

(TO BE PUBLISHED IN PART-IV OF THE DELHI GAZETTE EXTRA-ORDINARY)
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
(DEPARTMENT OF HIGHER EDUCATION)
B-WING, 2ND FLOOR, 5 SHAM NATH MARG, DELHI-54.

No.DHE.14(7)/LA-2007/1982

Dated the 4th September, 2008

NOTIFICATION

No. DHE.14(7)/LA-2007/
read with section 29 of the Bharat Ratna Dr. B.R.Ambedkar Vishwavidyalaya
Act, 2007 (Delhi Act of 2007), the Government of the National Capital Territory
of Delhi, with the prior approval of the Chancellor of the Bharat Ratna Dr.
B.R.Ambedkar Vishwavidyalaya, hereby makes the following first statutes,
namely:

FIRST STATUTES

- | | | |
|---------------------------------|-------|---|
| Short title and
commencement | 1.(1) | These Statutes may be called the Bharat Ratna Dr. B.R. Ambedkar Vishwavidyalaya (first) Statutes, 2008. |
| | (2) | They shall come into force w.e.f. 28.08.2008 |
| Definitions. | 2.(1) | In these Statutes, unless the context otherwise requires,-- |
| | (a) | "academic staff" shall include professor, reader, assistant professor, lecturer, librarian, deputy librarian, assistant librarian, programmer, system manager and such other academic posts as may be decided by the Board of Management, |
| | (b) | "Act" means the Bharat Ratna Dr. B.R. Ambedkar Vishwavidyalaya Act, 2007 (Delhi Act 9 of 2007); |
| | (c) | "clause" means a clause of a Statute in which that expression occurs; |

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2.(1) In these Statutes, unless the context otherwise requires,--

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(c) "clause" means a clause of a Statute in which that expression occurs;

- (d) "librarian" means the librarian of the University Library;
- (e) "Planning Board" means the Planning Board of the University;
- (f) "section" means a section of the Act.

(2) Words and expressions used and not defined in these Statutes but defined in the Act shall have the meanings assigned to them in the Act.

Chancellor to be the 3.
Chairman of the Court.

The Chancellor by virtue of his office shall be the Chairman of the Court.

Vice
Chancellor.

4. (1) The Vice-Chancellor shall be a whole-time salaried officer of the University.
- (2) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for reappointment for not more than one term:

Provided that the person appointed as Vice-Chancellor shall, on completion of seventy years of age during his term of office, cease to hold office.

- (3) The emoluments and other conditions of service of the Vice-Chancellor shall be as follows:-
- (i) There shall be paid to the Vice-Chancellor a salary of twenty five thousand per mensem or the salary paid to the Vice-Chancellor of a Central University, whichever is higher and subject to enhancement on terms mutually agreed between the Chancellor and the Vice Chancellor. The Vice Chancellor shall be entitled to the free use of a University car and, without payment of rent, to the use of furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally

in respect of the maintenance of such car and residence:

Provided that if a person in receipt of any pension is appointed as Vice-Chancellor, his salary shall be fixed after taking into consideration such pension.

- (ii) In addition to the salary specified in sub clause(i), the Vice-Chancellor shall be entitled to such leave, benefits and other allowances as are admissible to the University employees from time to time.
- (iii) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Board of Management with the approval of the Chancellor from time to time:

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

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

- (4) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise, or if the Vice-Chancellor is unable to perform his duties due to ill health or any other reason, the senior-most Pro Vice-Chancellor shall perform the duties of the Vice-Chancellor, and if there is no Pro Vice-Chancellor, the senior-most Dean shall perform the functions of the Vice-Chancellor until the new Vice-

Powers and functions of the Vice-Chancellor.

Chancellor assumes office or until the existing Vice-Chancellor resumes the duties of his office, as the case may be.

5. (1)

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

(2)

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

(3)

The Vice-Chancellor shall have all the powers necessary for the proper maintenance of discipline in the University and he may delegate any such power to such officer or officers as he may deem fit.

(4)

The Vice-Chancellor shall be empowered to grant leave to any officer of the University and make necessary arrangements for the discharge of the functions of such officer during his absence.

(5)

The Vice-Chancellor shall grant leave of absence to any employee of the University in accordance with the rules and, if he so decides, may delegate such power to another officer of the University.

(6)

The Vice-Chancellor shall have the power to convene or cause to be convened the meeting of the Court, with the approval of the Chancellor, and the meetings of the Board of Management, the Academic Council, the Planning Board and the Finance Committee.

Pro-Vice-Chancellors.

6. (1)

Every Pro Vice-Chancellor shall be appointed by the Board of Management on the recommendation of a search committee consisting of the Vice Chancellor of the University, a nominee of the University Grants Commission and the Secretary (Higher Education) to Government:

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

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

Provided also that a Pro Vice-Chancellor shall, while performing the functions of the Vice-Chancellor under clause (4) of statute 3, continue in office notwithstanding the expiration of his term of office as Pro Vice-Chancellor until a new Vice-Chancellor assumes office or until the existing Vice-Chancellor resumes his duties, as the case may be.

- (2)(a) The salary of a Pro Vice-Chancellor shall be as decided by the Board of Management with the approval of the Chancellor.
- (b) Every Pro Vice-Chancellor shall be entitled, without payment of rent, to the use of a furnished residence throughout his term of office and no charge shall fall on the Pro-Vice-Chancellor personally in respect of maintenance of such residence.
- (c) In addition to the salary specified in sub-clause(a), a Pro Vice-Chancellor shall be entitled to such leave, benefits and other allowances as are admissible to the employees of the University from time to time.
- (d) Every Pro-Vice-Chancellor shall be entitled to such terminal benefits as may be fixed by the Board of Management from time to time.
- (e) Every Pro-Vice-Chancellor shall be entitled to subscribe to the contributory provident fund of the University till the end of his tenure:

Provided that where an employee of the University or a college or an institution or of any

other university or institution maintained by or affiliated to such other university is appointed as Pro Vice-Chancellor, he shall continue to be governed by the same retirement benefit scheme to which he was entitled prior to his appointment as Pro Vice-Chancellor till he continues to hold his lien on that post. However, the pay for the purpose of subscription to the General Provident Fund or subscription to the University Contributory Fund shall be the pay drawn by him as Pro-Vice-Chancellor.

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

Deans.

7. (1) Every Dean shall be the head of a school of studies.
- (2) Every Dean shall be appointed by the Vice-Chancellor from among the professors of the University for a period of three years and he shall be eligible for reappointment:

Provided that a Dean on attaining the age of sixty two years, shall cease to hold office as such :

Provided further that if at any time, there is no professor in a department, the Vice-Chancellor, or a Dean authorized by the Vice-Chancellor in this behalf, shall exercise the powers of the Dean of the school of studies.

- (3) When the office of the Dean is vacant or where the Dean is by reason of illness, absence or any other cause unable to perform the duties of his office, the duties of his office shall be performed by the senior most professor of that school of studies.
- (4) The Dean shall be the head of the school of studies and shall be responsible for the conduct and maintenance of the standards of teaching and

research in the school of studies.

- (5) The Dean shall perform such other functions as may be prescribed by the Ordinances.
- (6) The Dean shall have the right to be present and to speak at any meeting of the Board of Studies or a committee of the Department but shall not have the right to vote thereat unless he is a member thereof.

Registrars.

- 8. (1) The Board of Management shall constitute a selection committee for the appointment of Registrars.
- (2) Every Registrar shall be appointed by the Board of Management on the recommendation of the selection committee constituted under clause (1) and he shall be a whole-time salaried officer of the University.
- (3) The emoluments and other conditions of service of a Registrar shall be such as prescribed by the Ordinances:

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

- (4) A Registrar designated specially in this behalf by the Board of Management shall have the power to take disciplinary action against such of the employees, excluding teachers, as may be specified by the Board of Management by general or special order made in this behalf.
- (5) An appeal shall lie to the Vice-Chancellor against any order made by the Registrar in pursuance of clause (4).
- (6) In cases where an inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, consequent to the inquiry, make a report to the Vice-Chancellor along with his recommendations for such action as the Vice-Chancellor may deem fit:

Provided that in such a case an appeal shall lie to the Board of Management against an order of the Vice-Chancellor imposing any penalty on an employee.

- (7) The Board of Management shall designate a Registrar to act in one or more of the following capacities, namely:-
 - (i) Secretary to the Court.
 - (ii) Secretary to the Board of Management.
 - (iii) Secretary to the Academic Council.
 - (iv) Secretary to the Planning Board.
- (8) A Registrar so designated shall, in relation to the authority concerned, --
 - (a) be the custodian of the records, the common seal and such other properties of the University as the Board of Management may commit to his charge;
 - (b) issue notices and convene meetings of that authority and the committees appointed by it;
 - (c) keep the minutes of the meetings of that authority and the committees appointed by it;
 - (d) conduct the official proceedings and correspondence; and
 - (e) supply to the Chancellor a copy each of the agenda of the meetings of the authorities of the University as soon as it is issued and the minutes of such meetings.
- (9) Any Registrar may be designated by the Vice-Chancellor to represent the University in suits or proceedings, by or against the University, sign powers of attorney, verify pleadings and depute his representative for the purpose.

Controller
Finance.

- of 9. (1) (10) The Registrar shall perform such other functions as may be specified in the Statutes, Ordinances or Regulations or as may be required from time to time by the Board of Management or the Vice-Chancellor.
- (1) The Board of Management shall constitute a selection committee for the appointment of the Controller of Finance.
- (2) The Controller of Finance shall be appointed by the Board of Management on the recommendation of the selection committee constituted under clause (1) and he shall be a whole-time salaried officer of the University and shall work under the control of the Vice-Chancellor.
- (3) The emoluments and other conditions of service of the Controller of Finance shall be prescribed by the Ordinances:
- Provided that the Controller of Finance shall retire on attaining the age of sixty years.
- (4) When the office of the Controller of Finance is vacant or when the Controller of Finance is, by reason of ill health, absence or any other cause, unable to perform his functions as the Controller of Finance, his functions shall be performed by such person as the Vice-Chancellor may appoint for the purpose.
- (5) The Controller of Finance shall --
- (a) exercise general supervision over the funds of the University and advise it as regards its financial policies; and
- (b) perform such other financial functions as may be assigned to him by the Board of Management or as may be prescribed by the Statutes or the Ordinances:

Provided that the Controller of Finance shall not incur any expenditure or make any investment exceeding three lakh rupees or such other amount as may be fixed by the Board of Management, without the prior approval of the competent authority.

- (6) Subject to the control of the Vice-Chancellor and the Board of Management, the Controller of Finance shall -
- (a) hold and manage the properties and investments of the University, including trust and immovable properties, for fulfilling any of the objects of the University;
 - (b) see that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for a year are not exceeded and the money is expended or spent for the purposes for which it was granted or allotted;
 - (c) be responsible for the preparation of the annual accounts and the budget of the University and for their presentation to the Board of Management after they have been considered by the Finance Committee;
 - (d) keep a constant watch on the cash and bank balances and investments;
 - (e) watch the progress of collection of revenue and advise on the methods of collection employed;
 - (f) ensure that the registers of properties of the University are maintained properly and that stock checking of the equipment and other material in the offices and branches of the University including colleges and the institutions maintained by the University is conducted in a time-bound manner;
 - (g) bring to the notice of the Vice-Chancellor any unauthorized expenditure or any other financial irregularity and suggest appropriate action against the person at fault; and

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

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

Librarian and other 10.
officers.

The Librarian shall be a whole-time salaried officer appointed by the Board of Management on the recommendation of a selection committee constituted for the purpose, and shall possess such qualifications and exercise such powers and perform such duties, as may be determined by the Board of Management.

The manner of appointment, qualification, powers and duties of other officers shall be as may be determined by the Board of Management.

Board of
Management.

11. (1) The Board of Management shall have the power of management and administration of the University.

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

(a) to make appointments or to enter into contract with such professors, readers, lecturers, other teachers and such academic staff as may be necessary, on the recommendations of the selection committees constituted for the purpose;

(b) to make appointments to temporary vacancies of any academic staff;

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

- (d) to provide for the appointment of visiting professors, artistes and writers and determine the terms and conditions of such appointment;
 - (e) to create administrative, ministerial and other necessary posts after taking into account the recommendations of the Finance Committee and to specify the manner of appointment thereto;
 - (f) to regulate and enforce discipline amongst the employees in accordance with the Statutes and the Ordinances;
 - (g) to delegate any of its powers to the Vice-Chancellor, and on the recommendations of the Vice-Chancellor to the Pro Vice-Chancellors, Registrars, the Controller of Finance or any other officer, employee or authority of the University or to a committee appointed by it.
- (3) The Board of Management shall exercise all the powers of the University not otherwise provided for by the Act, the Statutes, the Ordinances and the Regulations for the fulfillment of the objects of the University.

- Academic Council. 12.(1) Subject to the relevant provisions of the Act, the Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it by the Act or under the Statutes, have the following powers, namely:-
- (a) to consider matters of general academic interest either on its own initiative or on a reference from the Planning Board or a school of studies and to take appropriate action thereon; and
 - (b) to frame such regulations as are consistent with the Statutes and the Ordinances regarding the academic functioning of the University, including discipline, admissions, fees and other academic requirements.

- Finance Committee. 13. (1) The Controller of Finance shall be the ex-officio non-member Secretary of the Finance Committee.

- (2) All proposals relating to revision of grades, upgradation of the pay structure and those items which are not included in the budget, shall be examined by the Finance Committee before they are considered by the Board of Management.
- (3) The annual accounts and the budget of the University prepared by the Controller of Finance shall be laid before the Finance Committee for approval and thereafter submitted to the Board of Management.
- (4) The Finance Committee shall fix the limits for the total recurring and non-recurring expenditure for the year, based on income and resources of the University, and no expenditure shall be incurred by the University in excess of the limits so fixed, without the approval of the Finance Committee.

Selection committees.

- 14.(1) There shall be constituted selection committees for making recommendations to the Board of Management for appointment to the posts of professors, readers, lecturers and other academic staff and heads of institutions maintained by the University.
- (2) Each of the selection committees for appointment to the posts of professors, readers, lecturers and other academic staff shall consist of the following members, namely:--
 - (i) The Vice-Chancellor or a Pro Vice-Chancellor.
 - (ii) The Dean of the school of studies concerned.
 - (iii) Three experts not connected with the University to be nominated by the Vice-Chancellor from a panel of not less than seven names approved by the Academic Council for each post.
 - (iv) Four members of the selection committee (who shall include at least two experts) shall form a quorum for a meeting of the selection committee constituted under clause (2).

(3) Each of the selection committees for appointment to the posts of heads of Institutions maintained by the University shall consist of the following members, namely -

(i) The Vice-Chancellor,

(ii) Principal Secretary/Secretary in-charge of the concerned administrative department of the Government (in case the College or Institution is funded by the Government)

(iii) Two eminent professionals, out of a panel approved by the Academic Council for the post of Principal.

(iv) A member of the Board of Management to be nominated by the Vice Chancellor.

Four members shall form the quorum and it should include at least one person from category (iii) above.

(4)

Each of the selection committees for appointment to the posts of various categories of staff, other than the academic staff, shall consist of the following members; namely :-

(i) The Registrar or his nominee;

(ii) The Director of Higher Education of the Government or his nominee;

(iii) A representative of the Scheduled Castes or Scheduled Tribes of the rank of a Gazetted Officer.

(iv) Two experts in the domain of expertise for which selection is being done.

(5) The quorum for a meeting of a selection committee constituted under clause (4) shall be four.

(6) The procedures to be followed by the selection committees constituted under this statute shall, in making recommendations, be such as laid down in the Ordinances.

- (7) If the Board of Management is unable to accept a recommendation made by a selection committee, it shall record the reasons for such non-acceptance and submit the case to the Chancellor whose decision in the matter shall be final.
- Special mode of appointment. 15. (1) Notwithstanding anything contained in Statute 14, the Board of Management may invite a person of high academic distinction and professional attainments to accept the post of a professor or any other equivalent academic post in the University on such terms and conditions as it may deem fit, and appoint the person to such post.
- (2) The Board of Management may appoint any member of the academic staff working in any other university or organisation on a teaching assignment or for undertaking a project or any other work on such terms and conditions as may be determined by the Board of Management in accordance with the manner specified by the Statutes.
- Recognized teachers. 16. (1) The qualifications and other conditions of eligibility for recognition of teachers working in a college or an institution shall be such as are prescribed by the Ordinances.
- (2) All cases of recognition of teachers in a college or an institution shall be dealt with and approved by the selection committees as constituted under clause (2) of Statute 16.
- Committees. 17. (1) Any authority of the University may appoint as many standing or special committees as it may deem fit and may appoint on such committees such persons as are not members of such authority.
- (2) Any committee appointed under clause(1) may deal with any subject delegated to it and before taking action, if any, shall seek confirmation of it from the authority appointing it.
- Terms and conditions of service and code of 18. (1) All the teachers and other academic staff of the University shall, in the absence of any contract to

ethics for the teachers and other academic staff of the University.

the contrary, be governed by the terms and conditions of service and code of ethics as are specified by the Act, Statutes and the Ordinances.

- (2) Every teacher and member of the academic staff shall be appointed on a written contract.
- (3) A copy of every contract referred to in clause (2) shall be deposited with the Registrar.

Terms and conditions of service and code of conduct for other employees of the University. 19.

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

Removal of employees of the University. 20. (1)

Where there is an allegation of serious misconduct against a teacher, a member of the academic staff or any other employee of the University, the Vice-Chancellor may, in the case of a teacher or a member of the academic staff, or the authority competent to appoint (hereinafter referred to as "appointing authority") in the case of any other employee, as the case may be, by order in writing, place such teacher, member of the academic staff or other employee as the case may be, under suspension and shall forthwith report to the Board of Management the circumstances in which the order was made.

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

- (3) Save as aforesaid, the Board of Management, or the appointing authority, as the case may be, shall not be entitled to remove any teacher, any member of the academic staff or any other employee except for a justified cause and after giving one month's notice to the person concerned or on payment of one month's salary to him in lieu thereof.
- (4) No teacher, member of the academic staff or other employee shall be removed under clause(2) or clause(3) unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.
- (5) The removal of a teacher, a member of the academic staff or other employee shall take effect from the date on which the order of removal is made.
- (6) Notwithstanding anything contained in the foregoing provisions of this Statute, a teacher, a member of the academic staff or other employee may resign -
 - (a) if he is a permanent employee, only after giving three months' notice in writing to the Board of Management or the appointing authority, as the case may be, or by paying three months' salary in lieu thereof ; or
 - (b) if he is not a permanent employee, only after giving one month's notice in writing to the Board of Management or the appointing authority, as the case may be, or by paying one month's salary in lieu thereof :

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

Maintenance of discipline amongst the students of the University.

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

- (2) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action as he may deem appropriate for the maintenance of discipline, the Vice-Chancellor may, in exercise of his powers, by order, direct that students be not admitted to a course or courses of study in the University or an institution for a stated period, or be punished with a fine for an amount to be specified in the order, or that the result of the student or students concerned in the examination or examinations, in which he has or they have appeared, be withheld.
- (3) The heads of institutions shall have the authority to exercise all such disciplinary powers over the students in their respective colleges and institutions as may be necessary for the proper and efficient functioning of such colleges and institutions.

Other provisions.

22.

Until the University is able to make specific Statutes/ Ordinances/ Regulations on a subject, general provisions of the Government of NCT of Delhi will apply for those subjects.

By order and in the name of the Lt. Governor of
the National Capital Territory of Delhi

(Dr. G. NARENDRA KUMAR)
SECRETARY (HIGHER EDUCATION)