bye-law, except those who are eligible for or in receipt of family pension, is eligible to commute for a lump sum payment a portion of his monthly pension subject to the provisions specified below. An employee or pensioner against whom departmental or judicial proceedings are pending shall not, however, be eligible to commute a portion of his pension till completion of such proceedings.

ii. The Governing Body of the Institute reserves to itself the right to allow, reduce, or refuse commutation of any pension, without assigning any reason and to call for any information from the employee / pensioner in this connection.

iii. The commuted value shall ordinarily be spent on one or more of the objects specified below, viz.

(1) construction or purchase of a house, (2) liquidation of debt, (3) education of children or dependents (4) marriage expenses and (5) starting a business enterprise.

(2) Medical Examination

i. No commutation will be sanctioned until the pensioner has produced a certificate from the Appropriate Medical Authority which may be as prescribed by the Institute, to the effect that his bodily health and prospects of duration of life are such as to justify commutation. The Institute may at their discretion, require the production of a second medical certificate or direct the pensioner to appear before a Medical Board constituted by the Institute.

Provided that in case of employees/pensioners entitled to superannuation or retiring pension who applies in the prescribed form for commutation of pension within one year after the date of retirement or the date of issue of the pension payment order, whichever is later, production of medical certificate of the Appropriate Medical Authority will not be required.

Provided further that an employee who is due to retire on superannuation and desires payment of commutation value of pension immediately on his retirement, has to apply to the Registrar before retirement in the prescribed Form E. Commutation amount in such a case will be authorised without medical examination.

Note : The fee for medical examination shall be as prescribed by the Institute and shall be paid by the employee.

ii. If the applicant makes any statement found to be false within his knowledge, wilfully suppresses any material fact in answer to any question, written or oral put to him in connection with his medical examination, the Institute may cancel the sanction anytime before the payment is actually made and such a statement or suppression of facts may also be treated as grave misconduct for the purpose of this Bye-law.

(3) Application for Commutation

i. An employee/pensioner desirous of commutation of part of his pension due or authorised, subject to the limits prescribed in the Bye-law, shall apply to the Registrar in Form D in case where medical examination is necessary for commutation.

ii. In case where medical examination is not necessary for commutation of pension, the employee/pensioner shall apply to the Registrar in Form E.

(4) Amount Admissible for Commutation

i. An employee/pensioner who opts or has opted to retire at the age of fifty eight years shall be entitled to commute for a lump sum payment fraction of pension not exceeding one-third of his pension.

ii. An employee/pensioner who opts or has opted to retire at the age of sixty years shall be entitled to commute for a lump sum payment fraction of pension not exceeding one-fifth of his pension.

iii. The employee/pensioner shall indicate in the application form for

commutation of pension, the fraction of pension which he desires to commute and may either indicate the maximum limit permissible under this Bye-law or such lower limit as he may desire to commute.

iv. If fraction of pension to be commuted results in fraction of a rupee, such fraction of a rupee shall be ignored for the purpose of commutation.

(5) Second Medical Examination

A pensioner who has declined to accept commutation on the basis of addition of years to his actual age as recommended by the Appropriate Medical Authority for commutation or has refused commutation on medical grounds, is eligible to take second medical examination for commutation of pension after one year from the date of the first medical examination for commutation of pension. However, the second medical examination may be held even before the expiry of one year, if the pensioner appeals to the Governing Body of the Institute against the medical verdict and seeks review thereof by a second medical authority. The appeal should be preferred within a month of receipt of certificate by the pensioner.

Note : The fee for medical examination shall be as prescribed by the Institute and shall be paid by the employee.

(6) Withdrawal of Application for Commutation

i. The employee/pensioner may, if he so desires, withdraw his application for commutation by writing to the Registrar so as to reach him before the date on which commutation becomes absolute.

ii. If the employee/pensioner does not withdraw his application within the period specified in sub clause (i) of this clause, the commutation shall become 'absolute' that is, the title to recover the commuted portion of pension shall cease and the title to receive the commuted value shall accrue on the date from which the commutation is effective. Payment of commuted value shall be made as far as possible on the date from which the commutation is effective, but whatever the date of actual payment may be, the amount paid and the effect upon the pension shall be the same as if the commuted value were paid on the date on which the commutation becomes absolute. If the commuted portion of the pension has been drawn after the date on which commutation becomes absolute, the amount drawn shall be deducted from the amount payable on commutation.

iii. No withdrawal of application will be permitted in case of employees/pensioners who apply for commutation of pension before retirement or within one year of retirement or within one year of the issue of the pension payment order.

(7) When Commutation Becomes Absolute

The commutation becomes absolute and the commuted value of pension becomes payable on the date -

i. following the date of retirement in the case where the application for commutation of superannuation pension is received by the Registrar on or before the date of superannuation.

ii. of receipt by the Registrar of the application for commutation of pension without medical examination before the expiry of one year as provided in the provision to sub-clause (i) of clause (2) of sub-para (c) of this para.

iii. on which the Appropriate Medical Authority signs the medical report for commutation.

iv. on which the first medical authority recorded its opinion or its decision is set aside or modified on appeal.

(8) Calculation of Commuted Value of Pension

i. The lump-sum payable to an applicant shall be calculated in accordance with the table of the 'commutation values for a pension of Re. 1/- per annum' prescribed by the State Government under their commutation of pension rules as amended from time to time and applicable to the applicant on the date on which the commutation becomes absolute. (See Appendix-I)

ii. Lump Sum payable as commuted value of pension will be governed by the following formula:

Lump sum payable on	Commutation value expressed as number of
commutation of pension =	years purchase relevant to the age next
	birth day of the employee/pensioner X 12 X
	Amount of Pension offered for commutation.

Note : Commuted value of pension as finally calculated shall be rounded off to the next higher rupee.

The 'commutation' value expressed as number of years of purchase relevant to the age next birthday is taken from the table mentioned in sub-clause (i) of this clause. The age next birthday shall be determined with respect to (i) the date of superannuation in cases where commutation is required alongwith the Pension Payment Order, (ii) the date of receipt of application in other cases where medical examination is not necessary, and (iii) the date of medical examination, where it is necessary.

(9) Reduction of Pension on Commutation

i. After commutation of pension, the balance of pension not commuted shall be paid to the pensioner every month.

ii. The reduction in the amount of pension on account of commutation shall be operative from the date of receipt of the commuted value of pension by the pensioner or at the end of three months after issue of authority by the accounts office for the payment of commutation value of pension, whichever is earlier.

iii. In the case of an applicant in whose case the commuted value of pension becomes payable on the day following the date of his retirement, the reduction in the amount of pension on account of commutation shall be operative from its inception. Where, however, payment of commuted value of pension could not be made within the first month after the date of retirement, the difference of monthly pension for the period between the day following the date of retirement and the date preceding the date on which the commuted value of pension is deemed to have been paid, shall be authorised by the Accounts department of the Institute.

(10) Payment of difference in Commuted Amount on Revision of Pension

When pension is revised upwards retrospectively, payment of commuted value of the quantum of increase in pension may be authorised without further application from the pensioner. However, in the case of commutation after medical examination, if the fraction of the original pension computed is less than Rs. 100/- and the fraction based on the revised pension is more than Rs. 100/-, the commutation beyond Rs. 100/- shall be treated as fresh commutation and allowed subject to examination by the appropriate medical authority.

(11) Nomination

i. An applicant shall for commutation make a nomination in Form F alongwith the application, conferring on one or more persons the right to receive the commuted value of pension in case the applicant dies before receiving the commuted value on or after the date on which commutation becomes absolute.

ii. If there is no such nomination, or if the nomination made does not subsist, the commuted value shall be paid to the family in the manner indicated in clause (2) of sub-para (a) of para (xxv) of the Bye-law.

iii. If in any case the commuted value can not be paid in the manner indicated in sub-clause (i) or sub-clause (ii) of this clause, the same shall be paid to his heirs.

(12) Restoration of Commuted Value of Pension

Pensioners who have commuted a portion of their pension are entitled to have the commuted portion of pension restored on the expiry of fifteen years from the date of retirement, if the commutation is simultaneous with retirement. In other cases, the commuted portion of pension will be restored after fifteen years from the date of commutation. For this purpose, the pensioner should apply to the Registrar.

Note: The facility of restoration of commuted value of pension will not be admissible to those who retire on 'Retiring Pension' and get subsequently reabsorbed in a public sector undertaking or autonomous body of the State Government or any other Government.

(13) A commutation once applied for, sanctioned and given effect to can not be rescinded i.e. the portion of the pension commuted can not be restored on refund of the capitalised value.

(14) If the pensioner dies on or after the date on which commutation becomes absolute but before receiving the commutation value, this value shall be paid to his heirs.

Note: All the forms mentioned in this Bye-law are obtainable from the office of the Registrar of the Institute.

----X----

COMMUTATION VALUES FOR A PENSION OF**Re. 1 PER ANNUM**

(Effective from 1st March, 1971)

Age next birthday	Commutation value expressed as number of years purchase	Age next birthday	Commutation value expressed as number of years purchase	Age next birthday	Commutation value expressed as number of years purchase
17	19.28	40	15.87	63	9.15
18	19.20	41	15.64	64	8.82
19	19.11	42	15.40	65	8.50
20	19.08	43	15.15	66	8.17
21	18.91	44	14.90	67	7.85
22	18.81	45	14.64	68	7.53
23	18.70	46	14.37	69	7.22
24	18.59	47	14.10	70	6.91
25	18.47	48	13.82	71	6.60
26	18.34	49	13.54	72	6.30
27	18.21	50	13.25	73	6.01
28	18.07	51	12.95	74	5.72
29	17.93	52	12.66	75	5.44
30	17.78	53	12.35	76	5.17
31	17.62	54	12.05	77	4.90
32	17.46	55	11.73	78	4.65
33	17.29	56	11.42	79	4.40
34	17.11	57	11.10	80	4.17
35	16.92	58	10.78	81	3.94
36	16.72	59	10.46	82	3.72
37	16.52	60	10.13	83	3.52
38	16.31	61	9.81	84	3.32
39	16.09	62	9.48	85	3.13

Note : This table is based on a rate of interest of 4.75 percent per annum.

DEI:BYE-LAWS(2010)PENSION RULES-UP GOVT: BL-36
DAYALBAGH EDUCATIONAL INSTITUTE
DAYALBAGH, AGRA 282005.

FORM-A

(See Para (xv) (j) of Pension Bye-law for employees working on posts financed by the State Government)

DETAILS OF FAMILY

1. Name of the employee :
2. Designation & Department :
3. Date of Birth :
4. Date of appointment to a post financed by
the State Government :
5. Details of the members of my family* as on :

Sl. No.	Names of the members of my family	Date of Birth	Relationship with the employee	Remarks
1	2	3	4	5

I hereby undertake to keep the above particulars up-to-date by notifying to the Registrar any addition or alteration.

Place: (Signature of the employee)

Dated:

FORWARDED

COUNTERSIGNED

DEAN/HEAD OF OFFICE

REGISTRAR

* Family for this purpose means family as defined in Explanation-(2) below sub-para (c) of para (xv) of the Pension Bye-law, 1994 for employees retiring from posts financed by the State Government and include deceased employee's surviving spouse, son(s) who has not attained the age of 25 years and unmarried daughter(s) who has not attained the age of 25 years.

DAYALBAGH EDUCATIONAL INSTITUTE

FORM-B

(See para (xxv) of the Pension Bye-law, 1994 (State Financed Posts))

NOMINATION FOR RETIREMENT GRATUITY/DEATH GRATUITY

When the employee has a family and wishes to nominate one member or more than one member of the family.

I _____ (Name) 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 Institute 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, address of nominee(s) and the relationship with the employee	Age	Amount or Share of gratuity payable to each*	Name, Address, Relationship and age of the person or persons to whom the right conferred on the nominee shall pass in the event of the nominee pre-deceasing 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)

This nomination supersedes the nomination made by me earlier which stands cancelled.

Note:

1. The employee should draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

2. Strike out which is not applicable.

* The column should be filled in to cover the whole amount of the gratuity.

** The amount/share of the gratuity shown in the column should cover the whole amount/share payable to the original nominee(s).

Dated this _____ day of _____ (month), 199 at _____.

witnesses to signature :

1. Signature :
Name :
Address :
2. Signature :
Name :
Address :

(Signature of employee)
Designation _____
Department/office _____
Faculty _____

FORWARDED

DEAN/HEAD OF OFFICE
DATE

(STAMP)

COUNTERSIGNED

REGISTRAR
DATE

(STAMP)

DAYALBAGH EDUCATIONAL INSTITUTE
DAYALBAGH, AGRA - 282005

FORM-C

(See para (xxv) of the Pension Bye-law, 1994 (State Financed Posts)

NOMINATION FOR RETIREMENT GRATUITY/DEATH GRATUITY

When the employee has no family and wishes to nominate one person, or more than one person.

I _____ (Name) 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 Institute 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)	
Names, address of the nominee(s) and relationship with the employee	Age	Amount or Share of gratuity payable to each*	Name, address, relationship and age of the person or persons if any, to whom the right conferred on the nominee pre-deceasing the employee or the nominee dying after the death of the employee but before receiving payment of gratuity shall pass	Amount or share of gratuity payable to each**
(1)	(2)	(3)	(4)	(5)

This nomination supersedes the nomination made by me earlier which stands cancelled.

Note:

1. The employee should draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

2. Strike out which is not applicable.

-

* The column should be filled in to cover the whole amount of the gratuity.

** The amount/share of the gratuity shown in the column should cover the whole amount/share payable to the original nominee(s).

-

Dated this _____ day of _____ (month), 199 at _____.

witnesses to signature :

1. Signature :

Name :

Address :

2. Signature :

Name :

Address :

(Signature of employee)

Designation _____

Department/office _____

Faculty _____

FORWARDED

COUNTERSIGNED

DEAN/HEAD OF OFFICE

REGISTRAR

DATE

DATE

(STAMP)

(STAMP)

DAYALBAGH EDUCATIONAL INSTITUTE

DAYALBAGH, AGRA-282005.

FORM-D

(See para (xxvii) (c) (3) (i) of the Pension Bye-law(for State financed posts)

**FORM OF APPLICATION FOR COMMUTATION OF A FRACTION OF PENSION WITH
MEDICAL EXAMINATION**

(To be submitted in duplicate)

To,

The Registrar

Dayalbagh Educational Institute

Dayalbagh, Agra-282005.

Subject: Commutation of a fraction of pension with medical examination

Sir,

I _____ desire to commute a portion of my _____ pension of Rs. ____
_____ a month. I intend to utilise the commuted value on the objects specified on the
reverse, and I am convinced that the commutation will be to the distinct and permanent
advantage of myself and my family. I also certify that I have carefully answered each and all
the questions below.

Yours faithfully

Signature

Date:

Designation _____

Place:

Address _____

Question	Answer
1. What is your date of birth ?	
2. (a) How much of your pension do you wish to commute ?	
(b) Have you already commuted a portion of your pension? If so give full particulars.	
(c) Has any application from you for commutation of pension ever been rejected or have you ever accepted/declined to accept commutation of pension on the basis of an addition of years to your actual age recommended by the medical authority. If so, give particulars.	
3. Have you any debts or liabilities? give particulars.	
4. Have you a wife? Detail the members of your family dependent on you with respective ages.	
5. What was your monthly income from all resources during the past years? Give particulars.	
6. Do you suffer from any complaint likely to shorten life? If so, state its nature.	
7. (a) What is the number of your pension payment order?	
(b) State the class of pension drawn (Superannuation or retirement)	
8. State the amount of pension payable to you.	

Signature

Date :

Place :

Statement of object or objects on which the commuted value will be spent.

Object	Estimate of cost with full details
1. Construction or Purchase of a house	
2. Liquidation of debt	
3. Education of children or dependents	
4. Marriage expenses	
5. Starting a business enterprise	

Signature

Date :

Place :

Note: The Applicant must give full information of his financial position, the need for commutation and the advantage to be desired therefrom. If for example, he proposes to purchase or build a house, he should state the rent he pays for a hired building, whether he has secured a site or negotiated for building etc. Debts must be detailed with the amount and the rate of interest against each, and the applicant must explain to what extent commutation means a saving in charges of interest and the like. Where a business enterprise is the object, it is necessary to state capital outlay, working expenses, the prospects of business in the locality, profits anticipated and so on.

DAYALBAGH EDUCATIONAL INSTITUTE
DAYALBAGH, AGRA-282005

FORM-E

See para (xxvii) (c) (3) (ii) of the Pension Bye-law, 1994 (for State financed posts)

**FORM OF APPLICATION FOR COMMUTATION OF PENSION
WITHOUT MEDICAL EXAMINATION**

(To be submitted in duplicate)

To,
The Registrar
Dayalbagh Educational Institute
Dayalbagh, Agra-282 005

Subject : Commutation of Pension without medical examination.

Sir,

I desire to commute a fraction of my pension (subject to maximum of one-third of pension) as indicated below in accordance with the provisions of the Pension Bye-law, 1994 (State Financed Posts). The necessary particulars are given hereunder :

1. Name (in Block letters) _____
2. Father's Name (also husband's name
in case of a female employee) _____
3. Designation at the time of retirement _____
4. Name of Department/Office in which last employed _____
5. Date of Birth (by Christian era) _____
6. Date of retirement _____
7. Class of Pension on which retired _____
8. Amount of pension authorised (In case final pension
has not been authorised, indicate the amount of
provisional pension sanctioned / authorised) _____
9. Amount (in whole rupees) or fraction
of pension proposed to be commuted _____
10. No. and date of pension payment order, if issued _____
11. Details of applications, if any, for commutations
of pension and whether appeared before any
medical officer in this connection _____

Yours Faithfully,

Place : _____

(Signature of the Pensioner)

Date : _____

Postal Address :- _____

DAYALBAGH EDUCATIONAL INSTITUTE

DAYALBAGH, AGRA 282 005

FORM - F

(See para (xxvii)(c)(11) of the Pension Bye-law, 1994 (For State Financed Posts)

NOMINATION FOR COMMUTED VALUE OF PENSION

To,

The Registrar

Dayalbagh Educational Institute

Dayalbagh, Agra - 282005

I _____ (Name of the pensioner in capital letters) hereby nominate the person/persons named below conferring on him/them the right to receive commuted value of pension in case I die without receiving the commuted value on or after the date on which commutation becomes absolute.

Name and address of the nominee	Relation-ship with the pensioner	If the nominee is a minor		Name and address of other nominee in case the nominee under column 1 pre-deceased the pensioner	Relation-ship with the Pensioner	Date of birth if the other nominee is minor	Name and address of person who may receive the commuted value of pension during the other nominee's minority	Contingency on happening of which nomination shall become invalid
		Date of birth	Name and address of the person who may receive the said commuted value during the nominees minority					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Place : _____

Date : _____ Signature or thumb impression (if illiterate)
and name of Pensioner :-----

Witness Signature : Address :

Name :

Address : Signature of the Registrar

----X----

37. DAYALBAGH EDUCATIONAL INSTITUTE EMPLOYEES' WELFARE FUND SCHEME.

(Amended up to 19.3.2005).

- (i) This Bye-law shall be called "DAYALBAGH EDUCATIONAL INSTITUTE EMPLOYEES' WELFARE FUND SCHEME" or in short "The Scheme".
- (ii) This Bye-law shall come into force with effect from 29 July, 1995, the date notified by the Governing Body of the DAYALBAGH EDUCATIONAL INSTITUTE (hereafter called "The Institute").
- (iii)
 - a. This Bye-law shall apply to all the confirmed employees of the Institute, including its Non-University Educational Institutions, in service on the date on which this Bye-law comes into force and to employees confirmed thereafter, who opt to join the Welfare Fund Scheme as its members in accordance with the provisions of this Bye-law.
 - b. This Bye-law shall not apply to employees who are appointed on ad-hoc or temporary basis.

(iv) Aims and Objects

The aims and objects of the scheme shall be :

- a. to provide relief in the form of financial assistance to the families of the employees who are members of the Scheme and subscribing to the Welfare Fund under the scheme, in the event of the death of the Member;
- b. to provide financial assistance to Members of the Scheme in case of their mental or physical illness, permanent disability and prolonged hospitalisation;
- c. to provide financial assistance to members and/or their families in case of financial or other distresses caused to them by riot or civil commotion, war and Acts of God;
- d. to do all such acts and undertake all such measures as are conducive to the aims and objects of the Scheme including collecting grants, funds, moneys by subscription from members of the Scheme in cash or by deductions from their salary, gifts and donations and making payments to members and their families in accordance with this Bye-law.

(v) Definitions

- a. "DIRECTOR, TREASURER AND REGISTRAR" means the "Director, Treasurer and Registrar" of the Dayalbagh Educational Institute.
- b. "EMPLOYEE" means the "Employee" of the Dayalbagh Educational Institute including those serving in its Non-University Educational Institutions.
- c. "FAMILY" in relation to a member of the scheme means wife or husband, as the case may be, dependent children and dependent parents.
- d. "THE FUND" means "The Dayalbagh Educational Institute Employees' Welfare Fund" constituted in accordance with this Bye-law.
- e. "Service" means service in a permanent capacity in the Institute.

(vi) Constitution of the Welfare Fund

- a. All moneys collected in accordance with sub-para (d) of para (iv) of this Bye-law shall be credited in the Accounts of the Institute to a Fund called "The DEI Employees Welfare Fund".

- b. The Fund shall be maintained in rupees in a "Nationalised Bank/Co-operative

Bank, and shall be titled "The Dayalbagh Educational Institute Employees Welfare Fund".

c. Drawals from the Fund shall be made in accordance with the provisions of this Bye-law and for investing the moneys collected in the Fund in Savings deposits and fixed deposits in the Nationalised or Cooperative Banks and Post Offices, Government securities, Unit Trust of India schemes or in such other schemes as may be decided by the Managing Committee of the Scheme.

NOTE: The Post Office cash certificates, securities and fixed deposit receipts of the investments of the moneys of the Fund shall remain in the custody of the Secretary of the Fund.

d. The Registrar of the Institute shall pay to the credit of the employees' welfare fund within 15 days of the constitution of the Fund, all moneys collected or held by him as donations or subscriptions received by him from the employees for any similar activity prior to coming into force of this Bye-law which remained unutilised provided the employees who had contributed such money have no objection to such transfer of fund to the Welfare Fund constituted under this Bye-law.

(vii) Membership of the Employees' Welfare Fund Scheme

a. The existing confirmed employees of the Institute who were in service of the Institute on the date of application of this Bye-law can become members of the Scheme by giving in writing to the Secretary of the Managing Committee hereafter called "The Secretary" in Form "A" appended within one year from the date of application of this Bye-law (extended first upto 20.2.97 vide GBR-9 dated 18.5.96; upto 20.2.98 vide GBR-35 dated 17.5.97; upto 20-5-2000 vide GBR-24 dated 20-12-1999; upto 31.5.2005 vide GBR-22/19.3.2005) provided they undertake to subscribe to the Welfare Fund in accordance with the provisions of clauses (1) and (2) of sub-para (c) of this para (GBR-9 dt. 18.5.96).

b. The employees who are appointed on a permanent basis after this Bye-law comes into force can become members of the Scheme by giving in writing (in Form-A appended) to the Secretary within one year from the date of permanent appointment in the Institute, provided they undertake to subscribe to the Welfare Fund in accordance with the provisions of clause (2) of sub-para (c) of this para.

c. (1) Contribution in Lump Sum

Any employee eligible to become a Member of the Welfare Fund Scheme in accordance with sub-para (a) of this para who pays in lump sum a non-refundable contribution to the Fund of Rupees one thousand (GBR:22/19.3.2005) by a cheque to the Secretary will become the Member of the Scheme from the date of such payment and he/she can avail the benefits of the Fund in accordance with this Bye-law so long as he/she remains in service of the Institute.

(2) Contribution in Instalments (amended as one time subscription : GB 20.12.1999 revoked vide GBR:22/19.3.2005):-

Any employee eligible to become a Member of the Employees' Welfare Fund Scheme in accordance with sub-para (b) of this para will become a member of the scheme provided he/she deposits a sum of Rs.1000/- through 10 monthly instalments of 100/- each in which case such member will be eligible for assistance from the scheme after six months from payment of last instalment of membership amount (GBR:22/19.3.2005).

(viii) Management of the Employees' Welfare Fund Scheme

a. The affairs of the Employees' Welfare Fund Scheme shall be managed by a MANAGING COMMITTEE constituted as under:

(1) All Deans to be Ex-officio members of the Managing Committee for the period of their Deanship.

(2) All Principals of the Non-University Educational Institutions to be Ex-officio Members of the Managing Committee for the period of their Principalship.

(3) Registrar.

- (4) Other teaching and non-teaching employee members of this scheme could be co-opted for individual meetings as and when necessary by the Chairman of the Managing Committee.

The seniormost Dean shall act as Chairman of the Managing Committee. (Hereafter called "The Chairman").

The Managing Committee shall appoint from amongst its members, one person to act as the Secretary of the Committee.

- b.** Secretarial assistance to the Managing Committee as may be required may be provided by the Institute.

- c.** The Accounts of the Employees' Welfare Fund shall be monitored by the Accounts Department of the Institute, under the overall supervision of the Treasurer. The Secretary shall be responsible for opening bank accounts, receipt of funds, moneys and gift etc., and making payments to members or their families as decided by the Managing Committee after approval by the Director and issue of cheques by the Treasurer and the Chairman or Secretary.

It shall be the duty of the Secretary to send details of the annual accounts of the Employees' Welfare Fund to the Managing Committee by end of August every year.

- d.** All cheques and receipts issued on behalf of the Employees' Welfare Fund Scheme shall be signed jointly by the following two authorised persons of the Institute :

- (1) The Chairman or the Secretary
- (2) The Treasurer

All bank accounts and fixed deposits on behalf of the Fund shall be similarly operated jointly by the above two authorised persons.

- e.** The Managing Committee, through its Secretary, shall present annually a report on the management and accounts of the Employees' Welfare Fund Scheme to the Governing Body of the Institute by end of September.

- f.** (1) The Managing Committee shall meet as and when necessary to consider cases for financial assistance to members of the Scheme or their families.

- (2) The quorum for meetings of the Managing Committee shall be three.

- (3) All money assistance from the Employees' Welfare Fund shall be given only after:-

- i. a written request has been received from a Member or the Members' family,
- ii. the said request has been considered and decided upon by the Managing Committee after such enquiries that the Committee may deem proper to make, and
- iii. the decision of the Managing Committee has been approved by the Director of the Institute.

- g.** The quantum and nature of financial assistance can be in the form of grant and/or refundable advance and shall be decided by the Managing Committee and shall not be open to question except by the Director in the manner provided in sub-para (h) of this para.

- h.** All decisions of the Managing Committee shall be subject to the approval of the Director, provided that if the Director does not so approve, he shall communicate his reasons therefor in writing to the Committee within 7 days after the decision of the Committee is submitted to him for approval. The Director may also approve reduced quantum of financial assistance than that recommended by the Managing Committee but not enhance it.

(ix) Sources of the Fund

Sources towards the establishment of the Employees' Welfare Fund shall be as under:

- a. Membership fee as specified in sub-para (c) of para (vii).
- b. Unutilised funds or donations etc., received prior to the constitution of the Employees' Welfare Fund under this Bye-law as provided in sub-para (d) of para (vi).
- c. Grants, money, donations, interest, gifts etc., received and credited to the Fund in accordance with sub-para (d) of para (iv) of this Bye-law.
- d. Deductions, if the examiner so agrees, upto the rate of 5 per cent from remuneration connected with Institute's examinations may be made and credited to the Fund.

Notes:

- (1) In the letter of appointment, it may be brought to the notice of the examiner, that as per practice prevailing in Indian Universities, he/she may contribute upto 5% of his/her remuneration to the Dayalbagh Educational Institute Employees' Welfare Fund.
- (2) The deductions made from the remuneration of the examiners shall be credited by the Treasurer to the Employees' Welfare Fund.
- e. Any other source, as may be recommended by the Managing Committee/Director and decided upon by the Governing Body of the Institute.
- f. It shall be the duty of the Secretary to transfer to the Employees' Welfare Fund the amounts contributed as per this Bye-law.

(x) Assistance under this Bye-law to Members and their Families

- a. (1) Financial assistance to family in case of death of a Member while in service of the Institute:-

Financial Assistance to the family shall be given upto a Maximum of Rs.10,000/- in an individual case.

(2) The financial assistance shall not be payable to more than one member of the family. If the deceased member leaves behind a widow or widower, financial assistance shall become payable to the widow or widower, as the case may be, failing which to the eligible child.

Financial Assistance shall be payable to the dependent children in the order of their birth and the younger of them will not be eligible for financial assistance unless the elder next above him/her becomes ineligible for the grant of financial assistance for reasons of not having been dependent on the deceased member.

Provided that where the financial assistance is payable to twin children, it shall be paid to such children in equal share.

Provided further that where the deceased member does not leave any member in his family except the dependent parents, then the financial assistance shall be payable to the father and if there is no such person then to the mother.

- b. On permanent disability of the member:-

The assistance will be given to the Member from the Welfare Fund in case of his permanent disability as may be certified by the Chief Medical Officer of the Institute.

The scale of payment shall be the same as in case of death of a Member while in service of the Institute as given in clause (1) of sub-para (a) of this para.

- c. Financial assistance to Members in case of serious mental or physical illness, prolonged hospitalisation etc:-

For grant of financial assistance in cases of serious illness such as T.B., Cancer

etc., of a member or his dependent family members requiring immediate expenditure of more than Rs.10,000/-, the Managing Committee of the Employees' Welfare Fund Scheme shall decide each case on merit in respect of quantum of grant and/or refundable advance after taking into account the difference between the actual expenses incurred by the member and the amount of advance admissible to him under the C.P.F./G.P.F. scheme of the Institute in force.

The Financial assistance as grant shall not exceed Rs.10,000/- or fifty per cent of the expenditure incurred on specialised treatment in cases where such expenditure exceeds Rs.10,000/-, whichever is less. Refundable advance from the Fund may be given in suitable cases up to Rs.15,000/- specifying the number of instalments in which the recovery of the advance is to be made from the Member.

d. Financial Assistance in case of accident of Member and/or his family:-

The case shall be decided by the Managing Committee on the merits of each individual case.

e. Financial Assistance to Members or their families in the event of financial or other disasters caused to members and/or their families by riot or civil commotion, war or Acts of God:-

The case shall be decided by the Managing Committee on the merits of each individual case.

f. The financial assistance under the Scheme shall not exceed a total sum of Rs.10,000/- as grant and Rs.15,000/- as refundable advance during the tenure of individual membership.

g. In case the financial assistance utilised is less than that given under this Bye-law, the Member shall refund the balance to the Welfare Fund.

(xi) Accounts and Audit

a. Accounts

The Managing Committee shall before the end of August each year prepare the annual accounts.

b. Audit

The accounts of the Employees' Welfare Fund shall be audited by the Auditor of the Institute. The Audit Report alongwith the replies thereto of the Managing Committee shall be sent by the Secretary to the Employees' Welfare Fund Scheme by end of September to the Registrar who shall cause it to be laid before the Governing Body of the Institute.

(xii) Amendments to Bye-law

All amendments and or additions to this Bye-law shall be made only after they have been recommended by the Managing Committee and approved by the Governing Body of the Institute.

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DAYALBAGH EDUCATIONAL INSTITUTE

DAYALBAGH, AGRA-282005

FORM "A"

FORM FOR ADMISSION AS MEMBER OF THE EMPLOYEES' WELFARE FUND SCHEME.

To,
The Secretary,
Managing Committee,
Employees' Welfare Fund Scheme,
Dayalbagh Educational Institute
Dayalbagh, Agra-282005

Sir,

I desire to become the member of the "Dayalbagh Educational Institute Employees' Welfare Fund Scheme". I have read the Bye-law of the Institute relating to the said Fund and I shall be bound by that Bye-law or any amendments or additions to the said Bye-law as may be legally effected in accordance with provisions of the said Bye-law during the period of my membership.

1. I am enclosing a cheque for Rs.1000/- in favour of "DEI Employees Welfare Fund" as my lump sum contribution,

OR

2. I shall pay the subscription of Rs.1000/- through monthly instalments of Rs.100/- each in which case I understand that I shall be eligible for assistance from the scheme only after six months from the date of payment of last instalment of membership amount.

I am enclosing a cheque for Rs.100/- in favour of "DEI Employees Welfare Fund" as my first subscription. I would be paying my subsequent subscriptions of Rs.100/- each month in the month of April through pay-in-slip as per para c(2) of the Bye-law relating to the Employees' Welfare Fund Scheme (GBR:22/19.3.2005).

I understand that in the event of my failing to pay future annual membership subscription, I shall lose my entitlement for all benefits of this scheme.

Yours faithfully

(Signature)

Full Name(In Capital letters) _ _ _ _ _

Designation _ _ _ _ _

Department _ _ _ _ _

Faculty/College _ _ _ _ _

Date of permanent appointment _ _ _ _ _

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38. GENERAL PROVIDENT FUND SCHEME FOR THE EMPLOYEES HOLDING POSTS FINANCED BY THE UNIVERSITY GRANTS COMMISSION (UGC) AND GOVERNED BY THE PENSION SCHEME.

(Approved by the Governing Body vide Resolution No.7 dated 29.7.95)

(i) TITLE

a. This Bye-law shall be called "General Provident Fund Scheme for the employees of the Dayalbagh Educational Institute holding posts financed by the University Grants Commission and governed by pension scheme for the posts financed by the University Grants Commission", or in short "The General Provident Fund Scheme (UGC Financed Posts)".

b. This shall be deemed to have come into force on the 1st of July, 1994.

(ii) Application

a. This Bye-law shall apply to the employees of the Institute confirmed on posts financed by UGC who come over or are deemed to have come over to the Pension Scheme (UGC Financed Posts) and to employees appointed to such posts on a permanent basis on or after the 1st of July, 1994 to whom the Pension Scheme (UGC Financed Posts) is compulsorily applicable.

b. This Bye-law shall also apply to all confirmed employees to whom the Pension Scheme (UGC Financed Posts) is applicable when appointed against a temporary post financed by UGC or on probation on another post financed by UGC or on a temporary basis against a permanent post financed by UGC.

c. This Bye-law shall also apply to all the employees appointed in the Institute for the first-time on a temporary basis or on probation on or after 1st July, 1994 on posts financed by UGC after they have rendered continuous service of one year on such posts.

d. This Bye-law shall also apply to the employees confirmed on posts financed by UGC on or after the 1st of July, 1994 to whom the Pension Scheme (UGC Financed Posts) is compulsorily applicable, but who are later appointed temporarily or on probation to posts in the Institute financed by the State Government till they are confirmed on such posts.

(iii) Definitions

a. In this Bye-law -

(1) "CHILD" means a legitimate child and includes an adopted child where adoption is recognised by the personal law governing the subscriber.

(2) "EMOLUMENTS" - Except as otherwise expressly provided, 'Emoluments' means pay, leave salary, or subsistence grant, if admissible, and includes dearness pay, if any, and any remuneration in the nature of pay received in respect of service under an outside body.

(3) "EMPLOYEE" means an employee of the Institute to whom this Bye-law is applicable.

(4) "DIRECTOR" means, the Director of the Dayalbagh Educational Institute.

(5) "FAMILY" means -

i. In respect of a male subscriber to Fund, the wife or wives, parents, children, minor brother, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grandparent:

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 this Bye-law relate unless the subscriber subsequently intimates, in writing, to the Registrar that she shall continue to be so regarded.

ii. In the case of a female subscriber to the fund, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, her grandparents:

Provided that if a subscriber expresses by a notice in writing to the Registrar her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of subscriber's family in matters to which this Bye-law relate, unless the subscriber subsequently cancels such notice in writing.

(6) "FUND" means the General Provident Fund for the employees holding permanently posts financed by UGC.

(7) "INSTITUTE" means the Dayalbagh Educational Institute.

(8) "LENGTH OF SERVICE" in the Institute shall mean service rendered by a subscriber in a permanent post in the Institute including in any of its non-university educational institutions.

(9) "LEAVE" means any variety of leave recognised by the leave Bye-law of the Institute.

(10) "Registrar" means Registrar of the Institute.

(11) "SALARY" means salary as defined in the Bye-law on conditions of service for the employees.

(12) "SUBSCRIBER" means an employee to whom this Bye-law is applicable and who makes or on whose behalf a deposit is made in the fund under this Bye-law.

(13) "TREASURER" means the Treasurer of the Institute.

(14) "YEAR" means a financial year.

b. Any other expression used in this Bye-law which is defined either in the Provident Fund Act, 1925 (19 of 1925) or in other Bye-laws of the Institute is used in the sense therein defined.

(iv) Constitution of the Fund

a. The Fund shall be maintained in rupees in a nationalised/co-operative bank in Agra and shall be titled "The General Provident Fund (UGC Scheme)".

b. All sums paid into the Fund under this Bye-law viz. subscriptions, recoveries, interest on moneys drawn from the Fund etc., shall be credited in the books of the Institute to an account named "General Provident Fund (UGC Scheme)".

c. Drawals from the Fund shall be made in accordance with the provisions of this Bye-law and for investing the moneys of the Fund in savings deposits and fixed deposits in the nationalised or co-operative banks and post offices, government securities, Unit Trust of India or in such other schemes as may be prescribed by the Governing Body of the Institute. The interest received on the investments shall be credited to the Fund or re-invested, if necessary.

NOTE: The Post Office cash certificates, securities and fixed deposit receipts of the investments of the Fund shall remain in the custody of the Treasurer.

d. In case of employees to whom this Bye-law is applicable, their Contributory Provident Fund moneys excluding employer's contribution and interest thereon for the

period/periods when they were contributing to such funds of the Institute while working on posts financed by the UGC before being admitted to the General Provident Fund Scheme under this Bye-law, may be transferred to the credit of the subscriber in the Fund as may be permissible under the Pension Bye-law for the employees holding posts financed by UGC:

Provided that in case of a subscriber who has opted for Pension Scheme for UGC financed posts and who prior to his appointment without break in service to such a post was contributing to Provident Fund under the scheme relating to State financed posts, his provident fund moneys (excluding the employer's contribution with interest thereon up to the date of transfer) may be transferred to the General Provident Fund (UGC Scheme) with the approval of the State Government.

NOTE: In the case of Contributory Provident Fund relating to the State financed post, the subscriber will have to authorise the Treasurer of the Institute to transfer the employer's contribution with interest thereon credited in his account, (up to the date of transfer) to the Institute's general fund.

e. Management of the Provident Fund Investment Account.

(1) The management of the Fund shall vest in the Governing Body of the Institute which may make regulations for the purpose or issue general or specific directions as may be consistent with this Bye-law so as to conduct the business of the Fund or its management or the privilege of the depositors, not herein expressly provided for or vary, or cancel any regulations made or directions given:

Provided that there shall be a Provident Fund Committee for the Fund constituting the Director, the Treasurer, the Registrar, one member from the Finance Committee of the Institute nominated by the Governing Body and one subscriber to the Fund not below the rank of a Head of Department as may be nominated by the Director, for the purpose of advising the Governing Body in matters relating to-

- i. investment of moneys of the Fund;
- ii. payments from the Fund; and
- iii. any other matter relating to the management of the Fund.

All nominated members shall hold office for a period of two years.

(2) The Fund shall be operated jointly by the following two functionaries of the Institute:

- i. The Treasurer.
- ii. The Director or the Registrar.

(v) Subscriber's Account

a. An individual ledger account shall be maintained by the Treasurer in the name of each subscriber in which shall be shown -

- (1) his subscriptions to the Fund,
- (2) interest on subscriptions etc.,
- (3) bonus on subscriptions, and
- (4) advances/withdrawals from the Fund.

b. Each subscriber shall be allotted a General Provident Fund Account number which will be entered in his service book.

(vi) Subscriptions

A subscriber shall subscribe monthly to the Fund except during the period of his suspension, the period treated as 'Dies Non' and during leave for which no leave salary

is payable or, if payable, carries leave salary equal to or less than half pay or half average pay:

Provided that a subscriber on reinstatement after a period of suspension shall be allowed the option of paying in one lump sum, or in instalments, any sum not exceeding the maximum amount of arrears subscription payable for that period:

Provided further that subscription shall be compulsorily discontinued during the last three months of service on superannuation:

Provided further that the subscriber who wishes not to subscribe during the kind of leave for which subscription need not be paid at the option of the subscriber under the provisions of this sub-para, must send a written communication to the Registrar before he proceeds on such leave.

When a subscriber is deputed to an organisation in India or when sent on deputation out of India for which pensions contributions are paid by the borrowing organisation or by the subscriber himself, he shall remain subject to the provisions of the Fund in the same manner as if he were not so deputed.

(vii) Rates of Subscription

- a. (1) The amount for subscription shall be fixed by the subscriber himself subject to the conditions that it shall be in whole rupees and it may be any sum not less than ten per cent of his emoluments and not more than his total emoluments:

Provided that in the case of a subscriber who has previously been subscribing to a Contributory Provident Fund, it may be any sum not less than the prescribed minimum percentage of his emoluments and not more than his total emoluments.

- (2) The minimum amount of subscription shall be rounded off to the nearest whole rupee, fifty paise or more counting as the next higher rupee.

- b. The emoluments of a subscriber which shall be taken into account for determining the subscription during a year of a subscriber who was in service on the 31st March of the preceding year, will be emoluments to which he was entitled on that date :

Provided that -

- (1) if a subscriber was on leave of the kind mentioned in sub-para (a) of para (vi) of this Bye-law on the said date and had opted not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was on the first day after return to duty;

- (2) if the subscriber was on deputation out of India 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.

- c. In the case of a subscriber who was not in service on the 31st March of the preceding year, emoluments for the purpose of calculating the amount of subscription shall be the emoluments to which the subscriber is entitled on the day he joins the Fund.

- d. (1) The amount of subscription fixed as above may be reduced once at any time during the course of the year; enhanced twice during the course of the year; or reduced and enhanced as aforesaid:

Provided that it shall not be less than the minimum prescribed under this Bye-law.

- (2) If a subscriber is on leave without pay or leave on half pay or half - average pay for a part of the calendar month and he has opted 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, other than those referred to above.

- e. The rate of subscription once fixed is not to be varied on account of retrospective increase or decrease in pay ordered subsequently.
- f. Short or excess recovery of subscription may be regularised by adjustment in subsequent months or by actual cash payment.
- g. Subscription may become less than the minimum due to rounding off.

(viii) Intimation of Subscription to Registrar

The subscriber shall intimate the fixation of the amount of his monthly subscription in each year to the Registrar in the following manner :

- (1) If he was on duty on the 31st March of the preceding year, the deduction which he wishes to make in this behalf in his pay bill for the month.
- (2) If he was on leave on the 31st March of the preceding year and elected not to subscribe during such leave or was under suspension on that date, the deduction which he wishes to make from his pay bill on return from leave.
- (3) If he is admitted to the Fund for the first time during the year, the deduction which he wishes to make from his pay bill for the month in which he joins the Fund.
- (4) If he was on deputation on the 31st March of the preceding year, the deduction which he wishes to make from his pay bill of April in the current year.

(ix) Realisation of Subscriptions

- a. The recovery of subscriptions and of the principal and interest of advances shall be made by deduction from the monthly emoluments of the subscriber.
- b. When salary is drawn from any source other than the Institute, the subscriber shall forward his dues monthly to the Treasurer of the Institute.
- c. If the subscriber fails to subscribe to the Fund as required under para (vii) of this Bye-law or is in default in any month or months during the course of a year otherwise than as provided in para (vii), the total amount due to the Fund on account of arrears of subscription shall, with interest thereon at the rate provided in para (x) of this Bye-law, shall forthwith be paid by the subscriber to the Fund or in default be ordered by the Director to be recovered from the emoluments of the subscriber by instalments or otherwise as may be instructed by him.

(x) Interest

- a. The Institute shall pay to the credit of the account of each subscriber, interest at such rate as may be determined by the Governing Body of the Institute for each year at the end of the year. Such interest shall be credited in the account of the subscriber each year after the close of the accounts of each year.

NOTE: The rate of interest will be determined on the basis of interest earned on the investment of the accumulations in the Fund after setting apart the moneys required for meeting advances, withdrawals and final payments during the year.

- b. The interest shall be credited with effect from the last day in each year in the following manner:

- (1) on the amount to the credit of a subscriber on the last day of the preceding year, less any sums withdrawn during the current year:- interest for twelve months.
- (2) on sums withdrawn during the current year:- interest from the beginning of the current year up to the last day of the month preceding the month of withdrawal.
- (3) on all sums credited to the subscriber's account after the last day of the preceding year:- interest from the date of deposit up to the end of the current year:

Provided that when the amount standing to the credit of a subscriber has become payable, interest shall thereupon be credited under this sub-para in respect only of the period from the beginning of the current year or from the date

of deposit, as the case may be, up to the date on which the amount standing to the credit of the subscriber became payable.

- c.** The date of deposit shall in the case of recoveries from salary be deemed to be the first day of the month in which it is recovered, and in the case of sums deposited by the subscriber, shall be deemed to be the first day of the month of receipt, if it is received by the Treasurer, before the fifth day of that month, but if it is received on or after the fifth day of that month, the first day of the next succeeding month:

Provided that where there has been delay in the drawal of pay or leave salary and allowances of a subscriber and consequently in the recovery of his subscription towards the Fund, the interest on such subscription shall be payable from the month in which the pay or leave salary of the subscriber was due irrespective of the month in which it was actually drawn:

Provided further that in the case of an amount deposited/forwarded by the subscriber in accordance with the provisions of sub-para(b) of para (ix) of this Bye-law, the date of deposit shall be deemed to be the first day of the month if it is received by the Accounts Officer of the Institute before the fifteenth day of that month:

Provided further that where the emoluments for a month are drawn and disbursed on the last working day of the same month, the date of deposit shall, in case of recovery of his subscriptions, be deemed to be the first day of the succeeding month.

- d.** In addition to the amount to be paid to the subscriber on his quitting the service of the Institute or 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 is made, interest thereon up to the end of the month preceding that in which the payment is made or up to the end of sixth month after the month in which such amount became payable, whichever of these periods be less, shall be payable to the person to whom such amount is to be paid:

Provided that where the Treasurer has intimated to that person (or his agent) a date on which he has posted a cheque in payment to that person, interest shall be payable only up to the end of the month preceding the date of posting the cheque as the case may be:

Provided further that in a case where payment is made to the subscriber or to the person to whom such payment was to be made after the expiry of the period of six months after the month in which it became payable, interest beyond the period of six months will be made after sanction by the Director who should be satisfied that the delay in payment was occasioned by circumstances beyond the control of the subscriber or the person to whom such payment was to be made.

- e.** Interest shall not be credited to the account of a subscriber if he informs the Treasurer that he does not wish to receive it; but if he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it.

- f.** In case a subscriber is found to have drawn from the Fund an amount in excess of the amount standing to his credit on the date of drawal, the overdrawn amount, irrespective of whether the overdrawal occurred in the course of an advance or a withdrawal or the final payment from the Fund, shall be repaid by him with interest thereon in one lump sum, or in default, be ordered by the Director 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 the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount

together with interest is recovered. For this sub-para, the rate of interest to be charged on overdrawn amount would be 2½% over and above the normal rate on Provident Fund balance under sub-para (a). The interest raised on overdrawn amount shall be credited to the Institute's miscellaneous income.

(xi) Advances from the Fund

a. The Director may sanction the payment to any subscriber of an advance consisting of a sum of whole rupees and not exceeding in amount three months' pay or half the amount standing to his credit in the Fund, whichever is less, for one or more of the following purposes:

- (1) to pay expenses in connection with the illness, confinement or a disability, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him;
- (2) to meet the cost of higher education, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him 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:

Provided that the course of study is not less than three years.

- (3) To pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with betrothal or marriage or other ceremonies of the subscriber or marriage, funeral and other ceremonies of any person actually dependent on him.

NOTE-1: Advance is permissible separately for betrothal ceremony and marriage.

NOTE-2: Advance will be permitted in connection with first annual "Shradh" ceremony of a person who prior to his/her death was a member of the subscriber's family or was dependent on him, or was one of his close relatives.

- (4) To meet the cost of legal proceedings instituted by or against the subscriber, any member of his family, or any person actually dependent on him.
- (5) To meet the expenses connected with the purchase of site for the subscriber's own house, its construction and repairs or to make any payment towards the allotment of plot or flat by a State Housing Board or a House Building Co-operative Society.
- (6) To meet the cost of the subscriber's defence where he engages a legal practitioner to defend himself in an enquiry in respect of any alleged official misconduct on his part.

b. The Director may, in special circumstances, sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-para (a).

c. 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 sub-para (a) or until repayment of the last instalment of any previous advance.

d. When an advance is sanctioned under sub-para (c) 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 instalment for recovery shall be fixed with reference to the consolidated amount.

e. After sanctioning the advance, the amount shall be paid to the subscriber on an authorisation from the Accounts Office of the Institute.

f. A subscriber shall be permitted to take an advance once in every six months under clause (2) of sub-para (a) of this para.

- g.** No advance shall be admissible to a subscriber during the last three months of his service.
- h.** Production of documentary evidence for drawal of advance will not be insisted upon by the sanctioning authority. It would suffice, if the subscriber gives sufficient details at the time of illness, higher education, house building and marriage of children of the subscriber.
- i.** In case of a subscriber under suspension who draws subsistence allowance instead of pay, the "pay" for the purpose of sub-para (a) of this para shall be that which he drew immediately before he was placed under suspension.
- j.** Advance may be granted by the Director at his discretion after expenditure is incurred if the application for sanction of advance is not submitted long after the event to which the application for advance relates.

(xii) Recovery of Advance

- a.** An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct; but such number shall not be less than twelve unless the subscriber so elects and more than twenty-four. 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 twenty-four but in no case more than thirty-six. A subscriber may at his option, repay more than one instalment in a month. Each instalment shall be whole rupees, the amount of advance being raised or reduced, if necessary, to admit the fixation of such instalments.
- b.** Recovery should commence with the issue of pay for the month following the one in which advance was drawn e.g. for advance drawn in April, recovery should commence from pay for May payable on 31st May.
- c.** When balance for the previous advance is consolidated with the amount of new advance, the instalments and the rate of recovery of the consolidated amount would be fixed with regard to the month in which the amount of fresh advance is likely to be drawn and also with regard to the aggregate amount of the earlier advance which would be outstanding till the recovery of the consolidated amount commences. The recovery of the previous advance will continue till the recovery of the consolidated amount commences in accordance with sub-para (b) above.
- d.** Recoveries shall not be made, except with the subscriber's consent while he is in receipt of subsistence allowance or is on leave for 10 days or more in a calendar month which either does not carry any leave salary or carries leave salary equal to or less than half-pay or half average pay, as the case may be. The recovery may be postponed during recovery of an advance of pay granted to the subscriber by the sanctioning authority on subscriber's written request.
- e.** Recoveries made under this para shall be credited as they are made to the subscriber's account in the Fund.

(xiii) Wrongful Use of Advance

Notwithstanding anything contained in this Bye-law, if the sanctioning authority has reason to doubt that money drawn as an advance from the Fund under Para (xii) has been utilised for a purpose other than that for which sanction was given to the drawal of the money, he shall communicate to the subscriber the reason for his doubt and require him to explain in writing and within fifteen days of the receipt of such communication whether the advance has been utilised for the purpose for which sanction was given to the drawal of the money. If the sanctioning authority is not satisfied with the explanation given by the subscriber within the said period of fifteen days, the sanctioning authority shall direct the subscriber to repay the amount in question to the Fund forthwith or in default, order the

amount to be recovered by deduction in one lump sum from the emoluments of the subscriber even if he be on leave. If, however, the total amount to be repaid be more than half of the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid by him.

NOTE:- The term emoluments in this para does not include subsistence grant.

(xiv) Withdrawals from the Fund

a. Subject to the limit and conditions specified hereunder, the Director may sanction to the subscriber to the Fund withdrawals from the Fund at any time.

(1) 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 meeting expenses on one or more of the following purposes, namely:

- i. Education:- Cost of higher education including where necessary, the travelling expenses of the subscriber or any child of the subscriber for-
 - (a) education outside India for academic, technical, professional or vocational course beyond the High School stage; and
 - (b) for any medical, engineering or other technical or specialised course in India beyond the High School stage.
- ii. Obligatory expense:- In connection with the betrothal/marriage of the subscriber or his sons or his daughters, and any other female relation actually dependent on him.
- iii. Illness:- On illness, including travelling expenses, of the subscriber and members of his family or any person actually dependent on him.

(2) 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:

- i. Housing:- Building or acquiring a suitable house or ready-built flat for his residence including the cost of site.
- ii. Repayment of outstanding housing loan expressly taken for building or acquiring a suitable house or ready built flat for his residence.
- iii. Purchase a plot for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for the purpose.
- iv. Constructing a house on a plot purchased under clause (iii) above.
- v. Reconstructing or making additions or alteration to a house/flat already owned or acquired by a subscriber.
- vi. Renovating, making additions/alterations or upkeep of an ancestral house at a place other than the place of duty.

(3) Within six months before the date of the subscriber's retirement from the amount standing to his credit in the Fund for the purpose of acquiring a farm land or business premises or both.

- (4) i. Once during the course of a financial year, an amount equivalent to one year's subscription paid for by the subscriber towards the Group Saving Linked Insurance Scheme for the employees working on posts financed by UGC on self-financing and contributory basis.
- ii. To make payment to the Life Insurance Corporation of India Ltd., of premiums for the purpose of Group Savings Linked Insurance Scheme for the employees working on posts financed by UGC during the period when the subscriber does not earn any salary such as extra-ordinary leave

without pay etc :

Provided that the subscriber authorises the Treasurer for such withdrawal from his General Provident Fund.

- (5) i. Overhauling/extensive repairs of his motor car/motor cycle/scooter/moped by the subscriber who has completed 28 years of service or who have less than 3 years to attain the age of superannuation subject to the following conditions:

- (a) The subscriber's basic pay is Rs.1400/- or more.
- (b) The amount of withdrawal is limited to Rs.5000/- or 1/3rd of the amount standing to the credit of the subscriber in the Fund or the actual cost of repairing/overhauling, whichever is the least.
- (c) Not less than 5 years has elapsed since the car was purchased by the subscriber. In case of second-hand car, the initial date of purchase by the first purchaser will be taken into account.
- (d) Such withdrawal shall be allowed only once in the service career of the subscriber.

- ii. Purchasing a motor car/ motor cycle/ scooter/ moped by the subscriber who has completed 15 years of service (including broken periods of service, if any) or who have less than 5 years to attain the age of superannuation, subject to the following conditions:

- (a) The subscriber's basic pay should be Rs.3500/- per month or more in case of motor car and Rs.1500/- per month in case of motor cycle/scooter/moped.
- (b) The amount of withdrawal is limited to Rs.25000/- for purchase of motor car and Rs.4000/- for purchase of motor cycle/ scooter/moped.

NOTE-1 : In cases where the subscribers have already been given a withdrawal for the purpose of making a deposit for booking these vehicles under sub-clause(iii) of this clause, they will be eligible for only the balance amount for the purchase of such vehicle on allotment.

NOTE-2 : The amount of withdrawal is further subject to the condition that the amount of withdrawal for booking the vehicle plus the amount of withdrawal for purchase should not exceed 50 per cent of the amount standing to the credit of the subscriber in his Fund Account on the date of application for withdrawal for purchase or the actual price of the vehicle, whichever is less.

NOTE-3 : Such withdrawal shall be allowed only on one occasion.

- iii. Making deposit to book a motor car/motor cycle/scooter/ moped by the subscriber who has completed 15 years of service (including broken periods of service, if any) subject to the following conditions:

- (a) The subscriber's basic pay is Rs.3500/- or above per month for registration of a car and a basic pay of Rs.1500/- or above per month for booking a motor cycle/scooter/moped.
- (b) The amount of withdrawal is limited to Rs.10,000/- in the case of motor car and Rs.500/- in the case of motor cycle/scooter/moped or 50 per cent of the amount standing to the credit of the subscriber in his Fund Account.
- (c) The amount of withdrawal shall not exceed the amount required for booking the vehicle.
- (d) The deposit receipt must be produced for verification to the Treasurer within a period of one month from the date of drawal. Failure to do so would involve refund of the total amount of

withdrawal.

(e) If the subscriber does not purchase the vehicle or opts out of the scheme, he should immediately deposit the amount of withdrawal together with the interest received thereon from the manufacturer/ dealer into the Fund Account.

(f) Such withdrawal shall be allowed only on one occasion.

b. Conditions for Withdrawal

(1) Limit to withdrawal: Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in sub-para (a) above from the amount standing to his credit in the Fund, shall not ordinarily exceed one-half of such amount or six months' basic pay, whichever is less. The Director may, however, sanction withdrawal in excess of this limit up to three-fourths of the balance at the credit of the subscriber in his Fund Account having due regard to the purpose for which the withdrawal is being asked for, the status of the subscriber and the amount to the Credit of the subscriber in his Fund Account.

(2) A withdrawal under this para shall not be sanctioned if an advance under para (xi) is being sanctioned for the same purpose and at the same time.

(3) The amount of withdrawal sanctioned under sub-clause (ii) of clause (2) of sub-para (a) of this para shall not exceed 3/4th of the balance on the date of application together with the amount of previous withdrawal under sub-clause (a) reduced by the amount of previous withdrawal. The formula to be followed is : 3/4ths of the balance on date plus amount of previous withdrawal(s) for the house in question minus the amount of previous withdrawals.

(4) Only one withdrawal shall be allowed for the same purpose under this para. But marriage or education of different children or illness on different occasion, or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the local municipal body of the area where the house or flat is situated shall not be treated as the same purpose. The second or subsequent withdrawal under sub-clause (i) or sub-clause(iv) of clause (2) of sub para (a) of this para, for completion of the same house shall be allowed up to the limit laid down under clause (3) above.

(5) Withdrawal under sub-clause (i) or sub-clause (v) of clause (2) of sub-para (a) of this para shall also be allowed where the plot or house is in the name of wife or husband provided she or he is the first nominee to receive Provident Fund money in the nomination made by the subscriber.

(6) Withdrawals under sub-clause (i), (iv), (v) and (vi) of clause (2) of sub-para (a) of this para 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.

(7) If a subscriber has an ancestral house at a place other than the place of his duty, he shall be eligible for the grant of a final withdrawal under sub-clauses (i),(iii) and (iv) of clause (2) of sub-para (a) of this para 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.

(8) A withdrawal sanctioned to a subscriber under sub-clause (i) of clause (1) of sub-para (a) of this para may be drawn in instalments, the number of which shall not exceed four in a period of 12 calendar months counted from the date of sanction.

(9) In case where a subscriber has to pay in instalments for a plot or a house or flat purchased or a house or flat constructed through the State Housing Board or a House Building Co-operative Society, he shall be permitted to make a withdrawal as and when he is called upon to make payment in any instalment. Every such payment shall be treated as a payment for a separate purpose of

clause (1) of this sub-para.

(10) A subscriber who has been permitted to withdraw money from the Fund under para (xiv)(a) shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilized for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn, or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in lump sum or in such number of monthly instalments, as may be determined by the Director.

Provided that, before repayment of withdrawal is enforced under this provision, the subscriber shall be given an opportunity to explain in writing and within 15 days of the receipt of the communication why the repayment shall not be enforced; and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of 15 days, the sanctioning authority shall enforce the repayment in the manner prescribed in this sub-clause.

- (11) i. A subscriber who is sanctioned withdrawal under sub-clause (i), (ii) and (iii) of clause (2) of sub-para(a) of this para, shall not part with the possession of the house/flat built or constructed or plot purchased with the money withdrawn from the Fund whether by way of sale, mortgage (other than mortgage to the Institute), gift, exchange or otherwise, without the previous sanction of the Director:

Provided that such permission shall not be necessary for -

(a) the house or plot being leased for any term not exceeding three years, or

(b) it being mortgaged in favour of a Housing Board, Nationalised Banks, the Life Insurance Corporation of India or any other Corporation owned or controlled by the Central Government which advances loans for the construction of a new house or for making additions or alteration to an existing house.

ii. The subscriber shall submit a declaration not later than 31st day of December every year as to whether the house or the plot, as the case may be, continues to be in his possession or has been mortgaged, otherwise transferred or let out as aforesaid and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to property is based.

iii. If at any time before his retirement, the subscriber parts with the possession of the house or flat without obtaining the prior permission of the Director, he shall forthwith repay the sum so withdrawn by him in lump sum to the Fund, and in default of such repayment, the Director shall after giving the subscriber a reasonable opportunity of making a representation in the matter, cause the said sum to be recovered from the emoluments of the subscriber either in a lump sum or in such number of monthly instalments, as may be determined by him.

NOTE: A subscriber who has withdrawn money from the Fund and in lieu thereof mortgaged the house or plot to the Institute, shall be required to furnish the declaration to the Treasurer of the Institute to the following effect:

"I do hereby certify that the house or plot for the construction of which or for the acquisition of which I have taken a final withdrawal

from my Provident Fund continues to be in my possession and stands mortgaged to the Institute".

(xv) Conversion of an Advance into a Withdrawal

A subscriber who has already drawn or may draw in future an advance under para (xi) for any of the purposes specified in sub-para (a) of para (xiv) may convert, at his discretion by written request to the Director, the balance outstanding against him into a final withdrawal on his satisfying the conditions laid down in para (xiv) of this Bye-law.

Note-1: For the purpose of clause (1) of sub-para (b) of para (xiv) of this Bye-law, the amount or subscription with interest thereon standing to the credit of the subscriber in his Fund Account at the time of conversion plus the outstanding amount of advance shall be taken as the balance.

Note-2: Each withdrawal shall be treated as a separate one and the same principle shall apply in the event of more than one conversion.

Note-3: In case of a subscriber who has taken two advances on different occasions for the same purpose where at least a part of each such advance was intended to meet expenditure in connection with a common specific purpose and one of these has already been converted into final withdrawal, the conversion of second advance may be permitted subject to the condition that the total amount so desired for conversion into withdrawal should not exceed the limit prescribed in clause (1) of sub-para (b) of para (xiv) of this Bye-law.

Note-4: The dependency status of the female relations of the subscriber for the conversion of an advance into withdrawal shall be determined with reference to the status at the time of drawal of advance.

(xvi) Final Withdrawal of Accumulations in the Fund

a. When a subscriber quits the service of the Institute, the amount standing to his credit in the Fund shall, upon application made by him in that behalf to the Registrar, become payable to the subscriber:

Provided that a subscriber who while on leave had been permitted to retire or been declared by a competent medical authority of the Institute to be unfit for further service, if he subsequently returns to duty or who had been dismissed from the service of the Institute and is subsequently reinstated shall, if required to do so by the Director, repay any amount paid to him from the Fund in pursuance of this para, with interest thereon at the rate provided in para (x) of this Bye-law in cash or securities or partly in cash and partly in securities, by instalments or otherwise, by recovery from his emoluments or otherwise, as may be decided by the Director. The amount as repaid shall be credited to his account in the Fund.

b. On the death of a subscriber before the amount standing to his credit in the Fund has become payable, or where the amount has become payable, before payment has been made:

(1) When the subscriber leaves a family:-

i. If a nomination made by the subscriber in accordance with the provisions of para (xvii) in favour of 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.

ii. If no such nomination in favour of a member of the family of the subscriber subsists, or if such nomination relates to only 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 person 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-

- (a) sons who have attained majority;
- (b) sons of a deceased son who have attained majority;
- (c) married daughters whose husbands are alive;
- (d) married daughters of a deceased son whose husbands are alive,

if there is any member of his family other than those specified in sub-clauses (ii)(a), (ii)(b), (ii)(c) and (ii)(d) of this sub- clause:

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 provisions of sub-clause(ii)(a) above.

- (2) When the subscriber leaves no family but a nomination in favour of person(s) subsists-

If a nomination made by a subscriber in accordance with the provisions of para (xvii) in favour of any person or persons subsists, the amount standing to the credit of the subscriber 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.

- (3) When the subscriber has left no family and no nomination by the subscriber subsists-

The claimants, must apply to the Registrar (in the prescribed form) for making arrangements for payment of accumulation in the Fund account of the subscriber. The application should be supported by-

- i. death certificate of the subscriber;
- ii. if the subscriber has left no family and no nomination subsists, the claims of the persons to whom the Provident Fund money is payable should be supported by letter of probate or succession certificate.

c. PAYMENT

- (1) Payment will be made to the nominee(s)/claimant(s) by the Institute by cheque drawn at a Bank at Dayalbagh, Agra as may be authorised by the Governing Body of the Institute.

- (2) Manner of payment of amount in the Fund-

i. When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Treasurer of the Institute to make payment on receipt of a written application in this behalf as provided in sub-clauses (ii), (iii) and (iv) below.

ii. To enable the subscriber to submit an application for final withdrawal of the amount in the Fund, the Registrar shall send to every subscriber necessary forms (as prescribed by the Institute) either one year in advance of the date on which the subscriber attains the age of superannuation or before the date of his anticipated retirement, if earlier, or soon after quitting of service by the subscriber, with instructions that they should be returned to him duly completed within a period of one month from the date of receipt of the forms by the subscriber. The subscriber shall submit the application to the Registrar for payment of the amount in the Fund-

- (a) for the amount standing to his credit in the Fund as indicated in the Accounts Statement for the year ending one year prior to the date of his superannuation, or his anticipated date of retirement, or

(b) for the amount indicated in his Provident Fund ledger account, if the annual accounts statement has not been received by the subscriber.

iii. The Registrar shall forward the application to the Treasurer of the Institute. The Treasurer shall, after verification with the ledger account, issue a cheque for the amount indicated in the application (as payable on verification) at least a month before the date of superannuation but payable on the date of superannuation. The cheque will constitute the first instalment of payment. A second cheque for payment will be issued as soon as possible after superannuation. This will relate to the contribution made by the subscriber subsequent to the amount mentioned in the application submitted plus the refund of instalments against advances which were current at the time of the first application.

NOTE: After forwarding the application for final payment to the Treasurer, advance/withdrawal may be sanctioned and the amount of advance/withdrawal shall be paid by the Treasurer as soon as the formal sanction of the Director is received by him.

iv. In other cases, final payment of the Provident Fund money will be arranged by the Treasurer to the nominees/claimants, after verification of their claims, soon after receipt of the application from the nominees/claimants for the payment in the form prescribed by the Governing Body of the Institute.

(xvii) Nomination

a. A subscriber shall, at the time of joining the Fund, send to the Registrar a nomination in such form and in such manner as may be prescribed by the Institute 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 account has become payable or having become payable has not been paid:

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

Provided further that the nomination made by the subscriber in respect of any other Provident Fund to which he was subscribing before joining the 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 under this Bye-law until he makes a fresh nomination in accordance with this Bye-law.

b. If a subscriber nominates more than one person under sub-para (a) above, 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.

c. A nomination may be cancelled at any time by the subscriber by sending a notice in writing to the Registrar. The subscriber shall, alongwith such notice or separately, send a fresh nomination in accordance with the provisions of this para.

d. A subscriber may provide in a nomination-

(1) 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 subject to the condition given in the first proviso to sub-para (a) of this para. When 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 nominee;

(2) 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

only one member of the family, he shall provide in the nomination, that the right conferred upon the alternate nominee under clause (1) above shall become invalid in the event of his subsequently acquiring other member or members in his family.

e. Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (1) of sub-para (d) of this para or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (2) of sub-para (d) or the proviso thereto, the subscriber shall send to the Registrar a notice in writing cancelling the nomination, together with a fresh nomination made in accordance with the provisions of this para.

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

g. Nomination made while in service can be changed even after retirement/quitting the service so long as the amount to the credit of the subscriber in the Fund remains unpaid, provided the changes or the revised nomination are made and notified in accordance with the provisions of this Bye-law.

h. If the subscriber has no family, or has no other person, excepting the nominee constituting his family as defined in this Bye-law, the person to whom the right of the nominee should pass named in the nomination can be someone other than the member of his family.

i. Every nomination shall be made in the Form set forth in Form-1 appended to this Bye-law.

(xviii) Miscellaneous Procedural Provisions

(a) As soon as possible after the 31st March of each year, the Treasurer of the Institute shall send to each subscriber a statement of his account in the Fund showing the opening balance on the 1st April of the year, the total amount credited/debited during the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date.

(b) The subscribers should satisfy themselves as to the correctness of the annual statement and errors should be brought to the notice of the Treasurer within three months from the date of receipt of the statement.

(xix) If any question arises relating to the interpretation of the provisions of this Bye-law, it shall be decided by the Governing Body of the Institute whose decision thereon shall be final.

FORM-1

FORM OF NOMINATION

(Para(xvii) of the General Provident Fund Scheme (UGC financed posts.)

I _ _ _ _ _ (name of subscriber) hereby nominate the person(s) mentioned below who is/are member(s)/non-member(s) of my family as defined in Para(iii) of the General Provident Fund Scheme (UGC Financed Posts) 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 and address of the nominee	Relationship with the subscriber	Age of the nominee(s)	Share payable to each nominee	Contingencies on the happening of which the nomination will become invalid	Name, address & relationship to the person(s) if any, to whom the right of the nominee shall pass in the event of his/her predeceasing the subscriber	If the nominee is not a member of the family as provided in para (iii) of the General Provident Fund Scheme (UGC Financed posts), indicate reasons

(1)	(2)	(3)	(4)	(5)	(6)	(7)

Dated _____ day of 19 _____ at _____

Signature of the subscriber _____

Name in Block letters _____

Designation of the post held _____

Two witnesses to signature:-

Name and Address Signature

1 _____

2 _____

Space for use by Registrar

Date of receipt of nomination _____

Signature of the Registrar _____ Date _____

39. BOARD OF STUDIES FOR DEI PREM VIDYALAYA GIRLS INTERMEDIATE COLLEGE.

(Approved by the Governing Body vide its Resolution No.26 dated 18.5.96)

(i) Constitution

- | | | |
|----|--|---------------|
| a. | Principal of the College | - Chairperson |
| b. | Seniormost teacher from each subject | - Members |
| c. | Heads of the departments of the concerned
subjects from the DEI. | - Members |
| d. | Four persons, to be nominated by the
Director, possessing expert knowledge in
one or more of the concerned subjects. | - Members |

Thirteen members shall constitute the quorum.

(ii) Term

The term of the nominated members shall be two years.

(iii) Functions

- a. To make recommendations to the Academic Council in regard to courses of studies and examinations in the subjects taught in the college.
- b. to initiate proposals regarding new courses of studies and propose changes thereto; and
- c. to advise on any matter referred to it by the Director, the Managing Council, the Academic Council or the Governing Body.

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40. PLANNING & MONITORING BOARD OF THE DAYALBAGH EDUCATIONAL INSTITUTE.

(Amendments up to 1.11.2014 included)
(in accordance with UGC Regulations, 2010)

(i) Constitution (GBR-14 dated 1.11.2014)

- a. Director - Chairman
- b. Registrar - Secretary

Internal Members:

Two Deans by rotation every 2 years
One Principal by rotation every 2 years
Four Members may be co-opted
Two External Members
One UGC Nomine

(ii) Quorum: Five members of the Board shall constitute the quorum (GBR-14 dated 1.11.2014)

(iii) Functions

- a. To regulate implementation of the development programmes approved by the UGC during the various plans. (GBR-14 dt.1.11.14)
- b. To regularly monitor and evaluate the progress of various programmes approved by the Commission. (GBR-14 dt.1.11.14)
- c. To advise the Governing Body and the Academic Council on any matter which considers necessary for the fulfilment of the objectives of the institutions & to place recommendations before the Governing Body for consideration and approval. Proposal relating to the academic matters may be processed through the Academic Council. (GBR-14 dt.1.11.14)
- d. The Board should meet at least once in every academic session.

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41. HOUSE BUILDING ADVANCE

(Approved by the Governing Body vide its Resolution No. 3 & 42 dated 3.5.2003 and 6.2.2003 respectively)

42. RECORD RETENTION RULES

(Approved by the Governing Body vide its Resolution No.7 dated 7.8.2010)

1. The period of retention of records in various sections in the Institute is prescribed in the "Record Retention Rules" appended hereto.
2. In the case of record not mentioned in the Appendix, the general rule for record retention, is five years after completion of audit provided there is no audit objection. However, approval of the Director should invariably be obtained before weeding.
3. The retention period in case of a file, is to be reckoned from the year in which the file is closed (i.e. action thereon has been completed).
4. In case of records other than files, the prescribed retention period will be counted from the date on which it has ceased to be current.
5. In exceptional cases, a record may be retained for a period longer than prescribed retention period if it has certain special features or if the peculiar needs of the department so warrant.
6. If a record is required in connection with disposal of another record, the former will not be weeded out until after all the related issues raised have been finally decided even though the retention period marked on the former may have expired in the mean time.
7. The retention period initially marked on the records should be consciously reviewed and where necessary, the retention period should be suitably revised.
8. The authority desirous of destruction of those records which are considered useless in its own or subordinate office should send a list of those record mentioning brief details in the prescribed format to the Director for approval, before destruction.
9. The record proposed to be destroyed should be listed in the following format and submitted to the Director for approval.

List of files, record proposed to be destroyed

Name of Department/Section etc.:

The following record pertaining to this office is proposed to be destroyed.

S.No.	Name of the file or any other record	Contents in brief	Date pertaining to the period from & to	Justification for destroying the record.

Approval may please be accorded for destruction of the above record.

Submitted please,

Signature of the Incharge
and Date

10. Full details shall be maintained permanently, in each office, of all records destroyed from time to time.
11. Competent authority to order destruction of record after its retention period is over shall be the Director.

Appendix to Rule (1) of the Record Retention Rules

S.N.	Name of item or record	Place of Maintenance/ Custodian	Retention Period
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with brief description				
(1)	(2)	(3)	(4)	(5)
		Central Admn. Office Establishment Section	Office of the Deans of Faculties/ Principals of Colleges/ Heads of Deptts/ Incharges Centres/Libraries etc.	
1.	Staff Attendance Register	-do-	-do-	5 years
2.	Casual Leave/Restricted Holidays application record	-do-	-do-	one year
3.	Leave(ML/EL) record register	-do-	-do-	20 year after the death of person or retirement
4.	Attendance for salary of permanent employees	-do-	-do-	5 years
5.	Attendance for salary of adhoc/temporary employees	-do-	-do-	3 years
6.	No dues form	-do-	-do-	1 year
7.	Personal file	-do-	--	Permanent
8.	Personal Appraisal Form file	-do-	--	one year after issue of PPO
9.	Confidential Report file	-do-	--	one year after issue of PPO
10.	Service Book	-do-	--	20 years after the death of person or retirement; 10 years after resignation, removal or dismissal
11.	Pension papers	-do-	--	10 years after issue of final PPO OR after death of retired employee and spouse and other family pension beneficiaries, which ever is later.
12.	Gratuity papers	-do-	--	5 years after retirement
13.	Commutation of Pension	-do-	--	20 years after retirement
14.	Surety Bonds	-do-	--	3 years after the bond ceases to be enforceable

S.N.	Name of item or record with brief description	Place of Maintenance/ Custodian	Retention Period
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(1)	(2)	(3)	(4)	(5)
		Central Admn. Office Establishment Section	Office of the Deans of Faculties/ Principals of Colleges/ Heads of Deptts/ Incharges Centres/Libraries/ Works Deptt..	
15	Muster rolls files/Register	-do-	-do-	Minimum of three financial years including the financial year of payment OR 3 years after audit or till audit objection is removed whichever is later
16	Station leave/short leave	All respective sections (Estt./Gen./ Accounts/ Exams.)	-do-	1 year
GENERAL SECTION				
17.	Dispatch Register (postal)	-do-	-do-	10 years
18.	Consumable stock register/ Stock register items received from store	-do-	-do-	5 years
19.	Non consumable stock register	-do-	-do-	Permanent
20.	E/W Bill Register	-do-	-do-	3 years or one year after audit, whichever is later provided there is no audit objection.
21.	Equipment Insurance	-do-	-do-	1 year after expiry of insurance provided no claim is pending.
22.	Bill/Day book	-do-	-do-	5 years
23.	Information of SC/ST/BC file	-do-	-do-	3 years
24.	Admission forms receipt (by post) register	-do-	--	3 years
25.	Director's Report	-do-	--	2 copies Permanent
26.	Convocation Address	-do-	--	2 copies Permanent
27.	Diamond Jubilee Lecture	-do-	--	2 copies Permanent
28.	Prospectus	-do-	--	2 copies Permanent
29.	Syllabus for written test for admission	-do-	--	2 copies Permanent

S.N.	Name of item or record with brief description	Place of Maintenance/ Custodian		Retention Period
(1)	(2)	(3)	(4)	(5)
		Central Admn. Office	Office of the Deans of Faculties/	

		Establishment Section	Principals of Colleges/ Heads of Deptts/ Incharges of Centres/ Libraries etc..	
30	Files, papers & documents relating to contracts, agreements etc.	-do-	--	5 years after the contract/agreement is fulfilled or terminated. In case of any audit objections, relevant files & papers should not be allowed to be destroyed till all the objections have been settled.
31	Applications forms for posts (teaching/non-teaching) with enclosed documents (not selected/rejected)	-do-	--	After one month from the date of confirmation of the incumbents selected to the concerned posts (GBR-20 dated 28.1.1985)
32.	Bye-laws file	-do-	--	Permanent
33.	Meeting related files/ Registers/ Records (GB/PB/AC/MCG/MCT etc)	-do-	--	Permanent
ACCOUNTS SECTION				
34.	Annual Accounts/Budget	-do-	--	Permanent (2 copies each)
35.	Salary pay bill	-do-	--	35 years
36.	Vouchers	-do-	--	3 years if there is no audit objection
37.	Cash Book	-do-	--	15 years
38.	Ledger	-do-	--	15 years
39.	Transfer memo	-do-	--	3 years after audit or till audit objection is cleared whichever is later
40.	Cheque book counter foils	-do-	--	5 years unless needed for any enquiry
41.	Provident Fund ledgers	-do-	--	35 years after closer of account
42.	Audit objection – replies	-do-	--	Until settled
43.	Pension Register	-do-	--	Permanent
44.	UGC Fellowship file	-do-	Concerned Principal Investigator	5 years
45.	Receipt book (cash collected)	-do-	--	3 years after audit or till audit objection is removed whichever is later

S.N.	Name of item or record with brief description	Place of Maintenance/ Custodian		Retention Period
(1)	(2)	(3)	(4)	(5)
		Central Admn. Office Accounts Section	Office of the Deans of Faculties/ Principals of Colleges/ Heads of	

			Depts/ Incharges of Centres/ Libraries etc..	
46.	SC/ST scholarship record	-do-	-do-	3 year after audit if there is no audit objection
47.	Project Reports	-do-	-do-	Permanent
48.	Record of Major/Minor Research Project	-do-	--	5 years after audit, if there is no audit objection. Final Technical Report (FTR) of Major Projects to be retained permanently
		Examination Section		
49	Enrolment Forms	-do-	--	50 years
50	Enrolment related record	-do-	--	5 years
51	Issue of (original/duplicate) result cards, Migration Certificates, Provisional Certificates, Transcripts, other academic certificates	-do-	--	3 years
52	Summary of issue of (Original/Duplicate) Degrees/Certificates on the Convocation Day	-do-	--	50 years
53	Applications for issue of above after the Convocation	-do-	--	50 years
54	Scrutiny of Answers books	-do-	--	3 years
55	Verification of Result	-do-	--	3 years
56	Un-Fair Means (UFM)/ Discipline cases	-do-	--	3 years
57	Appointment of Examiners	-do-	--	3 years
58	Bill-Book of Remuneration and/or TA-DA to Examiners (Theory & practical)/Other Experts	-do-	--	6 years
59	Registration Forms, Answer- Books and Award-Lists of Continuous Assessment as well as End Semester Examination	-do-	--	1 year from date of declaration of result.
60	Question Papers of End- Semester, Remedial, Entrance Test	-do-	--	1 year
61	Final Examination Result	-do-	--	50 years

S.N.	Name of item or record with brief description	Place of Maintenance/ Custodian		Retention Period
(1)	(2)	(3)	(4)	(5)
		<u>Central Admn. Office</u> Examination Section	Office of the Deans of Faculties/ Principals of Colleges/ Heads of	

			Depts/ Incharges of Centres/ Libraries etc..	
62	Ph.D. files of Scholars	-do-	--	5 years from date of award of degree
63	Board of Studies and Faculty Board Proceedings	-do-	--	5 years
64	Other records which are not mentioned above	-do-	--	5 years
		Director's Office		
65	Annual Reports/Director's Reports/ Convocation Address	-do-	--	2 copies Permanent
66	Magazine	-do-	--	2 copies Permanent
67	DEI News	-do-	--	2 copies Permanent
68	Anti ragging undertaking forms	-do-	--	1 year after concerned batch of students leave the Institute
		All Sections, CAO	Office of the Deans of Faculties/ Principals of Colleges/ Heads of Depts/ Incharges of Centres/ Libraries etc..	
69.	Director/Registrar/ Treasurer – (a) General Circular/ Misc. file (b) Policy matters	-do- -do-	-do- -do-	3 years Permanent
70.	General Correspondence of Department/Faculty/ Centre etc. with Director/Treasurer/ Registrar/ AR (Acad/ Accounts)/ Vendors etc. and vice-versa	-do-	-do-	3 years
71.	Imprest/Advance statements	-do-	-do-	6 years after audit if there is no audit objection
72.	Indent Book	-do-	-do-	3 years
73.	Peon Book	-do-	-do-	3 years
74.	Receipt Register	-do-	-do-	3 years
75.	G.O. files of UP, UGC, AICTE, MHRD etc.	-do-	--	Permanent

S.N.	Name of item or record with brief description	Place of Maintenance/ Custodian		Retention Period
(1)	(2)	(3)	(4)	(5)
		Works Deptt.	Office of the Deans of Faculties/ Principals of Colleges	

76.	Measurement of Books Engg.	-do-	-do-	15 years or untill work is completed & account settled.
77.	Works Register	-do-	-do-	10 years or untill work is completed & account settled.
78	Files, papers & documents relating to contracts, agreements etc.	-do-	-do-	15 years after the contract/agreement is fulfilled or terminated. In case of any audit objections, relevant files & papers should not be allowed to be destroyed till all the objections have been settled.
79	Appointment file/leave sanction orders/confirmation letters/ Adhoc/Temp. appointment letters (Faculty record)	Central Admn.Office Establishment Section	-do-	3 years with the suggestion that master file must be maintained for keeping a copy of appointment letter.
80	Railway concession booklet (Counter-foils)	--	-do-	3 years
81	Monthly Season Ticket (Counter-foils)	--	-do-	3 years
82	Character certificate booklet (Counter-foils)	--	-do-	3 years
83	Attendance Register (students) (UG/PG)	--	-do-	One year after the close of semester
84	Attendance Register- Research scholar	--	-do-	One year after the concerned student leaves the Institute
85	Fine(Fee/Registration/ Enrolment Form) Register	--	-do-	3 years from the date of last entry
86	Fees (Demand and Collection) Register	--	-do-	10 years
87	Admission forms of selected students	--	-do-	25 years
88	Examination Result (computerised sheets)	---	-do-	10 years
89	Examination records: Statement of Invigilators/Attendance of students	--	-do-	1 year

S.N.	Name of item or record with brief description	Place of Maintenance/ Custodian		Retention Period
(1)	(2)	(3)	(4)	(5)
		Central Admn.Office	Office of the Deans of Faculties/ Principals of Colleges	
90.	Examination Records: Statement of Answer Books	--	-do-	As per Bye-law No.17(vii)/6 months

	(CT/Assignment/End.Sem/Supplementary)			from the date of declaration of the result
91	Record of continuous assessment, Award List etc., which is not sent to the Examination Section of the Institute.	--	-do-	As per Bye-law No.17(vii)/6 months from the date of declaration of the result
92	Other records which are not mentioned above	--	-do-	3 years
93	Admission forms with enclosed documents (not selected/rejected)	--	-do-	After one year from the last date of receipt of the applications (GB Res.No.21 dt.28.1.1985)
94	Ph.D. file (correspondence)	--	-do-	5 yrs. Or one year after award of Ph.D.
95	Admission forms receipt register	--	-do-	3 years
96	Time-table file	--	-do-	3 years
97	Faculty Accounts Matters (Allocation file)	--	-do-	2 years
Central Library				
98	Annual Reports, Magazine, DEI News, Prospectus, Director's Report, Convocation Address, Diamond Jubilee Lecture	Two copies to be maintained in the Central Library for reference purpose only.		

43. Dean, PG & R Studies and Dean, UG Studies

(Approved by the Governing Body vide its Resolution No.12 dated 2.2.2008 and is effective from the session 2008-2009)

1. There shall be a Dean of Postgraduate Studies & Research and a Dean of Undergraduate Studies in the Institute.
2. The Director shall nominate the Dean of Post Graduate Studies & Research and the Dean of Under Graduate Studies from among the two Deans who are members of the Governing Body, for a term of one year starting from 1st July of each academic session.
3. The Dean of Postgraduate Studies and Research shall –

- (i) be a member of Research Degree Committee of all faculties;
 - (ii) be the Chairman of RDC in the absence of Director;
 - (iii) take necessary steps to maintain and improve the academic standards in research & PG studies and accordingly process matter through concerned faculty boards and present them to Academic Council.
 - (iv) present the candidates of research degree and post graduate degrees/diplomas at the Convocation for conferment of respective degrees/diplomas.
4. The Dean of Under Graduate Studies shall –
- (i) ensure that the quality of UG education is of appropriate level and accordingly process matter through concerned faculty boards and present them to Academic Council.
 - (ii) present the candidates of UG degrees at the Convocation for conferment of respective UG degrees.
5. The Director may entrust/assign such other duties work to both the Deans as exigencies arise in the course of work.

44. Dean for DEI ICT Distance Education Centres

(Approved by the Governing Body vide its Resolution No.10 dated 25.7.2009 and is effective from the session 2009-2010)

1. There shall be Deans for each DEI ICT Distance Education Centre.
2. The Director shall nominate the Deans from amongst the faculty members for a term of one year starting from 1st July of each academic session.
3. The Deans shall take all necessary steps on the advice of the Coordinators of the respective DEI ICT Distance Education Centres for maintaining academic standards and smooth functioning at DEI ICT Distance Education Centres.

4. In special cases, Deans of DEI ICT Distance Education Centres may also be appointed by the Director as the Co-ordinator of the Distance Education Centre, if he/she is stationed at Distance Education centre.
5. The Director may entrust/assign such other duties to Deans of DEI ICT Distance Education Centres as exigencies demand.

Functions

The functions of the "Deans" at DEI ICT Distance Education Centres shall be same as that of Dean of Faculty of the Institute vested vide Bye-law No.3(iii).

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