

27 July, 2002

(Authoritative English Text of Government Notification No. It-f(7)-2/2000-III, dated 22nd July 2002 as required under clause (3) of article 348 of the constitution of India)

**GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF INDUSTRIES AND INFORMATION TECHNOLOGY**

NOTIFICATION

Shimla-171002, the 22nd July 2002

No. IT-F(7)-2/2000-III. – In exercise of the powers conferred by sub-section(1) of section 16 of the Jaypee University of Information Technology Act, 2002 (Act No. 14 of 2002), the Governor, Himachal Pradesh is pleased to make the First Statute of the Jaypee University of Information Technology as per **Annexure ‘A’**.

**ANNEXURE ‘A’
THE FIRST STATUTE OF THE JAYPEE UNIVERSITY**

1. Definitions – In these Statutes (1) unless the subject or context otherwise requires,-

(a) “Act” means Jaypee University of Information Technology Act 2002.

(2) All words and expressions used herein and defined in the Act shall have the same meanings as are assigned to them in the Act.

2. *The Vice Chancellor-* (1) The Vice Chancellor shall be appointed by the Chancellor on the recommendation of the Pro-Chancellor who shall select one name from a panel of not less than four persons to be recommended by a Committee consisting of four members:

Provided that, if the Pro-Chancellor does not approve any of the persons so recommended, he may call for fresh recommendations:

Provided further that the Chancellor may ask the Pro-Chancellor to reconsider his recommendation and if a recommendation is made after such a reconsideration, Chancellor shall, unless he has very strong reasons to disapprove, normally accept the same.

(2) The Committee shall consist of:-

(a) Pro-Chancellor.....Chairman

(b) One person to be nominated by the State Government.....Member.

(c) Two persons, not being connected with the University to be nominated by the Governing Council.....Member

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

(4) The Vice Chancellor shall hold office for a term of five years from the date on which he enters upon his office and shall on the expiration of his term of office, be eligible for re-appointment.

Provided that the Vice Chancellor shall notwithstanding the expiration of his term, continue to hold his office, until his successor is appointed and enters upon his office.

(5) The emoluments and other conditions of service of the Vice-Chancellor at the time of appointment shall be such as decided by the Governing Council from time to time.

(6) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise, or if he is unable to perform his duties due to ill health or any other reason, a Senior Dean, as nominated by the Pro-Chancellor, shall perform the duties of the Vice-Chancellor, until the vacancy is filled up on regular basis or until the Vice Chancellor resumes his duties.

Provided that such interim arrangement shall not exceed a period of one year from the date such an arrangement is made.

3. *Power and Functions of the Vice-Chancellor:-* (1) The Vice Chancellor shall be the Head and the Chief Operating and Academic Officer of the University. He shall preside over the meetings of the Executive Council, Academic Council and Finance Committee.

(2) The Vice Chancellor shall be entitled to be present at, and to address, any meeting of any other authority or any other body of the University.

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

(4) The Vice Chancellor shall exercise control over the affairs of the University and shall give effect to the decisions of all the authorities of the University in letter and spirit and shall ensure that they are not contradictory in nature and practice.

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

(6) The Vice-Chancellor shall be empowered to grant leave to any officer of the University and make necessary arrangements for the discharge of the function of such an officer during the period of his absence.

(7) The Vice Chancellor shall grant leave of absence to any employee of the University in the prescribed manner and if, he decides, may delegate such powers to any other officer or officers of the University.

(8) The Vice Chancellor shall have the power to convene or cause to be convened meetings of the various bodies of the University.

(9) The Vice-Chancellor shall be the convener of Selection Committee of the University as provided in Cl. 20 hereinafter.

(10) Without prejudice to the generality of the provisions contained in clause (2) of this Statute, the Vice-Chancellor shall have the powers to make short-term appointment for a period not exceeding one year, of such persons as may be considered necessary for functioning of the University.

4. *The Deans* – (1) The Deans shall be appointed by the Governing Council on the recommendations of the Vice-Chancellor from amongst the Professors in the University for a period of three years and they shall be eligible for re-appointment.

Provided that a Dean, on attaining the age of superannuation shall, cease to hold office.

(2) When the office of the Dean is vacant or where the Dean is by reasons of illness, absence or any other cause unable to perform his/her duties, the Vice Chancellor may authorize any other teacher to perform the functions of the Dean during such period.

(3) The Dean shall be the Head of all academic and research programmes in the faculty and shall be responsible for the conduct and maintenance of the standards of teaching and research in the faculty. The Dean shall have such other functions as may be entrusted to them by the Governing Council.

5. *The Registrar* – (1) The Registrar shall be appointed by the Governing Council and shall be whole-time salaried officer of the University.

(2) When the office of the Registrar is vacant or when the Registrar is, by reason of illness or absence for any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for this purpose.

(3) The Registrar Shall –

- a) be the custodian of the records, the common seal and other properties of the University as the Governing Council shall commit to his charge;
- b) conduct the official correspondence of the University and all or any of its authorities;
- c) supply to the Pro-Chancellor copies of the agenda of meetings of the authorities of the University, as soon as they are issued and the minutes of the meetings of the authorities ordinarily within a month of the holding of the meetings;
- d) in an emergency, when the Vice-Chancellor is not able to be act, call a meetings of the Executive Council forthwith and take its directions for carrying on the work of the University;
- e) represent the University in suits of proceedings by or against the University, sing powers of attorney and verify pleadings or depute his representative for the purpose; and

- f) perform such other duties and functions as may be specified in the Statutes, or prescribed by the Ordinances or as may be required, from time to time, by the Governing Council or the Vice-Chancellor.

6. The *Finance Officer* – (1) The Finance Officer shall be appointed by the Governing Council and shall be a whole time salaried officer of the University.

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

(3) The Finance Officer shall retire on attaining the age of sixty years.

(4) The Finance Officer shall-

- a) exercise general supervision of the funds of the University and advise it as regards its financial policy; and
- b) perform such other functions as may be assigned to him by the Executive Council or as may be prescribed by the Statutes or the Ordinances.

(5) Subject to the control of the Executive Council and the Vice-Chancellor, the Finance Officer shall –

- a) hold and manage the property and investments including trust and endowed property for furthering any of the objects of the University;
- b) see that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for one year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;
- c) be responsible for the preparation of the annual accounts and the budget of the University for the next financial year and for their presentation to the Finance Committee;
- d) keep a constant watch on the state of the cash and bank balance and on the state of investments;
- e) watch the progress of collection of revenue and advise on the methods of collection employed;
- f) have the accounts of the University regularly audited by the auditors as may be appointed for the purpose; and
- g) call for from any office under the University any information or return that he may consider necessary to discharge his financial responsibilities.

7. *Powers of the Governing Council* – Subject to the provisions of the Act, the Statutes and the Ordinances, the Governing Council shall, in addition to any other powers vested in it, have the following powers namely:-

- i) to approve the annual accounts and financial estimates of the University;
- ii) to appoint such Professors, Associate/Assistant Professors, Lecturers and other members of the teaching staff as may be necessary, on the recommendations of the Selection Committee constituted for the purpose, and to provide for filling temporary vacancies therein, provided that no appointment of the rank of Associate Professor and above shall be made without the prior approval of the Pro-Chancellor;
- iii) to fix the emoluments and define the duties and functions and conditions of service of Professor, Associate/Assistant Professors, Lecturers and other members of the teaching staff.

Provide that no action shall be taken by the Governing Council in respect of the number, the qualifications and the emoluments of teachers without the consideration of the recommendations of the Academic Council;

- iv) to create administrative, ministerial and other necessary posts and to make appointment thereto;
- v) to accept on behalf of the University any other trust, bequest, donation or transfer of any moveable or immoveable property to the University;
- vi) to provide for the buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University;
- vii) to approve entering into, vary, carry out and cancel contracts on behalf of the University and to make such regulations as may be required towards this objective;
- viii) to entertain, adjudicate upon, and if it thinks fit, to redress, any grievances of the salaried officers, the teaching staff and other employees of the University who may for any reason feel aggrieved;
- ix) to make rules/ regulations to govern the appointment of examiners and moderators and, if necessary, to remove them, and to fix their fees, emoluments and travelling and other allowances after consulting the Executive/Academic Council;
- x) to select a common seal for the University and provide for the custody and use of the seal;
- xi) to frame rules for institution and grant of University fellowships, studentships, medals and prizes; and
- xii) to delegate any of its powers to the Executive Council, the Vice-Chancellor, the Registrar or such other officer of the University or to a Committee appointed by it as it may deem fit.

8. *The Executive Council*- (1) The Executive Council shall consist of the following members, namely-

- i) The Vice-Chancellor of the University; Chairman
 - ii) Two Members of Governing Council nominated by the Pro-Chancellor; Members
 - iii) One Dean of the University; and, Member
 - iv) One Academician of repute nominated by the Pro-Chancellor Member
- 2) The Registrar shall be non-Member Secretary of the Executive Council.

9. *Powers and functions of Executive Council* – The Executive Council shall be an executive body who shall implement the decisions taken by the Governing Council and report the action taken thereof to the Governing Council from time to time.

10. *The Academic Council* – (1) The Academic council shall consist of the following members, namely –

- i) The Vice chancellor of the University.....Chairman
 - ii) Two Professors other than Heads of the Department by rotation and by seniority..... Members
 - iii) Two distinguished academicians to be nominated by the Pro-Chancellor.....Members
 - iv) Two Industry professional to be nominated by the Pro-Chancellor..... Members
 - v) One member from amongst the Heads of other institutions of the Trust..... Member
- The Deans of all faculty of the University; and Members
Heads of Departments/Centre of the University..... Members

2) The Registrar shall be the non-Member Secretary of the Academic Council.

11. *Powers and Duties of the Academic Council*. – Subject to the provisions of the Act and the Statutes, the Academic Council shall, in addition to all other powers vested in it, have the following powers, duties and functions, namely-

- i) to report on any matter referred to it by the Chancellor or Pro-Chancellor or the Governing Council or Executive Council, as the case may be;
- ii) to make proposals to the Governing/Executive Council for the establishment of Departments, Special Centres, Specialized Laboratories and Libraries;

- iii) to formulate, modify or revise schemes for the organisation of, and assignment of subjects;
- iv) to consider proposals submitted by the Departments of the University;
- v) to promote research within the University and to requisition from time to time reports on such research;
- vi) to make recommendation to the Governing/Executive Council with regard to the creation and abolition of teaching posts and the emoluments and duties attached thereto;
- vii) to recommend to the Governing Council the recognition of diploma and degrees of other Universities and institutions and to determine their equivalent diplomas and degrees of the University;
- viii) to appoint Committees for admission to the University;
- ix) to publish lists of prescribed or recommended text books and to publish the syllabi of prescribed courses of study;
- x) to make such arrangements for the instruction and examination of persons, not being members of the University as may be necessary;
- xi) to recommend to the Governing/Executive Council draft Ordinances regarding examinations of the University and the conditions on which students should be admitted to such examinations;
- xii) to make recommendations to the Governing/Executive Council in regard to the appointment of examiners and, if necessary, their removal and the fixation of their fees, emoluments and travelling and other expenses;
- xiii) to make arrangements for the conduct of examination and to fix dates for holding them;
- xiv) to declare the results of various University examinations, or to appointment of committees or officers to do so;
- xv) to make recommendations for the conferment of honorary degrees and to confer or grant degrees, academic distinctions, honours, diplomas, licences, title and marks of honour;
- xvi) to make proposals to the Governing/Executive Council for the institution of fellowships, scholarships, studentships, medals and prizes and to award the same;
- xvii) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of the Act, these Statutes and the Ordinance; and

- xviii) To promote the health and welfare of students and to constitute a Council of Students Affairs consisting of such numbers of teachers and students as may be prescribed by the Ordinances to advise the Academic Council on matters relating to the welfare of the students.

12. *The Finance Committee- (1) The Finance Committee shall consist of the following members, namely-*

- i) The Vice Chancellor of the University.....Chairman
- ii) One nominee of the Pro-Chancellor.....Member
- iii) One nominee of the Governing Council.....Member
- iv) One Dean (by rotation) on the basis of seniority.....Member

(2) The Finance Officer of the University shall be non-Member Secretary.

(3) Three members of the Finance Committee shall form the quorum.

(4) All members of the Finance Committee other than ex-officio members, shall hold office for a term of three years.

(5) The Finance Committee shall meet at least twice every year to examine accounts and scrutinize proposals for expenditure provided that a period not exceeding 180 days shall elapse between two consecutive meetings.

(6) The annual accounts of financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Governing Council for approval with or without amendments.

13. *Other Committees* – The Governing Council or the Academic Council may appoint such Boards or Committees consisting of members of the authority making such appointment and of such other persons (if any) as that authority in each case may think fit; and any such Board or Committee may deal with any subject assigned to it subject to subsequent confirmation by the authority which appointed it.

14. *Elected Chairman to preside where no provision is made in the Statutes* – Where, by the Act, the Statutes or the Ordinances, no provisions is made for a Chairman to preside over a meeting or any University Authority, Board or Committee, or when the Chairman so provided for is absent, the members present shall elect one among themselves to preside at the meeting.

15. *Resignation* – (1) Any member other than an ex-officio member of the Governing Council, the Executive Council, the Academic Council or any other authority of the University or Committee may resign by a letter addressed to the Registrar and the resignation shall take effect as soon as letter is received by the Registrar.

(2) Any officer of the University (whether salaried or otherwise) may resign his office by a letter addressed to the Registrar;

Provided that such resignation shall take effect only on the date from which the same is accepted by the Authority competent to fill the vacancy.

16. *Disqualification* – (1) A person shall be disqualified for being chosen as, and for being a member of any of the authorities of the University if. –

- a) he is of unsound mind;
- b) he is an undischarged insolvent;
- c) he has been convicted by a court of law of any criminal offence or an offence involving moral turpitude; and
- d) he is otherwise guilty of proven misconduct.

(2) If any question arises as to whether a person is or had been subjected to any of the disqualification mentioned in clause (1), the question shall be referred for the decision of the Pro-Chancellor and his decision thereupon shall be final.

17. *Honorary Degrees* – Any proposal for the conferment of honorary degrees shall be made by the Academic Council to the Executive Council, and the proposal, after it is accepted by the Governing Council shall require the assent of the Chancellor before confirmation.

18. *Withdrawal of Degrees etc.* – The Academic Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw any degree of academic distinction conferred on, or any certificate of diploma granted to, any person by the University for good and sufficient cause;

Provided that no such resolution shall be passed until, a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice as to why such resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them have been considered by the Academic Council.

19. *University's Teachers* – (1) Teachers of the University shall be of two classes, namely.-

- i) Appointed teachers of the University;
 - ii) Recognized teachers of the University;
- (2) Appointed teachers of the University shall be either –
- i) employees of the University as Professors, Associate Professors and Lecturers or otherwise of the University, or

- ii) persons appointed by the Pro-Chancellor as Honorary Professors, Emeritus Professors, Associate Professors or Lecturers or otherwise as teachers of the University.

(3) Recognized teachers of the University shall be members of the staff of a recognized institution/higher Institution;

Provided that no such member of the staff shall be deemed to be a recognized teacher unless he is recognised by the Governing Council as a Professor, Reader of in any other capacity as a teacher of the University.

(4) The qualifications of recognized teachers of the University shall be such as may be prescribed by the Ordinances.

(5) All applications for the recognition of teachers of the University shall be made in such a manner as may be paid down by the Governing Council in this behalf.

(6) The period of recognition of a teacher of the University as Professor or Associate Professor shall be determined by the Ordinance made in that behalf. A person in the service of a recognised institution recognised as a teacher of the University otherwise than as a Professor or Reader shall continue to be recognised so long as he is in the service of the recognised institution.

(7) The Academic Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw recognition from a teacher.

Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time may be specified in the notice why such resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them, have been considered by the Academic Council.

(8) No person shall be appointed or recognised as a teacher of the University except on the recommendations of the Selection Committee constituted for the purpose.

20. *Selection Committee* - (1) There shall be a Selection Committees for making recommendations to the Governing Council for appointment of the posts of Professor, Associate Professor/Assistant Professor, Lecturer, Registrar, Finance Officer and Librarian.

(2) Every Selection Committee shall consist of the Vice Chancellor who shall be the Chairman thereof, and person/s nominated by the Governing Council and, in addition, the Selection Committee for making recommendations for appointment to a post specified in column 1 of the Table below shall have as its members the persons specified in the corresponding entry in a column 2 of the said Table.

Professor / Associate Professor	<p>i) The Head of the Department concerned if he is Professor.</p> <p>ii) Two persons not connected with the University, nominated by the Governing Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in the subject with which the Professor will be concerned.</p>
Assistant Professor / Lecturer	<p>i) The Head of the Department concerned.</p> <p>ii) Two persons not connected with the University, nominated by the Governing Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in, the subject with which the Reader or Lecturer will be concerned.</p>
Registrar / Finance Officer	<p>i) Three members of the Governing Council nominated by it.</p>
Librarian	<p>i) Two persons connected with the University, which have special knowledge of the subject or Library Science to be nominated by the Governing Council.</p>

(3) The recommendations of the Selection Committee will be subject to the regulations issued by the University Grants Commission from time to time with regard to appointment and promotion of Professors, Associate/Assistant Professors, Lecturers and administrative posts of the University.

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

(5) If the Governing Council is unable to accept any recommendation made by the Selection Committee, it may remit the same to the Selection Committee for reconsideration and if the difference is not resolved, the Governing Council shall record its reasons and submit the case to the Pro-Chancellor whose decision in the matter shall be final.

21. *Conditions of Service of Officers etc* – (1) Every teacher and salaried officer and such other employees as are mentioned in the Statutes shall be appointed under a written contract on such terms and conditions as may be agreed to between parties which shall be lodged with the University, and a copy thereof shall be furnished to the officer or teacher or employee concerned.

(2) Any dispute arising out of a contract between the University and those mentioned in sub-rule (1) shall at the request of the teacher or officer or employee concerned, or at the instance of

the University be referred to a Committee consisting of one member appointed by the Governing Council, one member nominated by the officer or teacher concerned and an umpire appointed by the Pro-Chancellor and the decision of the Committee shall be final.

22. *Removal of Teachers* – (1) Where there is an allegation of misconduct against a teacher, the Vice chancellor may, if he thinks fit by order in writing, place the teacher under suspension and shall forthwith report to the Governing Council the circumstances under which the order was made;

Provided that the Governing Council may, if it is of the opinion that the circumstances of the case do not warrant the suspension of the teacher, revoke that order.

(2) Notwithstanding anything contained in the terms of his contract of service or of his appointment, the Governing Council shall be entitled to remove a teacher on the ground of misconduct.

(3) Save as aforesaid, the Governing Council shall not be entitled to remove a teacher except for a good and sufficient cause and after giving three months notice in writing or payment of three months' salary in lieu of notice.

(4) No teacher shall be removed under sub-clause (2) or under sub-clause (3) until he has been given a reasonable opportunity to show cause against the action proposed to be taken in regard to him/her.

(5) The removal of the teacher shall require a two-third majority of the members of the Governing Council present and voting.

(6) The removal a teacher shall take effect from the date on which the order of removal is made;

Provided that where a teacher is under suspension at the time of his/her removal, the removal shall take effect on the date on which he/she was placed under suspension.

(7) Notwithstanding anything contained in these Statutes, a teacher shall be entitled to resign by giving three months notice in writing to the Registrar.

23. *Removal of employees other than a teacher* – (1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee of the University, other than a teacher, may be removed by the Authority which is competent to appoint the employee if –

- a) he/she is of unsound mind;
- b) he/she is an undischarged insolvent;
- c) he/she has been convicted by a court of law of any criminal offence or an offence involving moral turpitude; and
- d) he/she is otherwise guilty of misconduct.

Provided that no officer of the University shall be removed from his office unless a resolution to the effect, is passed by the Governing Council by a majority of two-thirds of its members present and voting.

(2) No such employees shall be removed under sub-clause(1) until he/she has been given a reasonable opportunity to show cause against the action proposed to be taken in regard to him/her.

(3) Where the removal of such employees is for a reason other than that specified in sub-clause (c) or sub clause (d) of clause (1), he/she shall be given three months notice in writing or paid three months salary in lieu of notice.

(4) Notwithstanding anything contained in these Statutes, an employee of the University, not being teacher, shall be entitled to resign –

- i) In case of permanent employee, only after giving three months notice in writing to the appointing authority or paying to the University three months salary in lieu thereof;
- ii) in any other case, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof.

24. *Maintenance of discipline among students of the University-* (1) All powers relating to discipline and disciplinary action in relation to students shall vest in the Vice-Chancellor.

2) The Vice Chancellor may, delegate all or such of his powers, as he deems proper to the Dean and to such other persons as he may specify in this behalf, by the approval of the Pro-Chancellor of the University.

3) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action in the interest of maintaining discipline as may seem to him appropriate, the Vice Chancellor may in the exercise of his/her powers aforesaid, order or direct that any student or students be expelled from the University, or be fined a sum of rupees (that may be specified), or be debarred from taking an examination or examinations for one or more years or that the results of student or students concerned in the examination or examinations in which he/she has or they have appeared be cancelled.

25. *Ordinances how made* – (1) The Ordinances shall be made by the Governing Council of the University.

2) the Ordinances so made may be amended, repealed or added to at any time by the Governing Council provided that –

- a) no Ordinance shall be made affecting the conditions of residence or discipline of students, except after consultation with the Academic Council;
- b) no Ordinance shall be made –
 - i) affecting the admission or enrolment of students or prescribing examinations to be recognized as equivalent to the University examinations, or

ii) affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examination or any course of study, unless a draft of such Ordinance has been proposed by the Academic Council.

3) The Governing Council shall not have power to amend any draft proposed by the Academic Council under sub-clause (2) but may reject the proposal or return the draft to the Academic Council for reconsideration, either in whole or in part, together with any amendments which the Governing Council may suggest.

4) Where the Governing Council has rejected the draft of an Ordinance proposed by the Academic Council the Academic Council may, within two months of the date of such rejection, appeal to the Governing Council and the Governing Council may, by order, direct that the proposed Ordinance shall be laid before the next meeting of the Governing Council for its approval and that pending such approval, it shall have effect from such date as may be specified in the order.

By order,

Sd/-
Principal Secretary (Inds. & IT) to the
Government of Himachal Pradesh