

**STATUTES, ORDINANCES  
&  
REGULATIONS**

**DECEMBER 2020**



विज्ञानं ब्रह्म  
Shri Mata Vaishno Devi  
University

**SHRI MATA VAISHNO DEVI  
UNIVERSITY**

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## CHAPTER 1

### THE JAMMU AND KASHMIR SHRI MATA VAISHNO DEVI UNIVERSITY ACT, 1999.

ACT No. XII of 1999  
[12th May, 1999]

An Act, to provide for the establishment and incorporation of a residential and highly technical University in the **Union Territory** of Jammu and Kashmir to offer scientific and technical education of the highest standards as also to usefully utilize the surplus finance of Shri Mata Vaishno Devi Shrine Board and for matter connected therewith.

Be it enacted by the Jammu and Kashmir **Union Territory** Legislature in the Fiftieth year of the Republic of India as follows: -

#### 1. Short title and commencement.

- (1) This Act may be called the Jammu and Kashmir Shri Mata Vaishno Devi University Act, 1999.
- (2) It shall come into force on such date as the Government may, by notification in the Government Gazette, appoint.
- (3) Seat of the University shall be at such place as may be identified by the Government on the recommendations of a committee consisting of six members nominated by Shri Mata Vaishno Devi Shrine Board, **Union Territory** Government and the University Grants Commission in equal numbers and this shall be located at Katra or around.

#### 2. Definitions - In this Act, unless the context otherwise requires-

- a) “**Faculty**” means a Faculty maintained by the University;
- b) “**School**” means a School maintained by the University.
- c) “Hall” means a unit of residence, by whatever name called, for students of the University provided, maintained or recognised by it;
- d) “Prescribed” means prescribed by Statutes, Ordinances or Regulations;
- e) “recognised institution” means an institution of higher learning maintained by the University or started by Shri Mata Vaishno Devi Shrine Board and recognised by or associated with the University ;
- f) “Shri Mata Vaishno Devi Shrine Board” means the Board constituted under the Jammu and Kashmir Mata Vaishno Devi Shrine Act, 1988;
- g) “Statutes”, “Ordinances” and “Regulations” mean respectively, the Statutes, Ordinances and Regulations of the University made under this Act;
- i) “University” means Shri Mata Vaishno Devi University.

3. ***The University*** - The Chancellor and the Vice-Chancellor of the University, the Executive Council and the Academic Council and all persons who may hereafter become such officers, so long as they continue to hold such office are hereby constituted a body corporate by the name of “Shri Mata Vaishno Devi University”.
4. ***Objects*** - The Objects of the University shall be to disseminate and advance knowledge, wisdom and understanding, and to offer scientific and technical education of the highest standards by teaching and research and by the example and influence of its corporate life.
5. ***Powers of the University*** - The University shall have the following powers, namely: -
  - 1) to provide for instruction including the method of correspondence courses in such branches of learning as the University may from time to time determine, and to make provision for research, for the advancement and dissemination of knowledge and for offering scientific and technical education of the highest standards;
  - 2) to confer honorary degrees or other academic distinctions in the manner laid down in the Statutes;
  - 3) to create such teaching, administrative and other posts as the University may deem necessary , from time to time and to make appointments thereto;
  - 4) **to appoint or recognize persons as Professors , Associate / Assistant Professors or Lecturers or otherwise as teachers of the University;**
  - 5) to institute an award, Fellowships, Scholarships/Student Assistantship, Exhibitions and prizes,
  - 6) **to establish and maintain *Faculty* / Schools and Halls, to recognise, guide, supervise and control Halls started by Shri Mata Vaishno Devi Shrine Board and to withdraw any such recognition ;**
  - 7) to regulate and enforce discipline among students and employees of the University and to take such disciplinary measures in this regard as may be deemed necessary ;
  - 8) to make arrangements for promoting health and general welfare of students and employees of the University ;
  - 9) to determine and provide for examinations for admission into the University ;
  - 10) to recognise for any purpose, either in whole or in part any institution started and maintained by Shri Mata Vaishno Devi Shrine Board on terms and conditions as may, from time to time , be prescribed and to withdraw such recognition ;
  - 11) to co-operate with any other University, authority or association or any other public or private body having in view the promotion of purposes and objects similar to those for the University for such purposes as may be agreed upon on

such terms and conditions, as may , from time to time , be prescribed;

- 12) to enter into any agreement for the incorporation in the University or any other institution and for taking over its rights, properties and liabilities and for any other purpose not repugnant to this Act ;
  - 13) to demand and receive payment of such fees and other charges as may be prescribed , from time to time ;
  - 14) to receive donations and to acquire, hold and manage any property movable or immovable including trust or endowed property for the purposes or objects of the University, and to invest funds in such manner as the University thinks fit ;
  - 15) to make provision for research and advisory services, and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary ;
  - 16) to provide for the printing, production and publication of research and other work which may be issued by the University ;
  - 17) to borrow, with the approval of Shri Mata Vaishno Devi Shrine Board on security of the University property, money for the purposes of the University ;
  - 18) to do all such things as may be necessary , incidental or conducive to the attainment of all or any of the objects of the University ;
6. ***University open to all classes, castes and creeds-*** The University shall be open to all persons of either sex and of whatever, race, creed, caste or class.
7. ***Jurisdiction of the University-*** The territorial jurisdiction and the responsibility of the University shall extend to the entire **Union Territory** of Jammu and Kashmir.
8. ***Officers of the University-***
- 1) The **Lt. Governor** of the **Union Territory** of Jammu and Kashmir shall by virtue of his office be the Chancellor of the University.
  - 2) The Chancellor, shall, if present, preside at convocation of the University for \*conferring degrees and at the meetings of the University's Executive Council and Academic Advisory Committee which he may himself wish to convene and attend but without having a vote.
  - 3) There shall be a Vice-Chancellor appointed in the manner prescribed by the Statutes who shall be the Principal Executive and Academic Officer of the University and Ex-Officio Chairman, of the Executive Council, Academic Council and Finance Committee and he shall, in the absence of the Chancellor, preside at any convocation for conferring degrees;
  - 4) There shall be a Dean for each **Faculty of Basic Disciplines (Engineering,**

*Sciences, Management and Humanities & Social Sciences*) who shall be appointed in such manner and with such powers and duties as may be prescribed by the Statutes.

***There shall be a Head for each School of study who shall be appointed in such manner and with such powers and duties as may be prescribed by the Statutes.***

- 5) There shall be a Registrar who shall act as Secretary of the Executive Council and the Academic Council and he shall be appointed in such manner and with such powers and duties as may be prescribed by the Statutes.
- 6) There shall be a Finance Officer, who shall be the Secretary of the Finance Committee and exercise such powers and perform such duties as may be prescribed by the Statutes;
- 7) There shall be such other officers as provided for in the Statutes.

**9. *Authorities of the University-*** The authorities of the University shall be the Shri Mata Vaishno Devi Shrine Board, the Executive Council, the Academic Council, the School of Studies, the Finance Committee and such other authorities as may be declared by the Statutes to be authorities of the University.

**10. *Shri Mata Vaishno Devi Shrine Board-***

- 1) Shri Mata Vaishno Devi Shrine Board (hereafter known as Shrine Board) shall be the supreme authority of the University.
- 2) The Shrine Board shall have the power to review the acts of the Executive Council and Academic Council (*save when these authorities have acted in accordance with the powers conferred upon them under this Act, the Statutes or the Ordinances*) \*which it may, at its discretion, consider to have special importance or significant implications warranting a review, and shall exercise all the powers of the University not otherwise provided for by this Act or the Statutes:

Provided that the power of review under this sub-section shall not be exercised except by a majority of the total membership of Shri Mata Vaishno Devi Shrine Board and by a majority of not less than two thirds of the members of the Board present and voting.

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*\*Amended vide The Jammu and Kashmir Shri Mata Vaishno Devi University (Amendment) Bill, 2002, L.A Bill No 33 of 2002.*

**11. *The Executive Council-***

- (I) The Executive Council shall consist of the following members, namely,
  - (i) the Vice Chancellor of the University;
  - (ii) the Vice Chancellor of the University of Jammu ;
  - (iii) the Vice Chancellor of the University of Kashmir ;



- (iv) the **Dean of Students Welfare**, ex-officio;
  - (v) *Not more than two Deans of Faculty* by rotation according to seniority;
  - (vi) **Not more than two Heads of Schools of Studies**, by rotation according to seniority;
  - (vii) **Principal Secretary to Lt. Governor (in his capacity as Secretary to Hon'ble Chancellor), Permanent Invitee [Ex-Officio]**
  - (viii) **CEO-SMVDSB – Permanent Invitee [Ex-Officio]**
  - (ix) three persons, none of whom shall be an employee of the University or an institution recognised by, or associated with, the University, nominated by Shri Mata Vaishno Devi Shrine Board.
- 2) The members of the Executive Council referred to in items (v) and (vi) shall hold office for a term of two years.
  - 3) The members referred to in item (vii) shall hold office for a term of three years.
  - 4) The term of office of the members of the Executive Council shall commence from the date of election, nomination or appointment, as the case may be.
  - 5) Four members of the Executive Council shall form the quorum.
  - 6) The Executive Council shall be the executive body of the University and its constitution and the terms of the office of its members, other than ex-officio members shall be prescribed by the Statutes.
  - 7) It shall be in-charge of the general management and administration (including the revenue and property) of the University.

### **12. The Academic Council-**

- 1) The Academic Council shall be the academic body of the University, and its constitution and the terms of office of its members, other than ex-officio members, shall be prescribed by the Statutes.
- 2) The Academic Council shall, subject to the provisions of this Act, the Statutes and the Ordinances have the control and general regulation and be responsible for the maintenance of standards of instruction, education and examination within the University and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

### **13. The Academic Advisory Committee-**

- 1) There shall be constituted an Academic Advisory Committee of the University which shall advise generally on the planning and development of the University and keep under review the standard of education and research in the University.
- 2) The Committee shall consist of: -

- a) not more than seven persons of high academic standing who shall be appointed in such manner as may be prescribed by the Statutes;
  - b) the Vice- Chancellor; and
  - c) the Commissioner/Secretary to Government Higher Education Department, ex-officio.
- 3) The Chancellor may determine a date with effect from which the Academic Advisory Committee shall stand dissolved.

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

- a) the constitution, powers and duties of the authorities and other bodies of the University, except Shri Mata Vaishno Devi Shrine Board, the qualifications and disqualifications for membership of such authorities and other bodies, appointment and removal of members thereof and other matters connected therewith ;
- b) the appointment, powers and duties of the officers of the University ;
- c) the appointment, powers and conditions of service and powers and duties of the employees of the University ;
- d) the terms and conditions under which institutions may be associated with the University;
- e) the administration of the University , the establishment and abolition of the **Faculty**, institutions and Halls, the grant and withdrawal of recognition to institutions, the institution of Fellowships, Awards and the like, the conferment of degrees and other academic distinctions and the grant of diplomas and certificates;
- f) the giving of religious instruction;
- g) any other matter which is necessary for the proper and effective management and conduct of the affairs of the University and which by this Act is to be or may be provided by the Statutes.

**15. Statutes how made-**

- 1) The first Statutes are those set out in the schedule;
- 2) The Executive Council may, from time to time make new or additional statutes or may amend or repeal the Statutes in the manner hereafter in this section provided;

Provided that Executive Council shall not make any Statutes or any amendment of the Statute affecting the status, powers or constitution of any existing authority

of the University until such authority has been given an opportunity of expressing an opinion on the proposal and any opinion so expressed shall be in writing and shall be considered by the Executive Council.

Provided further that no Statute shall be made by the Executive Council affecting the discipline of students and standards of instruction, education and examination except after consultation with the Academic Council.

- 3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the approval of the Shrine Board who may assent thereto or withhold assent or remit to the Executive Council for consideration.
- 4) A new Statute or a Statute amending or repealing an existing statute shall have no validity unless it, has been assented to by the Shrine Board.

#### **16. Ordinances-**

- 1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely;
  - a) the admission of the students, the courses of study and the fee therefor, the qualifications pertaining to degrees, diplomas, certificates and other academic distinctions, the conditions for grant of Fellowships, Awards and the like ;
  - b) the conduct of examinations, including the terms of office and appointment of examiners and the conditions of residence of students and their general discipline ;
  - c) the management of *Faculty, Schools* and institutions maintained by the University ;
  - d) any other matter which by this Act or the Statutes is to be or may be provided by the Ordinances.
- 2) The first Ordinances shall be made by the Vice-Chancellor with previous approval of the Shri Mata Vaishno Devi Shrine Board and the Ordinances made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.

**17. Regulations-** The authorities of the University may make the Regulations for the conduct of their own business and that of the Committees appointed by them and not provided for by the Act, the Statutes or the Ordinances in the manner prescribed by the Statutes.

**18. Faculties -** The **Faculties** shall be such, as may, after the commencement of this Act, be started by Shri Mata Vaishno Devi Shrine Board and recognised by the Executive Council in accordance with this Act.

***Schools- The Schools shall be such, as may, after commencement of this Act, be started by Shri Mata Vaishno Devi Shrine Board and recognized by the Executive Council in accordance with this act.***

**19. Annual Report-**

- 1) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to Shri Mata Vaishno Devi Shrine Board on or before such date as may be prescribed by the Statutes and shall be considered by the Shrine Board at its budget meeting.
- 2) The Shrine Board may communicate its comments thereon to the Executive Council.

**20. General Fund-** The University shall have a General Fund setup by Shri Mata Vaishno Devi Shrine Board in the name of the University and operated by the University to which shall be credited -

- i) Rupees twenty crore as a one-time capital grant to be made by Shri Mata Vaishno Devi Shrine Board for meeting the non-recurring cost of the University.
- ii) Rupees three crore to be annually contributed by Shri Mata Vaishno Devi Shrine Board;
- iii) its income relating the fee and endowments ;
- iv) contribution or grants which may be made by the Government; and
- v) other contributions of grants.

**21. Audit of Accounts-**

- 1) The Accounts of the University shall, once at least in every year and at intervals of not more than fifteen months be audited by the Chartered Accountants of the University.
- 2) A copy of the accounts when audited together with the audit report shall be submitted by the Registrar, to the Chancellor and to the Shrine Board.

**22. Disputes as to constitution of University Authorities and Bodies-**If any question arises whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

**23. Constitution of Committees -** Where any authority, of the University is given power by this Act or the Statutes to appoint Committees, such Committees shall, save as otherwise provided, consist of members of the authorities concerned and of such other persons (if any ) as the authority in each case may think fit.

24. **Filling of Casual Vacancies** - All casual vacancies among the members (other than ex-officio members) of any authority or other body of the University shall be filled, as soon as conveniently may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.
25. **Proceedings of the University Authorities and Bodies not invalidated by vacancies** - No act or proceedings of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.
26. **Removal of difficulties.**- If any difficulty arises in giving effect to the provisions of this Act, Shri Mata Vaishno Devi University may, by order published in the official Gazette, make such provisions not in consistent with the purposes of this Act, as appear to it to be necessary or expedient for removing the difficulty.
27. **Transitional provision:**-Notwithstanding anything contained in this Act and the Statutes, the first Executive Council and the Academic Council shall be nominated by Shri Mata Vaishno Devi Shrine Board and shall hold office for a term of three years.\***Provided further that the Chancellor shall preside at the meeting of the First Executive Council and the First Academic Council and in his absence, the Vice-Chancellor shall preside.**

Provided that the Vice-Chancellor of the University of Kashmir and the University of Jammu shall be ex-officio members of the Executive Council so nominated.

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*\*Amended vide The Jammu and Kashmir Shri Mata Vaishno Devi University (Amendment) Bill, 2002, L.A Bill No 33 of 2002.*

## CHAPTER 2

### STATUTES OF THE UNIVERSITY

In these Statutes-

#### 1. *Definitions -*

- a) “Act” means Shri Mata Vaishno Devi University Act, 1999.
- b) All words and expressions used herein and defined in the Act shall have the meanings respectively assigned to them in the Act.

#### 2. *Vice-Chancellor -*

- 1) The Vice-Chancellor shall be appointed by the Chancellor from a panel of not less than four persons who shall be recommended by a Committee consisting of four members:

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

- 2) The Committee shall consists of -
  - i) a member to be nominated by the Chancellor who shall be the Chairman of the Committee;
  - ii) a member to be nominated by the University Grants Commission; and
  - iii) two members, not being connected with the University or any institution recognised by, or associated with the University , to be nominated by the Executive Council.
- 3) The Vice-Chancellor shall be a whole time salaried officer of the University.
- 4) The Vice-Chancellor shall hold office for a minimum term of three years extendible upto five years from the date on which he enters upon his office and shall on the expiration of his term of office, be ineligible for appointment to that office:

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 terms and conditions of service of the Vice-Chancellor shall be as follows:-
  - i) There shall be paid to the Vice-Chancellor such salary as is determined by the Chancellor at the time of his appointment and he shall be entitled, without payment of rent, to use a furnished residence throughout his term

of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.

- ii) The Vice-Chancellor shall not be entitled to the benefits of the University, Provident Fund or to any other Allowances;

Provided that, where any employee of the University is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the Provident Fund and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as Vice-Chancellor.

- iii) The Vice-Chancellor shall be entitled to Dearness Allowance and Travelling Allowance at such rates as may be fixed by the Chancellor.
- iv) The Vice-Chancellor shall be entitled to leave on full pay for one eleventh of the period spent by him on active service.
- v) The Vice-Chancellor shall also be entitled, on medical grounds or otherwise than on medical grounds, to leave without pay for a period not exceeding three months during the term of his office:

Provided that such leave may be converted into leave on full pay to the extent to which he will be entitled to leave under sub-clause (iv).

- vi) If the office of the Vice-Chancellor becomes vacant, the functions of office, shall, until, some person is appointed under clause (i) to the vacant office, be performed by such person as is designated by the Chancellor.

### **3. Powers and duties of Vice-Chancellor**

- 1) The Vice-Chancellor shall have a general responsibility for maintaining and promoting efficiency and good order of the University.
- 2) It shall be the duty of the Vice-Chancellor to see that the provisions of Act, these Statutes, Ordinances and the Regulations are duly observed and the decisions taken by the authorities of the University are implemented.
- 3) The Vice-Chancellor shall have power to convene meetings of the Executive Council and the Academic Council and shall perform all such acts as may be necessary to carry out the provisions of the Act, these Statutes and the Ordinances.
- 4) The Vice-Chancellor shall be entitled to be present at and to address any meeting of any authority\**except the Shri Mata Vaishno Devi Shrine Board* or body or committee of the University and shall be entitled to vote thereat being deemed to be its Chairman by virtue of his office.
- 5) If, in the opinion of the Vice-Chancellor any emergency has arisen which requires immediate action to be taken, the Vice-Chancellor shall take such action as he



deems necessary and shall report the same for approval at the next meeting to the authority which, in the ordinary course, would have dealt with the matter:

Provided that, if the action by the Vice-Chancellor is not approved by the authority concerned, he may refer the matter to the Chancellor, whose decision thereon shall be final.

Provided further that, where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within 30 days from that date on which he receives notice of such action, an appeal to the Executive Council.

- 6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Ordinances or the Regulations.

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*\*Added vide The Jammu and Kashmir Shri Mata Vaishno Devi University (Amendment) Bill, 2002, L.A Bill No 33 of 2002.*

#### **4. Dean of *Faculty* of basic Discipline (Engineering, Science, Management, HSS, Nursing)**

- 1) Every **Dean of a *Faculty* of basic Discipline** shall be appointed, **amongst Professors of Corresponding Schools**, by the Vice-Chancellor for a period of **three years**. **The post shall normally be on rotation basis amongst the professors. However, the Vice Chancellor can reappoint the Dean after the expiry of his / her term of the Dean in the interest of the University.**

Provided that, when the office of the **Dean of a *Faculty* of basic Discipline** is vacant or when the Dean is, by reasons of illness or absence or 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.

- 2) The Dean shall be the **Academic in charge of the *Faculty* of Basic Discipline** and shall be responsible for the conduct and standard of teaching and research **of the constituent schools**. He shall have such other functions as may be prescribed by the Ordinances.
- 3) The Dean shall have the right to be present and to speak at any meeting of Board or Committee of the ***Faculty or of the constituent Schools***, as the case may be, but not the right to vote thereat unless he is a member thereof.

#### **4 (A) *Heads of School of Studies-***

- 1) Every **Head** of a school of studies shall be appointed by the Vice-Chancellor for a period of three years and he shall be eligible for reappointment:

Provided that, when the office of the **Head** of a School of Studies is vacant or when the **Head** is, by reasons of illness or absence or 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.



- 2) The **Head** shall be the **Head** of the School of Studies and shall be responsible for the conduct and standard of teaching and research in the school. He shall have such other functions as may be prescribed by the Ordinances.
- 3) The **Head** shall have the right to be present and to speak at any meeting of Board or Committee of the School, as the case may be, but not the right to vote thereat unless he is a member thereof.

#### 5. **Registrar -**

- 1) The Registrar shall be appointed by the Executive Council and shall be a 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 of 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.
- 3) The Registrar shall not, by reason only of his being Secretary of the Executive Council and the Academic Council, be deemed to be a member of any of these authorities.
- 4) The Registrar shall-
  - a) be the custodian of the records, the common seal and other properties of the University as the Executive Council shall commit to his charge ;
  - b) conduct of official correspondence of the Executive Council and the Academic Council ;
  - c) supply to the 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 act, call a meeting of the Executive Council forthwith and take its directions for carrying on the work of the University.
  - e) Represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representative for the purpose; and
  - f) Perform such other duties as may be specified in the Statutes or prescribed by the Ordinances or the Regulations or as may be required, from time to time by the Executive Council or the Vice-Chancellor.
  - g) i) The Registrar shall have power to take disciplinary action against the employees belonging to the ministerial staff and to suspend them pending

inquiry, to administer warnings to them or to impose on them the penalty of censure on the withholding of increment ;

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

ii) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing the penalty of the withholding of increment.

iii) In a case, where the inquiry discloses that a punishment beyond the powers of the Registrar, is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations for such action as the Vice-Chancellor deems fit;

Provided that an appeal shall lie to the Executive Council against the order of the Vice-Chancellor imposing the penalty of dismissal.

#### **6. Finance Officer-**

- 1) The Finance Officer shall be appointed by the Executive 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 or 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.
- 3) The Finance Officer shall: -
  - a) exercise general supervision over the funds of the University and shall 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 :

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding Rs.25000/- without the previous approval of the Vice-Chancellor.

- 4) Subject to the control of the Executive Council, the Finance Officer shall-
  - (a) hold and manage the property and investment 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 a 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 annual accounts and the budget of the University for the next financial year and for their presentation to the Executive Council ;
  - (d) keep a constant watch on the state of the cash and bank balances 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 an internal audit party ;
  - (g) see that the registers of buildings, land, furniture and equipment are maintained upto date and that the stock checking is conducted of equipment and other consumable materials in all offices, special centres, specialized laboratories, **Faculty** and institutions maintained by the University ;
  - (h) Call for explanation for un-authorized expenditure and for other financial irregularities and suggest disciplinary action against the persons at fault; and
  - (i) Call for from any office or **Faculty or school** or institution under the University any information or return that he may consider necessary to discharge his financial responsibilities.
- 5) The receipt of the Finance Officer or of the person/ persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for the same.

## 7. Officers of the University-

- 1) **The following shall also be the officers of the University, namely:-**
  - (a) **Dean of Students Welfare,**
  - (c) **Librarian,**
- 2)
  - (a) The **Dean of Students Welfare** shall be appointed from amongst employees of the University, who are or who have been teachers of the University, not below the rank of **Associate /Assistant Professor**, by the Executive Council on the recommendation of the Vice chancellor. The Dean shall be a whole time employee of the University, who shall hold a term of one year and shall be eligible for re-appointment.
  - (b) The person who is appointed as the Dean of **Students Welfare** shall continue to **be a Professor/Associate/Assistant in his parent School and**

*must perform his assigned teaching and research responsibilities.*

- (c) When the office of the Dean of *Students Welfare* is vacant or when the Dean of students is, by reason of illness or absence or for any other cause, unable to perform the duties of his office, shall be performed by such person as the Vice-Chancellor may appoint for the purpose.
  - (d) The duties and powers of the Dean of *Students Welfare* shall be prescribed by the Ordinances.
- 3) a) The Librarian shall be appointed by the Executive Council and shall be a whole time salaried officer of the University ;
- b) The duties and powers of the Librarian shall be regulated by the Ordinances.

**8. *Powers of the Executive Council-*** Subject to the provisions of the Act, these Statutes and the Ordinances, the Executive Council shall, in addition to any other powers vested in it, have the following powers, namely;

- i) to appoint such Professors, *Associate Professors*, *Assistant Professors*, Lecturers and other members of the teaching staff as may be necessary, on the recommendation of the Selection Committees constituted for the purpose, and to provide for filling temporary vacancies therein, provided that no appointment of the rank of *Assistant Professor* and above shall be made without the prior approval of the Chancellor.
- ii) to fix the emoluments and define the duties and conditions of service of Professors, *Associate Professors*, *Assistant Professors*, Lecturers and other members of the teaching staff;

Provided that no action shall be taken by the Executive Council in respect of the number, the qualifications and the emoluments of teachers otherwise than after consideration of the recommendations of the Academic Council ;

- iii) to create administrative, ministerial and other necessary posts and to make appointment thereto ;
- iv) to regulate and enforce discipline among the members of the teaching, administrative and ministerial staff of the University in accordance with these Statutes and the Ordinances;
- v) to manage and regulate the finance, accounts, investments, property, business and all other administrative affairs of the University and, for that purpose, to appoint such agents as it may think fit.
- vi) to accept on behalf of the University and trust, bequest, donation or transfer of

any movable or immovable property to the University ; and

- vii) to provide the buildings , premises, furniture, apparatus and other means needed for carrying on the work of the University ;
- viii) to enter into, vary, carry out and cancel contracts on behalf of the University;
- ix) 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 reasons feel aggrieved:

Provided that, in matters of discipline and punishment, where the final power has been vested in the Vice-Chancellor or any other officer of the University, no appeal shall lie to the Executive Council;

- x) to appoint examiners and moderators and , if necessary, to remove them, and to fix their fees, emoluments and traveling and other allowances after consulting the Academic Council ;
- xi) to select a common seal for the University and provide for the custody and use of the seal ;
- xii) to institute fellowships, Scholarships/Student Assistantship, studentships, medals and prizes;
- xiii) to delegate any of its powers to the Vice-Chancellor, the Registrar or such other officer of the University or to a Committee appointed by it as it may deem fit.

## 9. *Academic Council-*

- 1) The Academic Council shall consist of the following members, namely-
  - i) The Vice-Chancellor;
  - ii) ***The Deans of Faculties;***
  - iii) ***The Heads of Schools.***
  - iv) The Dean of Students Welfare;
  - v) The Librarian;
  - vi) ***The Dean Academic Affairs;\*\****
  - vii) ***Head Directorate of Quality Assurance;\*\****
  - viii) ***CEO-SMVDU-TBIC;\*\*\*;*** and
  - ix) Such number of other persons as may be nominated by the Executive Council out of the institutions recognised by or connected with the University.
- 2) All members of the Academic Council, other than ex-officio members shall hold office for a term of two years.
- 3) Ten members of the Academic Council shall form the quorum.

***\*\*As approved by the EC in its 27<sup>th</sup> & 28<sup>th</sup> Meetings held on 24/11/2017 & 13/04/18.***

## 10. *Powers and duties of the Academic Council-* Subject to the provisions of the Act and

these 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 the Executive Council-
- ii) to make proposals to the Executive Council for the establishment of **Schools** / Departments, **Faculty**, Institutions of higher learning, Special Centres, Specialized Laboratories, Libraries and Museums;
- iii) to formulate, modify or revise scheme for the organisation of , and assignment of subjects to Schools of Studies;
- iv) to consider proposals submitted by the **Deans of Faculties and Head(s) of Schools** ;
- v) to promote research within the University and to requisition from time to time reports on such research;
- vi) to make recommendations to the Executive Council with regard to the creation and abolition of teaching posts and the emoluments and duties attached thereto ;
- vii) to recognise diplomas and degrees of other Universities and institutions and to determine their equivalent diplomas and degrees of Shri Mata Vaishno Devi 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 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 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 examinations and to fix dates for holding them ;
- xiv) to declare the results of various University examinations, or to appoint 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 Executive Council for the institution of fellowships, Scholarships/Student Assistantship, 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 Ordinances;
- xviii) to promote the health and welfare of students and to constitute a Council of Students Affairs consisting of such number 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 of the University.

#### **11. *The Academic Advisory Committee-***

- 1) The members and the Chairman of the Academic Advisory Committee shall be appointed by the Chancellor and shall hold office for such period as he may determine.

*The Academic Advisory Committee, shall, in addition to all other powers vested in it by the Act have the right to advise the Executive Council and the Academic Council on any academic matter.*

#### **12. *Faculties of Basic Disciplines-***

- 2) The University shall have such ***Faculties of Basic Disciplines*** as may be specified in the Ordinances.
- 2) (a) Every ***Faculty of Basic Discipline*** shall consist of such Schools as may be assigned to it by the Ordinances;
- (b) Such ***Schools*** shall consist of the following members, namely-
  - i) Teachers of the School;
  - ii) Persons appointed to conduct research in the School;
  - iii) Honorary Professors, if any, attached to the School;
  - iv) Such other persons as may be members of the School in accordance with the provisions of the Ordinances.
- (c) Each ***School*** shall have a ***Head*** who may be a Professor or, if there is no Professor, ***an Associate Professor*** and whose duties and functions shall be prescribed by the Ordinances:

Provided that if there are more Professors or, as the case may be, ***Associate Professors*** than one



in any **School**, the Executive Council shall appoint one of them as the **Head of the School**.

- (3) Every **Faculty** shall have a Board consisting of the following members namely;
- i) The Dean of the **Faculty**;
  - ii) The **Heads of Schools belonging to the Faculty**;
  - iii) The Professors in the **School**;
  - iv) One **Associate / Assistant Professor** and one Lecturer, by rotation according to seniority, from each **School**;
  - v) Five members nominated by the Academic Council for their special knowledge in any subject assigned to the **Faculty** or in any allied branch of knowledge;
  - vi) Such other members, but not exceeding five, as may be specified in the Ordinances.

**\*\*Clause 4, 5 & 6 deleted on the recommendation of the EC in its 7<sup>th</sup> meeting held on 14<sup>th</sup> Feb 2005 & approved by the Chancellor on 11<sup>th</sup> March 2005.**

**13. Finance Committee-**

- 1) The Finance Committee shall consist of the following members, namely: -
  - i) The Vice-Chancellor ;
  - ii) **Principal Secretary to Lt. Governor (in his capacity as secretary to Hon'ble Chancellor), Permanent Invitee [Ex-Officio]**
  - iii) **CEO-SMVDSB, Member [Ex-officio]**
  - iv) Three persons, nominated by the Chancellor;
  - v) Three persons, who are not employees of the University or of any recognized institution nominated by the Executive Council.
- 2) The Finance Officer shall be the Secretary of the Finance Committee.
- 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.
- 4) The Vice-Chancellor shall preside at the meeting of the Finance Committee.
- 6) The Finance Committee shall meet at least twice every year to examine accounts and scrutinize proposals for expenditure.
- 7) The annual accounts and 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 Chancellor through the Executive Council for approval with or without amendments.

**14) Committees-** The Executive Council or the Academic Council may appoint Boards or



Committees consisting of members of the authority making such appointments 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.

- 15) ***Elected Chairman to preside where no provision is made in the Statutes-*** Where, by the Statutes or the Ordinances, no provision is made for a Chairman to preside over a meeting of 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.

**16. Resignation -**

- 1) Any member other than an ex-officio member of 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.

**17. Disqualifications –**

- 1) A person shall be disqualified for being chosen as, and for being a member of any of the authorities of the University: -
  - a) if he is of unsound mind or is a deaf-mute;
  - b) if he is an undischarged insolvent ;
  - c) if he has been convicted by a Court of Law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.
- 2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in sub-section (I), the question shall be referred for the decision of the Chancellor and his decision shall be final, and no suit or other proceeding shall lie in any Court of Law against such decision.

18. ***Honorary degrees-*** Any proposal for the conferment of honorary degrees shall be made by the Academic Council to the Executive Council, and the proposal, if accepted by the Executive Council, shall require the assent of the Chancellor before confirmation.

19. ***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 or academic distinction conferred on, or any certificate or 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 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.*

## **20. University's Teachers-**

- 1) Teachers of the University shall be of two classes, namely;
  - i) Appointed teachers of the University;
  - ii) Recognised teachers of the University;
- 2) Appointed teachers of the University shall be either-
  - a) Employees of the University as Professors, **Associate Professors**, **Assistant Professors** and Lecturers or otherwise of the University, or
  - b) Persons appointed by the Chancellor as Honorary Professors, Emeritus Professors, **Associate Professors**, **Assistant Professors** and Lecturers or otherwise as teachers of the University.
- 3) Recognised teachers of the University shall be the members of the staff of a recognised institution other than an institution maintained by the University :

Provided that no such member of the staff shall be deemed to be a recognized teacher unless he is recognized by the Executive Council as a Professor, **Associate Professors**, **Assistant Professors** or in any other capacity as a teacher of the University.

- 4) The disqualifications of recognised teachers of the University shall be such as may be prescribed by the Ordinances.
- 5) All applications for the recognition of the teachers of the University shall be made in such a manner as may be laid down by the Regulations made by the Executive Council in that behalf.
- 6) The period of recognition of a teacher of the University as Professor or **Associate Professors**, **Assistant Professors** shall be determined by Ordinances made in that behalf. A person in the service of a recognised institution other than an institution maintained by the University, recognised as a teacher of the University otherwise than as a Professor, **Associate Professors**, **Assistant Professors** shall continue to be recognised as long as he is in the service of the 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 to the 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 as 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) A person aggrieved by an order of withdrawal under clause (7) may, within three months from the communication to him of such order, appeal to the Executive Council who may pass such orders thereon as it thinks fit.
- 9) No person shall be appointed or recognised as a teacher of the University except on the recommendation of a Selection Committee constituted for the purpose.

**21. Selection Committee-** There shall be Selection Committees for making recommendations to the Executive Council for appointment to the posts of Professor, Associate Professor, Assistant Professor, Lecturer, Registrar, Finance Officer and Librarian.

- 1) Every Selection Committee shall consist of the Vice-Chancellor who shall be the Chairman thereof, and a person nominated by the Chancellor 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 column 2 of the said Table.

**TABLE**

1	2
Professor	<i>i) Two-Expert Nominee of the Executive Council, ii) Two-Expert Nominee of the Academic Council</i>
<i>Associate professor / Assistant Professor / Lecturer-</i>	<i>i) <b>Head of School.</b> ii) <b>Expert -Nominee of the Executive council</b> iii) <b>Expert Nominee of the Academic Council</b></i>
Registrar, Finance Officer	Three members of the Executive Council nominated by it.
Librarian	Three persons not connected with the University, or any other University of the <b>Union Territory</b> who have special knowledge of the subject of Library Science to be nominated by the Executive Council.

- 2) 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 Professors*, *Assistant Professors*, Lecturers and Administrative posts of the University.
- 3) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the Ordinances.
- 4) If the Executive Council is unable to accept any recommendation made by the Selection Committee, it may remit the same to the Selection Committee for recommendation and if the difference is not resolved, the Executive Council shall record its reasons and submit the case to the Chancellor.

- 5) The constitution of the Selection Committee for the purpose of recognizing teachers shall be provided for by the Ordinances.

**22. *Special Mode of Appointment etc.***- Notwithstanding anything contained in Statute 23, the Executive Council may invite a person of high academic distinction and professional attainment to accept a post of **Professor or Associate Professors, Assistant Professors** in the University, as the case may be, on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post.

**23. *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 which shall be lodged with the University, and a copy thereof shall be furnished to the officer or teacher or employee concerned.
- 2) ***Suitable candidates at the level of Professor, Associate Professor and Assistant Professor may be offered regular appointments on the basis of the recommendations of the Selection committee and approval of the executive Council. Faculty members appointed in this manner shall be on probation for an initial period of one year, extendable by another year.***
- 3) **Any dispute arising out of a contract between the University and those mentioned in clause (1) shall at the request of the teacher or officer or employee concerned, or at the instance of the University be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor, and the decision of the Tribunal shall be final.**

**24. *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 Executive Council the circumstances in which the order was made. \*\*\***
- 2) Notwithstanding anything contained in the terms of his contract of service or of his appointment, the Executive Council shall be entitled to remove a teacher on the ground of misconduct.
- 3) Save as aforesaid, the Executive Council shall not be entitled to remove a teacher except for a good cause and after giving three months' notice in writing or payment of three month's salary in lieu of notice.
- 4) No teacher shall be removed under clause (2) or under clause (3) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

- 5) The removal of a teacher shall require a two-thirds majority of the members of the Executive Council present and voting.
- 6) The removal of 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 removal, the removal shall take effect on the date on which he was placed under suspension.

- 7) Notwithstanding anything contained in these Statutes, the teacher shall be entitled to resign by giving three months' notice in writing to the Executive Council ***or on paying three month's salary in lieu of notice.***\*\*
- \*8) Notwithstanding anything contained in these Statutes, a teacher appointed on contract basis ***or on probation shall*** be removed by giving one month notice in writing or paid one month salary in lieu of notice.

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***\*Approved by His Excellency, the Lt. Governor of Union Territory of J&K & Chancellor, SMVD University, on behalf of the Board on 15<sup>th</sup> November 2006. On the directions of the EC in its 10<sup>th</sup> meeting held on 17<sup>th</sup> August 2007, and as recommended by the Standing Legal Counsel of the University, its further modification to include the underlined portion stands approved by the Chancellor of the University on 10<sup>th</sup> December 2007.***

***\*\*On the directions of the EC in its 10<sup>th</sup> meeting held on 17<sup>th</sup> August 2007, and as recommended by the Standing Legal Counsel of the University, approved by the Chancellor of the University on 10<sup>th</sup> December 2007.***

***\*\*\*Recommended by the EC in its 10<sup>th</sup> meeting held on 17<sup>th</sup> August 2007 & approved by the Chancellor of the University on 10<sup>th</sup> December 2007.***

**25) 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 the employee is found guilty of misconduct or insubordination or any activity against the sanctity of the University code & conduct.***

***\*\*Sub Clause a, b, c & d deleted as well as Clause 2 & 3 also deleted, Clause 4 becomes Clause 2, on the directions of the EC in its 10<sup>th</sup> meeting held on 17<sup>th</sup> August 2007, and as recommended by the Standing Legal Counsel of the University, and approved by the Chancellor of the University on 10<sup>th</sup> December 2007.***

- 2) Notwithstanding anything contained in these Statutes, an employee of the University, not being a teacher, shall be entitled to resign;
  - i) in the 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 ;

- \*3) Notwithstanding anything contained in these Statutes, an Employee appointed on contract basis or on probations shall be removed by giving one month's notice in writing or paid one month's salary in lieu of notice.

*\*Approved by His Excellency, the Lt. Governor of Union Territory of J&K & Chancellor, SMVD University, on behalf of the Board on 15<sup>th</sup> November 2006. On the directions of the EC in its 10<sup>th</sup> meeting held on 17<sup>th</sup> August 2007, and as recommended by the Standing Legal Counsel of the University, its further modification to include the underlined portion stands approved by the Chancellor of the University on 10<sup>th</sup> December 2007.*

## **26. 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 of Students Welfare** and to such other persons as he may specify in this behalf.
- 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 powers aforesaid, order or direct that any student or students be expelled from any **Faculty, School\*\*** or Institution maintained by the University, Department, Special Centre or Specialized Laboratory, 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 has or they have appeared be cancelled.
- 4) *The **Deans of the Faculties, the Heads of the Schools, Heads of specialized centers or specialized Laboratories** shall have the authority to exercise all such disciplinary powers over the students in their respective **Faculty, schools, special centers or specialized laboratories** as may be necessary for the proper conduct of such **Faculty, institutions, special centers or specialized laboratories.**\*\**
- 5) Without prejudice to the powers of the Vice-Chancellor aforesaid, detailed rules of discipline and proper conduct shall be framed. *The **Deans of Faculties, or as the case may be, the Heads of Schools, Heads of special Centers or specialized Laboratories** may frame such supplementary rules as they deem necessary for the aforesaid purpose. Every student shall provide himself with a copy of these rules.*

*\*\*Recommended to the 7<sup>th</sup> EC in its meeting held on 14<sup>th</sup> of Feb' 2005 & approved by the Chancellor of the University on 11<sup>th</sup> March'2005.*

- 27. Membership of Students Organisation -** The membership of any Students Organisation shall be voluntary.



**28. Ordinances** - Subject to the provisions of the Act and these Statutes, the Ordinances may provide for all or any of the following matters, namely:-

- (a) the fees to be charged for courses of study in the University and for admission to the examinations, Degrees and Diplomas of the University;
- (b) the conditions of the award of fellowships, Scholarships/Student Assistantship, studentships, exhibitions medals and prizes;
- (c) the conduct of examination, including the terms of office and manner of appointment and the duties of examining bodies, examiners and moderators;
- (d) the maintenance of discipline among the students of the University;
- (e) the conditions of residence of students at the University;
- (f) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing for them of special courses of study;
- (g) the giving of moral instructions;
- (h) the numbers, qualifications, emoluments and the terms and conditions of service of teachers of the University;
- (i) the management of **Faculty**, *schools*, special Centers and Specialized Laboratories maintained by the University;
- (j) Supervision and inspection of **Faculty**, *schools*, Special Centers and Specialized laboratories;
- (k) All other matters which by the Act or these Statutes are to be or may be provided for by the Ordinances.

**29. Ordinances how made** –

- 1) The first Ordinances shall be made by the Vice Chancellor with the previous approval of the Chancellor,
- 2) the said Ordinances may be amended, repealed or added to any time by the Executive 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 Executive Council shall not have power to amend any draft proposed by the Academic Council under 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 Executive Council may suggest.
- (4) Where the Executive 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 Shri Mata Vaishno Devi Shrine Board and the Shrine Board may, by order, direct that the proposed Ordinance shall be laid before the next meeting of the Executive Council for its approval and that pending such approval, it shall have effect from such date as may be specified in the order.
- (5) All Ordinances made by the Executive Council shall be submitted as soon as may be to the Shrine Board for approval.

### **30. Regulations -**

- (1) The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances:-
  - (a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;
  - (b) providing for all matters which by this Act, these statutes or the Ordinances are to be prescribed by Regulations;
  - (c) providing for all other matters solely concerning such authorities or committees appointed by them and not provided for by this Act, these Statutes or the ordinances.
- (2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for keeping of a record of the proceedings of meetings.
- (3) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation made under this Statute or the annulment of any such Regulation.

*Recommended by the Executive Council in its meeting on 14<sup>th</sup> of February'2005 and approved by the Chancellor of the University on 11<sup>th</sup> of March'2005.*



## CHAPTER – 3

### DEFINITIONS

#### Act – Section 2

In this Act, unless the context otherwise requires: -

- (i) “**Faculty**” means a Faculty maintained by the University;
- (ii) “**School**” means a school maintained by the University;
- (iii) “Hall” means a unit of residence, by whatever name called, for students of the University provided, maintained or recognized by it;
- (iv) “Prescribed” means prescribed by the Statutes, Ordinances or Regulations;
- (v) “Recognized institution” means an institution of higher learning maintained by the University or started by Shri Mata Vaishno Devi Shrine Board and recognized by, or associated with the University;
- (vi) “Shri Mata Vaishno Devi Shrine Board” means the Board constituted under the Jammu and Kashmir Mata Vaishno Devi Shrine Act, 1988;
- (vii) “Statutes”, “Ordinances”, and “Regulations”, mean respectively, the Statutes, Ordinances and Regulations of the University made under this Act;
- (viii) “University” means Shri Mata Vaishno Devi University;

#### Statute 1

- (a) “Act” means Shri Mata Vaishno Devi University Act, 1999.
- (b) All words and expressions used herein and defined in the Act shall have the meanings respectively assigned to them in the Act.

## CHAPTER-4

### THE UNIVERSITY

#### Act- Section –3: The University

The Chancellor and the Vice Chancellor of the University, the Executive Council and the Academic Council and all persons who may hereafter become such officers, so long as they continue to hold such office are hereby constituted a body corporate by the name of “Shri Mata Vaishno Devi University”.

#### Act- Section 4: Objects

The objects of the University shall be to disseminate and advance knowledge, wisdom and understanding, and to offer scientific and technical education of the highest standards by teaching and research and by the example and influence of its corporate life.

#### Act-Section 5: Powers of the University

The University shall have the following powers, namely: -

- 5(1) to provide for instruction including the method of correspondence courses in such branches of learning as the University may from time to time determine, and to make provision for research, for the advancement and dissemination of knowledge and for offering scientific and technical education of the highest standards;
- 5(2) to confer honorary degrees or other academic distinctions in the manner laid down in the Statutes;
- 5(3) to create such teaching, administrative and other posts, as the University may deem necessary, from time to time and to make appointments thereto;
- 5(4) *to appoint or recognize persons as Professors, Associate Professor, Assistant Professor or Lecturers or otherwise as teachers of the University;*
- 5(5) to institute an award, Fellowships, Scholarships, Exhibitions and prizes;
- 5(6) **to establish and maintain Faculty, Schools and Halls, to recognize, guide, supervise and control Halls started by Shri Mata Vaishno Devi Shrine Board and to withdraw any such recognition;**
- 5(7) to regulate and enforce discipline among students and employees of the University and to take such disciplinary measures in this regard as may be deemed necessary;
- 5(8) to make arrangements for promoting health and general welfare of students and employees of the University;
- 5(9) to determine and provide for examinations for admission into the University;
- 5(10) to recognize for any purpose, either in whole or in part any institution started and maintained by Shri Mata Vaishno Devi Shrine Board on terms and conditions as may, from time to time, be prescribed and to withdraw such recognition;
- 5(11) to co-operate with any other University, authority or association or any other public or private body having in view the promotion of purposes and objects similar to those for the University for such purposes as may be agreed upon on such terms and conditions, as may, from time to time, be prescribed;
- 5(12) to enter into any agreement for the incorporation in the University or any other institution and for taking over its rights, properties and liabilities and for any other

- purpose not repugnant to this Act;
- 5(13) to demand and receive payment of such fees and other charges as may be prescribed, from time to time;
  - 5(14) to receive donations and to acquire, hold and manage any property movable or immovable including trust or endowed property for the purposes or objects of the University, and to invest funds in such manner as the University thinks fit;
  - 5(15) to make provision for research and advisory services, and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary;
  - 5(16) to provide for the printing, production and publication of research and other work which may be issued by the University,
  - 5(17) to borrow with the approval of Shri Mata Vaishno Devi Shrine Board on security of the University property, money for the purposes of the University;
  - 5(18) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

**Act-Section 6: University open to all classes, castes and creeds**

The University shall be open to all persons of either sex and of whatever, race creed caste or class.

**Act- Section 7: Jurisdiction of the University**

The territorial jurisdiction and the responsibility of the University shall extend to the entire Union Territory of Jammu and Kashmir.

## CHAPTER 5

### UNIVERSITY SEAL AND LOGO

*In pursuance to the provisions made under Statute 8 (xi) of the First Statute of the University*

#### 1. University Seal

1.1 The Seal of the University shall be in the custody of the Registrar who is the custodian of the Seal and the University records.

The University Seal shall be:



1.2 Affixing of the Seal shall not be attested or countersigned except as provided below: -

The Seal shall be affixed to –

- certificate to be issued in respect of any Degree/Diploma or any other award conferred by the University.
- any document in respect of which the Executive Council and/or Vice-Chancellor directs, the seal to be affixed.
- the seal would be affixed only under the direct supervision and custody of the Registrar.

#### 2. University Logo

The University Logo shall be:



#### 3. Significance of the Logo

The Design of the logo looks like a Lotus, a symbol of regeneration or a flame. If we see

it from a particular angle, it also looks like 'OM', the Supreme Word. The three green bars are symbolic representation of three holy peaks of Trikuta Hills and / or the three 'pindies' in Shri Mata Vaishno Devi Shrine. The Sun, the giver of Light, Warmth, Time, Direction, Life Force, Energy, Power, Radiance and Enlightenment have been shown surrounded by radiating rays going out to nine planets of the Solar System. All this is , however, left to the imagination of the viewer.

#### **4. University Motto**

**विज्ञानब्रह्मः**

The English version of the motto shall be:

#### **GOD (BHRAM) IS SCIENCE**

'Bhram' has been defined as something or someone who nourishes the universe and makes it grow. Science matches the definition wonderfully because science over the years has also done the same. If the world population is nay indication, science has done very well indeed. We have not only become the dominant species, we also have grown to an unprecedented numbers.

Moreover, the reach of the modern scientists has spread much beyond the sun and the moon and they are now eyeing the far-reaches of the universe from where even the light takes years and centuries to reach the earth.

Science has given man god-like powers to create and destroy and so for he has used these powers more or less responsibly. Let us hope the good sense continues to prevail and the mankind continues to expand the boundaries of Human Knowledge, so that science and the spirituality ultimately meet in a confluence of superhuman achievements.

#### **5. Colours of Faculties**

The colours of various faculties shall be such as may be determined by the Academic Council.

#### **6. University Flag**

The colour and design of the University Flag shall be selected by the Academic Council/Executive Council and if required got approved by the Association of Indian Universities.

## CHAPTER-6

### AUTHORITIES OF THE UNIVERSITY

#### **Act-Section 9: Authorities of the University**

The authorities of the University shall be the Shri Mata Vaishno Devi Shrine Board, the Executive Council, the Academic Council, the School of Studies, the Finance Committee and such other authorities as may be declared by the Statutes to be authorities of the University.

#### **Act-Section 10: Shri Mata Vaishno Devi Shrine Board**

**10(1)** Shri Mata Vaishno Devi Shrine Board (hereafter known as Shrine Board) shall be the supreme authority of the University.

**10(2)** The Shrine Board shall have the power to review the acts of the Executive Council and Academic Council *\*which it may at its discretion, consider to have special importance or significant implications warranting a review, and shall exercise all the powers of the University not otherwise provided for by this Act or the Statutes:*

Provided that the power of review under this sub-section shall not be exercised except by a majority of the total membership of Shri Mata Vaishno Devi Shrine Board and by a majority of not less than two-thirds of the members of the Board present and voting.

## CHAPTER-7

### EXECUTIVE COUNCIL

#### Act-Section 11

- 11(1) The Executive Council shall consist of the following members, namely,
- (i) the Vice Chancellor of the University;
  - (ii) the Vice Chancellor of the University of Jammu ;
  - (iii) the Vice Chancellor of the University of Kashmir ;
  - (iv) the Dean of Students **Welfare**, ex-officio;
  - (v) *Not more than two Deans of faculties by rotation according to seniority*;
  - (vi) Not more than two *Heads of Schools of Studies*, by rotation according to seniority;
  - (vii) **Principal Secretary to Lt. Governor (in his capacity as Secretary to Hon'ble Chancellor), Permanent Invitee [Ex-Officio]**
  - (viii) **CEO-SMVDSB – Permanent Invitee [Ex-Officio]**
  - (ix) three persons, none of whom shall be an employee of the University or an institution recognised by, or associated with, the University, nominated by Shri Mata Vaishno Devi Shrine Board.
- 11(2) The members of the Executive Council referred to in items (v) and (vi) shall hold office for a term of two years.
- 11(3) The members of the Executive Council referred to in item (vii) shall hold office for a term of three years.
- 11(4) The term of office of the members of the Executive Council shall commence from the date of election, nomination or appointment, as the case may be.
- 11(5) Four members of the Executive Council shall form the quorum.
- 11(6) The Executive Council shall be the executive body of the University, and its constitution and the terms of the office of its members, other than ex-officio members, shall be prescribed by the Statutes.
- 11(7) It shall be In-charge of the general management and administration (including the revenue and property) of the University.

#### Statute 8: Powers of the Executive Council

Subject to the provisions of the Act, these Statutes and the Ordinances, the Executive Council shall, in addition to any other powers vested in it, have the following powers namely;

- (i) to appoint Professors, **Associate Professor, Assistant Professor**, Lecturers and other members of the teaching staff as may be necessary, on the recommendations of the Selection Committee(s) constituted for the purpose, and to provide for filling temporary vacancies therein, provided that no appointment of the rank of **Assistant Professor** and above shall be made without the prior approval of the Chancellor;
- (ii) to fix the emoluments and define the duties and conditions of service of Professors, **Associate Professor, Assistant Professor**, Lecturers and other members of the teaching staff;

Provided that no action shall be taken by the Executive Council in respect of the number, the qualifications and the emoluments of teachers otherwise than after consideration of the recommendations of the Academic Council;

- (iii) to create administrative, ministerial and other necessary posts and to make appointment thereto;
- (iv) to regulate and enforce discipline among the members of the teaching, administrative and ministerial staff of the University in accordance with these Statutes and the Ordinances;
- (v) to manage and regulate the finance, accounts, investments, property, business and all other administrative affairs of the University and, for that purpose, to appoint such agents as it may think fit;
- (vi) to accept on behalf of the University any trust, bequest, donation or transfer of any movable or immovable property to the University; and
- (vii) to provide the buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University;
- (viii) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (ix) 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 reasons feel aggrieved;

Provided that, in matters of discipline and punishment, where the final power has been vested in the Vice-Chancellor or any other officer of the University, no appeal shall lie to the Executive Council;

- (x) to appoint examiners and moderators and, if necessary, to remove them, and to fix their fees, emoluments and traveling and other allowances after consulting the Academic Council;
- (xi) to select a common seal for the University and provide for the custody and use of the seal;
- (xii) to institute fellowships, Scholarships/Student Assistantship, studentships, medals and prizes;
- (xiii) to delegate any of its powers to the Vice-Chancellor, the Registrar or such other officer of the University, or to a Committee appointed by it as it may deem fit;



## CHAPTER-8

### THE ACADEMIC COUNCIL

#### Act-Section 12

**12(1)** The Academic Council shall be the academic body of the University, and its constitution and the terms of office of its members, other than ex-officio members, shall be prescribed by the Statutes.

**12(2)** The Academic Council shall, subject to the provisions of this Act, the Statutes and the Ordinances have the control and general regulations and be responsible for the maintenance of standards of instruction, education and examination within the University and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

#### Statute 9

**9(1)** The Academic Council shall consist of the following members, namely: -

- i. The Vice-Chancellor;
- ii. The *Deans of Faculty*;
- iii. *The Heads of Schools*;
- iv. *The Dean of Student Welfare*;\*;
- v. The Librarian;
- vi. *The Dean Academic Affairs*\*\*;
- vii. *Head Headate of Quality Assurance*\*\*;
- viii. *CEO-SMVDU-TBIC*\*\*and
- ix. Such number of other persons as may be nominated by the Executive Council out of the institutions recognized by or connected with the University;

**9(2)** All members of the Academic Council, other than ex-officio members shall hold office for a term of two years.

**9(3)** Ten members of the Academic Council shall form the quorum.

#### Statutes 10 : Powers and Duties of the Academic Council

Subject to the provisions of the Act and these 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 the Executive Council;
- (ii) to make proposals to the Executive Council for the establishment of Schools/ Departments, Faculty, Institutions of higher learning, Special Centers, Specialized Laboratories, Libraries and Museums;
- (iii) to formulate, modify or revise schemes for the organization of, and assignment of subjects to Schools of Studies;
- (iv) to consider proposals submitted by the **Deans of Faculty(s) & Head(s) of Schools**;
- (v) to promote research within the University and to requisition from time to time reports on such research;

- (vi) to make recommendations to the Executive Council with regard to the creation and abolition of teaching posts and the emoluments and duties attached thereto;
- (vii) to recognize diplomas and degrees of other Universities and institutions and to determine their equivalent diplomas and degrees of Shri Mata Vaishno Devi 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 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 Executive Council in regard to the appointment of examiners and, if necessary, their removal and the fixation of their fees, emoluments and traveling and other expenses;
- (xiii) to make arrangements for the conduct of examinations and to fix dates for holding them;
- (xiv) to declare the results of various University examinations, or to appoint 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, licenses, title and marks of honour;
- (xvi) to make proposals to the Executive Council for the institution of fellowships, Scholarships/Student Assistantship, 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 Ordinances;
- (xviii) to promote the health and welfare of students and to constitute a Council of Students Affairs consisting of such number 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 of the University.

***\*\*As approved by the EC in its 27<sup>th</sup> & 28<sup>th</sup> Meetings held on 24/11/2017 & 13/04/18.***

## CHAPTER-9

### THE ACADEMIC ADVISORY COMMITTEE

#### Act-Section 13

- 13(1)** There shall be constituted an Academic Advisory Committee of the University, which shall advise generally on the planning and development of the University and keep under review the standard of education and research in the University.
- 13(2)** The Committee shall consist of: -
- (a) not more than seven persons of high academic standing who shall be appointed in such manner as may be prescribed by the Statutes;
  - (c) the Vice Chancellor; and
  - (c) the Commissioner/Secretary to Government, Higher Education Department, ex-officio.
- 13(3)** The Chancellor may determine a date with effect from which the Academic Advisory Committee shall stand dissolved.

#### Statute 11

- 11(1)** The members and the Chairman of the Academic Advisory Committee shall be appointed by the Chancellor and shall hold office **for such period** as he may determine.
- 11(2)** The Academic Advisory Committee, shall, in addition to all other powers vested in it by the Act have the right to advise the Executive Council and the Academic Council on any academic matter.

## CHAPTER –10

### FINANCE COMMITTEE

#### *Statute 13*

- 13(1) The Finance Committee shall consist of the following members, namely:-
- a. The Vice Chancellor;
  - b. Principal Secretary to Lt. Governor (in his capacity as secretary to Hon'ble Chancellor), Permanent Invitee [Ex-Officio]**
  - c. CEO-SMVDSB, Member [Ex-officio]**
  - d. Three persons nominated by the Chancellor;
  - e. Three persons, who are not employees of the University or of any recognized institution nominated by the Executive Council.
- 13(2) The Finance Officer shall be the Secretary of the Finance Committee.
- 13(3) Three members of the Finance Committee shall form the quorum.
- 13(4) All members of the Finance Committee other than ex-officio members, shall hold office for a term of three years.
- 13(5) The Vice Chancellor shall preside at the meeting of the Finance Committee.
- 13(6) The Finance Committee shall meet at least twice every year to examine accounts and scrutinize proposals for expenditure.
- 13(7) The annual accounts and 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 Chancellor through the Executive Council for approval with or without amendments.

## CHAPTER - 11

### SELECTION COMMITTEE

#### Statute 21

There shall be Selection Committees for making recommendations to the Executive Council for appointment to the posts of Professor, Associate Professor, Assistant Professor, Lecturer, Registrar, Finance officer and Librarian.

21(1) Every Selection Committee shall consist of the Vice Chancellor who shall be the Chairman thereof, and a person nominated by the Chancellor 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 column 2 of the said Table.

**TABLE**

1	2
Professor	<i>i)Two Expert nominees of the Executive Council, ii)-Two Expert Nominees of the Academic Council</i>
<i>Associate professor / Assistant Professor / Lecturer-</i>	<i>i)-Head of School. ii)-Expert Nominee of the Executive council iii)-Expert Nominee of the Academic Council</i>
Registrar, Finance Officer	Three members of the Executive Council nominated by it.
Librarian	Three persons not connected with the University, or any other University of the Union Territory who have special knowledge of the subject of Library Science to be nominated by the Executive Council.

21(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 Professor, Assistant Professor, Lecturers and Administrative posts of the University.**

21(4) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the Ordinances.

21(5) If the Executive 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 Executive Council shall record its reasons and submit the case to the Chancellor.

21(6) The constitution of the Selection Committee for the purpose of recognizing teachers shall be provided for by the Ordinances.

**Ordinance:-**

*Save as otherwise provided in the Statutes, the procedure to be followed by the selection committee in making its recommendations shall be as under*

### **Meeting**

1. The meeting of Selection Committee shall be held at such times as the Vice Chancellor may direct.

### **Secretary**

2. The Registrar shall be ex-officio Secretary. In his absence the person performing his duties shall act as Secretary.

### **Notice of the Meeting**

3. The Registrar shall ordinarily at least ten days before each meeting, issue to each member a notice of the time, date and the place of the meeting.

### **Quorum**

4. Quorum of the Committee for appointment of teachers and officers shall be four, of whom at least two persons not connected with the University in the case of Professor and Associate Professor and one in the case of **Assistant Professor** and Lecturer should possess special knowledge of the subject.
5. The proceedings of the meetings of Committee shall be recorded in writing by the Secretary and got approved and signed by the Chairman and all the members of the Committee present at the meeting. The proceedings shall remain confidential, and in the personal custody of the Secretary

### **Selection of Officers below the status of Registrar/Finance Officer**

6. For the selection of Officers below the status of the Registrar and Finance Officer, the Selection Committee shall comprise the following members:
  - a. **Vice Chancellor, Chairman \*\***
  - b. **One member of the Academic Council to be nominated by the Vice Chancellor.**
  - c. **One expert member in the field, to be nominated by the Academic Council / Vice Chancellor**
  - d. **Registrar (Member Secretary)**

**\*\* Approved by the Chancellor on 22<sup>nd</sup> May 2005, conveyed vide no: GS/501/2005 dated: 24<sup>th</sup> May 2005.**

### **Selection of Teachers**

1. The panel of name recommended by the Selection Committee shall remain valid for a period of one year to be counted from the date the same is approved by the Executive Council.

2. The Selection committee may recommend a suitable higher start for candidates with higher qualifications and professional expertise.

*Recommended by the EC in its 7<sup>th</sup> meeting held on 14<sup>th</sup> of Feb' 2005 & approved by the Chancellor of the University on 11<sup>th</sup> March ' 2005.*

*Approved by the Chancellor on 22<sup>nd</sup> May 2005, conveyed vide no: GS/501/2005 dated : 24<sup>th</sup> May 2005.*

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## CHAPTER-12

### PLANNING BOARD

**Ordinance:** *In pursuance to provision under Section 14(g) of the Act of the University*

1. There shall be a Planning Board of the University which shall formulate for approval of the Executive Council, perspective plans, academic plans, development plans, coordination, screening and monitoring of development proposals of various departments and units of University and determine priorities in the development programmes of the University.
2. **Constitution:** The Board shall consist of the:
  - (i) Vice Chancellor
  - (ii) **Deans of Faculties**
  - (iii) **Heads of Schools**
  - (iv) A nominee of the Chairman, Shri Mata Vaishno Devi Shrine Board.
  - (v) Three persons to be nominated by the Chairman of Shri Mata Vaishno Devi Shrine Board out of the Academic Advisory Committee,
  - (vi) Registrar
  - (vii) Finance Officer
  - (viii) Any other persons as may be co-opted by the Vice Chancellor

Nominated members shall hold office for a period of two years.

#### 3. Meetings

The Board shall meet at least once in a year on a date, time and venue fixed by the Vice Chancellor or whenever the Vice Chancellor may direct.

#### 4. Chairman

The Vice Chancellor shall preside over the meetings of the Board.

#### 5. Secretary

The Registrar shall be the ex-officio Secretary of the Board and shall maintain record of proceedings of the Board in writing, which shall be approved by the Chairman.

*Recommended by the EC in its 14<sup>th</sup> meeting held on 26<sup>th</sup> Sept '2009 & by HE the Governor of J&K Union Territory & Chancellor SMVDU, minutes of which were notified on 04/11/2009.*



## CHAPTER-13

### UNIVERSITY BUILDING AND WORKS COMMITTEE

**Ordinance:** *In pursuance to provision under Section 14(g) of the Act of the University*

1. There shall be a Building and Works Committee of the University which shall consist of the following:

- i) Vice Chancellor (Chairman)
- ii) Representative of the CPWD or PWD undertaking not below the rank of Superintending Engineer [SE] of the Area.
- iii) One member of Finance Committee to be nominated by the Chairman, Shri Mata Vaishno Devi Shrine Board
- iv) Registrar
- v) Finance Officer
- vi) Representative of the user department.
- vii) Two Teachers of the University not below the rank of Professor nominated by the Vice Chancellor.
- viii) Professor in-charge EUnion Territorys & Works.

Nominated members shall hold office for a period of two years.

2. The Building and Works Committee shall:

- i) formulate draft plans for setting up and development of the Campus of the University including site development, construction of buildings for approval of the Executive Council .
- ii) select agencies for execution and supervision of works and render advice on technical matters relating to construction works of the University
- iii) recommend proposals for administrative approval and financial sanctions for works to the Executive Council
- iv) be responsible for technical scrutiny of all proposals
- v) be responsible for scrutiny, processing and acceptance of tenders .
- vi) consider and approve any additional work which becomes essential, at the rates considered reasonable and compatible with the market rates.
- vii) perform such other functions in the matter of construction of buildings and development of land of the University as may be entrusted to it from time to time by the Executive Council.

3. In emergent cases, the Chairman of the Committee may exercise the powers of the Committee and he shall report such cases to the Committee and Executive

Council at the next meeting of the Committee/Executive Council.

4. **Chairman**

The Vice Chancellor will preside over at all meetings.

5. **Meetings**

The Committee will meet whenever the Vice Chancellor directs.

6. **Quorum**

The majority of members will form the quorum and if necessary, matters will be decided by majority of votes. The Chairman in the event of equality of votes will have a casting vote.

7. All case for appointment of arbitrator shall be considered by the Committee and referred to the Vice Chancellor with its recommendation;

8. All arbitration awards shall be considered by the Building Committee in an emergent meeting for recommendation to the Executive Council.

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*Approved by the Executive Council in its 15<sup>th</sup> meeting held on 3<sup>rd</sup> May 2010 & notified vide no:SMVDU/A&E/10/333-334, dated:7<sup>th</sup> June 2010.*

*Amended by the 15<sup>th</sup> EC in its meeting held on 3<sup>rd</sup> of May 2010 & notified vide no: SMVDU / A&E / 10 / 333-334 on 07<sup>th</sup> June ' 2010.*

## CHAPTER-14

### THE CHANCELLOR

#### **Act-Section 8: Chancellor**

- 8(1) The Governor of the Union Territory of Jammu and Kashmir shall by virtue of his office be the Chancellor of the University.
- 8(2) The Chancellor, shall, if present, preside at convocation of the University for conferring degrees and at the meetings of the University's Executive Council and Academic Advisory Committee, which he may himself wish to convene and attend but without having a vote.

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**CHAPTER-15**  
**VICE-CHANCELLOR**

**Act-Section 8(3)**

There shall be a Vice-Chancellor appointed in the manner prescribed by the Statutes who shall be the Principal Executive and Academic Officer of the University and ex-Officio Chairman, of the Executive Council, Academic Council and Finance Committee and he shall, in the absence of the Chancellor, preside at any convocation for conferring degrees.

**Statute 2**

**2(1)** The Vice-Chancellor shall be appointed by the Chancellor from a panel of not less than four persons who shall be recommended by a Committee consisting of four members:

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

**2(2)** The Committee shall consist of –

- (i) a member to be nominated by the Chancellor who shall be the Chairman of the Committee;
- (ii) a member to be nominated by the University Grants Commission; and
- (iii) two members, not being connected with the University or any institution recognised by, or associated with the University, to be nominated by the Executive Council.

**2(3)** The Vice-Chancellor shall be a whole time salaried officer of the University.

**2(4)** The Vice-Chancellor shall hold office for a minimum **term of three years extendable up to five years** from the date on which he enters upon his office and shall on the expiration of his term of office, be ineligible for appointment to that office:

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.

**2(5)** The emoluments and terms and conditions of service of the Vice-Chancellor shall be as follows: -

- (i) There shall be paid to the Vice-Chancellor such salary as is determined by the Chancellor at the time of his appointment and he shall be entitled, without payment of rent, to use a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.
- (ii) The Vice-Chancellor shall not be entitled to the benefits of the University, Provident Fund or to any other Allowances;

Provided that, where any employee of the University is appointed as Vice Chancellor, he shall be allowed to continue to contribute to the Provident Fund and the Contribution

of the University shall be limited to what he had been contributing immediately before his appointment as Vice Chancellor.

- (iii) The Vice-Chancellor shall be entitled to Dearness Allowance and Traveling Allowance at such rates as may be fixed by the Chancellor.
- (iv) The Vice-Chancellor shall be entitled to leave on full pay for one eleventh of the period spent by him on active service.
- (v) The Vice-Chancellor shall also be entitled, on medical grounds or otherwise than on medical grounds, to leave without pay for a period not exceeding three months during the term of his office:

Provided that such leave may be converted into leave on full pay to the extent to which he will be entitled to leave under sub-clause (iv).

- (vi) If the office of the Vice-Chancellor becomes vacant, the functions of office shall, until, some person is appointed under clause (i) to the vacant office, be performed by such person as is designated by the Chancellor.

### **3. Powers and duties of Vice-Chancellor**

- 3(1)** The Vice-Chancellor shall have a general responsibility for maintaining and promoting efficiency and good order of the University.
- 3(2)** It shall be the duty of the Vice-Chancellor to see that the provisions of the Act, these Statutes, Ordinances and the Regulations are duly observed and the decisions taken by the authorities of the University are implemented.
- 3(3)** The Vice-Chancellor shall have power to convene meetings of the Executive Council and the Academic Council and shall perform such acts as may be necessary to carry out the provisions of the Act, these Statutes and the Ordinances.
- 3(4)** The Vice-Chancellor shall be entitled to be present at and to address any meeting of any authority or body or committee of the University and shall be entitled to vote there at being deemed to be its Chairman by virtue of his office.
- 3(5)** If, in the opinion of the Vice-Chancellor any emergency has arisen which requires immediate action to be taken, the Vice-Chancellor shall take such action as he deems necessary and shall report the same for approval at the next meeting to the authority which, in the ordinary course, would have dealt with the matter:

Provided that if action by the Vice-Chancellor is not approved by the authority concerned, he may refer the matter to the Chancellor, whose decision shall be final.

Provided further that, where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within 30 days from the date on which he receives notice of such action, an

appeal to the Executive Council.

- 3(6)** The Vice-Chancellor shall exercise such other powers as may be prescribed by the Ordinances or the Regulations.

### **Ordinance**

*In pursuance to Statute 3 (6) of the First Statutes of the University*

Save as otherwise provided in the Act and Statutes, the Vice-Chancellor shall also have the following powers: -

1. act as appointing authority in respect of the ministerial and technical employees other than those falling under middle or higher level management under rules;
2. to regulate and enforce discipline among the members of the teaching, administrative and ministerial staff of the University in accordance with these Statutes and the Ordinances;
3. to grant late admission of students to various courses in the University teaching Departments and other institutions, in genuine cases, in accordance with the provisions of relevant Statutes;
4. to place under suspension when he finds a member of teaching staff or officer prima facie guilty of misconduct according to the procedure laid down in Statutes and Regulations . When he takes such an action, he shall report it to the Executive Council at its next meeting;
5. to sanction write-off of loss in any individual case not exceeding Rs. 2000/- and up to Rs. 10,000/- on the recommendations of a Committee;
6. to award and sanction Scholarships/Student Assistantship, prizes, fellowships in accordance with the procedure prescribed under Regulations/Ordinances in this behalf;
7. to sanction study/sabbatical leave to the employees of the University;
8. to sign the certificates of degrees awarded by the University;
9. to authorise an officer to sign cheques in the absence of Finance Officer/Registrar;
10. act as an appointing authority in respect of teachers as a temporary measure for a period not exceeding six months to carry on the work, after following the prescribed procedure, and if formal appointment of a teacher on the basis of recommendation of the Selection Committee is not made within the period of six months, the Vice-Chancellor may extend the term of appointment of the teacher up to the end of session with the approval of the Executive Council;

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*Recommended by the Executive Council and approved by the Chairman, Shri Mata Vaishno Devi Shrine Board, on behalf of Board and notified vide Notification no: SMVDU/03/4000-25, dated: 30<sup>th</sup> September 2003.*

## CHAPTER-16

### DEAN OF FACULTY OF BASIC DISCIPLINE

#### Act-Section 8(4)

There shall be a Dean for each *Faculty of Basic Disciplines (Engineering, Sciences, Management, Humanities & Social Sciences and Nursing)* who shall be appointed in such manner and with such powers and duties as may be prescribed by the Statutes.

#### Statute 4

4(1) Every Dean of a *Faculty of Basic Disciplines (Engineering, Sciences, Management, Humanities & Social Sciences and Nursing)* shall be appointed among Professors of corresponding Schools, by the Vice Chancellor for a period of three years. The post shall normally be on rotation basis amongst the Professors. However, the Vice Chancellor can reappoint the Dean after the expiry of his/her term of the Dean in the interest of the University.

Provided that, when the office of the *Dean of a Faculty* of basic Discipline is vacant or when the Dean is, by reasons of illness or absence or 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.

4(2) The Dean shall be the *Academic In charge of the Faculty of Basic Discipline* and shall be responsible for the conduct and standard of teaching and research *of the constituent Schools*. He shall have such other functions as may be prescribed by the Ordinances.

4(3) The Dean shall have the right to be present and to speak at any meeting of a Board or Committee of the *Faculty or of the Constituent Schools*, as the case may be, but not the right to vote thereat unless he is a member thereof.

**Ordinance** :- *In pursuance to Statute 4 (2) of the First Statute of the University*

Save as otherwise provided in the Act and Statutes, the Dean of *Faculty* shall be responsible for:

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1. due observance of the Statutes and Regulations in the Schools;
2. proper functioning of the Schools and maintenance of discipline;
3. *Appointment of Ph.D. examiners for research thesis submitted from the Schools.*
4. implementation of decisions of the authorities of the University
5. *Forwarding the names of students for the award of Ph.D., M. Tech / M.Sc. / MBA, B. Tech. degrees or any other degree/diploma to the Vice chancellor.*



6. Conduct of examination of the University in respect of the students of the Schools in accordance with such directions as may be given by the Academic Council
7. He will perform such other duties as may be assigned to him by the Vice-Chancellor from time to time.

*Recommended by the EC in its 7<sup>th</sup> meeting held on 14<sup>th</sup> of Feb' 2005 & approved by the Chancellor of the University on 11<sup>th</sup> March'2005.*

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## CHAPTER-17

### HEADS OF SCHOOL OF STUDIES

#### Act-Section 8(4)

There shall be a **Head for each School of Study** who shall be appointed in such manner and with such powers and duties as may be prescribed by the Statutes.

#### Statute 4 A

**4(1)** Every **Head** of a School of Studies shall be appointed by the Vice-Chancellor for a period of three years and he shall be eligible for reappointment:

Provided that, when the office of the **Head** of a School of Studies is vacant or when the **Head** is, by reasons of illness or absence or 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.

**4(2)** The **Head** shall be the Head of the School of Studies and shall be responsible for the conduct and standard of teaching and research in the School. He shall have such other functions as may be prescribed by the Ordinances.

**4(3)** The **Head** shall have the right to be present and to speak at any meeting of a Board or Committee of the School, as the case may be, but not the right to vote thereat unless he is a member thereof.

**Ordinance** :- *In pursuance to Statute 4 (2) of the First Statute of the University*

Save as otherwise provided in the Act and Statutes, the **Head** of School of Studies shall be responsible for: -

1. due observance of the Statutes and Regulations in the School;
2. proper functioning of the School and maintenance of discipline;
3. assignment of duties to the teachers and co-ordinate studies and research in the School;
4. implementation of decisions of the authorities of the University
5. keeping a record of the evaluation of sessional work and of the attendance of the students at lectures, tutorials, seminars or practicals.
6. conduct of examination of the University in respect of the students of the School.
7. He will perform such other duties as may be assigned to him by the Vice-Chancellor from time to time.

*Recommended by the EC in its 7<sup>th</sup> meeting held on 14<sup>th</sup> of Feb' 2005 & approved by the Chancellor of the University on 11<sup>th</sup> March ' 2005.*

## CHAPTER-18

### REGISTRAR

#### **Act-Section 8(5)**

There shall be a Registrar who shall act as Secretary of the Executive Council and the Academic Council and he shall be appointed in such manner and with such powers and duties as may be prescribed by the Statutes.

#### **Statute 5**

- 5(1)** The Registrar shall be appointed by the Executive Council and shall be whole time salaried officer of the University.
- 5(2)** When the office of the Registrar is vacant or when the Registrar is, by reason of illness or absence or 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.
- 5(3)** The Registrar shall not, by reason only of his being Secretary of the Executive Council and the Academic Council, be deemed to be a member of any of these authorities.
- 5(4)** The Registrar shall –
  - (a) be the custodian of the records, the common seal and other properties of the University as the Executive Council shall commit to his charge;
  - (b) conduct the official correspondence of the Executive Council and the Academic Council;
  - (c) supply to the 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 act, call a meeting of the Executive Council forthwith and take its directions for carrying on the work of the University;
  - (e) represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representative for the purpose; and
  - (f) perform such other duties as may be specified in the Statutes, or prescribed by the Ordinances or the Regulations or as may be required, from time to time by the Executive Council or the Vice-Chancellor;
  - (g)
    - (i) The Registrar shall have power to take disciplinary action against the employees

belonging to the ministerial staff and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or the withholding of increment ;

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

- (ii) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing the penalty of the withholding of increment.
- (iii) In a case where the inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations for such action as the Vice-Chancellor deems fit:

Provided that an appeal shall lie to the Executive Council against the order of the Vice-Chancellor imposing the penalty of dismissal.

## CHAPTER-19

### FINANCE OFFICER

#### Act Section 8 (6)

There shall be a Finance Officer, who shall be the Secretary of the Finance Committee and exercise such powers and perform such duties as may be prescribed by the Statutes.

#### Statute 6

- 6(1) The Finance Officer shall be appointed by the Executive Council and shall be a whole time salaried officer of the University.
- 6(2) When the office of the Finance Officer is vacant or when the Finance Officer is, by reasons of illness or absence or 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.
- 6(3) The Finance Officer shall: -
- (a) exercise general supervision over the funds of the University and shall advise it as regards its financial policy; and
  - (b) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by the Statutes or the Ordinances;

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding Rs. 25000/- without the previous approval of the Vice Chancellor.

- 6(4) Subject to the control of the Executive Council, 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 a 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 annual accounts and the budget of the University for the next financial year and for their presentation to the Executive Council;
  - (d) keep a constant watch on the state of the cash and bank balances 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 an internal audit party;
  - (g) see that the registers of buildings, land, furniture and equipment are maintained upto date and that the stock checking is conducted of equipment and other consumable materials in all offices, specialized centers, specialized laboratories, Faculty and institutions maintained by the University;
  - (h) call for explanation for unauthorized expenditure and for other financial irregularities and suggest disciplinary action against the persons at fault; and
  - (i) call for from any office or Faculty or **School** or institution under the University any information or return that he may consider necessary to discharge his financial responsibilities.
- 6(5) The receipt of the Finance Officer or of the person/persons duly authorized in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for the same.

## CHAPTER-20

### STATUTORY OFFICERS OF THE UNIVERSITY

#### Act-Section 7(8)

There shall be such other officers provided for in the Statutes.

#### Statute 7

7(1)The following shall also be the officers of the University, namely: -

- (a) Dean of Students Welfare
- (b) Librarian

#### 7(2)Dean of Students Welfare

- (a) The Dean of Students Welfare shall be appointed from amongst employees of the University, who are or who have been teachers of the University, not below the rank of **Associate Professor**, by the Executive Council on the recommendations of the Vice Chancellor. The Dean shall be a whole time employee of the University, who shall hold office for a term of three years and shall be eligible for re-appointment.
- (b) The person who is appointed as the Dean of Students Welfare shall continue to hold his substantive post.
- (c) When the office of the Dean of Students Welfare is vacant or when the Dean of Students Welfare is, by reasons of illness or absence or 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.
- (d) The duties and powers of the Dean of Students Welfare shall be prescribed by the Ordinances.

#### Ordinance

In pursuance to provisions under Statute 7(2)(d) of the First Statute of the University

The Dean of Students Welfare shall have the following duties and powers: -

1. to plan, organize and conduct students' welfare programmes including cultural and literary activities, festivals, extension and special lectures, youth clubs in the areas of their interest, societies, etc. and to encourage the students to participate in such activities;
2. to co-ordinate the work of student services and agencies in the University and motivate faculty involvement in the students' welfare programmes;
3. to prepare the academic activities calendar in co-operation with the Dean of the Faculty/Heads of Schools and other University functionaries;



4. to provide secretarial services to the Board of Sports and Student Welfare if any, and pursue and implement decisions taken by it or the Academic Council in regard to Student welfare activities;
5. to maintain discipline and deal with cases of indiscipline in the University Campus and provide secretarial services to the Discipline Committees in accordance with the Discipline Regulations;
6. to devise ways and means for promoting the social, moral and emotional well being of the University students, and inculcating among them regard for great ideals like loyalty to the country, devotion to duty and pursuit of truth;
7. to appoint academic guides and mentors/counsellors in consultation with the **Deans of Faculties** and with the approval of the Vice Chancellor, to take care of the problems of the students in their respective Hostels;
8. to coordinate the working of hostels, halls of residence, canteens, co-operative stores, hobby centers, students' homes, community halls and clubs etc.;
9. to prepare and review the reports of the activities pursued during a year;
10. to make arrangement with the Railways and Airlines authorities for the issue of railway concessions to students during vacations for educational tours and for students' participation in inter curricular activities and inter University tournaments;
11. to perform such other functions for the welfare of the students as the Vice Chancellor may direct from time to time;
12. to be the member of the Library Committee;
13. to be the member of the Board of Sports and Student Welfare;

### **Statute –7(3) Librarian**

- a). **The Librarian shall be appointed by the Executive Council and shall be a whole time salaried officer of the University;**
- b). **The duties and powers of the Librarian shall be regulated by the Ordinances.**

### **Ordinance**

*In pursuance to provisions made under Statute 7 (3)(b) of the First Statute of the University*

The Librarian is assigned the following duties:

1. to act as Member Secretary of the Library Committee
2. to be responsible for proper upkeep and maintenance of the library facilities
3. to perform such other functions as may be assigned to him from time to time by the

authorities of the University.

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***Recommended by the Executive Council & approved by the Chairman SMVD Shrine Board, on behalf of the Board and notified vide notification no:- SMVDU/03/4000-25, dtd:- 30-09-2003.***

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## CHAPTER – 21

### OTHER OFFICERS OF THE UNIVERSITY

In addition to the officers mentioned under Statute ‘7’ of the first Statutes, there may be any of the following positions of Officers as may be created by the Executive Council: -

1. Dy. Librarians
2. Asstt. Librarians
3. Dy. Registrars
4. Asstt. Registrars
5. Secretary to Vice Chancellor
6. University Engineer, if any
7. Medical officer
8. Head Physical Education.

The duties, functions and powers of these officers shall be prescribed by the Vice Chancellor in consultation with the Registrar/Finance Officer/Dean of Students Welfare/Librarian.

## CHAPTER-22

### FACULTY OF BASIC DISCIPLINE

#### Statute 12

- 1) The University shall have such *Faculties of Basic Disciplines* as may be specified in the Ordinances.
- 2)
  - (a) Every *Faculty of Basic Discipline* shall consist of such Schools as may be assigned to it by the Ordinances;
  - (b) Such **Schools** shall consist of the following members, namely-
    - i) Teachers of the School;
    - ii) Persons appointed to conduct research in the School;
    - iii) Honorary Professors, if any, attached to the School;
    - iv) Such other persons as may be members of the School in accordance with the provisions of the Ordinances.
  - (c) Each *School* shall have a *Head* who may be a Professor or, if there is no Professor, *an Associate Professor* and whose duties and functions shall be prescribed by the Ordinances:

Provided that if there are more Professors or, as the case may be, *Associate Professors* than one in any **School**, the Executive Council shall appoint one of them as the *Head of the School*.

## CHAPTER-23

### HEAD OF THE SCHOOLS

#### Statute 12(2)(c)

Each *School* shall have a Head who may be a Professor or, if there is no Professor, *an Associate or Assistant Professor* and whose duties and functions shall be prescribed by the Ordinances:

Provided that if there are more Professors or, as the case may be, *an Associate or Assistant Professor* than one in any *School*, the Executive Council/Vice Chancellor shall appoint one of them as the Head of the *School*.

**Ordinance:** In pursuance to the Statutes 12(2)(c) of the First Statutes of the University.

The Vice Chancellor shall nominate a teacher of the *School* of Studies to act as *Head* of the School for a period which should normally not be less than two years. The Head of the School shall be responsible for:

1. proper maintenance of discipline under the overall control of Dean of *Faculty* and Vice Chancellor.
2. proper functioning of the *School*;
3. assignment of duties to the teachers ;
4. coordination of studies and research in the *School*;
5. performing such other duties and functions as may be assigned to him by the Vice Chancellor or Dean of the *Faculty* from time to time.

In such Schools where there is no *Head* the Dean of the Faculty shall exercise his powers.

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*Recommended by the Executive Council and approved by the Chairman, Shri Mata Vaishno Devi Shrine Board, on behalf of Board and notified vide Notification no: SMVDU/03/4000-25, dated :- 30<sup>th</sup> September 2003 and modified, dated:-14<sup>th</sup> February 2005.*

## CHAPTER-24

### BOARD OF STUDIES

#### Statute 12(3)

Every *Faculty* shall have a Board consisting of the following members namely;\*\*

- i) The Dean of the *Faculty*;
- ii) The *Heads of Schools belonging to the Faculty*;
- iii) The Professors in the *School*;
- iv) One *Associate / Assistant Professor* and one Lecturer, by rotation according to seniority, from each *School*;
- v) Five members nominated by the Academic Council for their special knowledge in any subject assigned to the *faculty* or in any allied branch of knowledge;
- vi) Such other members, but not exceeding five, as may be specified in the Ordinances.

**Ordinance:-***In pursuance to the Statute 12(5) & 12(6) of the First Statutes of the University*

Every Board shall have the following powers and duties:

1. To recommend courses of studies for various programmes and detailed syllabi for the various courses;
2. To recommend combination of courses permitted in various programmes;
3. To recommend books for being prescribed as textbooks or books for study;
4. To recommend books and learned Journals for reading and to draw up list of essential books required for the Department/School library;
5. To make recommendations about instructional methods and evaluation procedures for the programmes concerned;
6. To prepare lists of minimum apparatus and equipment required for the programmes concerned for practical training;
7. To suggest and formulate measures for periodical assessment and advancement in Teaching and Research;
8. To co-ordinate the teaching and research in the School and suggest measures for improvement of the standard of teaching and research;
9. To prepare panels of names of paper setters and examiners in their respective subject in accordance with the Statutes;
10. To act as a consultative body in regard to all questions referred to it by the faculty and

the Academic Council;

11. To appoint committees to organize the teaching and research work in areas, which are of interest to more than one **Faculty / School / Department** in order to promote inter disciplinary approach;
12. To recommend to the Academic Council, the names of examiners, for the evaluation of theses;
13. To frame general rules for the evaluation of sessional work;
14. To delegate to the Dean or any other member of the Board or to a Committee, such general or specific powers, as may be decided upon from time to time
15. To carry out such other functions and duties as may be required by the Executive Council, the Academic Council, Vice Chancellor;
16. **Conduct of Meetings:** Meetings of a Board shall be held at any time at the instance of the **Dean of the Faculty** or as the Vice Chancellor may direct. The Board shall meet at least once in a semester.
17. **Notice of the Meetings:** **The Dean** shall issue to each member a notice stating the time, date and place of the meeting along with the agenda paper at least 10 days before the date fixed for the meeting.
18. A person shall not be eligible to be a member of any Board of Studies, if;
  - a) he is involved in publication of cheap notes, guides or help books by himself or by any person or body of persons for him or for his benefit or on his account or he has any share or interest in a firm engaged in printing, publishing or selling books for the use of the University or for students of any of its courses.

#### 19. **Chairman**

**The Dean of the Faculty** shall be the Chairman and Convener of the Board. In his absence, the senior most Heads of Schools in the subject not below the rank of a Professor shall be the Chairman of the Board;

#### 20. **Secretary**

**A person authorized by Dean** shall be the Secretary of the Board and shall keep a record of the proceedings of the meetings.

#### 21. **Quorum**

Majority of the members comprising the board shall form quorum.

*Recommended by the Executive Council and approved by the Chairman, Shri Mata Vaishno Devi*

*Shrine Board, on behalf of Board and notified vide Notification no: SMVDU/03/4000-25, dated:  
- 30<sup>th</sup> September 2003.*

***\*\*Clause 4, 5 & 6 deleted on the recommendation of the EC in its 7<sup>th</sup> meeting held on 14<sup>th</sup> Feb  
2005 & approved by the Chancellor on 11<sup>th</sup> March 2005.***

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## CHAPTER-25

### UNIVERSITY'S TEACHERS

#### Statute 20

20(1) Teachers of the University shall be of two classes, namely: -

- i) Appointed teachers of the University;
- ii) Recognized teachers of the University;

20(2) Appointed teachers of the University shall be either-

- a) Employees of the University as Professors, *Associate Professors*, *Assistant Professors* and Lecturers or otherwise of the University, or
- b) Persons appointed by the Chancellor as Honorary Professors, Emeritus Professors, *Associate Professors*, *Assistant Professors* and Lecturers or otherwise as teachers of the University.

20(3) Recognized teachers of the University shall be members of the staff of a recognized institution other than an institution maintained by the University:

Provided that no such member of the staff shall be deemed to be a recognized teacher unless he is recognized by the Executive Council as a Professor, *Associate Professors*, *Assistant Professors* or in any other capacity as a teacher of the University.

20(4) The qualifications of recognized teachers of the University shall be such as may be prescribed by the Ordinances.

20(5) All applications of recognition of the teachers of the University shall be made in such a manner as may be laid down by the Regulations made by the Executive Council in that behalf.

20(6) The period of recognition of a teacher of the University as Professor, *Associate Professors*, *Assistant professors* shall be determined by Ordinances made in that behalf. A person in the service of a recognized institution other than an institution maintained by the University, recognized as a teacher of the University otherwise than as a Professor, *Associate Professors*, *Assistant Professors* shall continue to be recognized so long as he is in service of the institution.

- 20(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 to the 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 as 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.

- 20(8) A person aggrieved by an order of withdrawal under clause (7) may, within three months from the communication to him of such order, appeal to the Executive Council who may pass such orders thereon as it thinks fit.

- 20(9) No person shall be appointed or recognized as a teacher of the University except on the recommendation of Selection Committee constituted for the purpose.

### **Ordinance**

*In pursuance to the provisions made under Statute 28 (h) of the First Statute of the University*

### **Visiting Professors**

1. Distinguished persons, having special competence in one or other of the field of study covered by the University, may with the approval of the Executive Council be invited by the Vice-Chancellor to function as Visiting Professors in the University. Visiting Professors can be drawn either from within India or abroad.
2. Visiting Professors will, according to arrangements entered into in each individual case, deliver a course of lectures or take seminars or participate in workshops in such manner as may be deemed appropriate in teaching and research work of the University. In no case, however, shall a Visiting Professor give less than a specified number of lectures / seminar in a year.
3. The maximum tenure of a Visiting Professor shall be such as may be determined by the Executive Council.
4. A Professor shall not be appointed as a Visiting Professor in the University in case he holds a post immediately before and after superannuation in Shri Mata Vaishno Devi University.
5. Persons invited as Visiting Professors may be paid such honorarium, traveling expenses, hospitality etc. as may be decided by the **Vice Chancellor**.
6. In case, a serving person is appointed as Visiting Professor, the honorarium payable shall be determined on the basis of salary plus 10% of the basic pay plus Dearness Allowance and other allowances if any admissible (except conveyance allowances) according to the ratio of his parent University. He shall also be entitled to CPF or

share towards pensionary benefits as per rules of his parent University.

7. A person appointed as Visiting professor from outside the country shall be paid honorarium as negotiated with teacher concerned and international airfare and travel expenses within India in accordance with the TA rules of the University.
8. The University may ordinarily appoint a person upto the age of 70 years as a Visiting Professor.
9. To the extent possible, the University shall make arrangements for accommodating the Visiting Professor within the Campus so that fruitful contacts could be established between them and the teachers and students of the University.
10. Subject to the above, the Executive Council may prescribe such other terms and conditions as may be required in the case of any Visiting Professor, including the duration of the appointment.

### *Visiting Fellows*

1. Visiting Fellow shall be appointed by the Vice Chancellor on the recommendation of the Dean of a Faculty for a minimum tenure of a week and maximum up to three months.
2. Traveling expenses and Daily Allowance shall be as per TA rules of the University.
3. In addition, the Visiting Fellow may also be paid such honorarium as may be prescribed by the University from time to time.
4. Visiting Fellow will also be provided accommodation in the University guest house free of charge
5. Same person may not be appointed as Visiting Fellow more than once in a year but the total period of three months may be split up in parts within the period of one year.

### *Honorary Emeritus Professors*

1. Any person who is a distinguished scholar and has been or was a University Professor or Head or Head of a Section / **Division / Deptt.** in a National / State Laboratory or a **professional** who has attained national / international recognition for his contribution(s) in the field of academics / **professional field** and extension **activities** and whose association with the University would **substantially** help furtherance of the academic life and activities of the University **and bring high repute** may be considered for appointment as Honorary **Emeritus** Professor in the University for such period as may be determined by the Executive Council.
2. **The Deans of Faculty** may propose to the Vice-Chancellor the appointment of a person as **Honorary Emeritus Professor**, and the Vice-Chancellor may, after satisfying himself, recommend the appointment to the Executive Council through the Academic Council. The Executive Council shall be the Competent Authority to make appointment of an

### **Honorary Emeritus Professor.**

3. An Honorary **Emeritus** Professor will be expected to associate himself with **advisory** / academic activities of the School / **Department** to which **he / she is appointed**.
4. The Honorary Professorship will carry with it no financial commitment for the University except to the extent of meeting **the** traveling expenses for academic visit to the University, hospitality and honorarium as may be determined by the Vice-Chancellor.

### ***Qualifications of Recognised Teachers***

*In pursuance to provision made under Statute 20 (4) of the First Statute of the University*

1. The qualifications of recognised teachers of the University shall be the same as prescribed for the appointed teachers of the University.
2. All applications for the recognition of teachers shall be forwarded by the Dean of the respective Faculty, giving detailed academic qualifications, teaching and research experience, specialization and other particulars in respect of each teacher recommended.
3. No person shall be recognized by the Executive Council as a teacher of the University except on the recommendation of the Selection Committee constituted by the Executive Council for the purpose.
4. The meeting of the Selection Committee shall be convened by the Vice-Chancellor as and when necessary.
5. The period of recognition of a teacher of the University as Professor or **Associate/Assistant Professor** shall be such as may be prescribed by the Selection Committee, which may further be extended, after reviewing the academic work of the teacher through a fresh Selection Committee to be constituted by the Executive Council.
6. The Selection Committee for the purpose of recognizing the teachers shall be the same as prescribed for appointed teachers of the University with such modifications as the Executive Council may determine.

### ***Part Time Teachers***

1. ***Executive Council may appoint a part time teacher to teach a particular subject or part thereof whenever considered necessary.***
2. The strength of part time teachers shall not exceed 25% of the total strength of whole time teaching staff.
3. Unless otherwise authorized by the Executive Council, a part time teacher may be appointed for a period not exceeding one year, but he/she shall be eligible for reappointment.
4. A part time teacher shall be required to work for at least 9 hours a week.
5. The monthly salary of the part time teacher shall be such as may be decided by the Executive Council on the recommendations of the Vice-Chancellor.
6. The part time teachers shall be governed by such other conditions of service as may be prescribed by the Executive Council.

## CHAPTER-26

### LIBRARY SERVICE

*Ordinance: - In pursuance to provision under Section 14(g) of the Act of the University*

#### 1. Library Committee

In order to have effective control over the functioning of the Library, there shall be a Library Committee which shall consist of the following: -

- i) the Vice-Chancellor or his nominee;
- ii) the Deans of *Faculties*;
- iii) the *Heads* of Schools;
- iv) the Registrar;
- v) the Librarian (ex-Officio member and Secretary)

The nominated members of the Committee shall **normally** hold office for a period of two years.

#### 2. Chairman

The Vice-Chancellor **or his nominee** shall be the Chairman of the Committee.

#### 3. Secretary

The Librarian shall be the ex-Officio Secretary. He shall record in writing the minutes of all the meetings and shall submit the same to the Chairman of the Committee for approval.

#### 4. Functions of Library Committee.

The powers and functions of the Library Committee shall be as under:

- i) to recommend and draft the annual budget proposal for the library and forward the same for consideration and approval of the appropriate authority;
- ii) to recommend, dispose-off and write-off such books which in its opinion have become unusable or damaged and/or lost.
- iii) to consider and recommend all matters relating to the Library which are not otherwise provided for in Regulations, to the appropriate authority.

#### 5. Meetings

The committee shall meet at least twice in a year or such other times as may be directed by the **Vice Chancellor**.

#### 6. Library Rules

##### 6.1 Procurement of Library Resources

- (i) The recommendations for purchase of various titles of books, research journals and other learning resources shall flow from the Deans of different Faculty with priorities and phasing.
- (ii) The purchase shall be recommended by a Committee consisting of the Librarian, Registrar and Finance Officer for approval by the Vice Chancellor within one month of completion of verification.

- (iii) The books shall be purchased at the highest discount rates available but in no case at a discount less than approved by the Good Offices Committee constituted by the G.O.I.
- (iv) Immediate steps should also be taken to classify and catalogue the books.
- (v) Before the bills are passed on to the Finance Officer for pass and payment, a certificate shall be recorded under the signature of the Librarian that the books billed for have been received and accessioned at Sr. No. \_\_\_\_\_ to \_\_\_\_\_ and the prices verified.

## 6.2 Library Service

- i) The Library service shall be available to the students and staff of the University and any other person who may be authorized by the Librarian.
- ii) Reference books such as periodicals, encyclopedias, dictionaries, atlases, yearbooks and rare books shall not be issued from the Library.
- iii) The books shall be issued strictly according to the priority of demand.
- iv) Not more than **4** books may be borrowed at a time by a **student** and **Eight** books at a time by a **research scholar & faculty member** and **three books at a time** by **non-teaching staff member**.

## CHAPTER 27

### ORDINANCES GOVERNING ADMISSIONS

*In pursuance to the provisions under Section 16(a) of the Act and Statute 29(2)(b) of First Statutes of the University*

#### 1. Registration of Students

1.1 Every student joining any **Faculty/School** of the University as a regular **or part-time** student shall be required to get himself registered with the University.

#### 1.2 Students of the University

All persons registered with the University for pursuing a programme of study leading to a degree/diploma shall be called students of the University.

#### 1.3 Register of Students

The University shall maintain in such form as the Competent Authority may prescribe, a register of students. The register shall contain the following information:

- i) Full name and address of the student
- ii) Parentage
- iii) Annual family income
- iv) Date of birth based on matriculation/Hr. Sec examination
- v) Examination passed qualifying for entry into University
- vi) Year of passing
- vii) Department/Institution joined
- viii) Name of examination of the University in which appeared or passed
- ix) Year of examination
- x) **Entry No.**
- xi) Result
- xii) **CGPA**
- xiii) Prizes, medals or Scholarships/Student Assistantship won or punishments awarded
- xiv) Date of migration to another University
- xv) Date of re-joining

1.4 When the name of a student is struck off or if he/she is rusticated or expelled, such fact shall be immediately reported to the registration section for record in the register of students and the registration shall not be renewed till the order of rustication or expulsion is revoked. Similarly, when a student migrates to any other University, the entry shall be made to this effect in the Register of Students

#### 1.5 Re-registration

When a student of the University who has earlier migrated to another University, rejoins the University, his/her registration shall be revived and his registration no. after re-registration shall remain the same. **Re-registration is also necessary at the start of each semester on the dates notified in Academic Calendar of the University.**



**1.6 Registration number**

Every student of the University shall be supplied with a registration card showing his registration number and other particulars. In all his correspondence with the University, the registration number shall be quoted by the student.

**1.7** Registration number shall also be mentioned in application for admission to any examination of the University.

**1.8** A student seeking registration or re-registration shall be required to pay registration fee and continuation fee at such rates as may be prescribed from time to time.

**1.9** Copies of transcripts shall be made available to the students, subject to the payment of prescribed fees.

**1.10 Change in entries of the register of Students**

Except in cases of a genuine or clerical error, no change in any entry to the register of students shall be made. However, on payment of fee, change of name may be authorized on the basis of an application duly supported by an affidavit sworn before a magistrate by the person himself/herself and also a cutting from a reputed newspaper in which the proposed change of name has been advertised. Any other change proposed to be made in any entry in the register of students shall be supported by documents to the satisfaction of the University authorities and on payment of prescribed fee.

**2. General Rules for Admissions**

**2.1.** Admission to various courses of studies shall be made by the admission committee for a particular programme on the basis of a competitive examination and/or on merit of the candidate in the qualifying examination. Facilities available through All India Entrance Examinations like AIEEE for engineering students and MAT/CAT for students of the MBA may be used for admitting the students for other courses, the university may adapt its own procedure.

**2.2.** No candidate who wishes to join a course of study prescribed by the University shall be admitted to a University teaching Department or its recognized teaching institution unless he/she has passed the qualifying examination for admission to the said course, as prescribed by the Ordinances.

**2.3. No student shall be admitted to more than one programme/course of study at a time in a School/Institution, unless it is specifically permitted under a relevant Ordinance.**

**2.4. Eligibility Certificate** No student from another University or another examining body shall be admitted to a University Faculty/institution except on production of a certificate of eligibility for which he shall make an application on the prescribed form to the Registrar through the Dean of the Faculty/institution to which he is seeking admission and at the same time, he/she shall pay the prescribed fee for the same.

2.5. All applications for issue of eligibility certificate shall be supported by the relevant original certificates along with migration certificate.

2.6 In case, for genuine reasons, a student is not in a position to produce all the certificates/documents required for the issue of eligibility certificate, the Vice Chancellor, on the recommendations of the **Dean of the Faculty**, may authorize provisional admission for one term at the risk and responsibility of the student. An undertaking in writing in the following form shall be obtained from the applicant, duly attested by the magistrate or an Oath Commissioner or a Public Notary:-

“I \_\_\_\_\_ son/daughter of \_\_\_\_\_ R/O \_\_\_\_\_ hereby declare that I am seeking provisional admission to \_\_\_\_\_ class of the \_\_\_\_\_ Course in the department of \_\_\_\_\_ on the understanding that my admission to the class is provisional and is subject to confirmation on the issue of certificate of eligibility by the University under rules. If for any reason, whatsoever, the University declines to issue the said certificate, my provisional admission will automatically stand cancelled.”

2.7 A student shall obtain certificate of eligibility before he is allowed to sit in the examination to which he has been admitted.

2.8 **Conduct Certificate :-** A student when applying for admission to a Faculty/School shall submit with his /her application a certificate about his/her conduct at the time of admission.

2.9 The Dean of the School shall be competent to cancel the admission of a student to a programme of study in case he/she remains absent without permission for a period of one month continuously or he/she attends less than 80% of the total lectures delivered in a term, after giving an opportunity to the student to explain as to why action be not taken against him/her.

### 3. *Issue of migration certificate*

Migration certificate to join some other University or institution may be granted to a student on his/her written request on prescribed form. The fee for the certificate shall be such as may be prescribed by the University from time to time.

### 4. **Procedure for Admission to various Programmes**

4.1 Admission to a course of study in a School of the University shall be made by the Admission Committee of the School concerned through an advertisement issued with the approval of the Dean of the Faculty concerned and the Head of respected Schools. The schedule and other details of admission for entrance test shall be notified by each concerned School separately after obtaining approval of the Dean of Academic Affairs/Vice Chancellor.

4.2 Applications in the prescribed form, complete in all respects and accompanied with the copies of certificates required for admission to a course of study, shall be given to and

received by the Faculty concerned. No certificate will be accepted after submission of the application form for admission to a programme of study.

- 4.3 The admission of students shall start and end at such dates as may be prescribed by the Admission Committee.
- 4.4 List of candidates selected for admission shall be finalized and notified by the **School/Admission In-charge** concerned by the date specified for the purpose.
- 4.5 The candidates who are selected shall be intimated by post or list of such candidates may be published in one or two national dailies or through Internet.

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*Recommended by the Executive Council and approved by the Chairman, Shri Mata Vaishno Devi Shrine Board, on behalf of Board and notified vide Notification no: SMVDU/03/4000-25, dated :- 30<sup>th</sup> September 2003.*

## CHAPTER 28

### ORDINANCE RELATING TO THE AWARD OF MASTER'S DEGREE

*The award of Bachelor of Technology, Master of Technology and Ph. D degrees are subject to rules given in the respective programme booklet for Undergraduate and Postgraduate students.*

SAMVDU

## CHAPTER - 29

### MEDALS/SCHOLARSHIPS AND PRIZES

**Ordinance:** In pursuance to provision under Statute 28 (b) of the First Statute of the University

#### **Medals**

- 1 The University may award gold medals each year, at the time of convocation, to the candidates securing the first class first position in a programme of study.
- 2 The University may also accept endowments, which will take the form of corpus money for award of gold medals/scholarships in the various faculties. The amount of endowment shall be such as may be prescribed by the University but in no case it shall be less than 2.00 lacs.
- 3 The endowment money shall be placed in a fixed deposit and interest accruing there on shall be utilized for the award of scholarships, preparation of gold medals and savings if any may be added to the corpus of the fund.
- 4 The regulations governing the award of gold medal/scholarship in respect of each endowment shall be framed in consultation with the donor and approval of the Executive Council.

#### **Scholarships**

1. There shall be scholarships instituted by the University in each programme of study, the number and value of which may be decided by the Executive Council on the recommendations of the Academic Council.
2. The Scholarships will be granted on the basis of merit in the qualifying examination recognised by the university.
3. The scholarships shall be awarded from the date of admission to the particular semester, up to the last date of the examination of that semester, provided that in subsequent semesters shall be awarded to the student/students on the basis of merit in the preceding semester.
4. A team consisting of teaching staff headed by the Dean of Faculty shall constitute the Selection Committee for assessing the merits of the applicant for the scholarships.

5. The Vice Chancellor shall be the sanctioning authority of the scholarships and shall also be competent to suspend or withhold a scholarship if it is reported that the progress and conduct of the scholarship holder is not satisfactory.

### **Research Fellowships**

1. The University may also introduce Research Fellowships for pursuing research. The scholarship shall be of such amount along with a contingency grant as may be prescribed by the Academic Council from time to time.
2. The contingency grant shall be released in two equal six monthly installments and the research fellow shall declare in the prescribed performa that the expenditure has been incurred for the purpose for which the grant was sanctioned.
3. A Research Scholar shall be entitled to one month's leave in a year to be sanctioned by the Head of the School on the recommendations of the supervisor. Any other exception to this rule would be at the discretion of the Vice Chancellor, based on the reasons to be recorded and recommended by the Dean.
4. The Research Scholars shall submit to the **Head** of the School the quarterly progress report about their work through their Supervisor.
5. The tenure of the scholarship shall ordinarily be of three years .Only in exceptional cases and on the specified recommendations of the Dean of the **Faculty**, the Vice Chancellor may extend the scholarship by a period not exceeding twelve months.
6. The Vice Chancellor shall be competent to suspend or withdraw the fellowships in case the progress and/or conduct of the scholar is not satisfactory.
7. Research scholars/Fellows may be required to take an academic load of four to six hours to assist regular faculty in the laboratories and tutorials. Rules for utilizing their services would be made by the Academic Council.

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*Recommended by the Executive Council and approved by the Chairman, Shri Mata Vaishno Devi Shrine Board, on behalf of Board and notified vide Notification no: SMVDU/03/4000-25, dated: - 30<sup>th</sup> September 2003.*

## CHAPTER 30

### CONVOCATION PROCEDURE

#### Ordinances

#### Date & Time

1.Convocation for conferring various degrees shall be held by the University at the University Campus, Kakryal on such date as may be fixed by the Vice Chancellor in consultation with the Chancellor. However, 19<sup>th</sup> August, the day of University's inauguration, will normally be the day for Convocation. This has the approval of His Excellency the Governor of J&K and Chancellor SMVD University.

A special Convocation may also be held as may be found necessary and convenient by the University Executive Council.

2.The convocation shall consist of the body corporate of the university.

#### Notice of Convocation

3.Not less than one month's notice shall be given by the Registrar of all meetings of the University Convocation.

4.The Registrar shall, with the notice, issue to each member of the Convocation, a programme and the procedure to be observed thereat.

5.“Candidates who pass their examinations in the year for which the Convocation is held as regular students of the university shall be eligible to be admitted to their Degrees at the University Convocation.”

6.Medals, prizes and certificated of merit of the university shall be awarded to the persons entitled thereto at the University Convocation.

7.If a candidate eligible to attend the University Convocation fails to present himself for admission to degree, in the manner provided in the statues, he may be deemed to have been admitted to the degree in absentia at the University Convocation and his degree shall be issued free of charge after the convocation.

8.In case the convocation is not held in a particular year, the Vice Chancellor shall be competent to authorize admission of successful candidates in that year to their respective degrees in absentia and issue the degrees free of cost, **provided;**

- i. **that in all such cases, where the award of degree has been requested by the student before the actual convocation ceremony, provided sufficient reasons exist for the same (as ascertained by the University), the award of degree must be approved by the Vice-Chancellor, in his/her capacity as the Chairman of the Academic Council, in case no meeting of the Academic Council is planned in the immediate future.**

- ii. that all such cases shall be put-up in the next meeting of the Academic Council for information of the decision.
- iii. that all such cases must be reported in the next meeting of the Executive Council.
- iv. that the award of the degree may be allowed in-absentia, also.

9. The academic dress of the University shall be as follows:-

- a. **For Chancellor** : *Maroon Velvet with Golden Lace and Green Stripes.*
- b. **For Chief Guest** : *Purple Velvet with Golden Lace and Green Stripes.*
- c. **For Vice Chancellor** : *Red Velvet, Orange face and Golden Stripes.*
- d. **For Registrar** : *Purple Raw Silk, Golden Lace & Golden Stripes.*
- e. **For Executive Council / Academic Council Member** : *Golden Raw Silk, Green face & GoldenLace.*
- f. **For Faculty** : *Fine Khadi Fawn Colour, Orange & Green Border.*
- g. **For Doctor of Philosophy (Ph.D)** : *Maroon Satin, Green Hood*
- h. **Master of Technology:** *Peach Satin, Green / Peach Hood.*
- i. **For Master of Business Administration** : *Peach Satin, Green/ Orange Hood.*
- j. **Master of Science:** *Peach Satin, Green / Peach Hood.*
- k. **For Bachelor of Technology in Computer Science & Engineering** : *Occur Satin/ Orange Green Hood.*
- l. **Bachelor of Technology in Electronics & Communication** : *Occur Satin/ Red Green Hood.*
- m. **Bachelor of Technology in Industrial Biotechnology** : *Occur Satin / Green Yellow Hood.*

### Convocation Procedure

10. The candidates for degrees must, seven clear days before the date fixed for the University Convocation, inform the Registrar in writing of their intention to be present along with application fee of Rs.1000/-.

No candidate shall be admitted to the Convocation who has not sent his name to the Registrar within the prescribed time. In exceptional cases, the Vice Chancellor may permit candidates, who have not sent in their names to the Registrar, within the prescribed time, to be admitted to the convocation, provided their applications are received by the Registrar not later than



twenty-four hours before the time of the Convocation and are accompanied by a late fee of Rs.250/- in each case. No candidate whose application and requisite fee are received later than twenty-four hours before the time of the Convocation will be allowed to take his degree at the Convocation.

*Candidates desirous of attending the Convocation must deposit Rs. 750/- as Security for the Convocation Gown with the Office of the Registrar, which would be refunded to the Candidate on his/her depositing the Gown with the Registrar Office after deducting a Rent of Rs.100/- per day for the number of days for which the Gown remains with him/her. Candidates can also retain the Gown if they so desire, in which case the Security amount shall not be returned to the concerned candidates.*

*No Candidate shall be allowed to attend the Convocation if he/she is not wearing the academic robes as prescribed by the University.*

11. The Chancellor, the Chief Guest, the Vice Chancellor and the Registrar shall wear special robes, Members of the University Executive Council and the Academic Council shall also wear special robes, where as, the Faculty members shall wear proper academic robes prescribed by the Shri Mata Vaishno Devi University.

12. All members of the Academic procession and students participating in convocation shall take part in rehearsals one day prior to the convocation. Any student who does not participate in the rehearsals will not be allowed to attend the Convocation.

13. The Chancellor, the Chief Guest, the Vice Chancellor, the Registrar and the member of the University Executive Council and the Academic Council shall assemble in the meeting room at the appointed hour and shall walk in procession in the following order to the Convocation Shamiana:

The Registrar;

The Vice Chancellor;

The Chancellor;

The Chief Guest;

Members of the University Executive Council;

Members of the University Academic Council.

14. On the procession entering the Auditorium, the candidates and audience; shall rise and remain standing until the Chancellor, the Chief Guest, the Vice Chancellor, the members of the University Executive Council, and the Academic Council have taken their seats.

15. The Chancellor, the Chief Guest, the Vice Chancellor and members of the University Executive Council and the Academic Council shall take their seats on the dais in places reserved for them.

16. On the procession entering the Auditorium, the candidates and audience; shall rise and remain standing until the Chancellor, the Chief Guest, the Vice Chancellor, the members of the University Executive Council, and the Academic Council have taken their seats.

17. The Vice Chancellor requests the Chancellor to declare the Convocation open.

18. The Vice Chancellor will read a report reviewing the work of the University during the previous year.

“However, the printed report may be distributed among the audience in the Convocation Pandal and be taken as read. The Vice Chancellor may, however, highlight the salient feature of the report”

19. After the report is read out by the Vice Chancellor, he will request the Chancellor to address the candidates

20. ***The Chancellor / Vice Chancellor introduces the Chief Guest and requests him / her to address the Convocation.***

21. The Convocation address will then be delivered.

22. The Chancellor will thank the Chief Guest for delivering the Convocation address.

23. ***The Vice Chancellor, shall then say;***

***“Let the Candidates for the Degrees of (individual degree or a combined list, as the case may be) be presented”***

24. ***“The candidates for each degree (individually or in groups) shall then be presented by the Deans of the various Faculties or in their absence by their accredited representatives, as: Sir, I present to you candidates in person / list of Disciplines along with number of graduating students in each in person and in absentia for the degree(s) of [Single name or list] Whose names have been set forth in the list of candidates attending the Convocation and who have been examined and found qualified for the degree(s) of [Single name or list] to which I pray that they may be admitted.***

25. ***When candidate for the degrees have been presented, the Vice Chancellor, as the case may be, will admit the candidates in following order:***

***The Dean of the Faculty / Senior most Dean will present the candidates for the Ph.D. Degree, whereas for other courses the respective Deans of the concerned Faculty will present candidates first for PG Degrees & then for UG Degrees.***

1. Doctor of Philosophy (Ph.D) [in various disciplines]
2. Master of Technology.
  - a) Energy Management
  - b) Manufacturing & Automation
  - c) Computer Science & Engineering
  - d) Electronic & Communication Engineering
3. Master of Business Administration & Master of Business Administration [Business Economics]
4. Master of Science
  - a) Biotechnology
  - b) Mathematics
  - c) Physics
5. Master of Arts
  - a) English
  - b) Philosophy
6. Bachelor of Technology in Computer Science & Engineering.
7. Bachelor of Technology in Electronics & Communication Engineering.
8. Bachelor of Technology in Industrial Biotechnology Engineering.
9. Bachelor of Architecture

The Chancellor / Vice Chancellor, shall, then admit the candidates to the degrees in the following words.

*“ By virtue of the authority vested in me as the Chancellor / Vice Chancellor of the Shri Mata Vaishno Devi University, I admit you to the degree of [Single Degree /List of Degrees] in this University and charge you throughout your life to prove worthy of the same”*

*The candidates of various degrees individually / in groups / a single collective lot walk to the dais to receive their degrees from the Chancellor / Vice Chancellor, bow to the Chancellor & the Chief Guest and walk back to their seats/ the candidates stand at their respective places and after they are admitted, collect their Degrees from their respective Deans / Heads.*

26. After the degrees have been conferred, recipients of the University Certificates of merit, medals and prizes shall be called out individually by the Registrar and shall stand before the Chancellor/Vice Chancellor, who shall present the certificates, medals or prizes. The respective Deans of Faculties will then present candidates for various Medals.

The Dean shall then say:

Sir,

I present to you \_\_\_\_\_, Student of \_\_\_\_\_ who has stood 1st by securing the highest CGPA of \_\_\_\_\_ for receiving the Chancellors Medal.

May I request the Hon’ble Chancellor to present the Chancellors Medal to \_\_\_\_\_

27. When all the candidate have been admitted to their degrees and the certificates, medals

and prizes have been presented, *The Senior most meritorious student will then conduct the Oath taking ceremony.*

28. Oath taking by the recipients of the Degrees

O A T H

I \_\_\_\_\_ shall endeavor to be scrupulously honest in the discharge of duties towards my profession.

- I shall uphold the dignity, integrity and honor of my University, my Country and the world at large.
- I shall devote all my energies for the promotion of the unity and secular ideas of our country and dedicate myself in the service of my country and the humanity at large.
- I shall place service before profit, the honor and standing of the profession before personal advantage, and the public welfare, above all other considerations.

In humility and with need for divine guidance I make this pledge today on the \_\_\_\_day of \_\_\_\_\_ 200\_ at this convocation.

29. The Vice Chancellor will request the Chancellor to declare the Convocation Closed.

30. The procession will then leave the Convocation Shamiana in the same order in which it entered the graduate and the audience standing.

*Recommended by the EC in its 8<sup>th</sup> meeting held on 24<sup>th</sup> November 2005 & approved by HE the Governor of J&K Union Territory & Chancellor SMVDU.*

*Amended by the EC in its 17<sup>th</sup> meeting held on 14<sup>th</sup> November 2011 & approved by HE the Governor of J&K Union Territory & Chancellor SMVDU, minutes of which were issued vide No. SMVDU/A&E/11/EC/Min./1955 dated: 15<sup>th</sup> Feb 2012. Further amended by the EC in its 25<sup>th</sup> meeting held on 14<sup>th</sup> November 2016 & approved by HE the Governor of J&K Union Territory & Chancellor SMVDU.*

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## CHAPTER 31

### ORDINANCES GOVERNING Ph.D.

#### General

A. The admission to pursue the degree of Doctor of Philosophy (Ph.D.) is granted at any of the Academic Departments in the following Faculty of the University.

- (a) Faculty of Management
- (b) Faculty of Engineering
- (c) Faculty of Science
- (d) Faculty of Humanities and Social Sciences

B. Subject to general guidance of the Academic Council relating conduct of Ph.D. program, the registration and admission of students to Ph. D. program will be organized by the **Department Research Committee** which will consist of the following Members:

1. Head of the Department - Chairman
2. Four Faculty members of the Department (Ph.D. qualified) or Associate Faculty members in case sufficient number of Ph.D. qualified faculty members are not available in the department (on rotation basis with 50% members changing every year if sufficient number of faculty is available in the department) - Member
3. Other faculty members of the Department including Supervisor & Co-Supervisors may be invitees to the meetings as per requirement.

The Academic Affairs Committee (AAC) of the concerned Department/School shall nominate Four faculty members of the Department/School concerned of whom one will be nominated as Member Secretary by the Head of Department/School.

The Department Research Committee will be constituted for one year, for the term 1st October to 30<sup>th</sup> September so as to enable completion of admission process of the beginning of the Academic Session by the outgoing DRC. The DRC will be notified after the approval of the Competent Authority every year.

Department Research Committee will be responsible for the conduct and monitoring of all matters relating to research, consultancy and Ph.D. program including admissions, comprehensive examination, mid-term review of progress, approval of synopsis & panel of examiners etc.

**Doctoral Student Research Committee (DSRC)** shall be constituted for each Ph.D. student to evaluate the progress of the student at the end of each semester as under:

- a) Ph.D. Supervisor - Coordinator
- b) Ph.D. Joint Supervisor(s)/ Co-Supervisor(s)

- c) Expert Faculty Member from the Department/School
- d) Expert Faculty Member from allied Department/School
- e) External Expert Faculty Member

Further, the Ph.D. Supervisor shall propose a panel of members to the Committee, in consultation with the Head of the Department/School and the DRC shall provide recommendations regarding constitution of the committee. All the members of DSRC should be Ph.D. qualified. The feedback of the evaluation done by the committee, in each semester, shall be provided to the Ph.D. student in writing. The DSRC shall also be responsible for review of the progress of the Doctoral Student for consideration of the request, if any, of the Ph.D. student regarding enhancement of Assistantship (as applicable), extension in Ph.D. program beyond 05 years, conversion of Ph.D. registration from full-time to part-time or vice-versa and other similar matters.

- C. Admission to the Ph. D Program may be made twice in the Academic Year (i.e. for each semester viz. Jan-May & August-December) through due selection process. The number of seats for the Ph.D. program shall be announced in advance by each Department/School through DRC of the Department, depending on the number of available Research (Ph.D.) Supervisors and other academic and physical facilities available, keeping in mind the norms regarding the student (scholar)- teacher ratio as per R.9.
- D. The advertisement in at-least two (2) National newspapers, of which at least one (1) shall be in the regional language shall be published in advance which provides: the number of seats for admission, subject/discipline-wise distribution of available seats, criteria for admission, procedure for admission, where entrance test(s) shall be conducted and all other relevant information for the benefit of the candidates.

The list of all the Ph.D. registered students shall be maintained and uploaded on University website on year-wise basis. The list shall include the name of the registered candidate, topic of his/her research, name of his/her supervisor/co-supervisor, date of enrolment/registration.

### **R. 1 Admission Eligibility**

- a) A candidate for admission to Full-Time Ph.D. program must have obtained Master's Degree in Engineering/ Technology/ Sciences/ Management/ Humanities & Social Sciences or in inter-disciplinary/trans-disciplinary discipline with minimum CGPA of 6.75 on a ten point scale in relative grading system or minimum CGPA of 6.00 in absolute grading system or 60% marks in aggregate of any University established by law (In order to encourage inter-disciplinary research, the DRC may also exercise desired flexibility w.r.t. the qualifying degree of the applicant(s) as found suitable.) or an equivalent degree from a foreign educational Institution accredited by an Assessment and Accreditation Agency which is approved, recognized or authorized by an authority, established or incorporated under a law in its home country or any other statutory authority in that country for the purpose of assessing, accrediting or assuring quality and standards of educational institutions. Candidates possessing a Degree considered

equivalent to M.Phil. Degree of an Indian Institution, from a Foreign Educational Institution accredited by an Assessment and Accreditation Agency which is approved, recognized or authorized by an authority, established or incorporated under a law in its home country or any other statutory authority in that country for the purpose of assessing, accrediting or assuring quality and standards of educational institutions, shall be eligible for admission to Ph.D. programme. Candidates, whose result of qualifying degree has not been declared can also apply. If selected and if the result of the qualifying degree of the candidate has not been declared as yet, (does not apply to cases of revaluation/re-appear etc.), the candidate may be offered provisional admission; however, the candidate is required to submit proof of having met the eligibility criteria by 15<sup>th</sup> September failing which the provisional admission will be deemed to be cancelled without any further notice and the fee submitted will be forfeited.

- b) A candidate applying for admission to Ph.D. programme & seeking registration on Full-time basis must have qualified National level examination such as UGC NET / CSIR/GATE in concerned discipline or may have been granted INSPIRE Fellowship or should be sponsored by a reputed organization where he/she is working. However, candidate(s) who are not NET/GATE qualified may also apply for admission to Ph.D. programme, seeking registration on full-time basis for which they may be considered in case of left over seats. However, such candidates shall not be entitled for any Financial Assistance-ship from the University.

A candidate applying for admission to the Ph.D. program & seeking registration on Part-time basis, must have same minimum academic qualifications as mentioned at para above. Such candidates will however be required to submit '**No Objection Certificate**' (as per Format) from their employer along with the Application Form, failing which the candidate will not be considered for selection process.

## **R. 2 Short-listing and Intake**

- A. The short-listing of applications for the purpose of admission test/interview shall be done by the concerned DRC.
- B. Ph.D. students shall be admitted through an Entrance Test (Written test followed by Interview of qualified candidates) conducted by the DRC of the Department. Candidates who have qualified UGC-NET (including JRF)/UGC-CSIR NET (including JRF)/SLET/GATE/teacher-fellowship holder or have passed M.Phil. programme will be exempted from appearing for the written test.
- C. The Written Test (as a part of Entrance Test) shall be qualifying in nature, with qualifying marks as 50%. The syllabus of the Written Test (as a part of Entrance Test) shall consist of 50% of research methodology and 50% shall be subject specific. The candidates who qualify the Written Test will be required to appear for an interview/viva-voce to be conducted by DRC where the candidates are required to discuss their research interest/area through a presentation before a DRC. The interview/viva voce shall also consider the following aspects, viz. whether:
- The candidate possesses the competence for the proposed research;
  - The research work can be suitably undertaken at the University /Faculty /Department /School;



- The proposed area of research can contribute to new/additional knowledge.

### **R. 3 Categories of Ph.D. Students**

A. The students for Ph. D. program can be placed under the following categories:-

- a) Students registered on Full-Time basis without Assistantship.
- b) Student registered on Full time basis with UGC/CSIR/DBT/DST/INSPIRE/DAE research scheme studentship.
- c) Students Sponsored by employer or any organization.
- d) Students registered on part-time basis (Including University Staff).
- e) Self-financing foreign students.

In addition to the general eligibility norms, all the candidates seeking admission to the Ph.D. program either Sponsored (Seeking Full-Time or Part-Time Registration) or Non-sponsored candidates, seeking Part-Time Registration, (**except candidates working as Faculty members in Hr. Education Institutions**), shall also have to comply with the following requirements:

1. Governments employees or employees of PSU or research establishment or private industries (approved by DRC) with a minimum experience of two years as on date of application will be considered eligible.
2. All sponsored candidates are required to produce a **CERTIFICATE** from their employers on printed letter head to the effect that for the period of his/ her studies for Ph.D., the candidate would be treated on duty with usual salary and allowances and he/she will be fully relieved for the period of study for pursuing his/her studies and that the prescribed fee payable by candidate will be paid by the Sponsorer.
3. Non-sponsored candidates, seeking registration on Part-time basis are required to furnish an NOC (As per Format) from their employer along with application for admission stating that the candidate is permitted to pursue Ph.D. program on part-time basis and that:
  - i. His/her official duties permit him/her to devote sufficient time for research.
  - ii. Facilities for research in the field of study of the candidate are available at the workplace.
4. Faculty Members / Staff of the University wishing to pursue Ph.D. shall have to sign a Service Bond [on Rupees ten non-judicial stamp paper, duly notarised] pledging to serve the University for a minimum period of 3 years after completion of his / her Ph.D. degree, failing which he / she shall have to pay / reimburse the full amount of salary as received by him / her from the University for the entire Ph.D. course period, along with interest there upon.

### **R. 4 Schedule of Admission**

- A. The candidates shall apply for admission to the University on the prescribed form stating clearly his/her qualifications.
- B. Applications for admission shall be received by the University and sent to respective Department/School for short-listing, Entrance Examination/test (if required), as per the decision of the DRC.



- C. All admissions to the Ph. D. work shall be provisional and the same shall be confirmed only when the research plan of a candidate, after successful completion of Written/Oral Comprehensive Examination, has been approved by the DRC.
- D. The details of modus operandi of acquisition of background material and of the method of assessment to be followed shall be worked out by the DRC and approved by the Vice Chancellor and Academic Council.
- E. At the time of interview, the candidates shall be required to be physically present & discuss their research interest/area.
- F. Candidate admitted to Ph.D. program may be enrolled preferably coinciding with the commencement of a semester. Normally the candidate will start with the pre-Ph.D. course work immediately after joining. However, in case a candidate is enrolled after significant delay after commencement of semester and is not in a position to join the course work, then he/she may utilize the time left in the current semester for doing background research work and may join the course work on the commencement of the next semester. Minimum duration for award of Ph.D. degree is 3 Years and maximum is 6 years.
- G. Normally every Ph.D. student shall pursue research in the University but he may be permitted by the Vice Chancellor on the recommendations of DSRC considered by the DRC of the department, to be absent from University for ordinarily not more than two semesters on the ground that it is in the interest of his research that he should work at Institutions of National Repute e.g. CSIR Labs, ICR, ICMR, ICAR, IITs, IISc., NITs, DRDO etc. The Supervisor of the Ph.D. student will be required to certify that the requisite research facilities are not available at SMVDU and are necessarily required for conduct of his/her research work. A certificate will also be required from the other research institution that the research facilities required are available at that institution and shall be made available to the Ph.D. student.
- H. No student, registered on full-time basis, shall undertake any employment during the period of his study without permission of Vice Chancellor to be granted on the recommendation of the DRC.
- I. No candidate shall without previous permission of the said authorities join any other course of study or appears at any other exam conducted by the University or a Public Body.

#### **R. 5 Admission Fee:**

**As per existing norms**

#### **R. 6 Registration**

- A. The date of registration will be the date of enrolment in the program. Each Research Student shall have to register during the prescribed period at the beginning of the semester at the time of joining the Ph.D program. Ph.D. Student shall be required to renew his/her registration every semester till the submission of the thesis. In case a Ph.D. student fails to register in the semester registration, his/her name will be automatically struck off the rolls of the University.
- B. In case a student wants to withdraw from a Semester on medical grounds or any extenuating circumstances, then the same may be allowed by the Vice Chancellor based on the recommendations of the Ph.D. Supervisor (& Co-supervisor, if any) of the student & DRC

of the Department to a maximum of two semesters. Registration in a semester is a mandatory requirement before applying for withdrawal from that semester.

- C. Further, the period of Semester Withdrawal will not count towards the minimum period of 3 years for submission of thesis but will count towards the maximum allowable registration period of 6 years.

### **R. 7 Course Work**

- A. Ph.D. student having a **M.A./M.Sc./M.Com/MBA/MCA or equivalent qualification** are required to complete minimum 12 credits in the Pre-Ph.D. Course-work while in the case of candidates having **M.Tech./M.Phil. or equivalent degree**, they are required to earn a minimum of 8 credits in the pre-Ph.D. course-work.
- B. The pre-Ph.D. course work shall be treated as prerequisite for Ph.D. preparation. Course work must also involve review of published research in the relevant field.
- C. A minimum of 04 credits shall be assigned to one or more courses on Research Methodology (mandatory) which could cover areas such as quantitative methods, computer applications, research ethics and review of published research in the relevant field, training, field work, etc. Other courses shall be advanced level courses preparing the students for Ph.D. degree.
- D. All courses prescribed for Ph.D. course-work shall be in conformity with the credit hour instructional requirement and shall specify content, instructional and assessment methods. They shall be duly approved by the Academic Council.
- E. The Department/School where the Ph.D. student pursues his/her research shall prescribe the course(s) to him/her based on the recommendations of the Doctoral Student Research Committee (DSRC).
- F. All candidates admitted to the Ph.D. programmes shall be required to complete the course work prescribed by the Department/School with in a maximum of 03 semesters from the date of joining (excluding semester withdrawal).
- G. Grades in the course work, including research methodology courses, shall be assessed by the Course Coordinator & finalized by DRC and the final grades shall be communicated.
- H. The minimum CGPA requirement for continuation of Ph.D. Degree is 7.50. In case the SGPA/CGPA is below 7.0 he/she will have to discontinue the doctoral programme. If the SGPA at the end of first semester is above 7 but less than 7.5, he/she will be asked to take more courses in order to make up the required SGPA/CGPA. Only after successful completion of the CGPA requirements, the student will be registered for Ph.D. Degree work and the date of joining the programme will be considered as the date of registration.

### **R. 8 Time Limit for Ph.D. Work and conversion of Ph.D. status**

- A. Every candidate shall pursue, as a student of the University, a course of research for not less than 3 years, including course work, irrespective of whether he/she is registered on full-time or part-time basis.
- B. The student should be registered in the Ph.D. Program for a minimum duration of 03 years for award of Ph.D. degree and a minimum period of two years after successful conduct

Comprehensive exam, to be considered for award of Degree subject to the student having completed all other requirements for award of Degree. The maximum period of Ph.D. registration is 6 years (the period of Semester Withdrawal will not count towards the minimum period of 3 years for submission of thesis but will count towards the maximum allowable registration period of 6 years). The women candidates and Persons with Disability (more than 40% disability), may be allowed relaxation of at-most additional two years, beyond the normal maximum permissible duration for Ph.D., by the Vice Chancellor on the basis of recommendations of DSRC of the student & DRC of the Department/School.

- C. In case a student, initially allowed registration on full-time basis, wishes to change the registration to part-time basis, the same may be considered only after approval of research plan (subject to the student having attended at-least two semesters after joining, not counting semester-withdrawal period, if any) i.e after reasonable progress in the thesis work **OR** after completion of at least two years after initial registration, whichever is later. The request of the students must be considered by the DSRC of student & DRC of Department/School and recommendations made in this context will be placed before the competent authority for consideration and approval. The reasonable progress in the thesis work shall be assessed through a “Research Progress Seminar” before the DSRC of the student. DSRC of the students shall submit its recommendations, along with the minutes of “Research Progress Seminar”, for consideration of the request of the student for conversion of registration from full-time basis to part-time basis.
- D. The students registered on part-time basis may be recommended by DRC to convert their registration status to Full-Time basis only in exceptional circumstances, subject to fulfilling the eligibility for registration on full-time basis. The time period for conversion of registration from part-time basis to full-time registration status should not exceed one year from the date of registration or date of approval of research plan; whichever is earlier.

#### **R. 9 Thesis Supervisor(s)**

- a) Any regular Professor, with at-least 05 research publications in refereed journals or any regular Associate or Assistant Professor of the University with a Ph.D. degree and having a minimum of one year of post-Ph.D. teaching experience in recognized Institute/University with at least 02 papers in refereed journals (Post-Ph.D.) is eligible to act as Ph.D. Supervisor. The Supervisor has to be from amongst the regular faculty of the University and only Co-Supervisor can be appointed from outside the University.
- A. The supervisor & Co-supervisor(s) shall be appointed by the DRC at the time of selection process of Ph.D. students.
- B. If necessary, on the recommendations of the supervisor through the DSRC, the DRC may recommend the appointment of Co-Supervisor(s) not exceeding two from inside or outside the University. External co-supervisor may be allowed by HVC, in inter-disciplinary areas from institutions of repute / industry, on the recommendations of the DRC.
- C. The allocation of a supervisor for Ph.D. students shall be decided by the DRC concerned in a formal manner; depending on the number of students per faculty member, the available specialization among the faculty supervisors and the research interest of the student.
- D. A research supervisor/co-supervisor who is a Professor, at any given point of time, cannot guide more than 08 Ph.D. Students. An Associate Professor as a research supervisor can

guide up-to a maximum of 06 Ph.D. students while an Assistant Professor as a research supervisor can guide up-to a maximum of 04 Ph.D. students.

- E. As a variety of different complex situations may arise, the Head of Department/School shall examine the matter on case to case basis and put-up the recommendations for consideration of the Vice Chancellor for a decision to be taken in the spirit of the approved proposal.

### **Rule 9.1 Change/Appointment of Supervisors**

A faculty member appointed as a Ph.D. supervisor is normally expected to be available to a Ph.D. Student in the University till the conduct of his/her final thesis defense. However, under unavoidable circumstances, such as, long leave of more than 12 months, resignation, retirement, or death, a supervisor may not be accessible to the student. In such special cases, appointment of supervisor(s) will be regulated as under:

- a) If the duration of the registration of the students is at-least 02 Years and if the Supervisor confirms his/her willingness to continue to guide the student, the student's consent may also be taken by DRC while deciding whether the current Supervisor is to continue as Supervisor or as Co-supervisor, based on the merit of the case. Accordingly, the DRC will appoint an eligible Supervisor/Co-Supervisor from the University with relevant qualification and expertise in the area of specialization keeping in view the stage of Ph.D. work of the Research Student..
- b) If at any point of time (including non-accessibility), the Supervisor expresses his inability to continue as Supervisor, the DRC can recommend appointment of co-supervisor as Supervisor. In case, if no co-supervisor is available then DRC may recommend a fresh Supervisor.
- c) In case of superannuation or death of the supervisor, a new Co-Supervisor/Supervisor/ may be appointed on the recommendations of the DRC.
- d) Any faculty member three years before his/her retirement can only be appointed co-supervisor and not as main /first supervisor.
- e) However, under circumstances other than above, as may be recommended by DRC, the change of supervisor(s), Joint-Supervisors for Ph.D. students shall be allowed only during the completion of course work or before finalization of Research Plan of a Ph.D. student.
- f) In case of relocation of a Ph.D. woman student due to marriage or otherwise, the research data is allowed to be transferred to the University to which the student wishes to relocate provide all other conditions in these regulations are followed in letter and spirit and the research work does not pertain to the project secured by the parent institution/ supervisor from any funding agency. The student will however give due credit to the parent supervisor and the institution for the part of the research already done.

### **R.9.2**

The Vice-Chancellor shall have the authority to change/appoint the Supervisor/Co-Supervisor, in cases of extra-ordinary nature.

### **R. 10 Performance Monitoring**

- A. The academic progress of each Ph.D. candidate will be monitored by the DSRC constituted for each Ph.D. student. The DSRC will review the progress of each candidate in course work, as well as research, by any means, including oral examination of the candidate, if necessary, and recommend, after due consultation with the supervisor(s), such steps to the candidate as are necessary to improve his performance.
- B. The recommendations of the DSRC will be submitted to the DRC of the Department/School for consideration and further recommendations in this regard. The DSRC of the Ph.D. student will review the progress of the student before commencement of every new semester (May-June/November-December) and submit their report in this regard to the DRC of the Department/School. The registration of a Ph.D. student in a semester will depend upon the recommendations of the DSRC & DRC in this regard in the recently concluded semester. The coordinator of the DSRC must ensure that the recommendations of the DSRC are made available to the DRC well in time before the commencement of the next semester. The Chairman of the DRC must ensure that the recommendations of the DRC have been made before commencement of the next semester.
- C. The DSRC may award 'X' grade if the progress of the student is 'satisfactory' during the semester.
- D. If the progress is 'unsatisfactory', 'U' grade will be awarded. For the first appearance of 'U' grade, a warning would be issued to the candidate by DRC. If performance does not improve after warning, the fellowship may be withheld.
- E. If a student is awarded two consecutive 'U's, the registration will stand terminated.
- F. Submission of progress report (in the prescribed format) should continue till the thesis is submitted.
- G. If a student registered on full-time basis remains absent for more than four weeks from the Department/Faculty concerned without approval of the supervisor and HoD concerned or a student registered on part-time basis remain absent for more than four weeks from the Department/Faculty concerned without approval of the supervisor and HoD concerned, his/her admission/registration to the Ph.D. program, is liable to be cancelled.

### **R. 11 Comprehensive Examination**

After successfully completing the required course work, a Ph.D. Student will be required to appear in Written Comprehensive Examination, followed by an Oral Comprehensive

Examination before evaluation of the Research Proposal.

### **R.11.1 Procedure of Comprehensive Examination**

The following general procedure shall be followed by DRC for conducting the comprehensive examination for Ph.D. students:

- a) Written Comprehensive Examination will be conducted within one month after successful completion of requisite course work, with minimum CGPA requirement.
- b) 50 percent marks will be the qualifying marks in the Written Comprehensive Examination. If a Ph.D. student fails in the first attempt of Written Comprehensive Examination, he/she will be given one last and final opportunity to pass the Written Comprehensive Examination within one month. If he/she does not clear/pass this exam in the second attempt, his/her name will be struck off the rolls and Ph.D. registration would stand cancelled from the date of announcement of such result.
- c) After a Ph.D. Student has passed the Written Comprehensive Examination, the Oral Comprehensive Examination (of 50 marks) should be conducted by the DRC within one month time from the date of declaration of the result of Written Comprehensive Examination. A Research Student will get maximum of two attempts to clear/ pass the Oral Comprehensive Examination.
- d) The Head of the Department/School will declare the result of the Written as well as Oral Comprehensive Examination within two weeks of the date of such examination.
- e) After Successful completion of the Written and Oral Comprehensive Examinations, a Ph.D. Student will prepare, submit and present his/her proposed Research Plan to the DRC within a maximum of three months from the declaration of the result of Oral Comprehensive Examination. The DRC, on the basis of the performance of the student in the Comprehensive Examinations and Research Plan (shall only be on broad topic in which he/she intent to do the research and the topic may be finalized at the time of Pre-Ph.D. Synopsis defense) shall submit its recommendations (in the format) regarding confirmation of registration of Research Student to the Ph.D. program on the approved Research Plan which shall be notified subsequently.
- f) In case, the DRC is not satisfied with the performance of the Ph.D. Student's Research Plan, the updated Research Plan will have to be re-submitted within a maximum of four weeks keeping in view the suggestions of the faculty/DRC, and duly approved by the DRC failing which the admission/registration of the Ph.D. student is liable to be cancelled.
- g) Ph.D. student must successfully complete the comprehensive examination and Research Plan within a maximum of 18 months from the date of their joining the Ph.D. programme, failing which, upon the recommendation of the DRC, their registration is liable to be cancelled.

### **R. 12 Grant of Leave**

#### **A. During Course Work:**

A student registered in the Ph.D. program on full-time basis, during his/her stay at the



University will be entitled to leave for 30 days, including leave on medical grounds, per academic year. He/she will not be entitled to mid-semester breaks, summer and winter vacations. He/she, however, may be permitted to avail of leave only up to 15 days during winter vacation at the end of the first semester. Leave beyond 30 days in an academic year may be granted to a Ph.D. student in exceptional cases subject to the following conditions:

- a. The leave beyond 30 days will be without Assistantship/ Scholarship and
- b. Such an extension of up to additional 30 days will be granted only once during the programme of the student.
- c. The leave may be granted by the Dean of the Faculty subject to the approval of the Head of the Department/School on the recommendation of the Supervisor; and a proper leave account of each student shall be maintained by the Faculty/Department/Programme Coordinator concerned.

#### **B. After Completing the Course Work:**

- a) A student registered on full-time basis, during his/her stay at the University will be entitled to leave for 30 days per academic year. He/She will not be entitled to mid-semester breaks, summer and winter vacations. In addition, a Ph.D. student who has completed his/her course work may be granted leave on medical grounds up to 10 days per academic year.
- b) The woman Ph.D. Students will be eligible for Maternity Leave with Assistantship for a period not exceeding 240 days once during the tenure of their award.

#### **R. 13 Financial Assistance**

- A. A Ph.D. student registered on full-time basis and if is UGC-NET/GATE qualified, shall be entitled for an Assistantship of Rs. 25000/- per month for first two years and Rs. 28000/- per month for next one year (as per UGC guidelines) along with a contingency of Rs. 12,000/- per year for the initial two years and a total of Rs. 25,000/- for the third year or till the time he/she submits the Ph.D. thesis **whichever is earlier**. The maximum period of the Assistantship shall be 3 years from the date of Joining the Ph.D. Program, extendable by one year only; subject to review of his/her performance by the DRC and its recommendations thereof and on the approval of the Vice Chancellor. The Student shall be required to render 10 hours per week of academic support for the Department/Faculty/ University. This will be outside his/her normal academic work. The assistantship will continue subject to his/her satisfactory academic performance, defined by minimum SGPA of 7.50 in the preceding semester and/or his/her satisfactory performance in the Comprehensive Examinations, research work and discharge of responsibilities assigned under the Assistantship scheme.
- B. An Additional Security Deposit (ASD) equal to an amount of 20% of the monthly Assistantship payable by the University to the research student shall be retained by the University up-to the period up-to the period, the research student clears his/her Comprehensive Examination and till date of approval of his/her research plan. The ASD shall be released in lump-sum to the concerned research student after submission of thesis.
- C. In case of discontinuation from the Ph.D. Program by the research student, the amount of Additional Security Deposit (ASD) shall stand forfeited along with Security deposit.

D. Further, Ph.D. students who have been allowed registration on full-time basis and who were not initially UGC-NET/GATE qualified at the time of their obtaining admission in Ph.D. at SMVDU, but however, later on qualified UGC-NET/GATE while their pursuing Ph.D. at SMVDU, are eligible for award of Assistantship from the date of recommendations of the DRC in this respect.

#### **R. 14 Attendance Requirements for Assistantship**

A Ph.D. student irrespective of the source of Research Assistantship while pursuing course work, must attend at least 75% of classes in each course in which he/she is registered. In case his/her attendance falls below 75% in any course during a month, he/she will not be paid Assistantship for that month. Further, if his/her attendance again falls short of 75% in any subsequent month in that semester, his/her studentship and Assistantship will be terminated. A Ph.D. student after having completed the course work must attend to his /her research work on all the working days and mark attendance except when he/she is on duly sanctioned leave. The requirement of 75% attendance will apply as above, on daily attendance except in the cases where longer leave has been duly sanctioned within the leave entitlement of the student. For the above purpose, if 75% works out to be a number which is not a whole number, the immediate lower whole number will be treated as the required 75% attendance.

#### **R. 15 Synopsis**

- A. Each student will be required to give at least a Seminar and/or demonstration of his/her research work before the DSRC and faculty members & Ph.D. students of the Department/School before being eligible for appearing for Pre-Ph.D. Synopsis Defense. The recommendations in this regard shall be submitted in the prescribed format.
- B. After successful conduct of Pre-Ph.D. Seminar at the Faculty Level & before the DSRC, the Ph.D. Student shall be required to submit 02 copies of the thesis-synopsis (including select bibliography/references related to the research work done) on the approved Research Plan (duly endorsed by the Ph.D. supervisor) to Dean of the Faculty for recommendations regarding conduct of his /her Pre-Ph.D. Synopsis Defense (PPSD) before the DRC including the supervisor/ Co-supervisor of the Research Student. The supervisor must ensure that a copy of the Pre-Ph.D. synopsis is made available to all members of the DRC at-least 03 days in advance. The presence of at least one Supervisor/Co-Supervisor from SMVDU during the conduct of PPSD will be mandatory. The DRC will submit the Report of the PPSD held in the prescribed format.

#### **R. 16 Board of Examiners**

- a) After the successful defence of Pre-Ph.D. Synopsis of Ph.D. student, Supervisor of the Ph.D. student shall propose the Board of Examiners duly recommended by the DRC, for the evaluation of thesis of Ph.D. student. The Board will consist of the Ph.D. Supervisor(s) as Internal Examiner(s) and three External Examiners of which at least one will be from India and at least one from abroad. Each of the examiner shall be expert in the subject of the thesis. These external examiners may be chosen by the Vice Chancellor from a list of 10 examiners recommended by the supervisor(s) and approved by the DRC after thoroughly checking the



credentials of the proposed Examiners. The List of Examiners approved by the DRC, along with the synopsis, will be forwarded to the Vice Chancellor within two weeks from the date of approval of the examiners list and or four weeks from the approval of the synopsis.

- b) The Examiner(s) shall be required to submit the report/recommendations on the evaluation of the Ph.D. thesis in the revised prescribed format.
- c) Each of the approved External/Indian/SAARC Examiner shall be entitled for an Honorarium as under rules.

### **R. 17 Thesis Submission**

- A. The Ph.D. student shall be required to publish at-least 02 research papers in referred journal (SCI Or SCI-E Journals only) & make two paper presentation in conferences/seminars before the submission of the dissertation/thesis for adjudication and produce evidence of publication in the form of a presentation certificate and/or reprints / acceptance letter. The thesis must be submitted along with the Certificate from Supervisor, in this respect, in the prescribed format. **In extra ordinary situation, Ph.D. students may be allowed to submit the thesis before paper publication but he/she shall be required to submit the evidence of publication before conduct of final defense.**
- B. The student can submit the thesis after the completion of three years from the date of registration/joining.
- C. The student is required to submit the thesis within three months from the successful conduct of PPSD. Extension of one month for submission of Thesis may be provided upon the specific recommendations of Supervisor justifying the reasons explicitly for delay in the submission of Thesis and DRC; subject to approval of the same by the Vice Chancellor. If the research student fails to submit thesis by the period extended upto 04 months; his/her PPSD shall be conducted afresh and same procedure concerning submission of Thesis shall be followed.
- D. The thesis shall normally be written in English in the specific format and shall contain a critical account of the student's research. It should be characterized by discovery of facts of fresh approach towards interpretation of facts and theories or significant contribution to knowledge of design or development, or a combination of them. It should bear evidence of the candidate's capacity for analysis and judgment and also his ability to carry out independent investigation, design or development. A thesis must be supplemented by published work, if necessary. No part of the thesis or supplementary published work, shall have been submitted for the award of any other degree/Diploma. Normally, three copies of thesis in soft cover have to be submitted in the format prescribed by the University. In case of joint supervision, four copies of the thesis are required to be submitted.
- E. The recommendation of the DRC shall be reviewed by the Vice Chancellor and considered by the Academic Council. Three (one internal, one from abroad and the supervisors) examiners out of the panel approved shall be appointed for each thesis
- F. Provided that application for submission of thesis shall also be countersigned by the Dean of the Faculty.

G. He/She has completed the minimum period of registration including any extension prescribed by the Dean of the Faculty.

H. He/She has completed the course work requirement as prescribed by the DRC with CGPA not below 7.50 and has also cleared the comprehensive examination.

### **R. 18 Thesis Defence**

- a) The open Oral Defence of the Ph.D. student will be allowed only after the requirement regarding the publication of the research work has been met as indicated at R17.A.
- b) The open Oral Defence of the thesis shall be conducted by a Committee under the Chairmanship of the Vice-Chancellor or his nominee, and consisting of Dean of Faculty, Head of Department/School and One External Examiner from India and Supervisor(s)/Co-Supervisor concerned. If none of the External Examiners is available for the conduct of the oral defence, an alternative external examiner from India (**from the panel of Indian Examiners already approved by the Vice Chancellor**) shall be nominated by the Vice Chancellor for the purpose.

### **R. 19 Thesis Evaluation**

- i. A certificate by the student, duly countersigned by the supervisor & Co-Supervisor, confirming that the Ph.D. Thesis has been put through the anti-plagiarism software approved by the university and that match of less than 15% has been observed must be submitted. The complete report of anti-plagiarism software of the Ph.D. thesis must accompany the certificate.

The candidate shall supply four bound copies of his thesis which shall comply the following condition:-

- a) It must be a piece of research work, characterized either by the discovery of new facts, or by a fresh interpretation of facts or theories; in either case it should evince the student's capacity for critical examination and judgment. It shall be satisfactory so far as its literary presentation is concerned.
- b) The student shall indicate how far the thesis embodied the results of his own research or observations and in what respects his investigations appear to him to advance the study of the subject of the thesis.
- c) The student may incorporate in his thesis the contents of any work which he may have published on the subject and shall inform the examiners if he had done so, but he shall not submit as his thesis any work for which a degree has been conferred on him by this or any other University.
- d) The examiners shall be free to consult each other before submitting their respective reports. They shall also be free to get clarification about the structure of the thesis, sources of data and some general issues directly from the Supervisor or the Joint Supervisors, as the case may be.
- e) The examiners may recommend that the degree be awarded or that the degree be awarded subject to satisfactory Viva-Voce test on issues connected with the thesis or that the thesis be rejected or that the thesis be re-submitted to which effect they may make such suggestions as they deem fit for the improvement of the thesis. In the event of two of the examiners recommending rejection or suggesting improvement of the thesis with a view to its re-submission, the thesis on the recommendation of the Committee of the Academic Council, provided for in

Clause 16 here in after, shall be referred to a fourth examiner to be selected by the Vice Chancellor from out of the original panel of examiners. The fourth examiner so appointed shall not be informed of the recommendations of the other three examiners. The recommendation of the fourth examiner shall be final.

- f) The Viva-Voce test, if not already held in the manner as aforesaid provided, shall be conducted before the thesis is finally approved for the award of the degree in accordance with the rules prescribed in this behalf.
- g) The candidate, who is required to re-submit the thesis, must do so within one year from the date of supply of comments of the examiners to him by the University, unless extension is specially given by the Vice Chancellor on the recommendation of the DRC & Dean of the Faculty.
- h) A re-submitted thesis may only be examined by the original Board of examiners unless they or any of them are unable or unwilling to act and may only be re-submitted once.
- i) The reports of the examiners shall be sent by the Dean of the Faculty to the Head of Department/School concerned, who in consultation with the Supervisor/Joint Supervisors, as the case may be, shall prepare (i) a summary of the reports and submit the same along with the original reports to the Vice Chancellor for his considerations, (ii) a summary of the technical part of the reports of examiners to be made available to the candidate in-case the thesis is either required to be re-submitted or is accepted for the award of the Degree. If the reports of the examiners are not unanimous, the same shall be placed before a Committee of the Academic Council consisting of the Vice Chancellor, Dean of the Faculty's, Heads of the Department/School, the Supervisor/Joint Supervisors of the candidate concerned and one Professor nominated by the Vice Chancellor.
- j) It shall be the function of the Committee after considering the reports of examiners to make a recommendation to refer a thesis to a fourth examiner in terms of Clause 18 or for acceptance or rejection of a thesis, as the case may be, or require a candidate to revise and resubmit his/her thesis. In case the Committee decided to require a candidate to revise and resubmit the thesis in terms of clause 18, such a decision need not be reported to the Academic Council.

## **R. 20 Award of Ph.D. Degree**

- a) A Ph.D. Student is required to publish at least two papers (at least one as First Author) in SCI Indexed / Expanded SCI Indexed Journals in order to become eligible for the award of Ph.D. degree as indicated at R17.A.
- ❖ On the completion of all stages of the examination, the oral Defence Committee shall recommend to the Dean one of the following courses of action:
  - a) That the Degree be awarded.
  - b) That the candidate should be examined on a further occasion in a manner they shall prescribe.
  - c) That the degree shall not be awarded. In case (a), the Oral Defence Committee shall also provide to the candidate a list of all corrections and modifications, if any, suggested by the examiners.
- ❖ The degree shall be awarded by the Academic Council, provided that:
  - a) The Oral Defence Committee, through the Dean so recommends.
  - b) The candidate produces a 'no dues certificate' from all concerned in the prescribed form and gets it forwarded along with the report of the Dean and

- c) The candidate has submitted four hard cover copies of the thesis, from amongst the same ones submitted by him earlier, after incorporating all necessary corrections and modifications including appropriate IPR notice. The hard bound copies of the Ph.D. thesis, submitted after the viva-voce examination, must contain the appropriate copyright certificate in the beginning of the thesis, on a separate page on the left side. One of these copies is for Faculty Library and the other one is for the Central Library.
- d) Ph.D. scholars must publish at least one (1) research paper in refereed journal and make two paper presentations in conferences/seminars before the submission of the dissertation/thesis for adjudication, and produce evidence for the same in the form of presentation certificates and/or reprints.
- ❖ The relevant IPR notice to be incorporated in the soft/hard bound thesis, reports, etc. shall be chosen from the following:
  - a) The thesis/report etc. for which formal copyright application has NOT been filed should carry the copyright notice as: Shri Mata Vaishno Devi University (SMVDU), 201...[the year of submission of the thesis/report].
  - b) The thesis/report etc. for which formal copyright application has been filed with the copyright office should carry the copyright notice as: Shri Mata Vaishno Devi University (SMVDU), 201...[the year of submission of the thesis/report]. All rights reserved. Copyright Registration Pending.
  - c) The thesis/report etc. for which in-addition to a formal copyright application with the Copyright Office, patent/design application has also been filed with the patent office, should carry the “IPR Notice” as: Shri Mata Vaishno Devi University (SMVDU) 201...[the year of submission of thesis]. All rights reserved IPR filed.
  - d) The university shall submit a soft copy of the thesis to the UGC within a period of 30 days, for hosting the same on INFLIBNET, accessible to all.

## **R. 21 APPEAL:**

An appeal against cancellation/withdrawal of registration/studentship shall lie to the Vice Chancellor which may be preferred within 60 days of such cancellation/withdrawal and the decision of the Vice Chancellor shall be binding and final.

## **R. 22 SAVING:**

In the event of any ambiguity in the interpretation of the provisions contained in the ordinance, the decision/interpretation made by the Vice Chancellor for clarification of such ambiguity shall be final & binding.

*Recommended by the EC in its 8<sup>th</sup> meeting held on 24<sup>th</sup> November 2005 & approved by HE the Governor of J&K Union Territory & Chancellor SMVDU.*

*Subsequently Amended in the 15<sup>th</sup> Executive Council Meeting held on 3<sup>rd</sup> may 2010, 16<sup>th</sup> Executive Council meeting held on 30<sup>th</sup> Nov'2010 and in the 17<sup>th</sup> Executive Council meeting held on 14<sup>th</sup> Nov'2011 and 19<sup>th</sup> Executive Meeting held on 27<sup>th</sup> May 2013 at SMVDU Campus, 20<sup>th</sup> Executive Meeting held on 27<sup>th</sup> Sept, 2013 at IIC, New Delhi, 21<sup>st</sup> Executive Meeting held on 21<sup>st</sup> Nov. 2013 at SMVDU Campus, 22<sup>nd</sup> Executive Meeting held on 21<sup>st</sup> Nov., 2014 at SMVDU*

*Campus, 23<sup>rd</sup> Executive Meeting held on 17<sup>th</sup> April, 2015 at SMVDU Campus, 24<sup>th</sup> Executive Meeting held on 23/11/2015 at SMVDU Campus, 25<sup>th</sup> Executive Meeting held on 14<sup>th</sup> Nov., 2016 at SMVDU Campus and finally in the 26<sup>th</sup> meeting of the Executive Meeting held on 10<sup>th</sup> April 2017 at SMVDU Campus.*

SMVDU

## CHAPTER 32

### STATUTES GOVERNING AFFILIATION & RECOGNITION OF A NURSING INSTITUTE/FACULTY OR COURSE

In pursuance to the provisions made under Section-5(10) of the Jammu & Kashmir Shri Mata Vaishno Devi University Act, 1999 (Act No. XII of 1999), the Executive Council of Shri Mata Vaishno Devi University (in short SMVDU) makes the following Statutes.

1. (i) These Statutes may be called the Shri Mata Vaishno Devi University Statutes governing Affiliation and Recognition of Nursing Faculty started and maintained by Shri Mata Vaishno Devi Shrine Board, Katra.  
(ii) These shall come into force from the Academic Session 2016-17.
2. The words and phrases used in these Statutes shall, unless expressly explained otherwise, have the same meaning as they have with reference to the Jammu & Kashmir Shri Mata Vaishno Devi University Act, 1999 (Act No. XII of 1999) herein after called “the Act”.
3. The application for issue of letter of "Consent of Affiliate” for starting a Nursing Faculty or addition of any course therein shall be submitted by the authorised officer of the Shri Mata Vaishno Devi Shrine Board Katra to the Registrar Shri Mata Vaishno Devi University with following documents:
  - i. Resolution of Shri Mata Vaishno Devi Shrine Board for setting up of a Nursing Faculty and/or starting any new course in the existing Faculty.
  - ii. Essentiality Certificate/NOC of the Government of J&K.
  - iii. DPR/Proposal in details of infrastructure arrangements for start of Faculty/Course.
  - iv. Document showing availability of own hospital or affiliation of a Hospital as per standard fixed by the Nursing Council of India.
  - v. Required Fee as fixed by the the SMVDU from time to time.

On receipt of the application with all required documents the letter of "Consent of Affiliate” shall be issued in 15 days after scrutiny of documents. The "Consent of Affiliate” so issued shall be valid for one year.

5. The SMVDSB, after getting the "Consent of Affiliate” shall apply to the Nursing Council of India (NCI) for obtaining proper approval of the Faculty or the course as the case may be.

6. After approval of NCI and creation of required infrastructure the Authorised Officer of the SMVDSB shall again apply to the Registrar SMVDU in 'Form-I' to grant affiliation of the Faculty/Institute or the Course for which "Consent of Affiliate" was issued earlier. On receipt of the duly filled application in Form-I, an Inspection Committee shall be appointed and deputed by the University to verify the infrastructural or other facilities of the proposed institute/Faculty introducing a course.
7. The Shri Mata Vaishno Devi University after detailed examination of the report of the Inspection Committee, if fully satisfied on the fulfillment of the required infrastructural facilities, shall issue "Affiliation" in Form-II annexed with these Statutes to the proposed institute/Faculty started or the new course thereof, as the case may be.
8. Before grant of "Affiliation" to the Faculty or a course, the University shall satisfy itself that the proposed institute or course:
  - i. has all required Academic and Residential moveable/immovable infrastructure as per parameters and norms fixed by the NCI or State Nursing Council (SNC) J&K;
  - ii. has sufficient budgetary provisions for the proposed institute or the course;
  - iii. has its own Hospital or has an affiliation with a Hospital having required facilities as per norms of NCI or SNC.
  - iv. has required number of Teaching/Non-Teaching faculty available for running of the Faculty or the Course.
9. GOVERNING BODY:
  - (i) The affiliated institute/Faculty shall have a duly constituted Governing Body with representatives of the teaching staff, to advise the Principal in the internal affairs of the Faculty. A record of proceedings of the said governing body of the proposed institute/Faculty shall be maintained by the Principal. Any change in the Governing Body of the Faculty shall be reported to the University immediately.
  - (ii) The Governing Body of the affiliated institute/Faculty shall meet at least once in every three months to consider the budget estimates and such other matters as may arise in its working including consideration of Annual Report, the audited Union Territoryment of accounts, changes in the staff, subjects or courses/examination and fixation of fees etc. A copy of the minutes of the meeting shall also be sent to the Registrar of Shri Mata Vaishno Devi University, Katra, within 15 days of the meeting.
10. All other norms/guidelines as may be prescribed by the Indian Nursing Council from time



to time and not covered by these Statutes shall also be fulfilled by the proposed institute/Faculty or the course.

#### 11. INTERPRETATION OF STATUTES:

If any question regarding interpretation of these Statutes arises, the same shall be referred to the Hon'ble Vice Chancellor, SMVD University for final decision.

Provided further that wherever Statutes governing Affiliation and Recognition of Nursing Faculty or a course started and maintained by the Shri Mata Vaishno Devi Shrine Board, Katra are silent on any subject or requires any modification/additions or relaxation, the Hon'ble Vice Chancellor, SMVD University may bring the same to the notice of the Executive Council for final decision.

Provided further that the Executive Council may from time to time make new or additional Statutes or may amend or repeal the existing Statutes. However, every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the approval of Shri Mata Vaishno Devi Shrine Board who may assent thereto or withhold assent or remit to the Executive Council for consideration.

Provided further that a new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it, has been assented to by the Shri Mata Vaishno Devi Shrine Board.

*Recommended by the Executive Council in its 24<sup>th</sup> meeting held on 23<sup>rd</sup> Nov'2015, and approved by HE the Governor of J&K Union Territory & Chancellor SMVDU, minutes of which were notified vide no: SMVDU/A&R/15/24-EC/Min/1545 dated:31<sup>st</sup> Dec 2015.*

.....



(See Statute 6)

**APPLICATION FOR AFFILIATION OF A NURSING  
INSTITUTE/FACULTY OR COURSE**

1. Name of the Authorised Officer of the SMVDSB:
2. Name of the (proposed) Nursing Faculty:
3. Details of the Constitution of the Governing Body of the institute/Faculty, copies of bye-laws / terms of the Trust/Society, etc., to be enclosed:
4. Address to which communications are to be sent, with telephone number, e-mail and website:
5. Address where the Faculty is (proposed to be) located:
6. Number of candidates to be admitted in the First year of proposed course:
7. Details of the Essentiality Certificate/No Objection Certificate obtained from the Union Territory Government:
8. Details of permission/approval to start the Nursing programme from the Indian Nursing Council:
9. Details of permission/approval to start the Nursing programme from the State/Union Territory Nursing Council:
10. Details regarding availability of, ready built area and other physical infrastructures, etc., of the Faculty:
11. Details of own hospital/Affiliated Hospital:

(i) No. of beds

- (ii) No. of years of functional standing
- (ii) The staff working (both of hospital and administrative)
- (iii) Number of outpatient sections like Medicine, Surgery, Pediatrics, Midwifery, Ortho, E.N.T., Ophthalmology;
- (iv) Facilities like Radiology, Clinical Laboratory, Blood Bank and Operation Theatre etc.,
- (v) Daily outpatients turn over;
- (vi) Bed Occupancy;
- (vii) Master plan for the development of the hospital as a future teaching hospital with all necessary facilities and scope for further development including specialties;

12. Details of the proposed hostel facility:

13. Particulars regarding proposed arrangements of residential quarters for the teaching and other staff:

14. Details regarding availability of play grounds:

15. Details regarding the availability of water supply, Electricity supply and transport etc.:

16. Details regarding the financial soundness of the Applicant:

17. Whether the Applicant fulfills all the conditions and requirements as specified in the Statutes to apply for Affiliation:

Signature of the Applicant

Place :

Date :

SAMDU

**FORM-II**  
**(See Statute 7)**

**(Letter of Affiliation)**

**Part :A\***

Shri Mata Vaishno Devi University, Katra hereby affiliate the .....(name of the institute/Faculty)..... established at \_\_\_\_\_ by Shri Mata Vaishno Devi Shrine Board Katra for running a course of ..... with intake capacity of .....

**Part :B\***

Shri Mata Vaishno Devi University, Katra hereby affiliate the .....(name of the course)..... with intake capacity of .....started by .....(name of the institute/Faculty)..... established at \_\_\_\_\_ by Shri Mata Vaishno Devi Shrine Board Katra

(seal)

Signature of the Registrar

Place :

Date :

(\* Fill the relevant portion)

**CHAPTER 33**

**ORDINANCES GOVERNING ADMISSIONS, EVALUATION,  
FACULTY SELECTION, ACADEMICS FOR**

## SMVD FACULTY OF NURSING

Ordinances governing Admissions, Evaluation, Faculty Selection, Academics for SMVD Faculty of Nursing (Under Section 16(a) of SMVD University Act and Statute 29 (2) (b) of the 1<sup>st</sup> Statutes of the University) are as follows:

- a. **Faculty:** A new faculty entitled "Faculty of Nursing" may be created in the University to deal with the academic & research issues pertaining to the discipline of Nursing. The Principal of Shri Mata Vaishno Devi Faculty of Nursing (SMVDCON) will be the ex-officio Dean of Faculty.
- b. **Admissions:** The admission to B.Sc. Nursing program offered by Shri Mata Vaishno Devi Faculty of Nursing shall be made on the basis of merit secured in 10+2 Examination and/or through written test conducted by the Faculty from the applications received in response to an advertisement in print and /or other media. The admission will be conducted by a duly constituted Admission Committee of the Faculty which will include a nominee of the Vice-Chancellor besides other members.
- c. **Document verification & Record:** The documents of the provisionally admitted students of the Faculty of Nursing will be screened and verified by the Academic Section of the University and the files of each student shall be maintained at Academic Section of the University. The list of students with Entry numbers will be issued by the University upon verification.
- d. **Eligibility Criteria:** Eligibility criteria for admission shall be as prescribed by the Indian Nursing Council from time to time.

**Currently,** Minimum age for admission is 17 years on or before 31<sup>st</sup> December of the year of admission.

1. The minimum educational requirements shall be the passing of higher Secondary school certificate Examination (12 years course) from a recognized board  
OR
  2. Senior School Certificate Examination (10+2), pre degree Examination (10+2) from a recognized board  
OR
  3. An equivalent with 12 years schooling from a recognized board or university with Science (Physics, Chemistry, Biology) and English with minimum of 45% aggregate marks (PCB)
  4. Candidate should be Medically Fit.
- e. **Seats:** Upto 100 as per approval obtained from Indian Nursing Council and State/Union Territory Nursing Council J&K.

- f. **Fee:** The Annual Fee-structure of B.Sc.(Nursing) program of the Faculty must be approved by the Executive Council of the University which will contain the component of University Fee (on account of various heads including Examination fee, Evaluation fee & One Time charges etc.) which will be remitted by the Faculty to the university for each admitted student annually. The details of students who have cancelled their admission at Faculty of Nursing must be forwarded to the University for record. Fee refund rules, as prescribed by the university from time to time shall be applicable.
- g. **Semester System:** Each Academic Session will consist of two Semesters identified as **First Semester** (Aug-Dec) & **Second Semester** (Jan-May) with a possibility to extend/pre-pone the commencement/closure of the semester as per need to meet the requirements as may be laid down by INC. The semester grade sheets as well the transcript at completion of degree will indicate the semester and sessions accordingly.
- h. **Board of Studies:** The Board of Studies of Faculty of Nursing shall be constituted having following members:
- |   |                              |
|---|------------------------------|
| 1. Dean of Faculty of Nursing(Principal, SMVDCON)-  | <b>Chairman (Ex-Officio)</b> |
| 2. Vice Principal, SMVDCON  | Vice Chairman                |
|   | (Ex-Officio)                 |
| 3. Nominee of Vice Chancellor, SMVDU  | Member                       |
| 4. 02 Faculty members of SMVDCON on seniority basis by rotation to be nominated by Dean of Faculty of Nursing | Members                      |
| 5. Two or three External Expert Members   | Member Expert<br>(External)  |

The Chairman may nominate one of the Faculty Member of the Faculty as the Member Secretary of the Board of Studies. Members at Sr. 3, 4 & 5 shall hold office for a period of three years from the date of their nomination. The constitution of the BOS shall be approved by the Academic Council of the University. A minimum of two meetings of the BoS must be held in an Academic Session. A minimum of 05 members shall form the quorum.

- i. **Curriculum:** The guidelines of Indian Nursing Council, as amended from time to time, shall be followed for the curriculum for B.Sc.(Nursing). However, the curriculum will be adapted to the Choice Based Credit System at SMVDU. The curriculum, as proposed by BoS, must be presented before the Academic Council of the university for approval after which the same must be got approved by INC.
- j. **Methodology for Assigning Entry Number:** A unique Entry Number (8 characters) at the time of joining a program of study and this will remain the main mode of identification of each student.

<b>16</b>	<b>X</b>	<b>XX<sup>\$</sup></b>	<b>002</b>
<i>Year of</i>	<i>Degree</i>	<i>Program</i>	<i>Student's Distinctive</i>

*Joining Code Code Number*

***Degree Codes (X)***

<i>Code</i>	<i>Name of School</i>
<i>B</i>	<i>Bachelor's Degree</i>

***Program Codes (XX)***

<i>Code</i>	<i>Program of Study</i>
<i>NS</i>	<i>B.Sc. Nursing</i>

**k. Requirements for Award of Degree**

**Earned Credits:** The earned credit requirements for award of degree are equal to the credits of all courses as defined in the approved program structure of the B.Sc.(Nursing) program. It is mandatory to pass all courses mentioned as a part of the program structure of that particular program including non-credit courses, if any, for award of degree.

**Maximum Period for Completion of Degree:** The maximum period for completion of degree is as below:

<i>Program</i>	<i>Max. Period for Completion of Degree *</i>
<i>B.Sc. (Nursing)</i>	<i>As per norms of UGC/INC</i>

\* *The period of Semester Withdrawal is not to be counted towards the maximum time limit for completion of degree.*

**Cumulative Grade Point Average (CGPA) Requirement:** A student must obtain a **minimum Cumulative Grade Point Average (CGPA) of 5.0 at end of the program for being eligible for award of degree.** Students not meeting the above conditions after completion of required credits in the degree program may be permitted to register for additional elective courses under any category to improve the CGPA within the maximum time limit for completion of that program.

**NSS:** All undergraduate students are required to enroll for NSS in the first year. This requirement should be completed in one year. If, however, a student is not able to complete this requirement in the first year, he/she must complete it by the end of the 2<sup>nd</sup> year (4th semester). **The grade obtained will be displayed on the grade sheet.**

**Minimum Number of Academic Semesters:** A student is required to register for at-least 8

semesters. Withdrawal Semester & Summer Semester do not count towards this.

**Internship:** The candidate must have successfully completed the Internship of one Semester.

- l. **Evaluation Procedure:** Both, internal and external evaluation of the courses will be done as per the program structure (As per INC guidelines). The panel of the External Experts/Examiner shall be proposed by the Dean of Faculty of Nursing and approved by HVC. The Dean of Faculty of Nursing will coordinate the process of evaluation by the External Experts/Examiners and make necessary arrangements thereof.
- m. **Faculty Selection:** It will be responsibility of the authorities of the Faculty of Nursing to ensure that all faculty members appointed by the Faculty meet the relevant guidelines of the INC. The Selection Committee of the Faculty will have at-least one nominee of the University, who will be nominated by the Vice-Chancellor.

*Recommended by the Executive Council in its 25<sup>th</sup> meeting held on 14<sup>th</sup> Nov'2016, and approved by HE the Governor of J&K Union Territory & Chancellor SMVDU.*

## CHAPTER-34

### CONDITIONS OF GENERAL DISCIPLINE OF STUDENTS



## *Statute 26*

- 26(1) All powers relating to discipline and disciplinary action in relation to students shall vest in the Vice Chancellor
- 26(2) The Vice Chancellor may delegate all or such of his powers, as he deems proper to the ***Dean of Students Welfare*** and to such other persons as he may specify in this behalf.
- 26(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 powers aforesaid, order or direct that any student or students be expelled from any Faculty, ***School***\*\*or Institution maintained by the University, Department, Special Centre or Specialized Laboratory, 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 has or they have appeared be cancelled.
- 26(4) ***The Deans of the Faculties, the Heads of the Schools, Heads of specialized centers or specialized Laboratories shall have the authority to exercise all such disciplinary powers over the students in their respective Faculty, schools, special centers or specialized laboratories as may be necessary for the proper conduct of such Faculty, institutions, special centers or specialized laboratories.***\*\*
- 26(5) Without prejudice to the powers of the Vice-Chancellor aforesaid, detailed rules of discipline and proper conduct shall be framed. ***The Deans of Faculties, or as the case may be, the Head of Schools, Heads of special Centers or specialized Laboratories may frame such supplementary rules as they deem necessary for the aforesaid purpose. Every student shall provide himself with a copy of these rules.***\*\*
- \*\*Recommended to the 7<sup>th</sup> EC in its meeting held on 14<sup>th</sup> of Feb' 2005 & approved by the Chancellor of the University on 11<sup>th</sup> March'2005.***

### **Ordinance**

In pursuance to the provision made under Section 16(b) of Act and Statute 28(d) of First Statutes

1. A student shall conform to a high standard of discipline and conduct himself within and outside the University in a manner befitting the student of a University of national importance. He shall have seriousness of purpose and shall, in every way, train himself to lead a life of earnest endeavor and cooperation. He shall show due courtesy and consideration to the employees of the University, good neighborliness to his fellow students, respect to the Wardens of the hostels and the teachers of the University, and pay attention and courtesy to the visitors.
2. Breach of rules and regulations of the hostel or lack of decorum or act of indiscipline or misconduct in classroom/laboratory/playgrounds or willful damaging of the University/hostel property/fellow student's belongings or misbehavior with fellow students or ragging or use of unfair means in tests/examinations or any other act of criminal nature may entail the student's dismissal/debarment from the University. A student whose conduct has not been up to the standard may be temporarily or

permanently debarred from continuing in the University.

### **3. Disciplinary Committee**

For the maintenance of discipline amongst the students of the University there shall be a Disciplinary Committee constituted by the Vice Chancellor comprising of three members of whom the *Dean of the Students* shall be ex-officio Member- Secretary

The Committee shall have the power to enquire and examine the cases of students involved in breach of rules of conduct and after giving an opportunity to the student to present and defend his case, recommend a suitable disciplinary action or punishment, which may include rustication/expulsion from the University.

4. Students shall be responsible for books, apparatus, tools, instruments, materials, etc. issued to them.
5. No society/association or club shall be formed within the Campus, including hostels without the prior permission of the Dean of Students Welfare who shall consult the Vice-Chancellor when necessary.
6. No meeting shall be convened in any part of the Campus and no person shall be invited to address any meeting or society without the prior permission of the Dean of Students Welfare.

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*Recommended by the Executive Council and approved by the Chairman, Shri Mata Vaishno Devi Shrine Board, on behalf of Board and notified vide Notification no: SMVDU/03/4000-25, dated :- 30<sup>th</sup> September 2003.*

## **CHAPTER - 35**

### **CONDITIONS OF RESIDENCE OF STUDENTS**

**Ordinance:** In pursuance to the provisions made under Section 16(b) of Act and Statute 28(e) of First Statute

## **1. Hostel Rules**

### General

- 1.1 The University shall be a residential institution and all students, including research fellows engaged in Research projects at the University, shall reside in the Halls of Residence and Hostels. **Students registered on part-time basis are not provided any accommodation in the University.**
- 1.2 Each student shall reside in the room allotted to him by the *Dean of Students Welfare*.
- 1.3 University shall not be responsible for the personal belonging of the boarders.
- 1.4 Possession/use of alcoholic drinks and/or any kind of intoxicants is strictly prohibited.
- 1.5 Boarders shall conduct themselves with decorum and dignity and shall not create any nuisance or disturbance or indulge in an activity that creates social disharmony.
- 1.6 Each boarder shall give an undertaking that no unauthorized person in his room would have access to his room.
- 1.7 Boarders shall undergo medical examination as and when required by the University.
- 1.8 In case of emergency the Warden may break open the lock of boarder's room in the presence of the *Dean of Student* and one more student/official.

### **Conduct of Boarders**

- 1.9 Boarders shall be responsible for all the articles of furniture and electrical and other fixtures provided in their rooms as well as common rooms. They shall not disfigure or paint walls, doors, and windows or otherwise damage them or remove newspapers, journals, furniture, TV or games material etc. They shall be held collectively /individually responsible for any willful loss or damage to the hostel property including furniture, fixtures, electricity and sanitary fittings in the rooms, toilets, bathrooms common/dining rooms etc. They are also expected to keep their rooms and surroundings clean.
- 1.10 At the end of each academic year or while leaving the University, each student shall handover the charge of his room with all furniture and fixtures to the Hostel Warden. The boarders will be charged the cost of all damages and shortages noticed in their room.
- 1.11 Students may use personal computer in their room. Use of any appliances other than those provided by the University are strictly forbidden except with the specific permission of the hostel authorities and on payment of additional charges as fixed by

the University.

- 1.12 No boarder shall leave station without prior permission of the Warden.

#### **Visit of Outsiders in the Hostel**

- 1.13 Boarders shall not keep or entertain local or outside guests in their rooms without the prior permission of the Warden. Visitors will be permitted to meet the boarders only during specified hours notified by the hostel authorities.

#### **Payment of Hostel Dues**

- 1.14 At the time of admission to the hostel and every year thereafter the students shall deposit the fee with the Account Branch and must show the receipt(s) of hostel fee/room rent etc. paid to the Accounts Branch before the possession of room is handed over to the concerned.
- 1.15 All the Boarders shall clear their mess/canteen dues by the 10<sup>th</sup> of every month or as and when ordered by the *Dean of Students Welfare* /Warden failing which they may be levied a fine.

#### **Discipline**

- 1.16 All matters concerning indiscipline of boarders shall be placed by the Warden before the Disciplinary Committee, which after careful consideration may impose any of the following punishments
- i. Reprimand/Warning.
  - ii. Recovery of cost of damaged property and/or fine
  - iii. Rustication/ Expulsion from the University.
- 1.17 Discovery of any lethal weapons or firearms on the person or in the possession of a boarder shall invite summary expulsion from the University.

- 2 Any point not covered by these rules shall be decided by a Committee constituted by the Vice Chancellor.

### **3 Special Rules for Girls Hostel**

*In pursuance to the provisions made under Section 28(f) of the Statute of the University*

- 3.1 No woman boarder shall enter any men's hostel for any cultural program or functions organized by the hostels. The girls will take prior permission of their Warden to go for such functions.
- 3.2 Male visitors may meet the boarder in the designated visitors room during the timings specified by the Warden.
- 3.3 Lady visitors may visit the residents anytime during the day and upto 8 pm at night.

### **4 Warden**

- 4.1 For each hall of residence there shall be a Warden and other staff as may be determined by the University from time to time. The Vice Chancellor may appoint an Assistant Warden to assist the Warden.

- 4.2 The offices of the Warden and Assistant Warden shall be held by the members of the academic staff of the University. Such appointments shall be made by the Vice Chancellor.
- 4.3 Wardens shall be entitled to rent-free *furnished* quarters corresponding to the type of quarters to which they are normally entitled to as teachers of the University. In addition, they shall be paid such allowance as may be decided by the Executive Council from time to time.
- 5 The Wardens shall have the following powers and duties:**
- 5.1 To take all actions ensuring proper maintenance of hostel facilities.
- 5.2 To ensure that the instructions for maintaining discipline among students are observed and to report any infringement of these rules to the Provost.
- 5.3 To fix the duties of the monitors of the hostel and to secure their effective participation in the activities of the students.
- 5.4 To supervise the working of the employees of the hostel and to ensure that they are doing their job satisfactorily.
- 5.5 To look after the sick students particularly those admitted to the Hospital.
- 5.6 To report to the *Dean of Students Welfare* the names and particulars of students who have left hostel and names of the students who are absent from the hostel with or without permission.
- 5.7 To report to the *Dean of Students Welfare*, all cases of indiscipline of the boarders, which may come to his notice.
- 5.8 To perform such other duties as the *Dean of Students Welfare* may assign from time to time.

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*Recommended by the Executive Council and approved by the Chairman, Shri Mata Vaishno Devi Shrine Board, on behalf of Board and notified vide Notification no: SMVDU/03/4000-25, dated :- 30<sup>th</sup> September 2003.*

## CHAPTER - 36

### Student Affairs Council (SAC)

- 1.0** Shri Mata Vaishno Devi University will henceforth be denoted by SMVDU or the University in this Constitution.
- 2.0** The University is fully residential in character and all the students have to live in the hostels or need to be attached to a hostel (in case exemption from compulsory hostel living is accorded by the Competent authority in exceptional circumstances). As the Hostels have been classified generally on the basis of gender and sometimes UG/PG, the concept of “House” got evolved in the past so as to have even distribution of activities among students when classified by the “Houses” which is not possible by their being classified by the Hostel of residence alone. Thus, it is considered worthy to have representatives from both channels, i.e. “Hostels” and “Houses”.
- 3.0** The highest level of students’ body will be ‘**Students Affairs Council**’ (SAC) and shall have its constituent Boards and Inter-hostel Committees as follows:
1. Board for Hostel Management (BHM)
  2. Board for Sports Activities (BSA)
  3. Board for Cultural Activities (BCA)
  4. Board for Students Welfare (BSW)
  5. Board for Students Publications (BSP)
  6. Board for Professional Activities (BPA)
  7. Inter-hostel Disciplinary Committee
  8. Inter-hostel Network Affairs Committee
  9. Inter-hostel Finance and Audit Committee
  10. Any other Board/Inter-hostel committee, as approved by the SAC.
- 3.1** SAC will be chaired by the VC where as the Boards will be chaired by the concerned president. In absence of Chairman as described here, the Dean of Students Welfare, concerned Board’s Vice President, respectively, will chair the concerned Bodies.
- 3.2** From the point of view of Students’ Organization (SAC and its constituent Boards), the University will be considered to have the following “Hostels” and “Houses”

**Hostels:**

1. Nilgiri
2. Vindhyachal
3. Trikuta-Kailash (Combined)
4. Shivalik
5. Vaishnavi
6. New Hostels as and when constructed and become (fully/largely) operationalized.

**Houses:**

1. Jal
2. Vayu
3. Agani
4. Akash
5. Prithvi

## 6. New House as and when constituted by the SAC

The existing students are residents of one of the above mentioned Hostels and already belong to one of the above Houses to which they were allotted at the time of admission. The new students will be allotted to these House by systematic random sampling process applied to the entire set of new students after arranging their entry numbers in computer generated standard sequence in alphabetic order or any other suitable method approved by the SAC.

For various Committees and the Boards constituted after the first round of Elections at ‘Hostel’ or ‘House’ level, the representatives from these two channels will be represented in well defined manner as indicated in this Constitution subsequently under various Sections.

### **4.0 Structure of Students’ Bodies and Election Process**

#### **4.1 At Hostel Level**

Each Hostel will have the following Committees

1. Hostel Mess Committee
2. Hostel Sports Committee
3. Hostel Cultural Committee
4. Hostel Maintenance Committee
5. Hostel Welfare Committee
6. Hostel Publication Committee
7. Hostel Reading Room Committee
8. Hostel Network Affairs Committee
9. Hostel Disciplinary Committee
10. Hostel Finance and Audit Committee
11. Any other, as approved by the SAC

##### **4.1.1 Hostel Affairs Committee (HAC)**

The HAC will be the supreme body for the management of all hostel affairs and will implement the decisions executable at its level and submit its recommendations to concerned Board and/or SAC wherever needed. HAC will consists of secretaries of each of the committees as Union Territory in section 4.1 and two (02) HAC representative elected by that hostel resident student of SMVDU and two (02) SAC representative elected by that hostel resident student of SMVDU.

**4.1.2** Each of the Committees at the Hostel level as mentioned in Section 4.1 will have five (05) students’ representatives elected by all the resident students of SMVDU in each hostel. The Five (5) elected members shall elect their Secretary who will be a Member of the Hostel Affairs Committee (HAC).

**4.1.3** The Secretaries of all the above mentioned hostel level Committees and the directly elected 4 members (2HAC+2SAC) shall elect the Secretary of HAC.

**4.1.4** All Secretaries of various Committees, other than HAC, at the Hostel level will constitute corresponding Boards as mentioned in Section 3.0.

**4.1.5** Two First Year Students in each Hostel (where ever applicable) to be co-opted in the Hostel Affairs Committee of the Hostels.

**4.1.6** Nomination of one first year student for each Hostel (where ever applicable) Student Affairs Council within one month of the last date of Admissions in the Fall Semester.

## **4.2 At House Level:**

### **4.2.1 House Sports Committee (HSC)**

Each House will elect nine (09) representatives for HSC, who will subsequently elect the House Sports Secretary.

### **4.2.2 House Cultural Committee (HCC)**

Each House will elect nine (09) representatives for HCC, who will subsequently elect the House Sports Secretary.

In case of tie among two or more contestants, the method of toss shall be adopted in all the elections in the Hostels, Houses, Boards, SAC etc.

## **5.1 Election Timing**

- The entire election process shall be completed in February/March every year.
- Notification shall be issued by the Dean of Students Welfare (or his office), in consultation with the Hon'ble Vice Chancellor, at least 10 days before the last date of filing the nomination.
- The whole process of elections, i.e. nominations, withdrawals, elections at all stages etc shall be completed within 10 days from the last date of nominations at the First Stage of the elections.
- All the Boards shall be formed within 7 days after the declaration of the results of the First Stage of the students' elections in the Hostels.



- The process of election of the General Secretary of the SAC will be completed within 2 or 3 days after the formation of all the Boards. The SAC shall be announced soon after the election of its General Secretary.

## 5.2 Disciplinary Procedure

The Disciplinary Committee as mentioned in Sec 3.0 will take necessary action in all cases related to the breach of discipline. In cases of serious indiscipline, the matters will be referred to the University's Disciplinary Committee.

## 5.3 Meetings and Meeting Procedure:

All committees, Boards, and SAC will have formal meetings at least once in each regular semester with due written notice adequately in advance (at least 2 days).

## 5.4 Constitution Amendment Procedure:

Minor Changes in the constitution will be done by the SAC whereas the Major Changes will be done by the AC/AAC, and approved by the EC.

## 6.0 Role and Composition of SAC

The role of the Council (SAC) is to involve the students of the University in the matters considered relevant to their holistic personality growth and professional development through various activities, not related to their academic programs. The SAC is intended to provide a policy making platform for the students with the support of University faculty and authorities. The composition of SAC will be as follows:

- |   |       |                  |
|---|-------|------------------|
| (a) Vice Chancellor   | ..... | Chairman         |
| (b) Dean of Students Welfare  | ..... | Vice Chairman    |
| (c) Registrar   |       |                  |
| (d) Associate Deans of Students   |       |                  |
| (e) President of each Board (viz. BHM, BSA, BCA, BSW, BSP, and BPA)     |       |                  |
| (f) All Wardens and Associate Wardens                                   |       |                  |
| (g) General Secretary, SAC  |       |                  |
| (h) Secretaries of all Hostel Affairs Committees (HAC) from each hostel |       |                  |
| (i) SAC Representatives (2 from each hostel)                            |       |                  |
| (j) General Secretaries of various Boards                               |       |                  |
| (k) General Secretary, Inter-hostel Disciplinary Committee              |       |                  |
| (l) General Secretary, Inter-hostel Network Affairs Committee           |       |                  |
| (m) General Secretary, Inter-hostel Finance and Audit Committee         |       |                  |
| (n) Assistant Registrar (Students Affairs) / S.A. Section I/C           | ..... | Member Secretary |

## 7.0 Emergency Committee of Student Affairs Council

The Student Affairs Council shall have an Emergency Committee for attending to urgent issues pertaining to residence of students in particular the disciplinary aspects comprising of the following members;

**(A). Permanent Members:**

1. Dean of Students Welfare
2. Associate Dean of Students Welfare (Male Faculty Member)
3. Associate Dean of Students Welfare (Female Faculty Member)
4. General Secretary, SAC
5. General Secretary, BHM
6. General Secretary, Inter Hostel Disciplinary Committee

**(B). Invitee (as per the matter under discussion):**

1. General Secretary / Secretaries of concerned Boards
2. HAC Secretary / Secretaries of concerned Hostel(s)
3. Head(s) of concerned School(s)
4. Warden(s) of concerned Hostel(s)

*Recommended by the Executive Council in its 22<sup>nd</sup> Meeting held 21<sup>st</sup> Nov 2014 and approved by the Chairman, Shri Mata Vaishno Devi Shrine Board, on behalf of Board and notified vide Notification no: SMVDU/A&R/EC/15/1707, dated :- 20<sup>th</sup> January 2015.*

## CHAPTER- 37

### Constituent Boards of Student Affairs Council (SAC)

#### 1.0 Role and Composition of various Board

There shall be Boards and Inter-hostel committees as mentioned in chapter 32 of the statute and shall be called Constituent Boards and Inter-hostel Committees of SAC. All the student members of each Board and inter-hostel Committee shall elect their Secretary and shall be called as General Secretary of respective Board and Committee.

#### 1.1 Board for Hostel Management (BHM)

Board for Hostel Management (BHM) is a constituent body of the SAC and shall be responsible for policy formation, co-ordination and review of all matters relating to the overall management of the hostels. The Board shall be subjected to all decisions, rules and regulations which may be laid down from time to time by the SAC and the authorities of the University. The Board shall be having its own sub-committees and cells as considered desirable from time to time. The composition of the Board shall be as follows:

- (a) Dean of Students Welfare - President/Chairman
- (b) Associate Dean(s) of Students
- (c) All Wardens and Associate Wardens
- (d) General Secretary, BHM**
- (e) HAC Secretary of each hostel
- (f) Mess Secretary of each hostel
- (g) Maintenance Secretary of each hostel
- (h) General Secretary, Inter-hostel Disciplinary Committee
- (i) General Secretary, Inter-hostel Network Affairs Committee
- (j) General Secretary, Inter-hostel Finance and Audit Committee
- (k) Assistant Registrar (Student Affairs) / S.A. Section I/C - Member Secretary

#### 1.2 Board for Sports Activities (BSA)

Board for Sports Activities (BSA) is a constituent body of the SAC and shall be responsible for policy formation, co-ordination and review of all matters relating to the sports activities of the University. It shall ensure that adequate facilities are given to the students for games and sports. BSA will provide a forum to the students to discuss and formulate policies, budget etc and organization of sports activities in the University. The Board shall be subjected to all decisions, rules and regulations which may be laid down from time to time by the SAC and the authorities of the university. The Board shall be having its own sub-committees and cells as considered desirable from time to time. The Activity/Club coordinator will be elected by the respective Houses. All Activity/Club coordinators from all the Houses will elect Activity/Club Secretary. The composition of the Board shall be as follows:

- (a) President, BSA (faculty member nominated by the Vice Chancellor) - Chairman
- (b) Vice President (faculty member nominated by the Vice Chancellor)
- (c) Faculty Coordinator for each Game/Sport
- (d) **General Secretary, BSA**
- (e) Sport Secretary of each hostel
- (f) Sports Secretary of each of the 5 'Houses' (Jal, Vayu, Agni, Aakash and Prithvi)
- (g) Captain of each Game/Sport
- (h) Sports Officer - Member Secretary

### 1.3 Board for Cultural Activities (BCA)

Board for Cultural Activities(BCA) is a constituent body of the SAC and shall be responsible for policy formation, co-ordination and review of all matters relating to the cultural activities of the University. It shall ensure that a congenial and encouraging environment is provided to the students for grooming and nurturing their talent by organizing various cultural activities through different activity clubs. The Board shall provide a forum for the students to discuss and formulate policies, budget etc and organization of cultural activities in the University. The Board shall be subjected to all decisions, rules and regulations which may be laid down from time to time by the SAC and the authorities of the universities. The Board shall be having its own sub committees and cells as considered desirable from time to time. The Activity/Club coordinator will be elected by the respective Houses. All Activity/Club coordinators from all the Houses will elect Activity/Club Secretary. The composition of the Board shall be as follows:

- (a) President, BCA (faculty member nominated by the Vice Chancellor) - Chairman
- (b) Vice President (faculty member nominated by the Vice Chancellor)
- (c) Vice President each of Activity/Club (drama, music, debate, fine arts, dance etc.)
- (d) Cultural Secretary of each of the 5 'Houses' (Jal, Vayu, Agni, Aakash and Prithvi)
- (e) Cultural Secretary of each hostel
- (f) Activity/Club Secretary
- (g) **General Secretary, BCA** - Member Secretary

### 1.4 Board for Student Welfare (BSW)

Board for Student Welfare (BSW) is a constituent body of the SAC and shall be responsible for policy formation, co-ordination and review of all matters relating to the students' welfare. The Board shall provide a forum for the students to discuss and formulate policies related to the students' welfare activities in the University. The Board shall be subjected to all decisions, rules and regulations which may be laid down from time to time by the SAC and the authorities of the universities. The Board shall be having its own sub committees and cells as considered desirable from time to time. The Board may also recommend temporary financial support (very short term loan) to the needy students. The composition of the Board shall be as follows:

- (a) President, BSW (faculty member nominated by the Vice Chancellor) - Chairman

- (b) Vice President (faculty member nominated by the Vice Chancellor)
- (c) Chief Counselor of the University/equivalent
- (d) Associate Dean(s) of Students
- (e) Two Wardens (one each from boys hostels and girls hostels)
- (f) Welfare Secretary of each hostel
- (g) **General Secretary, BSW** - Member Secretary

### 1.5 Board for Student Publications (BSP)

Board for Student Publication (BSP) is a constituent body of the SAC and shall be responsible for policy formation, co-ordination and review of all matters relating to the Board. The BPS shall provide a forum among the students for cultivating literary talent and highlight the matter of professional interest within and for SMVDU community. The Board shall disseminate information so as to develop well informed, articulate and participant community life and increase the social awareness of the community through responsible and constructive journalistic practice. The Board shall be subjected to all decisions, rules and regulations which may be laid down from time to time by the SAC and the authorities of the universities. The Board shall be having its own sub committees and cells as considered desirable from time to time. The composition of the Board shall be as follows:

- (a) President, BSP (faculty member nominated by the Vice Chancellor) - Chairman
- (b) Vice President (faculty member nominated by the Vice Chancellor)
- (c) One faculty from each (Academic) School
- (d) BSP representative from each School
- (e) BSP Secretary of each hostel
- (f) Reading Room Secretary of each hostel
- (g) **General Secretary, BSP** - Member Secretary

### 1.6 Board for Professional Activities (BPA)

Board for Professional Activities (BPA) is a constituent body of the SAC and shall be responsible for policy formation, co-ordination and review of all matters relating to the professional and co-curricular activities of the students. This Board will provide a forum to the students to discuss and formulate policies, budget etc and organization of professional and co-curricular activities in the University such as Technical Festival, Management Festival, Literature Festival, Philosophy Day, National Science Day, National Engineers' Day, Automobile/robotics making and display etc. The Board shall be subjected to all decisions, rules and regulations which may be laid down from time to time by the SAC and the authorities of the University. The Board shall be having its own sub-committees and cells as considered desirable from time to time. The composition of the Board shall be as follows:

- (a) President, BPA (faculty member nominated by the Vice Chancellor) - Chairman
- (b) Vice President (faculty member nominated by the Vice Chancellor)
- (c) One faculty from each (Academic) School
- (d) One UG student from each (Academic) School from I/II year

- (e) One UG student from each (Academic) School from III/IV& V(if applicable) year
- (f) 4 PG students (one each from MBA, M.Sc./M.A., M.Tech. and Ph.D.)
- (g) **General Secretary, BPA** - Member Secretary

**1.7 Inter-hostel Disciplinary Committee (IDC)**

- (a) Faculty member nominated by the Vice Chancellor - Chairman
- (b) Secretary of Hostel Disciplinary Committee of each hostel
- (c) **General Secretary, IDC** - Member Secretary

**1.8 Inter-hostel Network Affairs Committee (INAC)**

- (a) Faculty member nominated by the Vice Chancellor - Chairman
- (b) Secretary of Hostel Network Affairs Committee each hostel
- (c) **General Secretary, INAC** - Member Secretary

**1.9 Inter-hostel Finance and Audit Committee (IFAC)**

- (a) Faculty member nominated by the Vice Chancellor - Chairman
- (b) Secretary of Hostel Finance and Audit Committee each hostel
- (c) **General Secretary, IFAC** - Member Secretary

**2.0** The General Secretary of any Board or Inter-hostel committees may be removed, if two-third of his electorate votes for his removal in a vote of no confidence. A vote of no confidence shall be considered if at least one-third of the concerned electorate petition in writing to the President of the Board to do so. A vote of no-confidence against anyone post can be moved only once a year.

**3.0** All the Boards shall submit their recommendations to the Dean of Student for approval by the competent authority of the University.

**4.0 Quorum**

Fifty percent (50%) of the members of SAC, different Boards, and Committees will constitute the quorum of the respective body.

*Recommended by the Executive Council in its 22<sup>nd</sup> Meeting held 21<sup>st</sup> Nov 2014 and approved by the Chairman, Shri Mata Vaishno Devi Shrine Board, on behalf of Board and notified vide Notification no: SMVDU/A&R/EC/15/1707, dated :- 20<sup>th</sup> January 2015.*

## CHAPTER-38

### RECRUITMENT PROCEDURES & CONDITIONS OF SERVICE OF UNIVERSITY EMPLOYEES

**Ordinance:-** *(In pursuance to provisions made in Section 14 (c) of the Act of the University) assent accorded by the Chairman on behalf of Shri Mata Vaishno Devi Shrine Board and Notified vide Notification no:-SMVDU/03/3574-99, dated :- 30<sup>th</sup> September 2003.*

#### **1. Categorization of staff**

The staff members falling in the category of Management and supporting service and Faculty shall be graded into four categories: -

##### **1.1 Higher/Senior level Management (Category I)**

Officials representing the top management cadre like the Vice-Chancellor, Professors, Associate Professors, Registrar, Finance Officer, and such other officers as may be designated from time to time and carrying pay scale starting with Rs.16400 and above will form the senior level management.

##### **1.2 Middle Management (Category II)**

Officials carrying the pay scale of Rs. 8000-13500 to Rs. 12000-18300 including Assistant Professors, Lecturers, Deputy Registrars/Deputy Finance Officers, Assistant Registrars/Assistant Finance Officers or such other designations as are approved by the University shall belong to the middle level management cadre of the University.

##### **1.3 Lower Middle level Management (Category III)**

Posts carrying the pay scale of Rs. 5500-9000 to Rs. 6500-10500 will comprise the lower middle level management.

##### **1.5 Lower level Management (Category IV)**

All posts carrying the pay scale below Rs. 5500 to Rs. 9000 shall fall in lower management level.

##### **1.5 Maintenance and Housekeeping services/jobs such as security, sanitation, delivery of mail, attendants, gardeners and any other housekeeping assignments of University campus, its buildings and hostels, guesthouses etc. will be normally given on contract basis for a specified period to established Professional Agencies with adequate expertise and selected after open advertisements., on terms and conditions, which amongst others, would provide for a periodic review and termination of contract, in case of service being below expected standards, within the specified period of the duration of contract.**



## 2. Qualifications for various categories of teaching posts

*The rules of specific regulatory bodies shall be made applicable to specific disciplines, for all issues concerning direct recruitment, promotion under CAS and incentives for acquiring higher qualifications. For Engineering & Management Disciplines – AICTE norms shall be followed, for Architecture – Council of Architecture norms and for Humanities, Sciences and Social Sciences streams – UGC norms shall be followed.*

*However, the University may set higher norms for maintaining the standards of education and research as the above Regulations are the minimum standards.*

## 3. Qualifications for various levels/positions of non-teaching posts

### 3.1 Higher/Senior level Management:

For senior level management positions, qualifications as laid down in Statutes/University Act shall be followed. In addition the incumbent should possess capacity to provide leadership and direction in an academic institution committed to breaking new frontiers in knowledge and to introduce new innovations in the academic disciplines identified for instruction and research.

### 3.2 Middle level management:

- a) A Post-graduate Degree with a minimum 2<sup>nd</sup> class or equivalent in grade point average with adequate expertise in Computer Application
- b) A Degree or Diploma in Management Systems/ Computer Applications
- c) Communication skills both oral and written in handling areas of personnel administration/ general administration/financial administration in reputed organizations/ institutions
- d) Ability to guide and provide leadership and to inculcate the team spirit amongst the staff working with him/her
- e) Minimum of 5 years 'experience, in a middle level managerial position.

**Desirable:** Those who have worked in Universities, academic institutions, IITs, IIMs etc. would be preferred.

### 3.3 Lower Middle level management:

- a) A Master's Degree with a minimum 2<sup>nd</sup> class or equivalent in grade point average.
- b) Degree/Diploma or Certificate in Computer Applications/ Management Systems
- c) Communication skills both oral and written
- d) Experience in personnel administration/ general administration,/academic administration/ financial procedures/budgeting/ inventory control and allied aspects of administration
- e) Ability to provide leadership and guidance to the team of staff working with him/her and experience of 2-3 years of managing, guiding and providing group leadership in a management organization of repute.

**Desirable:** Those who have experience of working in Universities, academic institutions, IITs, IIMs etc. would be preferred.



### 3.4 Lower level Management:

- a) At least 2<sup>nd</sup> Class Bachelor's Degree or equivalent grade point average
- b) Degree or Diploma in Computer Applications/Management Systems,
- c) Oral and written communication skills,
- d) Experience of 1-3 years in management procedures through application of modern management techniques.

**Desirable:** Other things being equal, those who possess Master's degree shall be preferred.

### 3.5 Assistant Level (Drivers and Helpers)

- a) At least matriculate examination of a recognised board in India.
- b) Ability to read and write English and one more Indian Language
- c) Certified license in case of Drivers.

## 4. Recruitment to University positions

- (i) The appointing authority in respect of various categories of employees shall be as follows: -

All faculty positions and posts falling in the middle level management	-	Executive Council and above
All other posts	-	Vice-Chancellor

- ii) **Barring appointments to be made either by invitation/promotion or by way of borrowing the services on deputation basis or on a specified contract for a defined period, all appointments to the positions at various levels in the University shall be made after inviting the applications through an advertisement on all India basis in the case of positions falling in higher level management and middle level management and locally in the case of positions falling in lower middle and lower management level and on the recommendations of a duly constituted Selection Committee as provided in the Statutes, with the approval of the Vice-Chancellor/competent authority. However, in case of Faculty recruitment, the University will follow the policy of Rolling Advertisement through its website, inviting applications from interested applicants, at all levels of faculty positions, throughout the year. The applications so received may be reviewed every six months or as per the faculty requirements in specific fields / Schools. The rest of the procedure including the interview by the duly constituted Selection Committees shall remain unchanged. Newspaper advertisements may also be issued, if considered necessary, for inviting applications from prospective candidates other than those who might have applied in response to the rolling advertisement uploaded on the website of the University. The new system of faculty selection is based on the principle of equal opportunity to all applicants for applying and being considered for faculty positions at SMVDU.**

- (iii) **The recruitment to the non-teaching posts, at lower middle level or below shall be based on a test to be designed which is consistent with the job description of the post and helps to test ability in computer application / analytical ability of the candidate, his/her knowledge of the rules and procedures , skill in drafting, traits of personality, disposition towards his /her colleagues to be able to contribute effectively in a group besides potential for growth in the system followed by an interview by the Selection Committee.**
- (iv) **The appointments to the above categories in the non-teaching posts shall be initially on contract basis for a period of one year, which may be extended by another one year, which shall be treated as period of probation. On satisfactory completion of the period of probation, appointment shall be followed by a contract for five years inclusive of the period of probation. During this period, the services may be terminated and / or an employee may leave by giving one month's notice.**
- (v) **In respect of non-teaching posts of the above categories, a comprehensive review of the job performance of the incumbent shall be done at the end of five years by a committee constituted by the Vice-Chancellor which may include reference to Annual Performance / Self Appraisal Reports, expertise achieved in computer application, knowledge and application of rules, contribution to procedures / forms simplification, contribution made in effecting innovations in the system. On the basis of comprehensive appraisal report, the competent authority shall determine ;**
  - a) **renewal of contract on continuing basis for another 5 years;**
  - b) **consideration for elevation to the next scale in the same level or in the event of his /her performance being found exemplary / outstanding , even elevation to the next level;**
  - c) **where staff members has shown poor performance despite continued guidance and virtually has no potential for improvement , he / she shall be weeded out of the system.**
  - d) **After confirmation, the services can be terminated by either side by giving three months' notice or the salary in lieu of the notice period. In exceptional circumstances the requirements of notice period can be reduced / waived.**
- (vi) **Suitable candidates at the level of Higher/Senior and Middle Management may be offered regular appointments on the basis of the recommendations of the Selection Committee and approval of the Executive Council. The candidates appointed in this manner shall also be on probation for an initial period of one year, extendable by another year.**
- (vii) **The select list of candidates , found suitable for appointment by the Selection Committee, when drawn , shall remain valid ordinarily for a period not exceeding one year from the date it is approved by the appointing authority and appointments shall be made out of the said list in the order of merit.**

## **5. Age and Health**

Nobody shall be eligible for a appointment in the University service unless he has attained the age of 18 years and is medically fit and furnishes a certificate to this effect

from the University Medical Officer or any other authorized Medical Officer not below the rank of an Asst. Surgeon Grade 1.

## 6. Pay Scales

- 6.1 Pay scales for various categories of teachers, i.e., **Assistant Professors, Associate Professors and Professors shall be as followed in the UGC system.** In addition, incentives and perks, may be granted by the Executive Council.
- 6.2 In the case of non-teaching staff, the pay scales as prescribed by the Competent Authority shall be made applicable
- 6.3 Unless otherwise approved, the initial pay of the employee shall be fixed at the minimum of the time scale in which the appointment is made.
- 6.4 The Competent Authority may allow a higher start and/or incentives such as free furnished accommodation, annual leave, home travel concession or medical insurance on the basis of special qualifications and experience.

## 7. Increments

- 7.1 **The increment shall accrue on 1<sup>st</sup> July of every year after putting in a service of one year in the pay scale held by an employee.**
- 7.2 Ordinarily an increment shall be drawn as a matter of course unless it is withheld if an employee's conduct has not been good and or his work has not been satisfactory.
- 7.3 In case the increment of an official is withheld, the withholding authority shall state the period for which it is with-held and whether it will have the effect of postponing the future increments.
- 7.4 Where advance increment is sanctioned in favour of an employee, it shall come into force from the date his normal increment falls due.

## 8 Self Appraisal Reports

The University would prescribe a Performa entitled "Self - Appraisal Report" which would be completed by each staff member providing inputs against each specified target as compatible to his job description, by 30<sup>th</sup> of June each year. The Self Appraisal Reports after being commented upon by their immediate supervisors would be reviewed by a Committee constituted by the Vice Chancellor, which among others, may have one or two experts. The Committee would review the performance of the group as a whole and within the group inter-se ranking of the staff members among themselves for possible incentives in the shape of increments/movement to higher scale, or certain observations to be brought to the notice of the staff members with the sole objective to help them to improve their deficiency under/or continuation in the system. The Review/Assessment Committee may invite any of the staff members, at its discretion, for seeking additional information.

## 9 Suspension

- (i) The Vice-Chancellor or the appointing authority may place an employee under suspension pending an inquiry if it is satisfied that there is a prima facie case against him of –
  - a. insubordination
  - b. intemperance
  - c. misconduct

- d. non-performance of his duties
  - e. non-compliance with any of the provisions of the conduct rules applicable to him
  - f. disobedience of the orders of an appropriate authority
  - g. moral turpitude
  - h. any act prejudicial to the University or its property
  - i. on his arrest for a criminal offence.
- (ii) As soon as an employee is placed under suspension, a charge sheet shall be served on the employee within 15 days of his suspension and the inquiry shall ordinarily be completed within six months of the date of the suspension unless the Vice-Chancellor extends the period.
- (iii) In case of suspension involving arrest and prosecution of an employee in connection with a criminal offence, the suspension shall remain in force till the final decision of the case against him.
- (iv) Where, the order of suspension is made against an employee of upper/higher management, the matter shall be reported to the Executive Council by the Vice-Chancellor. Such order of suspension shall remain in force till it is modified and revoked by the Vice-Chancellor or Executive Council.
- (v) **An employee of the University shall be deemed to have been placed under suspension; with effect from the date of his detention, if he is detained in custody whether on a criminal charge or otherwise, for a period exceeding forty eight hours.**
- (vi) During the period of suspension, the employee concerned shall, however, be entitled to a subsistence allowance as under :-
- (a) for first six months 50% of the emoluments last drawn including DA.
  - (b) after six months the allowance shall be raised by 25% of the emoluments in case delay in inquiry for reasons to be recorded in writing is not attributable to the employee concerned and shall get reduced to 25% when delay in inquiry is due to the non-cooperation of the employee concerned or for the reasons to be recorded in writing directly attributable to him.
  - (c) the rate of Dearness Allowance will be based on the increased or the decreased amount of subsistence allowance as may be in force from time to time during the period of suspension.
  - (d) in addition to the subsistence allowance, the employee under suspension shall be entitled to compensatory allowance if any, in the same proportion which he was in receipt on the date of suspension :  
 Provided that the authority sanctioning the subsistence allowance is satisfied that the employee concerned continues to meet the expenditure for which compensatory allowance is granted.
  - (e) the subsistence allowances shall not be disbursed unless the employee concerned furnishes certificate that he is not engaged in any other employment, business, profession or vocation.
  - (f) during the period of suspension the employee concerned shall cease to discharge his official duties and functions and shall remain attached to an office or some other place as may be directed by the competent authority. He/She shall be available to the Inquiry Officer as and when required.
  - (g) No leave shall be granted to an employee under suspension.
- (vii) When an employee under suspension is completely exonerated of the charges brought

against him or where the competent authority is satisfied that the suspension was wholly unjustified, he shall :

- (a) be reinUnion Territory and will be entitled to all benefits which he may have earned had he not been suspended;
- (b) draw all emoluments minus the subsistence allowance already drawn for the entire period of his suspension;
- (c) the period of suspension shall be treated as a period spent on duty.

#### **10. Penalties**

Any of the following penalties, for good and sufficient reasons, may be imposed on an employee by the Competent Authority;

- a. censure;
- b. withholding of increment or promotion
- c. reduction to a lower post or time scale or to a lower stage in a time scale Provided that this shall not apply to the members of teaching staff.
- d. recovery from pay, the whole or part of the pecuniary loss to the University due to negligence or breach of orders by the employee concerned
- e. removal from service/dismissal.

#### **11. Appeal**

Notwithstanding anything contained in the Statutes/Regulations/ Ordinances, an official on whom a penalty has been imposed by the Competent Authority may prefer an appeal to the next higher authority against such order within three months of the communication of the order to him.

#### **12. Service Record**

Service record of each employee of the university shall be maintained in such performas as may be prescribed for the purpose, under regulations.

#### **13. Age of Superannuation**

**13.1** The Teachers of the University shall superannuate at the age of 65 years.

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#### **14. Resignation from service**

- 14.1 A permanent employee shall not leave or discontinue his service without first giving prior notice to the Registrar/Vice Chancellor as the case may be, of his intention to leave or discontinue service.
- 14.2 The period of notice shall be:
  - a) three calendar months in case of regular employees
  - b) one calendar month in case of contractual or temporary employees or employees on probation.
- 14.3 If an employee fails to give such notice, the University shall be entitled to recover salary by which the notice period falls short of the requisite duration. The service of a University employees may be terminated after giving due notice or payment of pay and allowances in lieu of that notice:
- 14.4 The pay to be forfeited or given in lieu of insufficient notice shall be the basic pay and allowances drawn by the employee at the time of

termination of the employment.

### **15. Abolition of post**

Three months'notice shall be given to a University employee in permanent service before his services are dispensed with on the abolition of his post. In case three months'notice is not given and the employee concerned has not been provided other employment, his emoluments for the period by which the notice period falls short of three months may be paid to him in addition to the retirement benefits to which he may be entitled.

### **16. Power to interpret/relax the rules**

Power to interpret, change, add or to relax the provisions of these Ordinances, shall vest with the Executive Council.

- 17.** Employees of the University undergoing probation shall not be allowed to apply for employment outside the University during their period of probation and the existing provision for allowing the employees to apply for outside employment four times during the period of one calendar year be revised to once in two years.

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*\* Approved by the HE the Governor J&K Union Territory & Chancellor SMVDU vide no:GS/85/2006 dated: 16/01/2006 and GS/277/2006, dated: 01/03/2006. \*Recommended by the EC in its 16<sup>th</sup> meeting [Adoption UGC 2010 guidelines] held on 30<sup>th</sup> November 2010, and approved by HE the Governor of J&K Union Territory & Chancellor SMVDU, minutes of which were notified vide no: SMVDU/A&E/11/1378, dtd:31/01/2011. \*Recommended by the EC in its 20<sup>th</sup> meeting held on 27<sup>th</sup> Sept'2013, and approved by HE the Governor of J&K Union Territory & Chancellor SMVDU, minutes of which were notified vide no: SMVDU / A&E /13/20<sup>th</sup> EC/ Min. /1215,dtd:13/11/2013. \*Recommended by the Executive Council in its 23<sup>rd</sup> meeting held on 17<sup>th</sup> April'15, and approved by HE the Governor of J&K Union Territory & Chancellor SMVDU, minutes of which were notified vide no:SMVDU/A&R/15/23-EC/Min./0598 dated:8<sup>th</sup> July'15. \*Recommended by the Executive Council in its 26<sup>th</sup> meeting held on 10<sup>th</sup> April'17, and approved by HE the Governor of J&K Union Territory & Chancellor SMVDU, minutes of which were notified vide no: SMVDU/P&C/17/26-EC/Min./068 dated:6<sup>th</sup> July'17.*

*\*\*Recommended by the Executive Council in its 28<sup>th</sup> meeting held on 13<sup>th</sup> April'18, and approved by HE the Governor of J&K Union Territory & Chancellor SMVD.*



## APPENDIX

### **Procedure to be followed for conduct of Inquiries**

1. **Disciplinary Authority:** Appointing authority shall be the Disciplinary authority. Departmental proceedings can be initiated under the specific orders of the disciplinary authority.
2. **Penalties:** The penalties as indicated at para 11 of Chapter 35 may, for good and sufficient reasons and hereinafter provided, be imposed on a University employee.
3. A) The order of reduction to a lower stage in the time-scale of pay for a specified period, shall indicate as to whether or not, the University employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;  
B) Reduction to lower time-scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the University employee to the time-scale of pay, grade, post or service from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or service from which the University employee was reduced and his seniority and pay on such restoration to that grade, post or service;
4. **Disciplinary Procedure:** Before imposing penalty, disciplinary procedure should be followed. These are:
  - i) Issue of charge sheet
  - ii) Consideration of the replies of the charged employee
  - iii) Decision on initiating departmental proceedings
  - iv) Appointment of Inquiry Officer
  - v) Appointment of the Presenting Officer
  - vi) Conducting of the enquiry by the Inquiry Officer
  - vii) Submission of Inquiry Report
  - viii) Acceptance/rejection of the Inquiry Report
  - ix) Second Inquiry, if required
  - x) Issue of Show Cause Notice
  - xi) Imposition of the penalty
  - xii) Appeal
  - xiii) Revision and Review
  - xiv) Disciplinary proceedings against employees on deputation
5. **Issue of Charge Sheet:** In case there is a prima facie case of severe misconduct against an employee, the disciplinary authority may initiate and institute disciplinary proceedings against him for which charge sheet should be served on the employee. The charge sheet should normally be served under Registered AD post and/or through special messenger. In case of refusal in accepting the charge sheet by the employee concerned, the disciplinary authority may initiate disciplinary proceedings against the employee.
6. **Reply to the Charge Sheet :** In case the Disciplinary authority finds that the reply received is not satisfactory, it may order institution of inquiry against the charged employee.
7. **Institution of an inquiry :** The decision to conduct an inquiry shall be conveyed to the charged employee through of a formal order .
8. **Appointment of Inquiry Officer:** An Inquiry Officer shall be appointed to

conduct the inquiry. The official status of the Inquiry Officer should normally be higher than the charged employee, who may be from within the University or from outside the University. The disciplinary authority should take due care in appointing the Inquiry Officer keeping in view his capability and experience, if any.

An office order should be issued on appointment of the Inquiry Officer and a copy of the office order should be sent by Registered AD mail to the charged employee.

9. **Presenting Officer:** There shall be a Presenting Officer who shall be an employee of the University.
10. **Conducting of Inquiry:** The Inquiry Officer shall follow the due process of law and after examination of prosecution, witness, documents, defense etc. shall submit his report specifically mentioning if the charge/charges has/have been proved or not. This Inquiry Report shall be submitted to the Disciplinary Authority. A copy of the Inquiry Report should also go to the charged employee.
11. **Disposal of the Inquiry Report:** If the Disciplinary Authority is satisfied with the Inquiry Report, he may, in case the charge/s has/have been proved, consider imposition of penalty.
12. **Show Cause Notice:** The charged employee shall be served with a Show Cause Notice as to why the major penalty should not be imposed. Normally 15 days time should be given to the charged employee to send his reply.
13. **Imposition of Penalty:** On receipt of the reply and after considering if the disciplinary authority is satisfied that major penalty should be imposed as conveyed to the employee concerned, the authority may impose the major penalty by issuing an office order.
14. **Despatch of office order:** Office order imposing major penalty shall be issued to the charged employee by Registered AD mail and/or through special messenger.
15. **Appeal:** The charged employee may submit an appeal to the higher authorities for waiving penalty or reduction in penalty. In that case, the higher authorities may consider the case and convey the decision to the charged employee. Appeal should be preferred within a period of 90 days from the date on which a copy of the order is delivered to the appellant. In exceptional circumstances, the period of appeal may be extended further. Appellate authority may confirm, enhance, reduce or set aside penalties imposed. But no order enhancing penalties can be passed without giving reasonable opportunity to the employee to make representation against such enhancement.
16. **Revision and Review:** When any new fact or material which has the effect of changing the nature of the case comes to the notice of the reviewing authority, such authority may of his own or otherwise review the case and pass such order as he may consider justified.
17. **Second Inquiry:** If the disciplinary authority is not satisfied with the finding of the first inquiry conducted by the Inquiry Officer, he/she may decide on to conduct second inquiry for which the above mentioned procedures shall have to be followed.
18. **Disciplinary proceedings against officials on deputation from other organization:** In case of serious misconduct attracting major penalty, charge sheet along with replies should be sent to the parent organization of the employee for such action as may be considered necessary by the disciplinary authority in the parent department.



## CHAPTER 39

### LEAVE RULES

**Ordinance:-***(In pursuance to provisions made in Section 14 (c) of the Act of the University) assent accorded by the Chairman on behalf of Shri Mata Vaishno Devi Shrine Board and Notified vide Notification no:-SMVDU/03/3574-99, dated :- 30<sup>th</sup> September 2003.*

#### General Conditions

##### 1. Extent of Application

- 1.1 These rules shall apply to employees of the University who hold regular, temporary or contractual appointment subject to such limits as may be prescribed hereafter.
- 1.2 In the case of officials whose services are borrowed from other organisation, the leave rules as applicable in their parent cadre/service shall be applicable to them.

##### 2. Regulation of claim to leave

- 2.1 Leave shall be earned by duty.
- 2.2 An employee who retires, resigns or is discharged from the employment of the University and is subsequently re-employed shall not be eligible to get the benefit of his previous service towards leave without specific orders of the authority sanctioning his re-employment.
- 2.3 An employee who is dismissed or removed from the service of the University when re-employment is granted on an appeal or review shall be entitled to count his previous service towards leave.
- 2.4 Leave shall not be granted to an employee who on the basis of charges is likely to be dismissed, removed or compulsorily retired from the service.

##### 3. Right to Leave

- 3.1 Leave cannot be claimed as a matter of right. When the exigencies of the University services so demand, leave of any description may be refused or cancelled by the competent authority empowered to sanction leave, but it shall not be open to that authority to alter the kind of leave due or applied for except at the written request of the employee concerned.
- 3.2 The leave sanctioning authority shall be competent to change the date of commencement of leave to be granted to the University employee.

#### **4. Application for leave**

- 4.1 Leave shall always be applied for and sanctioned before it is availed of except in cases of emergency and for satisfactory reasons
- 4.2 Ordinarily an application for leave (other than casual leave) shall always be made in the prescribed form.
- 4.3 Unless otherwise specified in these rules and except in the case of casual leave and leave on medical ground, all applications for leave should be made at least 7 days before the date from which the leave is intended to be availed of.
- 4.4 An employee's claim to leave shall be regulated by the rules in force at the time the leave is applied for and granted.
- 4.5 Claim of an employee to leave standing at his credit when he is dismissed or removed from service or when he resigns from the University service shall cease from the date of such dismissal, removal or resignation.
- 4.6 No leave other than casual leave shall be granted to an employee until a report regarding its admissibility is obtained from the authority maintaining the leave record.
- 4.7 While proceeding on and return from leave, an employee shall sign departure and joining report respectively which shall be passed on to the concerned section for information and record on the basis of which entry shall be made in the leave account under the signatures of the Officer In-charge of the Section.

#### **5. Commencement and Termination of leave**

- 5.1 Leave shall ordinarily begin on the day on which transfer of charge is effected and end on the day preceding that, on which charge is resumed. Sundays or other recognized holidays may be prefixed or suffixed to leave.
- 5.2 When the day immediately preceding the day on which the leave other than casual leave and special leave begins or immediately following the day on which such leave expires, is a holiday or a series of holidays or vacation, the person who is proceeding on or returning from leave may handover charge at the close of the day before or return to duty on the day following such holiday or series of holidays or the vacations provided such earlier departure or delay in return does not involve any extra expenditure to the University. When the leave is prefixed or suffixed to such holidays or vacations, the consequential arrangements shall begin or end as the case may be from the date the leave begins or expires.

## **6. Conversion of one kind of leave into another**

6.1 At the request of the employee, the University may convert any kind of leave retrospectively into a leave of different kind which may be admissible to him at the time the leave was originally taken, but he cannot claim such conversion as a matter of right.

6.2 If one kind of leave is converted into another, the amount of leave and allowances admissible shall be calculated and arrears of leave salary and allowances paid, or the amount overdrawn recovered, as the case may be.

## **7. Leave admissible to Contractual Employees**

The employees appointed on contract basis will be eligible to earned leave of one day for every 11 days of service rendered subject to the condition that such earned leave shall not be allowed to be en-cashed.

## **8. Leave Account**

Leave account shall be maintained for each employee in such Performa as may be prescribed for the purpose.

## **9. Rejoining Duty before the expiry of the leave**

When an employee is recalled on duty before the expiry of leave which is optional, he shall not be entitled to any concession. If the recall is compulsory, in that case the period from the date on which he starts from his hometown up to the date he actually joins duty, he shall continue to draw leave salary. In addition, he may be allowed TA for the journey from his hometown to the place of duty.

## **10. Leave on medical grounds to be supported by Medical Certificate**

10.1 An employee who applies for leave on medical grounds shall support his application with a medical certificate from a University/Govt. doctor not below the rank of Chief Medical officer.

10.2 A Competent Authority empowered to grant leave might in its discretion secure second medical opinion from the Board constituted by the District Medical Officer before grant of leave.

10.3 The medical certificate shall not in itself confer upon the employee concerned any right to leave. The medical certificate shall be forwarded to the authority competent to sanction leave and orders of that authority awaited.

10.4 The Competent Authority empowered to grant leave may at its discretion waive the condition of production of a medical certificate if the leave applied for is for a period not exceeding 3 days at a time.

## **11 Rejoining duties on return from leave**

- 11.1 An employee returning to duty on expiry of leave shall report to the Dean of the School who shall forward the joining report to the Registrar. In the case of Dean of the School himself, the report shall be sent direct to the Registrar.
- 11.2 No University employee who has been granted leave on medical certificate will be allowed to return to duty without producing a fitness certificate from a University/Govt. doctor not below the rank of Chief Medical Officer.

## **12 Employment during Leave**

A University employee on leave shall not take up any service or accept any employment including the setting up of private professional practice without prior sanction of the Vice Chancellor. In no case, an employee shall be allowed to draw emoluments from more than one source.

## **13 Over Staying Leave**

- 13.1 In case an employee fails to return to his duty on the expiry of his leave, without having previously obtained sanction to the extension of leave, the Dean of the Faculty concerned after waiting for three days shall inform the Registrar and communicate with the person concerned asking for the reasons, which shall be reported to the Competent Authority. Unless the Competent authority considers the reasons as being satisfactory, the employee concerned shall be deemed to have vacated his post without notice, from the date of absence without leave.
- 13.2 An employee who absents himself without leave after the expiry of the leave, if permitted to rejoin the duty, shall not be entitled to any leave allowance or salary for the period of such absence and such period shall be debited against his leave account as leave without pay unless his leave is extended by the authority empowered to grant the leave.
- 13.3 No leave shall be granted beyond the date on which a person is due or is permitted to retire, provided that an employee who is reemployed in the interest of the University, beyond the date of his retirement may be granted leave/cash equivalent to leave salary to the extent leave was due to him on the date of his retirement subject to a maximum of such numbers of days as are permitted under earned leave rules.
- 13.4 If any employee resigns, he shall not be granted either prior or subsequent to his resignation, any leave due at his credit provided, the University may in any case grant terminal leave to an employee prior to his resignation which may extend beyond the date on which the resignation becomes effective, if in the opinion of the University, the circumstances justify such grant of leave.
- 13.5 In case leave granted to an employee extends beyond the date of his compulsory retirement, it will not be treated as extension of service.
- 13.6 An employee who has been granted extension of service will be deemed to be in continuous service of the University.

### 13.7 Power to interpret Rules

The power of interpreting, changing, adding to or relaxing these rules shall be vested with the Executive Council.

## **14 Leave admissible to Faculty members \***

### **I. Duty Leave**

### **J. , Study Leave, Sabbatical Leave**

#### **I.I Duty Leave:**

- i. Duty leave of the maximum of 30 days in an academic year may be granted for the following:
  - (a) Attending conferences, congresses, symposia and seminars on behalf of the university or with the permission of the university;
  - (b) Delivering lectures in institutions and universities at the invitation of such institutions or universities received by the university, and accepted by the Vice Chancellor;
  - (c) Working in another Indian or foreign university, any other agency, institution or organization, when so deputed by the university;
  - (d) Participating in a delegation or working on a committee appointed by the Central Government, Union Territory Government, the UGC, a sister university or any other academic body; and
  - (e) For performing any other duty for the university.
- ii. The duration of leave should be such as may be considered necessary by the sanctioning authority on each occasion.
- iv. The leave may be granted on full pay. Provided that if the teacher receives a fellowship or honorarium or any other financial assistance beyond the amount needed for normal expenses, he/she may be sanctioned duty leave on reduced pay and allowances.
- v. Duty leave may be combined with earned leave, half pay leave or extraordinary leave.
- vi. Duty leave should be given also for attending meetings in the UGC, DST, etc. where a teacher invited to share expertise with academic bodies, government or NGO.

#### **I.II Study Leave:<sup>\$</sup>**

- (i) The scheme of Study Leave provides an opportunity to avail of scholarships/fellowships awarded to the faculty who wish to acquire new knowledge and to improve analytical skill. When a teacher is awarded a scholarship or stipend ( by whatever nomenclature used) for pursuing further studies leading to Ph.D./ Post-doctoral qualification or for undertaking research project in a higher education institution abroad, the amount of the scholarship/fellowship shall not be linked to the recipient's pay/salary paid to her /him by his/her parent institution. The awardee shall be paid salary for the entire duration of fellowship/scholarship, provided of course s/he does not take up any other remunerative jobs like teaching, in the host country.

- (ii) A teacher on Study leave shall not take up, during the period of that leave, any regular or part-time appointment under an organization in India or abroad. S/he may however be allowed to accept a fellowship or a research scholarship or an adhoc teaching and research assignment with honorarium or any other form of assistance, other than regular employment in an institution either in India or abroad , provided that the Executive Council/ Syndicate of his/her parent institution may, if it so desires, sanction Study leave on reduced pay and allowances to the extent of any receipt in this regard, in lieu of teaching etc., which may be determined by his/her employer.
- (iii) Study leave may be granted to entry-level appointees as Assistant Professor/Assistant Librarian/Assistant Head of Physical Education and Sports/Faculty DPE&S ( other than an Associate Professor or Professor of a University/Faculty/Institution, who is otherwise eligible for sabbatical leave) after a minimum of three years of continuous service, to pursue a special line of study or research directly related to his/her work in the University or to make a special study of the various aspects of university organization and methods of education giving full plan of work.
- (iv) Study leave shall be granted by the Executive Council/Syndicate on the recommendation of the Head of the Department concerned. The leave shall not be granted for more than three years in one spell, save in very exceptional cases in which the Executive Council/Syndicate is satisfied that such extension is unavoidable on academic grounds and necessary in the interest of the University/Faculty/Institution.
- (v) Study leave shall not be granted to a teacher who is due to retire within five years of the date on which s/he is expected to return to duty after the expiry of study leave.
- (vi) Study leave may be granted not more than twice during one's career. However, under no circumstances, shall the maximum period of study leave admissible during the entire service exceed five years.
- (vii) Study leave may be granted more than once provided that not less than five years have elapsed after the teacher returned to duty on completion of earlier spell of Study Leave. For subsequent spell of Study Leave, the teacher shall indicate the work done during the period of earlier leave as also give details of work to be done during the proposed spell of Study Leave.
- (viii) No teacher who has been granted Study leave, shall be permitted to alter substantially the course of study or the programme of research without the permission of the Executive Council/Syndicate. In the event, the course of study falls short of Study leave sanctioned, the teacher shall resume duty on the conclusion of course of study, unless the previous approval of the Executive Council/Syndicate to treat the period of shortfall as Extra-Ordinary leave has been obtained.
- (ix) Subject to the maximum period of absence from duty on leave not exceeding three years, study leave may be combined with earned leave, half-pay leave, extra-ordinary leave or vacation, provided that the earned leave at the credit of the teacher shall be availed of at the discretion of the teacher. When Study leave is taken in continuation of vacation, the period of Study leave shall be deemed to begin to run on the expiry of the vacation. A teacher, who is selected to a higher post during study leave, shall be placed in that position and shall get the higher scale only after joining the post.

- (x) The period of Study leave shall count as service for the purposes of retirement benefits (pension/contributory provident fund), provided that the teacher rejoins the University/Faculty/Institution on the expiry of his/her Study leave, and serve for the period for which the Bond has been executed.
- (xi) Study leave granted to a teacher shall be deemed to be cancelled in case it is not availed of within 12 months of its sanction, *provided* that where study leave granted has been so cancelled, the teacher may apply again for such leave.
- (xii) A teacher availing himself/herself of study leave, shall undertake that s/he shall serve the University/Faculty/Institution for a continuous period of at least three years to be calculated from the date of his/her resuming duty on expiry of the Study leave.
- (xiii) A teacher
  - a) Who is unable to complete his/her studies within the period of Study leave granted to him/her, or
  - b) Who fails to re-join the service of the University on the expiry of his/her Study leave, or
  - c) Who re-joins the service of the University but leaves the service without completing the prescribed period of service after re-joining the service, or
  - d) Who within the said period is dismissed or removed from the service by the University shall be liable to refund of the University/Faculty/Institution, the amount of leave salary and allowance and other expenses, incurred of the teacher or paid to him/her or on his/her behalf in connection with the course of study.

**Explanation:**

If a teacher asks for extension of Study leave and is not granted the extension but does not re-join on the expiry of the leave originally sanctioned, s/he shall be deemed to have failed to re-join the service on the expiry of her/his leave for the purpose of recovery of dues under these guidelines.

Notwithstanding the above, the Executive Council/ Syndicate may order that nothing in these guidelines shall apply to a teacher who, within three years of return to duty from Study leave is permitted to retire from service on medical grounds, provided further that the Executive Council/ Syndicate may, in any other exceptional case, waive or reduce, for reasons to be recorded, the amount refundable by teacher under these guidelines.

- (xiv) After the leave has been sanctioned, the teacher shall, before availing himself/herself of the leave, execute a bond in favour of the University/Faculty/Institution, binding himself/herself for the due fulfillment of the conditions laid down in para 11 above and give security of immovable property to the satisfaction of the Finance Officer/Treasurer or a fidelity bond of an insurance company or a guarantee by a scheduled bank or furnish security of two permanent teachers for the amount which might become refundable to the University/Faculty/Institution in accordance with para 11 above.



- (xv) The teacher on Study leave shall submit to the Registrar/Principal of his/her parent University/Faculty/Institution six-monthly reports of progress in his/her studies from his/her supervisor or the Head of the institution. The report shall reach the Registrar/ Principal within one month of the expiry of every six months of the Study leave. If the report does not reach the Registrar/Principal within the period specified time, the payment of leave salary may be deferred till the receipt of such report.
- (xvi) The teacher on Study leave shall submit a comprehensive report on the completion of the study leave period. A copy of the research document/monograph/academic paper produced during the period of Study leave be put in the public domain, preferably on the website of the University/Faculty/Institution.
- (xvii) With a view to enhancing knowledge and skills of faculty members, especially junior faculty, at the rank of Assistant Professor, the Head of University/Faculty/Institution and their subordinate Departments are enjoined to be generous in the award of Study leave in the interest of faculty improvement, thereby impacting academic standards of University/Faculty/Institution in the long run.

### **I.III *Sabbatical Leave:***

- (i) Permanent, whole-time teachers of the university and Faculty who have completed seven years of service as Reader/Associate Professor or Professor may be granted sabbatical leave to undertake study or research or other academic pursuit solely for the object of increasing their proficiency and usefulness to the university and higher education system.
- (ii) The duration of leave shall not exceed one year at a time and two years in the entire career of a teacher.
- (iii) A teacher, who has availed himself/herself of study leave, would not be entitled to the sabbatical leave. Provided further that sabbatical leave shall not be granted until after the expiry of five years from the date of the teacher's return from previous study leave or any other kind of training programme of duration one year or more.
- (iv) A teacher shall, during the period of sabbatical leave, be paid full pay and allowances (subject to the prescribed conditions being fulfilled) at the rates applicable to him/her immediately prior to his/her proceeding on sabbatical leave.
- (v) A teacher on sabbatical leave shall not take up, during the period of that leave, any regular appointment under another organization in India or abroad. He/she may, however, be allowed to accept a fellowship or a research scholarship or adhoc teaching and research assignment with honorarium or any other form of assistance, other than regular employment in an institution of advanced studies, provided that in such cases the Executive Council/Syndicate may, if it so desires, sanction sabbatical leave on reduced pay and allowances.
- (vi) During the period of sabbatical leave, the teacher shall be allowed to draw the increment on the due date. The period of leave shall also count as service for purposes of pension/contributory provident fund, provided that the teacher rejoins the university on



the expiry of his/her leave.

## II ***Other Kinds of Leave Rules For Permanent Teachers of The Universities/ Faculty***

- (a) The following kinds of leave would be admissible to permanent teachers:
- (i) Leave treated as duty, viz. Casual leave, Special casual leave, and Duty leave;
  - (ii) Leave earned by duty, viz. Earned leave, Half Pay leave, and Commuted leave;
  - (iii) Leave not earned by duty, viz. Extraordinary leave; and Leave not due;
  - (iv) Leave not debited to leave account –
  - (v) Leave for academic pursuits, viz. Study leave and Sabbatical leave/Academic leave;
  - (vi) Leave on grounds of health, viz. Maternity leave and Quarantine leave.
- (b) The Executive Council/Syndicate may grant, in exceptional cases, for the reasons to be recorded, any other kinds of leave, subject to such terms and conditions as it may deem fit to impose.

### 15. ***Casual Leave***

- (i) Total casual leave granted to a teacher shall not exceed 8 days in an academic year.
- (ii) Casual leave cannot be combined with any other kind of leave except special casual leave. However, such casual leave may be combined with holidays including Sundays. Holidays or Sundays falling within the period of casual leave shall not be counted as casual leave.

### 16. ***Special Casual Leave***

- (i) Special casual leave, not exceeding 10 days in an academic year, may be granted to a teacher:
  - (a) To conduct examination of a university/Public Service Commission/board of examination or other similar bodies/institutions; and
  - (b) To inspect academic institutions attached to a statutory board, etc.
- (ii) In computing the 10 days' leave admissible, the days of actual journey, if any, to and from the places where activities specified above, take place, will be excluded.
- (iii) In addition, special casual leave to the extent mentioned below, may also be granted;
  - (a) To undergo sterilization operation (vasectomy or salpingectomy) under family welfare programme. Leave in this case will be restricted to 6 working days; and
  - (b) To a female teacher who undergoes non-puerperal sterilization. Leave in this case will be restricted to 14 days.
- (iv) Special casual leave cannot be accumulated, nor can it be combined with any other kind of leave except casual leave. It may be granted in combination with holidays or vacation by the sanctioning authority on each occasion;

### 17. ***Earned Leave***

(i) Earned leave admissible to a teacher shall be:

- (a) 1/30th of actual service including vacation;
- (b) plus(b) 1/3rd of the period, if any, during which he/she is required to perform duty during vacation.

For purposes of computation of period of actual service, all periods of leave except casual, special casual and duty leave shall be excluded.

(ii) Earned leave at the credit of a teacher shall not accumulate beyond 300 days. The maximum earned leave that may be sanctioned at a time shall not exceed 60 days. Earned leave exceeding 60 days may, however, be sanctioned in the case of higher study, or training, or leave with medical certificate, or when the entire leave, or a portion thereof, is spent outside India.

For avoidance of doubt, it may be noted:

1. When a teacher combines vacation with earned leave, the period of vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay which may be included in the particular period of leave.
2. In case where only a portion of the leave is spent outside India, the grant of leave in excess of 120 days shall be subject to the condition that the portion of the leave spent in India shall not in the aggregate exceed 120 days.
3. Encashment of earned leave shall be allowed to non-vacation members of the teaching staff as applicable to the employees of Central/Union Territory Governments.

### 18. *Half-pay Leave*

Half-pay leave admissible to a permanent teacher shall be 20 days for each completed year of service. Such leave may be granted on the basis of medical certificate from a registered medical practitioner, for private affairs or for academic purposes.

Explanation:

A "completed year of service" means continuous service of specified duration under the university and includes periods of absence from duty as well as leave including extraordinary leave.

### 19. *Commutated Leave*

Commutated leave, not exceeding half the amount of half pay leave due, may be granted on the basis of medical certificate from a registered medical practitioner to a permanent teacher subject to the following conditions:

- (i) Commuted leave during the entire service shall be limited to a maximum of 240 days;
- (ii) When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave due; and
- (iii) The total duration of earned leave and commuted leave taken in conjunction shall not exceed 240 days at a time. Provided that no commuted leave shall be granted under these

rules unless the authority competent to sanction leave has reason to believe that the teacher will return to duty on its expiry.

## 20. *Extraordinary Leave*

- (i) A permanent teacher may be granted extraordinary leave when:
  - (a) No other leave is admissible; or
  - (b) Other leave is admissible and the teacher applies in writing for the grant of extraordinary leave.
- (ii) Extraordinary leave shall always be without pay and allowances. Extraordinary leave shall not count for increment except in the following cases:
  - (a) Leave taken on the basis of medical certificates;
  - (b) Cases where the Vice Chancellor/Principal is satisfied that the leave was taken due to causes beyond the control of the teacher, such as inability to join or rejoin duty due to civil commotion or a natural calamity, provided the teacher has no other kind of leave to his credit;
  - (c) Leave taken for pursuing higher studies; and
  - (d) Leave granted to accept an invitation to a teaching post or fellowship or research-cum-teaching post or on assignment for technical or academic work of importance.
- (iii) Extraordinary leave may be combined with any other leave except casual leave and special casual leave, provided that the total period of continuous absence from duty on leave (including periods of vacation when such vacation is taken in conjunction with leave) shall not exceed three years except in cases where leave is taken on medical certificate. The total period of absence from duty shall in no case exceed five years in the full working life of the individual.
- (iv) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

## 21. *Leave Not Due*

- (i) Leave not due, may, at the discretion of the Vice Chancellor/Principal, be granted to a permanent teacher for a period not exceeding 360 days during the entire period of service, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate. Such leave shall be debited against the half-pay leave earned by him/her subsequently.
- (ii) 'Leave not due' shall not be granted, unless the Vice Chancellor/Principal is satisfied that as far as can reasonably be foreseen, the teacher will return to duty on the expiry of the leave and earn the leave granted.
- (ii) A teacher to whom 'leave not due' is granted shall not be permitted to tender his/her resignation from service so long as the debit balance in his/her leave account is not wiped off by active service, or he/she refunds the amount paid to him/her as pay and allowances for the period not so earned. In a case where retirement is unavoidable on account of reason of ill health, incapacitating the teacher for further service, refund of leave salary

for the period of leave still to be earned may be waived by the Executive Council.

Provided that the Executive Council may waive off, in any other exceptional, for reasons to be recorded in writing, the refund of leave salary for the period of leave still to be earned.

## 22. *Maternity Leave*

- (i) Maternity leave on full pay may be granted to a woman teacher for a period not exceeding 180 days, to be availed of twice in the entire career. Maternity leave may also be granted in case of miscarriage including abortion, subject to the condition that the total leave granted in respect of this to a woman teacher in her career is not more than 45 days, and the application for leave is supported by a medical certificate.
- (ii) Maternity leave may be combined with earned leave, half pay leave or extraordinary leave but any leave applied for in continuation of maternity leave may be granted if the request is supported by a medical certificate.

## 23. *Child Care Leave*

Women teachers having minor children may be granted leave up to two years for taking care of their minor children. Child care leave for a maximum period of two years (730 days) may be granted to the women teachers during entire service period in lines with Central Government women employees. In the cases, where the child care leave is granted more than 45 days, the University/Faculty/Institution may appoint a part time / guest substitute teacher with intimation to the UGC.

## 24. *Paternity Leave*

Paternity leave of 15 days may be granted to male teachers during the confinement of their wives, and such leave shall granted only up to two children.

## 25. *Adoption leave*<sup>#</sup>

Adoption leave may be provided as per the rules of the Central Government.

### **Leave Rules for non-teaching employees**

## 26. *Casual Leave*

- 26.1 Casual leave may be granted to all employees, who are not enjoying vacations, by the immediate head of the office concerned **for a period not exceeding 08 days in a year.**
- 26.2 An employee on casual leave shall not be treated as absent from duty and his pay is not intermitted.
- 26.3 For purposes of determining entitlement to casual leave, a calendar year is taken as base. An employee joining service in between a calendar year, shall be entitled to casual leave for the period on pro-rata basis.

26.4 Such of the employees who are expected to remain on duty even on holidays and Sundays, shall be eligible to avail casual leave not exceeding 20 days in a year in aggregate.

26.5 The casual leave shall not be granted for less than a half day.

26.6 Half day's casual leave shall be debited to the leave account for each late attendance. Head of the office or the sanctioning authority may, however, condone late attendance up to an hour as a special case on not more than two occasions in a month if he is satisfied that the employee concerned could not attend office for reasons beyond his/her control.

**26.7 Casual leave sanctioned at any one time shall not exceed 4 days and in combination with the holidays, the total period of absence shall not exceed 07 days.**

26.8 Casual leave cannot be combined with vacations but when an employee enjoying regular vacations is forced by unavoidable circumstances to proceed on casual leave in combination with or in continuation of vacations, the Vice Chancellor may sanction such leave in combination with such vacations.

## **27. *Special Casual Leave***

27.1 Special casual leave not exceeding 6 working days may be granted in favour of such employee as would undergo sterilization operation (vasectomy or salpingectomy) under the Family Planning Programme.

27.2 Special casual leave not exceeding one day may be granted to women employees undergoing I.U.C.D insertions under the family planning programme.

27.3 Special casual leave not exceeding 14 days shall be allowed to female employees for undergoing non-puerperal sterilization.

27.4 Special casual leave upto 7 days may be granted to a regular employee whose wife undergoes a non-puerperal tubectomy operation. This will be subject to the production of a medical certificate from the doctor who performed the operation to the effect that the presence of the employee is essential for the period of leave to look after his wife during her convalescence after operation.

## **28 *Earned Leave***

28.1 An employee serving in a non-vacation department shall be entitled to 30 days earned leave in a calendar year.

28.2 Leave account of each employee shall be credited at the commencement of each calendar

half-year at a uniform rate of 15 days on 1<sup>st</sup> of January and July every year. Such credit shall be reduced by 1/10 of the period of extraordinary leave availed of during the previous half year subject to a maximum of 30 days.

- 28.3 The leave at the credit of an employee at the close of the previous half-year shall be carried forward to the next half year subject to the condition that the leave so carried forward plus the credit for the half year do not exceed the maximum limit of 300 days.
- 28.4 If an employee is on leave on the last day of any particular half of a calendar year he shall be entitled to earned leave credited on the first day of the succeeding half year provided authority competent to sanction leave has reasons to believe that the employee will return to duty on its expiry.
- 28.5 The credit for half year in which an employee is due to retire or resign from the service shall be afforded at the rate 2 ½ days per completed calendar month up to the date of retirement or resignation. However, if an employee is removed or dismissed from the service or dies while in service the credit of leave shall be allowed at the rate of 21 ½ days for every completed calendar month up to the end of the month preceding the month in which he is removed or dismissed from service or dies in service. Similar calculation of earned leave shall be made in respect of an employee who is appointed during the course of calendar half year. Fractions of the days shall be rounded off to the nearest day.

## **29 *Half Pay Leave***

- 29.1 An employee shall be entitled to half pay leave of 20 days in respect of each completed year of service. The leave due may be granted on medical certificate or private affairs. Provided that, in the case of temporary employee no half pay leave may be granted unless the authority competent to grant leaves certifies that the post from which the official proceeds on leave is likely to continue even beyond the date of his leave and there is reason to believe that the employee concerned will return to duty on the expiry of leave except in the case where he is declared completely and permanently incapacitated for further service by a medical authority.
- 29.2 If an employee is on leave on the day on which he completes a year of service, he shall be entitled to half pay leave without having returned to duty.

## **30 *Commutated Leave***

- 30.1 Commuted leave not exceeding half the amount of half pay leave may be granted on medical certificate to an employee subject to the condition that the authority competent to grant leave is satisfied that there is reasonable prospect of the employee concerned returning to duty on its expiry and records necessary certificate to this effect.
- 30.2 When commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due.
- 30.3 Half pay leave up to a maximum of 180 days shall be allowed to be commuted during the entire service where such leave is utilized for an approved course of study which is to be certified in the interest of the University by the leave sanctioning authority provided that

no commutation shall be allowed to an employee who has been granted study leave for prosecuting a course of study.

- 30.4 Where an employee who has been granted commuted leave, resigns from service or is permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered, provided that no recovery shall be made if the retirement is for reasons of ill health or in the event of his death

### **31 *Leave Not Due***

Leave not due may be granted to an employee in permanent service subject to the following conditions;

- 31.1 The authority competent to sanction leave is satisfied that there are reasonable prospects of the employee returning to duty on its expiry.
- 31.2 Leave not due shall be limited to the half pay leave that an employee is likely to earn thereafter.
- 31.3 Leave not due during the entire service shall be limited to a maximum of 350 days out of which not more than 90 days at a time and 180 days in all may be allowed, otherwise than on medical certificate.
- 31.4 Leave not due shall be debited against the half pay leave, which the employee concerned may earn subsequently.
- 31.5 An employee whose period of suspension is treated as leave whatever kind due shall not be allowed the benefit of leave not due for the whole or part of period of suspension.
- 31.6 Where an employee who has been granted leave not due, resigns from service or at his request is permitted to retire voluntarily without returning to duty, the leave not due shall be cancelled and his resignation or retirement shall take effect from the date on which such leave had commenced and the leave salary shall be recovered.
- 31.7 No recovery shall, however, be made if the retirement is for reasons of ill health incapacitating him for further service or in the event of his death.

### **32 *Extraordinary Leave***

- 32.1 Extraordinary leave may be granted to an employee in special circumstances: -
- a) When no other leave is admissible,
  - b) When other leave is admissible but the employee concerned applies in writing for grant of extraordinary leave.
- 32.2 Unless the appointing authority in view of exceptional circumstances of the case,



otherwise determines, no employee who is not in permanent service shall be granted extraordinary leave on any one occasion in excess of six months extendable up to 18 months on medical certificate where an employee has completed one year continuous service and he is undergoing treatment for cancer or any other life consuming disease certified by the concerned Head of Department of Medical Faculty or Medical Superintendent of a hospital where he is getting the treatment.

- 32.3 A probationer shall be entitled to leave under these rules as if he has held his post in temporary capacity.
- 32.4 If for any reason, it is proposed to terminate the services of a probationer, any leave which may be granted to him shall not extend:
- a) Beyond the date on which the probationary period expires,
  - b) Beyond any earlier date on which his services are terminated under the order of an authority competent to appoint him.

Provided that where such an employee already holds a lien on a permanent post before his appointment on probation, he shall be entitled to leave under these rules as a permanent employee.

### **33 *Persons re-employed after retirement***

In the case of a person re-employed after retirement from the University or any other service, these rules shall apply as if the person re-employed has entered the University service for the first time on the date of his re-employment.

### **34 *Leave beyond the date of retirement***

Except as provided here under, no leave shall be admissible to an employee beyond:

- a) Date of his retirement.
- b) Date of his final cessation of duties.
- c) Date on which he retires by giving notice or he is retired by the University by giving him notice or pay or allowances in lieu of such notice.
- d) Date of his resignation from service.

### **35 *Cash in lieu of Leave Salary***

An employee maybe paid cash equivalent to leave salary in respect of period of earned leave at his credit at the time of retirement or superannuation subject to the following conditions:

- 35.1 The payment of cash shall be limited to maximum of 180 days of earned leave.
- 35.2 The cash shall become payable on retirement and will be paid in lump sum as a one-time settlement.



- 35.3 The cash payment will be limited to leave salary admissible for earned leave and dearness allowance admissible as a part of leave salary.
- 35.4 Authority competent to grant leave shall automatically issue orders granting cash equivalent to earned leave at his credit on the date of his retirement.
- 35.5 Authority competent to grant leave may withhold whole or part of cash equivalent to earned leave in the case of an employee who retires from service on attaining the age of superannuation while under suspension or while disciplinary or criminal proceedings are pending against him if in view of such authority, there is possibility of some money becoming recoverable from him on conclusion of proceedings against him. Such withheld amount after adjustment of dues if any shall become payable on the conclusion of proceedings.
- 35.6 The benefit of cash in lieu of earned leave shall also be admissible to such of the employees who may seek voluntary retirement subject to a maximum of 180 days.
- 35.7 The benefit of leave encashment shall be available to the employees enjoying vacations in respect of any amount of leave earned by them on full pay.
- 35.8 a) In the case of an employee who dies while in service, the cash equivalent to leave salary as may be due to the deceased employee shall be paid to his family on the date immediately following the death not exceeding the leave salary for **180 days** without any deduction on account of pension equivalent of death cum retirement gratuity or family pension.
- b) The leave salary shall include dearness allowance only.
- 35.9 The payment of leave salary in the case of deceased employee shall be made as under:
- i) Widow or husband
  - ii) Failing widow or husband, eldest surviving son or an adopted son.
  - iii) Failing a) and b) to the eldest surviving unmarried daughter.
  - iv) Failing a) to c) eldest surviving widowed daughter
  - v) Failing above to the father
  - vi) Failing above to the mother
  - vii) Failing above to the eldest surviving brother below the age of 18 years
  - viii) Failing above to the eldest surviving unmarried sister and
  - ix) Failing above to the eldest surviving sister.

### **36 Leave Salary**

- 36.1 An employee who proceeds on earned leave shall be entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.
- 36.2 An employee on half pay leave or leave not due or on commuted leave is entitled to leave salary equal to half the amount specified above.

### **37**     ***Maternity Leave***

- 37.1    Female employees, whether temporary or permanent may be granted maternity leave by the Competent Authority for a period up to 135 days from the date of its commencement. Salary for such leave shall be paid equal to the pay drawn immediately before proceeding on leave.
- 37.2    Maternity leave may also be granted in case of miscarriage subject to the condition that leave does not exceed six weeks and application for leave is supported by a medical certificate signed by authorized medical attendant of the status of an assistant surgeon or above.
- 37.3    Maternity leave may be combined with any other kind of leave. Such leave including commuted leave for a period not exceeding 60 days applied for in continuation of maternity leave may be granted without production of a medical certificate.
- 37.4    Leave may also be granted in case of illness of newly born baby subject to production of medical certificate to the effect that the condition of ailing baby requires mother's personal attention and that her presence at the baby's side is absolutely necessary.
- 37.5    Maternity leave shall be admissible only twice in the whole career of service.
- 37.6    Maternity leave shall not be debited against leave account.

### ***Paternity Leave***

Paternity leave of 15 days may be granted to male staff during the confinement of their wives, and such leave shall granted only up to two children.

### **38**     ***Special disability Leave***

- 38.1    The authority competent to grant leave may sanction disability leave to an employee whether permanent or temporary who is disabled by injury intentionally inflicted or caused in consequence of the due performance of his official duties or in consequence of his official position.
- 38.2    Such leave shall not be granted unless the disability is manifested within three months of the occurrence to which it is attributed and the person disabled acts with due promptitude in bringing it to the notice of the Competent Authority.

Provided that the Competent Authority if satisfied may permit grant of leave even where disability is manifested more than three months after the occurrence of its cause.

- 38.3    The period of leave shall be as may be certified by the authorized medical attendant but shall not exceed 24 months.
- 38.4    Special disability leave may be combined with any other kind of leave.

- 38.5 Special disability leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date subject to the limit of 24 months in consequence of any one disability.
- 38.6 Special disability leave shall be counted as duty and shall not be debited against the leave account.
- a) Leave salary for first 120 days shall be paid equal to leave salary while on earned leave.
  - b) For the remaining period of any such leave, leave salary shall be equal to half pay leave.

### **39. Adoption leave #**

**Adoption leave may be provided as per the rules of the Central Government.**

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*# Recommended by the Executive Council in its 17<sup>th</sup> meeting held on 14<sup>th</sup> November 2011, and approved by the HE the Governor of J&K Union Territory & Chancellor SMVDU , minutes of which were notified vide No: SMVDU/A&E/11/EC/Min./1955 dated: 15<sup>th</sup> February 2012 and same was notified vide Ref No. SMVDU/A&E/11/2001 Dated: 22<sup>nd</sup> February 2012*

*\*Recommended by the Executive Council in its 17<sup>th</sup> meeting held on 14<sup>th</sup> November 2011, and approved by the HE the Governor of J&K Union Territory & Chancellor SMVDU , minutes of which were notified vide No: SMVDU/A&E/11/EC/Min./1955 dated: 15<sup>th</sup> February 2012 and same was notified vide this office Notification issued No. SMVDU/Adm/Estt./12/4626-4629 Dated: 3<sup>rd</sup> April 2012*

*\$Recommended by the Executive Council in its 22<sup>nd</sup> meeting held on 21<sup>st</sup> November 2014, and approved by the HE the Governor of J&K Union Territory & Chancellor SMVDU , minutes of which were notified vide No: SMVDU/A&R/EC/15/1707 dated: 20<sup>th</sup> January 2015 and same was notified vide this office Notification issued No. SMVDU/Adm/Estt./15/22<sup>nd</sup> EC/2989-92 Dated: 27<sup>th</sup> February 2015*

## CHAPTER-40

### CODE OF CONDUCT OF UNIVERSITY EMPLOYEES

**Ordinance:-***(In pursuance to the provisions made under Section 14 (g) of the Act of the University) assent accorded by the Chairman Shri Mata Vaishno Devi Shrine Board on behalf of the Board, Notified vide notification no:- SMVDU/03/3574-99, dated :- 30<sup>th</sup> September 2003.*

#### **1. General**

- 1.1 Every employee, holding a supervisory post, shall take all possible steps to ensure the integrity and devotion to duty of all employees working under his control and authority.
- 1.2 Every employee, in the performance of his official duties or in the exercise of powers conferred on him, act strictly in accordance with rules or otherwise use his best judgment.

#### **2. Joining of Association by Employees**

- 2.1 No employee shall join, or continue to be a member of an association the objector activities of which are prejudicial to the interests of the University or public order, decency or morality.
- 2.2 No employee shall be a member of an employee's association, which is not recognised by the University.

#### **3. Demonstration and Strikes**

- 3.1 No employee shall engage himself or participate in any demonstration which is prejudicial to the interests of the University, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence; or
- 3.2 No employee shall resort to or, in any way, abet any form of strike in connection with any matter pertaining to his service or the service of any employee.

#### **4. Connection with Press or Radio**

- 4.1 No employee shall, except with the previous sanction of the Executive Council, own wholly or in part or conduct or participate in editing or managing any newspaper or other periodical or non-periodical publication barring Academic/Research Journal.
- 4.2 No employee shall broadcast in any Radio or Television or publish any document anonymously or in his ownname or in the name of any other person or make anycommunication to the press or Union Territory of facts or opinions or make public utterance –
  - a) which has the effect of any adverse criticism of any decision of his superior officer or of any current or recent policy or action of the University;

- b) which is likely to embarrass relations between the services of the various departments of the University provided that nothing in this rule shall apply to Union Territories made or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him;
- c) which involves personal attacks and/or insinuations against his superior officers or colleagues.

## **5. Unauthorized Communication of Information**

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

## **6. Subscription**

No employee shall except with the previous sanction of the prescribed authority ask for or accept contribution to, or otherwise associate himself with the raising of any funds or other collections in cash or in kind.

## **7. Private Trade or Employment**

No employee shall except with the previous sanction of the Vice-Chancellor engage directly or indirectly in any trade or business or undertake any other employment.

Provided that an employee may, without such sanction undertake honorary work of a social or charitable nature or occasional work or a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer; but he shall not undertake and shall discontinue to do such work if so directed by the Vice-Chancellor.

### **Explanation –**

- (i) Canvassing by an employee in support of the business of insurance agency, commission agency etc., owned or managed by his wife or any other member of his family shall be deemed to be a breach of this sub rule.
- (ii) Every employee shall report to the Vice-Chancellor if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.
- (iii) No employee shall without the previous sanction of the Vice-Chancellor except in the discharge of his official duties take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act or any other law for the time being in force or any co-operative society for commercial purposes.

Provided that an employee may take part in the registration, promotion or management of a co-operative society subsequently for the benefit of the employees registered under the Co-operative Societies Act or any other law for the time being in force or a literary, scientific or charitable society registered under the Societies Registration Act or any other law in force.

- (iv) No employee may accept any fee for any work done by him for any public body or any private person without the sanction of the prescribed authority.

## **8. Vindication of Acts and Character of Employees**

- 8.1 No employee shall, except with the previous sanction of the prescribed authority have recourse to any court or to the press for vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character.
- 8.2 Nothing in this rule shall be deemed to prohibit any employee from vindicating his private character or any act done by him in his private capacity and when any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit a report to the prescribed authority regarding such action.

## **9. Use of Non-official or other influence**

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 University.

## **10. Approach to Members of the Executive/Academic Council**

No employee shall approach any member of Executive/Academic Council with a view –

- a) to have a question put or resolution or motion moved on a matter connected with his conditions of service or any disciplinary action against him; or
- b) to further any object which is capable of embarrassing the University.

## **11. Bigamous Marriage**

No employee who has a wife/husband living shall contract another marriage without first obtaining the permission of the prescribed authority, notwithstanding that such subsequent marriage is permissible under the personal law, for the time being applicable to him.

## **12. Insolvency and Habitual Indebtedness**

- 12.1 A University employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A University employee against whom any legal proceedings is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceeding to the

competent authority.

**Note :** The burden of providing that the insolvency or indebtedness was the result of circumstances, which with the exercise of ordinary diligence, the University employee could not have foreseen, or over which he had no control, shall fall upon the University employee.

- 12.2 No University employee shall, except with the previous knowledge of Vice-Chancellor, acquire or dispose of any movable property in the shape of shares, securities or debentures or any immovable property by lease, mortgage, sale, gift or otherwise in his own name or in the name of any member of his family.

**Note:** The above rule shall apply only to cases in which the value of the movable or immovable property exceeds the amount equivalent to one year's salary of the University employee concerned.

- 12.3 The Executive Council may at any time by general or special order require the employees to submit to the Vice-Chancellor within the period specified in the order, a full and complete Union Territory of such movable and immovable property held or acquired by them or by any member of their family at the time of entering into University service, as may be specified in the order. Such Union Territorys shall include details of the means by which or the source from which such property was subsequently acquired.

### **13. Serious Misconduct**

Serious misconduct under these rules shall include:

- a) Violation of provisions of any of these rules.
- b) Participation in a strike, abetting, instigating or acting in furtherance of the same.
- c) Disobedience of any order, non-compliance of a rule or habitual neglect of work.
- d) Theft, fraud or dishonesty in connection with University property.
- e) Willful damage to the University property.
- f) Willful absence from duty after the expiry of leave.
- g) Refusal to accept a charge sheet, order or other communication.
- h) Conviction in a court of law.
- i) Misbehavior, use of abusive language or insolence.
- j) An act involving "moral turpitude".

The expression "moral turpitude" generally implies an act of baseness, vileness or depravity in the private and social duties, which a man owes to his fellowmen or to society in general,



contrary to the accepted and customary rule to right and duty between man and man. It has generally been taken to mean a conduct contrary to justice, honesty, modesty or good morals.

#### **14. Interpretation**

Any question relating to the interpretation of these rules shall be decided by the Vice-Chancellor.

#### **15. Delegation of Powers**

The Executive Council may, by general or special order direct that any power exercisable by it under these rules (except the powers under rules 13) shall, subject to such conditions, if any, as may be specified in the order be exercisable also by such officer or authority as may be specified in the order.

#### **16. Evidence before a Committee or any other Authority**

16.1 Save as provided in 16.3 no employee shall, without the previous sanction of the prescribed authority give evidence in connection with any enquiry conducted by any person, committee or authority.

16.2 Where any sanction has been accorded under rule 16.1 no such employee giving such evidence shall criticize the policy or any action of the University.

16.3 Nothing in this rule shall apply to: -

- a) the evidence given at an enquiry before an authority appointed by the Vice-Chancellor, Government and Parliament or any Union Territory Legislature; or
- b) the evidence given in any judicial enquiry; or
- c) the evidence given in any departmental enquiry ordered by authorities subordinate to the Vice-Chancellor.

#### **17. The University employees should observe the following ethics:**

- a) **Loyalty** – To the institution should be at the top of their mind.
- b) **Treat Office** as a public Trust.
- c) **Rules and Regulations** – To be upheld and never be party to their evasion.
- d) **Full day Labour** – They should put in full day's Labour for full day's wages/pay by performing duties.
- e) **Economical** – They should apply utmost economy in expenditure as if spending from their own pocket.
- f) **Fairness** – They should never discriminate unfairly by showing special favours or



privilege and never accept favours and benefits which are not due to them.

- g) **No private promises** – They should make no private promises of any kind binding upon the duties of office.
- h) **Information for private gains** – Information gained confidentially from office should not to be used as a means of making private profit.
- i) **Corrupt practices to be exposed** – Expose corruption wherever discovered.

SANVADU

## Chapter -41

### REGULATIONS GOVERNING PURCHASES AND MANAGEMENT OF STORES

*(In pursuance to provisions made under Section 17 of the Act and Statutes 30(1) of the first Statutes of the University)*

#### 1. STORES

The term “Stores” shall apply to all articles and materials purchased or otherwise acquired for the use of the University including not only expendable and usable articles in use or accumulated for special purposes, but also articles of dead stock such as plant and machinery, instruments, furniture and equipment, fixtures, livestock (if any) and also the ‘engineering stores’.

#### 2. DIVISION OF STORES

The Purchases of Stores and machinery will be divided into two categories viz.

- i) Articles of Standard pattern / design commonly available in the market or which can be manufactured locally according to given design and specifications.
- ii) Articles of proprietary, special or unusual character.

#### 3. PROCEDURE FOR PURCHASES

For procurement of articles of category (i) above the, following procedures shall be adopted:

##### 3.1 Purchase Committee

Purchase Committee (PC) consisting of atleast 3 persons will be constituted by the Vice-Chancellor, which will be responsible for processing the requirements of various Faculty/schools /sections and making the final recommendations for placing the order. Chairperson of this committee will be nominated by the Vice-Chancellor.

##### 3.2. Purchase Rules

###### a) Purchase of Goods upto ₹. 15,000/-

Purchase of goods upto the value of ₹. 15,000/- (Rupees Fifteen Thousand only) on each occasion may be made without inviting quotations or bids subject to overall capping of ₹.3 lacs or the budget provision whichever is less during the year, of that particular School/Section, on the basis of a certificate to be recorded by the Deans/HoDs/PI, in the following format.

“I, ..... certify that the above listed goods purchased are of the requisite quality and specification and have been purchased, to meet immediate and inescapable need, from a reliable supplier at competitive market price.”

However, in case of Section Heads, the power will be exercised with prior approval of the Purchase By the Registrar.

###### b) Purchase of Goods upto ₹.100,000/-

Purchase of goods/services upto ₹. 100,000/- may be made by the respective designated Purchase Committee, after survey of the market, from the authorized dealers of original manufacturers as far as possible, and from reputed vendors, in case of services where quality is a major issue as for the services, for which there is no MRP.

The Committee will survey the market to ascertain the reasonableness of rate, quality and specifications and identify the appropriate supplier. The members of the committee will jointly record a certificate as under:-

“Certified that we ..... members of the purchase committee are jointly and individually satisfied that the goods purchased are of the requisite specification and quality and have been purchased from a reliable supplier at a competitive market price.”

c) **Purchase Aggregating ₹. 100,001/- to ₹. 5,00,000/-**

Minimum four quotations are required to be obtained from authorized dealers / manufacturers / genuine suppliers. The enquiry letter shall also be uploaded on the University Website. The duly constituted Purchase Committee as per Clause 5 of the regulations, shall ascertain the reasonableness of price, quality and specifications & recommend its purchase.

However, in case of proprietary item or special scientific item, or inadequate response in other cases, the concerned Purchase Committee will have to make a special recommendation to the Vice-Chancellor for approving purchase through a single quotation / less than 04 quotations, as the case may be.

d) **Purchase aggregating more than ₹. 5,00,000/-**

Such purchase should be done through Open tender and be also uploaded on the University Website. However, for special Scientific equipment and for ensuring quality, limited tender approach may be adopted with the approval of the Vice-chancellor who may form an Experts Committee to advise him on the Purchase process, if so desired.

**3.3 Imprest Cash**

Chairperson, Purchase Committee or any other employee authorized by the Vice-Chancellor can be given a running advance of Rs. 5,000/- for cash purchase of small items and contingency money for which verified Union Territoryment with cash memos will be submitted to Finance Officer

**3.4. Emergent Requirements**

*Deleted, vide minutes of the 24<sup>th</sup> EC meeting, notified vide No. SMVDU/A&R/15/24-EC/Min/1545, dated: 31<sup>st</sup> December, 2015.*

**3.5. Repeat Orders**

Repeat Orders may be placed upto one year after getting recommendations of the Purchase Committee.

**3.6 Articles of Propriety or Special/Unusual character:**

i) The following shall be deemed as articles of propriety nature:

a) Articles manufactured by only one concern in the country.

b) Products which are marketed throughout the country at uniform prices fixed by the manufacturers.

c) Such items which are on the rate lists as approved by the Head General Supplier and disposals (DGS&D)

ii) All such stores may be purchased either from the manufacturers or from the authorized dealers on the approved rates of the manufacturers less discount if any. In case, there are a number of firms dealing in particular trade, the quality and price will be ascertained and after necessary comparison, purchases effected at the lowest rates as far as possible keeping in view the quality and suitability of articles required. For this purposes, price lists of approved firms should be obtained and kept on record. Running rate list of stores in respect of various firms on approved list of Head General Supplies and Disposals should also as far as possible be consulted.

3.7 The limits fixed in para 3.2 and 3.4, refer to a single article or a number of similar articles to be purchased at a time.

3.8 Notwithstanding anything contained in these regulations, the Vice Chancellor may

constitute special Purchase Committee for purchase of such articles/equipment, the procurement of which is urgently required to be made in the interest of the University work/administration.

3.9 The indent for purchase of article on proprietary basis will have to include a certificate given in Appendix 3.

4. The following points shall be kept in view while making purchases: -

#### **Tendering:**

a) **Timely tendering:** The tenders /quotations should be invited sufficiently ahead of the actual date fixed for receipt of tenders except in emergent cases, to enable tenderers to quote rates after due consideration and that, there is sufficient time for re tendering in case competitive rates are not received in response to first tender notice.

b) **Notice inviting tenders:** In the notice calling for quotations/tenders, the articles should be fully described giving designs and specifications wherever necessary or samples kept ensuring fair competition. The date, time and place of delivery of the tender/quotation should also be clearly specified. Tenders/ quotations received after the specified time should not normally be considered.

In the notice calling for quotations/tenders it should also be specifically Union Territoryd that the accepting officer has the right to accept the rates of some or all the articles required as may be considered necessary by him. For this purpose contractors/ suppliers shall be careful in quoting the rates for each articles quite independent of the rates for other articles. The tenders/quotations received should be serially numbered by the receiving officer who should also indicate the last tender/quotation as final under his initials.

c) **Despatch of tender documents:** Tender documents shall be despatched by registered AD posts and/or sold by hand against proper acknowledgement and all tenders shall be received in sealed cover.

d) **Opening of tenders/quotations**

The quotations should be opened in the presence of the members of the Purchase Committee and a comparative Union Territoryment of tenders should be made and signed by the members of the Purchase Committee and rates quoted by various suppliers/manufacturers should be specified therein. The Purchase Committee should record on the comparative Union Territoryment of tenders the rates accepted, which will be specified in the supply order. The comparative Union Territoryment of tenders along with the rejected tenders should be kept on record for audit purposes.

The alterations/over-writing in the tenders/quotations noticed at the time of opening the tenders should be specified on each tender/quotation under the initials of the officers opening them.

d) **Re tendering**

If response to notice inviting tenders/quotations (NIT) indicates that owing to inadequate publicity or any other reasons, reasonable rates have not been received, fresh tender/quotations will be invited and measures taken to bring the notice inviting tender (NIT) to the notice of all possible tenders.

#### **Rates other than the lowest**

a) Other conditions being equal normally lowest rates will be accepted. If for any

reason, the lowest rates are considered to be unsuitable or unreasonable or the quality of material to be purchased is found to be inferior as ascertained by the Purchase Committee, the purchase may be effected at the rates other than the lowest, after negotiations with the next three lowest tenderers, with the permission of the Vice Chancellor but reasons therefore, must be recorded on the comparative Union Territoryment of tenders.

- b) While accepting tenders the competent authority shall take into consideration the financial status of the tenderer and his capacity to carryout the contract or order.

### **Supply Order/Purchase Order**

After the purchase rates have been determined and approved by the Competent Authority, a written supply order shall invariably be issued indicating the requirement of the various articles, rates accepted, time by which supply is required to be completed and other conditions connected with the purchase. The original supply order should be sent in support of the bill after the purchase has been completed. For this purpose, two copies of the supply order should be sent to the supplier with copy endorsed to the Finance Officer. A copy of the order shall also be enclosed with the bills recommended for payment to the Accounts Branch.

### **Advance planning for purchases**

- a) As far as possible it should be ensured that the requirement of various kinds of articles needed in each department are foreseen sufficiently in advance with a view to ensure economical purchase by following normal rules for making the purchase and thus avoiding the necessity of making emergent purchases which comparatively cost more. However, in the case of articles frequently required throughout the year viz. Stationary etc. efforts should be made for entering into a running contract for a year or such smaller period as may be considered necessary to avoid calling for tenders/quotations every now and then.
- b) Articles which are likely to depreciate or deteriorate during storage should not be purchased long in advance or more than what are actually required.

### **Other conditions**

- a) **Validity period:** tenders/quotations should be processed with due care and spirit so that order/purchase can be placed within the validity date failing which the supplier may ask for higher rates for delayed supply order.
- b) **Warranty clause:** For all high value items, especially the equipment purchased, warranty should be ensured.
- c) **Bank guarantee:** In case purchases are made after making advance payment, it should be essential for the supplier to furnish bank guarantee covering the value of the advance/equipment. The bank guarantee should be periodically checked for re-validation.
- d) **Insurance cover:** Provision for insurance cover should be inserted in the tender document/supply order.
- e) **Security deposit:** Security deposit should be obtained from the supplier/tenderer @ **2%** of the value of the supply order or as may be decided by the Vice Chancellor in exceptional circumstances in the best interest of the University.

- f) **Risk purchase:** In case any supplier fails to supply full quantity within the reasonable time or defective supply has been made, the University shall be at liberty to purchase the same articles/equipment from other manufacturers/suppliers at the risk and cost of the original supplier, provided adequate opportunity has been given to the original supplier to replace the defective supply or to supply the full quantity within reasonable time.
- g) **Disposal of unserviceable goods/stores:** Unserviceable goods/stores should be disposed of by a Committee appointed by the Vice Chancellor after fixing reserve price. The Committee shall have a nominee of the Finance Officer.

## 5. Purchase Committee

- 5.1 There shall be a Central Purchase Committee and a Departmental Purchase Committee constituted for recommending purchase of scientific equipment and other material/articles.

The Committee shall be constituted with the approval of the Vice Chancellor and shall exercise such powers as may be delegated to them by him (the Vice Chancellor).

### 5.2 Central Purchase Committee for Purchase of Scientific Equipment

- (i) Deans & HoDs of the concerned Faculty / School associated.
- (ii) Registrar.
- (iii) Finance Officer (with powers to co-opt.)

#### 5.2.1 Central Purchase Committee for purchase of material other than scientific material.

- (i) Deans of Faculties
- (ii) Registrar
- (iii) Finance Officer (with powers to co-opt)

### 5.3 School's Purchase Committee

- (i) Head of the School
- (ii) Three Professors/Teachers of the Department comprising the School.
- (iii) Nominee of the Finance Officer.

### 5.4 Purchase Committee for Project works and purchase of Engineering Stores.

- (i) Project Head/Registrar.
- (ii) One member of the Central Purchase Committee if any to be nominated by the Vice Chancellor.
- (iii) Project Engineer.
- (iv) Finance Officer.
- (v) University Engineer (member secretary).
- (vi) One of the retained architects (may be co-opted).

- 5.5 For purchase of medical stores, Purchase Committee shall be constituted by the Vice Chancellor as and when required.

- 5.6. The authority for purchase shall vest with the Vice Chancellor/Registrar or any other officer to whom the powers may be delegated in this behalf.

**6 Approval of Purchase**

The proposal for purchase shall be initiated by the concerned School of Studies/Branch in prescribed form given at Appendix 1  
After approval of proposal for purchase, the School shall raise an indent given in Appendix 2.

**7. Receipt of Stores**

Immediately on receipt of Stores these will be inspected by a team of officers. The inspecting officers shall include Head of the School or any teacher nominated by him, an officer not below the rank of an Assistant Registrar, Assistant Librarian or above. For Engineering Stores, an officer not below the rank of an Assistant Engineer and for Health Centre, the Medical Officer Incharge of the Health Centre shall also be associated. Before accepting the articles for which specification/tests have been prescribed by the competent authority, these shall be required to conform to such specifications/tests which should be carried out before accepting the material.

**a) On inspection and receipt of report for the same [Appendix 4], these will be taken on stock register. All stores received, whether purchased or transferred from other Department, shall be accounted for in the stock registers.**

**b) On receipt of supplies bills, certificate of stores having been inspected and taken in charge will be recorded on the bills as under:-**

“Certified that the Stores mentioned in the bill have been received on.....inspected and found to be in accordance with the supply order/samples. The goods received have been entered in the stock register at items.....on page.....

H.O.D./Office

All receipt entries in stock register will be attested by the officer in-charge of the stores.

**8. Issues**

**a) Dead Stock**

The issues of dead stock articles on loan or for use shall not be struck off from the ledgers. The receipts for issues shall be maintained in a separate file. Inventories of dead stock articles lying in all rooms shall be prepared (separately for each room) in duplicate. One copy duly signed by the Branch Officer/Incharge of the Section/Department shall be retained by the storekeeper in his file and another copy of inventory shall remain with the in charge of the section.

**b) Consumable Stores**

All stores will be issued to the extent actually required on the authority of issue slips duly signed by the Branch Officer or by any other person authorised to requisition stores. A consolidated account of issues (daybook) will be maintained on the basis of individual indent slips and charged off from the main ledger indicating the reference to the Indent No. and date and balances worked out daily.

**c) All entries in the ledgers shall be attested by the officer/in charge teacher of the stores.**



## 9. Stock Verification

### a) Periodical Checks

All HoDs of the School and officers shall see that the stocks with them are correct and for this purpose they should carry out periodical checks.

Complete verification of stores of each Schools shall be carried out by **the HoDs of the School with the help of selected teachers at least once in a year. Further the Vice Chancellor shall nominate one member, who shall be another School's HoD or other faculty members (s) and / or the S&P Section officials as members of the Committee for each School.** While making physical verification, the following points shall be kept in view:-

- (i) That verification is not entrusted to a person who is the custodian, the ledger keeper or accountant of the stores to be verified or who is nominee of or is employed under the custodian, the ledger keeper or the accountant or who is not conversant with the classification, nomenclature and techniques of the particular classes of stores to be verified.
  - (ii) Verification is not left to the subordinates below the rank of officer and as far as possible is entrusted to a responsible officer who is independent of the subordinate authority In-charge of stores.
  - (iii) Verifications shall always be made in the presence of the subordinate authority responsible for the custody of the stores or of a responsible person deputed by him.
  - (iv) All discrepancies noticed shall be brought to account immediately so that the stores account may represent the true state of stores.
- b) There should be clear markings of identification, guide letters and numbers on all items of stock and equipment to facilitate stock verification of every item.
  - c) Stock verification of scientific equipment, chemicals and various specimens in the Science Schools shall be carried by the Head of the School with the help of teachers of the School not connected with maintenance of stores.
  - d) The stock of the Library books shall similarly be verified at least once in a year in the case of School libraries and at least once in two years in the case of Central library by a Committee constituted by the Vice Chancellor.
  - e) The result of the physical verification shall be communicated to the Registrar in such proforma as may be prescribed together with the list of stores found short, obsolete or unserviceable, indicating the price of each article.
  - f) For all shortage in stores a detailed report explaining the circumstances leading to the deficiency shall be enclosed with the list.
  - g) The lists indicating shortage and unserviceable articles shall be considered by a Committee consisting of the following, which shall recommend the write off or recovery of the cost of articles found short depending upon the circumstances of each case.
    - (i) **Registrar;**



- (ii) **Head of the School concerned;**
- (iii) **Officer In-charge Stores**
- (iv) **Internal Audit Officer**
- (v) **Officer In-charge Finance (with power to co-opt.)**

The report of the Committee shall be placed before the Vice-Chancellor or Executive Council for final orders.

- h) The articles as written off shall be charged off the stock ledgers indicating the reference to the orders issued in this behalf.
- i) The sale proceeds of the unserviceable articles, which are written off and are put to auction, shall be deposited into the University account immediately.

## 10. **Internal Audit of Stores**

### a) **Immediate investigation of large discrepancies**

All large discrepancies noticed as a result of stock verification between ledger or other records and the actual balance counted shall be investigated on spot and detailed report submitted thereon to the Registrar for further probe through Internal Audit Officer or any other responsible officer, immediately without waiting for the completion of check of other stock articles.

### b) **Erroneous Classification**

Any wrong classification of stores or unauthorized stocks of stores held by any officer or subordinate, or any items of stores which are surplus to requirement or for which there has been no demand for over a year should be noted and included in the narrative report of verification to be submitted by the Internal Audit Officer.

### c) **Arrangements for custody and protection of Stores**

The Internal Audit Officer should particularly examine and report, if proper arrangements exist for safe custody and proper storage of material against unnecessary deterioration from the weather or any other cause. With this object they should examine the existing arrangements and see:-

- (i) that the godown floors are pucca or cemented;
- (ii) that items of common use are always kept under lock and key;
- (iii) that proper arrangements exist for locking the godowns and keeping the keys in safe custody;
- (iv) that adequate arrangements exist for fire protection i.e. fire extinguishers are kept handy and at easily accessible spot and that fire buckets are always full of water and / or sand where inflammable articles are stocked;
- (v) that in order to avoid deterioration of old stocks, issues are not made from fresh receipts as a matter of course but the articles first received are issued first and to ensure this, fresh receipts are not dumped on existing stock but are so arranged that their turn for issue will come only when the existing stocks are exhausted;
- (vi) that in storing medicines and drugs, arrangements for their issues exist so that their expiry dates are kept in view and time expired items are not allowed to remain in the stores;
- (vii) that costly and precision scientific and laboratory equipment and their parts are kept with maximum possible care;
- (viii) the stocks of paper, publications and answer books etc are kept safely and properly protected against risk of fire, white ant etc;

- (ix) the records relating to the stores, like consumable stock ledgers, non consumable stock ledgers, register of assets, delivery challans if any and issue slips are maintained properly and up to date;
  - (x) that the accounts of priced publications are kept up to date.
- 
- d)** A certificate of verification of stores with its results shall be recorded on the list, inventory or account as the case may be where such verification is carried out by the Internal Audit.
  - e)** The discrepancies shall be brought on records immediately so that the stores account may represent the true state of stores.
  - f)** Shortages and damages as well as unserviceable stores shall be reported immediately to the authority competent to write off the loss.
  - g)** It shall also be seen that the stores held are not in excess of the requirement of a reasonable period or in excess of any prescribed maximum limit.
  - h)** That the periodical inspections of stores are made by the responsible officer from time to time.
  - i)** That the unused stores in stock for over a year are reported.
-

**Part-B**

Recommendations of the School/Section Purchase Committee for purchase as per comparative Union Territoryment enclosed.

Name of the firm from whom

purchase is recommended \_\_\_\_\_

**Criteria :** Lowest rates/Proprietary item/on the basis of two quotations

<b>S.No.</b>	<b>Name of the article/item</b>	<b>Quantity</b>	<b>Rate recommended</b>
		<b>(Rs.)</b>	

-----

(for additional items, please use separate sheet)

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_

Validity date : \_\_\_\_\_

Recommendations approved

**Departmental Head**

**Registrar**

**Vice-Chancellor**

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*Recommended by the Executive Council and approved by the Chancellor and Notified vide notification no: - SMVDU/03/3445-75, dated: - 25<sup>th</sup> September 2003.*

**Referred to in Para 6****Proposal for purchase of various articles for the School/Faculty/University.****Part-A**

1. Name of the School/Section :
2. Particulars of items to be purchased :

S.No	Name of the item with Description & Complete specifications	Qty.	Approx. Cost
1			
2			
3			
4			
5			
6			
7			
8			

Whether the purchase is

- i) in replacement Yes/No  
 ii) additional requirement Yes/No

In case of replacement, Union Territory

- i) the date of purchase of item to be replaced : \_\_\_\_\_  
 ii) cost : \_\_\_\_\_

In case of additional requirement

- iii) Annual requirement : \_\_\_\_\_  
 iv) Existing stock in hand : \_\_\_\_\_

3. Mode of purchase

- v) to be purchased from the –  
 a) sole manufacturer Yes/No  
 b) sole distributors Yes/No  
 c) repeat orders Yes/No  
 d) on the basis of competitive rate to be determined after inviting tenders  
 Yes/No  
 e) any other mode (please specify)

4. Mode of despatch/sale of tender documents :

- 5.1 No. of firms addressed : \_\_\_\_\_  
 5.2 Through Registered AD post/Courier Service / Advertisement / Personally  
 5.3 Last date for receipt of tenders : \_\_\_\_\_  
 5.4 No. of firms responded : \_\_\_\_\_

5. Budgetary information :

- vi) Source of funds :  
 a) University Grant/Other Sources  
 ii) Funds available Rs. \_\_\_\_\_  
 iii) Expenditure already incurred/  
 Committed, if any Rs. \_\_\_\_\_  
 iv) Balance available for expenditure  
 on proposed purchase Rs. \_\_\_\_\_

**Part-B**

Recommendations of the School /Section Purchase Committee for purchase as per comparative Union Territoryment enclosed.

Name of the firm from whom purchase is recommended \_\_\_\_\_

**Criteria :** Lowest rates/Proprietary item/on the basis of two quotations

S.No	Name of the article/item	Quantity	Rate Recommended

(for additional items, please use separate sheet)

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_

Validity date : \_\_\_\_\_

Recommendations approved

**Departmental Head**

**Registrar**

**Vice-Chancellor**

*Recommended by the Executive Council and approved by the Chancellor and Notified vide notification no: - SMVDU/03/3445-75, dated: - 25<sup>th</sup> September 2003.*

**Appendix-II**



**SHRI MATA VAISHNO DEVI UNIVERSITY**  
**FORM OF INDENT FOR REPLACEMENT\*/FRESH\* PROCUREMENT**  
**(\*strike out which is not applicable)**

Indent _____ by: _____		Indent No. & date:	Last Indent No. & date:	Estimated Cost	Head of Account
Justification for Procurement (If replacement, date of purchase & cost of item to be replaced, be also indicated)		Is the equipment proprietary in nature? (If so enclose a certificate to this effect)		Funds available/Not available Finance Officer	Stock available/Not available Stores I/C
Expected Delivery time		List of Suppliers			
Cod e	Materials (Strike out those not applicable)	S.No.	Description (Pl. give detailed specifications to help correct procurement)	Quantity Required	
A	Machinery & Equipment				
B	Cement, Bricks, Wood, Construction material				
C	Chemicals, Paints, Varnishes, Lubricants, Oils etc.				
D	Electrical/Electronics Items				
E	Medicine/Drugs				
F	Hardware Items				
G	Miscellaneous Items				

**Sig. of Head of Faculty/School/ Deptt.**

**Sig. of Indenter**

## APPENDIX- III



श्रीमतावैष्णोदेवीविश्वविद्यालय

SHRI MATA VAISHNO DEVI UNIVERSITY

Sub Post Office-182320, Jammu &amp; Kashmir

**PROPRIETARY ITEMS**

(Proprietary Article Certificate in the following form is to be provided by the SMVDU before procuring the goods from a single source under the provision of **sub Rule 154(i) and 154 (ii) of General Finance Rules 2005**)

1. Name of the Indented Goods .....
2. The Indented Goods are manufactured by M/s.....
3. No other make or model are acceptable for the following reasons:
  - a. ....
  - b. ....
  - c. ....
  - d. ....
4. Concurrence of Finance Wing to the proposal vide: .....
5. Approval of the Competent Authority Vide: .....

(Signature with date & designation  
Of the procuring Officer)

Recommended by Head of the School / Section Head

**APPENDIX- IV**

**श्रीमता वैष्णोदेवी विश्वविद्यालय**  
**SHRI MATA VAISHNO DEVI UNIVERSITY**  
 Sub Post Office-182320, Jammu & Kashmir

**INSPECTION REPORT**

1. Indenter: .....
2. Equipment/Material/item Inspected: .....
3. Purchase Order No: .....
4. Supplier: ..... Bill No:..... Date: .....
5. Dtae of Inspection: .....
6. Inspected by:
  - i). .....
  - ii). .....
  - iii).....

**OBSERVATIONS**

S.No	Particulars	Remarks
1	Quantity as per supply order	
2	Specification as per P.O. (Main Items) i) Physical ii) Technical	
3	Accessories	
4	User Manual/Operations Manual	
5	Any Other	

\*Any indication in No. of items supplied/deviation from specification noticed should be indicated in remarks.

*Certified that the equipment/items Material mentioned in the bill have been inspected on \_\_\_\_\_ and found/not found that the equipment to be in accordance with the supply order / samples.*

To be countersigned by concerned  
Dean/Head/Section I/c

Inspected by

1. Signature.....  
(Name & Designation.....)

2. Signature.....  
(Name & Designation.....)

3. Signature.....  
(Name & Designation.....)



## CHAPTER - 42

### TRAVEL RULES

*The University follows Central Govt. rules regarding reimbursement of travel claims, which are published in Swamy's Handbook every year.*

*The Travel rules as applicable this financial year [i.e., 2008-2009] are published in Swamy's Handbook 2008 and are appended herewith.*

*As per university policy, central rules will be adopted for travelling as an when these are amended.*

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***Recommended by the Executive Council in its 9<sup>th</sup> meeting held on 19<sup>th</sup> August 2006 and approved by the Chancellor of the University on 10<sup>th</sup> October 2006.***

## CHAPTER -43

### REGULATIONS GOVERNING ADVANCES

*Ordinance: In pursuance to provisions made under Section 17 of the Act and Statute 30(1) of the first Statute of the University*

1. The Competent Authority may sanction advances to the University employees or to any person for performing University duty or rendering any services to the University in the manner specified below.

#### 2. Types of Advances

Broadly, there shall be following types of advances: -

- i. Permanent advances.
- ii. Advances bearing interest, if any
- iii. Advances not bearing interest
- iv. Other advances.

#### 3. Permanent Advances

Permanent advance may be granted to the *Faculty/School* to defray day-to-day expenses and make petty payments for the smooth functioning of the *Faculty/School*.

The Permanent advance shall be regulated according to the following norms:-

- i) The amount of the permanent advance shall be determined by the Vice Chancellor in consultation with the Finance Officer and finally approved by the Finance Committee.
- ii) The permanent advance granted to an officer should meet the needs of every branch of his office. If he has subordinates who require petty sums, he should meet their requirements also out of the advance with him rather than applying for separate advances for them. He will obtain a receipt from them whenever advance is given, which should be retained in the office.
- iii) The holder of a permanent advance shall be responsible for the safe custody of the money placed at his disposal and he must at all times be ready to account for the total amount of the money. In case of transfer of charge and at the end of every financial year i.e. in the month of April, the officer holding permanent advance shall send an acknowledgement to the Finance Officer of the amount lying with him as permanent advance as on 31<sup>st</sup> March or date of handing over charge as the case may be.
- iv) Permanent advances shall be recoupable. Advances out of permanent advance for such purposes ere the re-coupment of advance is likely to be delayed should be avoided and for such purposes, a temporary advance may be drawn.

#### 4. Advances bearing Interest

The advances bearing interest shall be such as the Executive Council may decide to grant to the employees of the University such as H.B advances and advances for purchase of personal conveyance on such terms and conditions as may be incorporated in the Regulations framed for the purpose.

## **5. Advances not bearing Interest**

Under this category shall fall festival advances which may be sanctioned by the Vice Chancellor or any other officer to whom powers may be delegated by him in accordance with the norms which may be approved by the Executive Council in this behalf.

## **6. Other Advances**

Temporary advances may be sanctioned by the Competent Authority in accordance with the norms specified for the following purposes:-

- a) **Travelling allowance advance.**
- b) **Advance for conduct of examinations and seating arrangements in the Examination Halls.**
- c) **Advances for purchases**
- d) **Advances for participating in Inter University tournaments and cultural programmes**
- e) **Advances for conduct of tours to various industrial establishments and institutions for practical training**
- f) **Advances for organizing various functions/events.**
- g) **Advances to scholars and teachers against the grants sanctioned/released by various funding agencies.**
- h) **Other miscellaneous advances.**

### **6.1 T.A Advance**

Advance may be sanctioned in favour of the University employees going outside the headquarters on University duty, where normally the expenditure is likely to exceed Rs. 200/- provided the deputation of the official has been sanctioned by the Competent Authority. The advance shall in no case exceed the amount on account of to and fro fare plus daily allowance for the days of halt. Incidental charges shall not be included in the advance T.A and shall be paid after the return journey is completed.

The official drawing advance T.A shall submit their travelling allowance bills for adjustment immediately after the completion of the journey, but not more than 15 days from the date of the termination of journey.

### **6.2 Advances for conduct of examinations and making seating arrangements in the Examination Halls**

Advances for conduct of various examinations and making seating arrangements in the Examination Halls shall be granted to the Superintendents in accordance with the norms as may be approved for the purpose. The Superintendents shall be required to render the detailed account within 15 days from the date of

termination of the said examination.

Remuneration payable to the Superintendent/Assistant Superintendent shall not be released till the account of advance and certificate from the Controller of examinations that unused stationery along with unused answer books, continuation sheets have been returned by them (Superintendent and Assistant Superintendent) is furnished along with the remuneration bill.

### **6.3 Advances for purchases**

Advances for purchases shall as far as possible be discouraged and avoided. Where however, advance payment for purchase of certain goods is required to be made, in pursuance of the terms and conditions of the supply orders placed with the concerned firm the same may be sanctioned by the Competent Authority. Such advances shall be of the nature of payment for goods released from the Transport Company or railways against goods receipts and documents received. The account for such advances shall be rendered immediately but in no case later than 15 days from the date of receipt of goods.

Advances may however be granted for local purchases to be made by the Purchase Committee constituted for the purpose by the Vice Chancellor.

### **6.4 Advances for participation in Inter University Tournaments and Cultural Programmes**

The advance may be sanctioned in accordance with the actual requirements, the details whereof should be recorded, for the conduct of Inter University tournaments and cultural programmes in favour of the Head, Physical Education. The account shall be rendered immediately but not later than 15 days from the date of termination of event.

### **6.5 Advances for organizing various functions/events**

Temporary advances may be given to the In-charge of the programme and account for the same should be rendered within 15 days from the date of termination of the function/event. In case, the event is organized in the month of February the account shall be rendered by the 1<sup>st</sup> of March and in case the function is held after 15<sup>th</sup> of March the account should be rendered by 25<sup>th</sup> of March positively. The account for the events/ functions which are continued after 25<sup>th</sup> of March shall be rendered after 31<sup>st</sup> of March.

### **6.6 Advances for conduct of visits to various industrial establishments and institutions for practical training**

Advances for conduct of visits to various industrial establishments and institutions for practical training shall be granted in accordance with the regulations to be framed for the purpose by the Competent Authority. The account shall be rendered through the *Head* of the School within 15 days from the date of completion of the visit or before the close of the financial year whichever happens to be earlier. Before granting such advances, the sanctioning

authority shall examine the details of anticipated expenditure in each case.

### **6.7 Advances to the scholars in anticipation of receipts of funds from the funding agencies**

Advances on account of fellowships and contingencies grant may be sanctioned in favour of the scholars, where procedural delays take place in the release of grants sanctioned by various funding agencies in their favour.

In no case advance shall be sanctioned where the delay for the release of grant attributed to the Research Scholar or his guide or where the release order of grant from the concerned funding authority has not been received.

The advance on a particular date shall not however, exceed 50% of the amount due to a scholar on account of fellowship/contingency grant.

### **6.8 Other miscellaneous Advances**

Advances for any other purposes not mentioned in the forgoing paras may be sanctioned by the Competent Authority. The account for such advances shall also be rendered within 15 days from the date of completion of the work, for which advance was taken.

**6.9** TA advance shall be applied for in proforma given at appendix '1'. All other advances shall be applied for in the proforma given at appendix '2'.

## **7 General Conditions**

- 7.1 In no case advance for any of the purpose mentioned in para 6 shall be granted till the account for previous advance, if any, outstanding against the official is entered in full. In case of an emergency where grant of 2<sup>nd</sup> advance becomes essential the amount of previous outstanding advance shall be deducted from the fresh (2<sup>nd</sup>) advance.
- 7.2 In case, the amount of the advance is not entered within the stipulated period of six months, the recovery may be made by means of deducting the amount of advance from the pay of the official or any other claim, which may become due to the advance holder from the University.
- 7.3 Advance drawn for a particular purpose shall not be appropriated for any other purpose and unspent balance out of the advance drawn shall be immediately refunded along with the account and verification in regard to the refund shall be obtained from the cashier on the contingent bill form enclosed with the account. Fresh advance shall always be drawn for another purpose.
- 7.4 **Head** of the School and other officers who draw advance for the purpose other than T.A shall maintain a separate account of advances drawn by them in the proforma given at Appendix 3. The amount received on account of balance shall be entered on the receipt side indicating the Cheque no. and date of Cheque, under the signatures of the **Head** of the School/Branch officer. When the account for the same is rendered the date of sending the adjustment account together with the amount

refunded in cash shall be entered in the appropriate column.

- 7.5 On receipt of adjustment account, the Account section after checking the account shall adjust the amount as may be admissible under rules against the advance and send intimation to this effect to the department concerned. The **Head** of the School shall record the reference no. and date of adjustment intimation in the register of advances under his signatures.
- 7.6 At the close of the year two sets of advance registers one maintained in the Accounts Branch and another maintained by the drawing officers shall be reconciled in the month of April every year. No advances shall be granted to a **School** which has not reconciled the account in the month of April every year.
- 7.7 The Vice Chancellor may for reasons to be recorded, authorize payment of advance in relaxation of any of the conditions laid down under these Regulations.
- 7.8 Quarterly statement of outstanding advances shall be put up to the Finance officer explaining reasons for delay in adjustment.

*Recommended and approved by the Chancellor and Notified vide notification no:- SMVDU/03/3412-36, dated 27<sup>th</sup> September 2003.*

## CHAPTER -44

### MAINTENANCE AND USE OF UNIVERSITY VEHICLES

*(In pursuance to provisions made under Section 17 of the Act of the University)*

#### 1. The Controlling Authority

The Controlling Authority for the use of the University vehicles shall be nominated by the Vice-Chancellor.

#### 2. Definition of the Official Use

2.1 The use of vehicles shall be restricted for official work connected with the University as may be decided by the Competent Authority. The following shall be reckoned as official use: -

- i) work connected with the conduct of examinations including carriage of packets of answer books and delivery of question papers to Superintendents and examiners;
- ii) University meetings;
- iii) inspections;
- iv) arrangement for convocation;
- v) arrangement for extension lectures;
- vi) arrangement for Selection Committee meetings;
- vii) sports and tournaments;
- viii) use of staff car by University guests not charging TA/DA from the University;
- ix) any other work connected with the University, which the Registrar with the approval of the Vice Chancellor may decide as official.

2.2 The following shall also be treated as official work: -

- i) Journey to attend an official reception where the officer is required to be present in his official capacity such as official lunch or party given to distinguished visitors or members of University bodies.
- ii) Journeys by non-official members who may be required to attend official meetings in the interest of the University.
- iii) Journeys performed by senior faculty members belonging to the sister Universities, Government officers attending meeting connected with the University.

- iv) In cases of emergency such as deaths, serious illness, accidents or similar other cases, the University ambulance shall be used.

**Note :** The jeep/car may be used by the members of the staff other than officers also for bonafide official purposes with the prior approval of the Registrar.

### **3. Maintenance and care of Vehicles**

- 3.1 No University vehicle shall be parked at the residence of any officer. The vehicles shall be kept in the garages of the University.
- 3.2 The driver of the University vehicle shall personally be responsible for the proper upkeep and maintenance of the vehicle. In case any defect is noticed in any part of the vehicle, the driver shall at once report the matter to the controlling authority for necessary action.
- 3.3 Servicing of the vehicle after covering a distance of 2000 kilometers shall be necessary.
- 3.4 General servicing and detailed check up after every 2000 kilometers shall include the following: -
  - (a) Removing and cleaning of air cleaner
  - (b) Cleaning of carburetor, checking of flow and fuel
  - (c) Checking up of flush cooling system
  - (d) Draining of rear axle oil and gear box oil
  - (e) Tuning of engine
  - (f) Refilling of oil and any other thing which the mechanic after check up, considers necessary to be cleaned and the controlling officer approves.
- 3.5 No special allowance shall be admissible to the drivers for cleaning and washing the staff car or other vehicles. This shall be the part of their duties.
- 3.6 The controlling authority shall be empowered to get the vehicles serviced or repaired upto the cost of Rs. 5000/-.

### **4. Log Book**

- 4.1 Before a vehicle is put to any use a Committee constituted by the Vice-Chancellor of which at least one member shall be expert in the field shall determine average mileage of the vehicle on the basis of which consumption of petrol shall be watched.
- 4.2 Logbooks shall be maintained in the prescribed form and every journey undertaken shall be entered in the logbook with details and purpose for which it has been used duly signed by the concerned officer after completion of the journey.
- 4.3 Entries in logbooks shall be made in ink or with ballpoint pen.
- 4.4 The entries shall be made as per mileage shown by the meter.
- 4.5 Notwithstanding anything contained in the above rule when the Vice-Chancellor uses



the jeep/car, his Private Secretary shall sign the logbook on his behalf. Similarly, for journeys as per rules 2.2(ii) and (iii), the entries in the logbook may be made and signed by the Controlling Officer of transport.

- 4.6 The controlling officer shall be responsible for scrutinizing the logbook at least once in a month to ensure that there is no misuse and that all officers who used the staff cars have signed the logbook. A certificate to this effect should be recorded in the logbook by the controlling officer.
- 4.7 The log book in respect of each staff car should be closed at the end of the month and a summary prepared in the log book showing details of journey performed on duty or otherwise during the month.
- 4.8 The log books may be preserved for a period of five years reckoned from the date of last entry made in them or one year after the check by audit whichever is earlier, provided, however, that no log book becoming due for weeding out after the stipulated period shall be destroyed until all the audit objections relating to any entry therein are settled to the satisfaction of audit.

## **5. Use of Vehicles**

- 5.1 The staff cars shall not be used for official journeys outside the Union Territory except with the permission of the Vice-Chancellor or when he is not in the headquarters with the prior permission in writing of the Registrar.
- 5.2 Save as in exceptional cases no officer shall normally use jeep/car outside the normal duty hours of the driver.
- 5.3 The staff car/jeep shall not be used for private purposes such as
  - a) going to cinemas, clubs, picnic, hotels etc.;
  - b) carrying families and household good;
  - c) coming to and going from office unless specifically permitted by the competent authority.
- 5.4 A vehicle may be detained on duty at the requisition of a Head of Department for official use provided it is otherwise available.
- 5.5 In order to avoid the misuse of the jeeps/cars, the Officer In-charge should check the jeep/car at any time and report the matter to the Registrar in case of any misuse.
- 5.6 Vigilance Committees under the direct control of the Registrar shall be constituted for reporting cases of misuse of University vehicles and infringement of the instructions issued from time to time.

## **6. Drivers**

- 6.1 The driver of the staff car will be an employee of the University and will be treated as a member of the regular establishment unless he is appointed on contract or daily wage basis or on deputation.
- 6.2 The normal working hours of the drivers shall be in accordance with the official timings as may be fixed from time to time.
- 6.3 Each driver shall be responsible for keeping his driving license in order. He shall also be responsible for the safe custody of the Registration Certificate and the Insurance Certificate of the University vehicle.

## **7. General**

- 7.1 The meter of the vehicle should be sealed at the time of purchase. Under no circumstances should the vehicle be used if the meter is not functioning properly.
- 7.2 Each University vehicle should carry prominently plates in front and the rear indicating the fact that it is the vehicle of the University.
- 7.3 Old and unserviceable vehicles which are not fit for reasonable or economical use shall be disposed of under the orders of the Vice-Chancellor by inviting sealed offers after proper assessment/survey of the vehicle.

## **8. TA claims of Officers performing journey on Staff Car**

TA claims, if any of the officers using the jeep/car for official journeys shall be governed by the TA rules in force. To facilitate check of such claims a copy of order in which the use of vehicle on tour is authorized should be sent to the Accounts Branch.

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*Recommended and approved by the Chancellor and Notified vide notification no:- SMVDU/03/3485-3410, dated :- 23<sup>rd</sup> September 2003.*

## CHAPTER - 45

### REGULATIONS FOR ALLOTMENT OF RESIDENTIAL ACCOMMODATION

*(In pursuance to provisions made under section 17 of the Act of the University)*

#### 1. SHORT TITLE AND APPLICATION

- a) *These Regulations may be called the Shri Mata Vaishno Devi University Regulations for allotment of Residential Accommodation.*
- b) *These shall come into force on the date of Notification by the University. Any addition / amendment by the Executive Council of SMVD University from time to time shall take effect from the date of approval unless otherwise specified in this regard.*
- c) *Any circular / orders / procedure issued or followed on the subject matter earlier shall stand superseded or modified to the extent they are inconsistent with these allotment Regulations.*

#### 2. DEFINITIONS

**2.1** *“University” means Shri Mata Vaishno Devi University established under J&K Shri Mata Vaishno Devi University Act No. XII of 1999.*

**2.2** *“Employee” means whole time employees of the University both teaching and non-teaching whether permanent or contractual or temporary or on probation and other persons re-employed on whole time basis but shall not include part-time persons, persons working in the University on daily wages or employed through Contractors.*

##### **EXPLANATION:-**

- a) *Employees on deputation or Lien working against sanctioned vacancies may be considered for allotment of accommodation / residence.*
- b) *All whole time persons working in the sanctioned sponsored projects / schemes in any Department / Faculty may also be considered for allotment of accommodation / residence (if married) depending on availability.*

**2.3** *“Family” means wife or husband, as the case may be, and children, Step-children, legally adopted children, parents, brothers and sisters of the employee as ordinarily reside with, and are dependent on employee.*

**2.4** *“Residence” means any residence for the time being under the administrative control of the University and includes future residences as may be provided by the University for accommodation of its employees but does not include Student Hostels, Guest Houses or such other buildings/ structures etc. for the purpose of these Regulations.*

**2.5** *“Sharing of Residence” Sharing of accommodation means sharing of residence by the allottee with another employee of the University. Sharing of residence shall be permitted subject to satisfaction of the following:-*

- a) *Sharing of residence would be subject to the permission of House Allotment Committee.*
- b) *Sharing of residence should not be taken as subletting since subletting of residence is not permissible under University norms.*
- c) *University employees sharing residence shall have to pay rent as well as licensee fee as prescribed from time to time.*
- d) *If the allottee is using the outhouses for the residence of his/her servant, he/she will furnish the particulars of the servant allowed to occupy the outhouse to the Estate Branch and Chief*

Security officer of the University.

e) An employee proceeding on authorized leave may accommodate in the residence any other employee belonging to the same rank / category to share University accommodation, as a Caretaker, for the said leave period.

f) Notwithstanding any other provision herein contained, the liability to pay license fee and other charges shall be that of the allottee. However, this arrangement shall have to be made with the permission of House Allotment Committee.

**EXPLANATION:-**

Any sharing of a residence by an allottee with his family members shall not be deemed to be subletting.

**2.6 “Subletting”** includes sharing of an accommodation by an allottee with another person without the permission of a House Allotment Committee and with or without payment of license fee by such person.

**2.7 “Allotment”** means grant of license to a University employee to occupy a residence or a portion thereof, owned by the University, for use by him / her as a residence, as per the terms of the license.

**2.8 “Allotment Year”** means the year beginning on 1<sup>st</sup> January or such other period as may be prescribed.

**2.9 “Criteria”** for the purpose of determining eligibility for a type of residence shall be the Basic pay in the existing substantive Pay Band(s) including applicable AGP or GP as may be revised from time to time.

**2.10 “Priority Date”** of an employee in relation to a type of residence to which he / she is eligible means the earliest date from which he has been continuously drawing salary relevant to Basic pay in the existing substantive Pay Band(s) including applicable Academic Grade Pay(AGP) or Grade Pay(GP).

**EXPLANATION:-**

Whenever an employee becomes entitled to a particular type of residence he would have date of priority from the date of entitlement of the Basic pay in the existing substantive Pay Band(s) including applicable AGP or GP as prescribed for eligibility for allotment of that type. He/ She would, however, be entitled to retain his / her earlier dates of priority, if any, for the lower type of residence also. Provided that where the priority date of two or more employees is the same, firstly the tie shall be resolved on the basis of length of service, to be determined as prescribed in the University Statutes. In case the ties still remains unresolved the priority shall be determined on the basis of age of the employee(s) concerned. Where all the above factors are equal, tie will be resolved by draw of lots.

**2.11 “House Allotment Committee”** means a committee constituted by the Hon’ble Vice Chancellor to consider allotment of residences under these Regulations and to exercise such other functions as may be assigned to it by the Hon’ble Vice Chancellor from time to time.

**2.12 “License Fee”**

a) “License Fee” means the sum of money payable monthly in respect of any type of residence allotted to an employee under these regulations and shall be such as may be fixed from time to time by the House Allotment Committee after the approval of the Hon’ble Vice Chancellor.

b) License Fee does not cover Electricity and Water charges which are to be paid

separately on monthly basis.

**2.13 “Type”** in relation to an employee means the type of residence to which he/she is eligible.

### **3. ELIGIBILITY**

**3.1** No employee shall be allotted a residence under these Regulations, if the wife or the husband, as the case may be, has already been allotted a residence by the University. This shall not apply where the husband and the wife are residing separately in pursuance of an order of judicial separation made by any Court.

**3.2** Where two employees in occupation of separate residences allotted under these Regulations marry each other they shall within one month of the marriage surrender either of the residence allotted to them. Failure to surrender the residence within the prescribed time will result in automatic cancellation of allotment of both the residences and charging of punitive license fee for the period of occupation of the residences.

**3.3** *Where both husband and wife are employed in the University, the house would be allotted in the name of either of the two at their option on the basis of entitlement to a particular type of residence.*

**3.4** *Preference shall be given to employees who do not own any house in his/her name or in the name of his/her wife/husband within the municipal limits of Jammu will be eligible for allotment of residences at the University Campus. Violation of this condition at any stage when the employee is in possession of University accommodation shall be a ground for getting the University accommodation vacated. An affidavit in this regard duly notarized shall have to be produced every year.*

**3.5** *No employee can claim allotment of residence as a matter of right. However, the allotment of accommodation to an employee shall be subject to fulfillment of eligibility criteria and availability of accommodation and other conditions prescribed in these Regulations.*

### **4. CLASSIFICATION\***

S. No.	Classification			
	Accommodation Details	Number of Units	Accommodation Category	Eligibility Criteria
1	Duplex - 3 Bedroom, Drawing, Dining & Living	11	Level-I	PB-4 Rs 37,400 - 67,000 + GP / AGP of Rs 10,000
2	Duplex - 3 Bedroom, Drawing, Dining & Living	16	Level-II	PB-4 Rs 37,400 - 67,000 + GP / AGP of Rs 9,000, and PB-3 Rs 15,600 - 39,100 + GP / AGP of Rs 7,600 to 8,000
3	3 Bedroom, Study, Dining & Living	24		

4	3 Bedroom, Dining & Living	12	Level-III	PB-3 Rs 15,600 - 39,100 + GP / AGP of Rs 5,400 to Rs.7,000
5	2 Bedroom, Drawing, Dining & Living	60		
6	2 Bedroom, Dining & Living	36	Level-IV	PB-2 Rs 9,300 - 34,800 + GP / AGP of Rs 4,200 to 5,400
7	1 Bedroom and Drawing	24	Level-V	PB-1 Rs 5,200 - 20,000 + GP / AGP of Rs 1,300 to 2,800

*\* The re-employed pensioner(s) both in the category of Faculty and Staff member(s) and Whole-time Persons working in the sanctioned sponsored projects / schemes shall also be eligible for allotment of accommodation corresponding to the eligibility of regular employee(s) appointed in the respective Pay bands along-with AGP / GP depending on the availability of accommodation.*

## **5. APPLICATION FOR ALLOTMENT**

**5.1** *An employee who seeks allotment of residence may submit his / her application in the prescribed form and by such date as may be specified by the University.*

**EXPLANATION:** - *The University Engineer, on behalf of House Allotment Committee, will issue a circular every three months asking for applications for available accommodation. Besides, the employees desiring accommodation on campus may also apply on the prescribed format even if the circular has not been issued as yet.*

**5.2** *The University employee(s) whose stay in the campus is one of the mandatory conditions of his Offer of Appointment/ engagement or whose stay in the campus is considered to be necessary by way of any order / instruction passed from time to time shall be allotted accommodation under these Regulations unless otherwise prescribed by the Competent Authority.*

**5.3** *All applications received within the prescribed time limit shall be registered in the office of University Engineer and separate lists prepared by it according to the type of accommodation to which an applicant is eligible on the date of his / her application under these regulations.*

**5.4** *The University Engineer, on behalf of House Allotment Committee, shall notify the priority list upto approximately five times the number of residences likely to be available during a year for all type of accommodation on the basis of written applications received from the concerned employee in the beginning of the allotment year and circulated to the Faculty/School/Department/Sections etc. and displayed on the Notice Board.*

## **6. CONSTITUTION OF HOUSE ALLOTMENT COMMITTEE**

**6.1 Composition:** - *The composition of House Allotment Committee shall consist of the following:-*



- (a) *One faculty member of the level of Dean to be nominated by the Hon'ble Vice Chancellor for a period of two years.*
- (b) *Four members to be nominated by the Hon'ble Vice Chancellor for a period of two years comprising of the following:-*
- (i) *One Senior Faculty Member of the level of Head of a School.*
  - (ii) *One non-teaching staff member from Assistant Registrar to Deputy Registrar / Administrative Officer.*
  - (iii) *One staff member from the Finance wing from Account Officer to Deputy Finance Officer.*
  - (iv) *One non-teaching staff member below the rank of Assistant Registrar.*
- (c) *University Engineer – Member Secretary.*

**EXPLANATION:** - *Vacancies arising due to any reason may be filled up by the Vice Chancellor for the residual term.*

**6.2 Quorum:** - Four members shall form the quorum.

**6.3 Functions:-** The House Allotment Committee shall:

- (a) Allot residences under the provision of these Regulations.
- (b) ensure proper utilization of residences.
- (c) exercise powers of cancellation of allotment and take any other action against the allottees for breach of Regulations and conditions for allotment of residences and
- (d) consider and decide all other matters relating to the University residences as may be referred to it by the University from time to time.

**6.4 Appeal:** -*An appeal against a decision of the House Allotment Committee shall lie with the Hon'ble Vice Chancellor. Such an appeal shall be submitted by the appellant within Thirty days of the Notification of the decision of the House Allotment Committee.*

## **7 ALLOTMENT OF RESIDENCES**

7.1 *A residence, on falling vacant or becoming available for occupation, shall be allotted to an employee having the earliest priority date for that type of residence out of the priority list for that year.*

7.2 *An employee, who is on authorized leave and is out of station may authorize a member of his family or another employee whose name shall be communicated to the Estates branch to accept the allotment on his behalf as per regulations, provided that on his rejoining duty after leave, he/she will complete all the requisite formalities.*

7.3 No residence of higher type than the employee is entitled for shall be allotted to an employee. However, if accommodation of the entitled type is not available to an applicant then he/she may be allotted the accommodation of the next available lower type, provided he/she has opted for this arrangement in the application. In this case, the applicant will have higher priority over the applicants who are entitled to that type of accommodation. This will be treated as a purely temporary arrangement and the applicant will continue to remain in the priority list for the type of accommodation to which he/she is entitled.

7.4 In case of 7.3 above, as soon as the accommodation of his/her entitlement type is allotted, he/she would be required to move to the newly allotted accommodation and vacate the previously allotted accommodation.

7.5 *In case, where the employee has requested for allotment of accommodation or in whose*

case stay in the campus has been ordered to be a mandatory condition and if the availability of entitled type or lower type is not available he may be allotted the accommodation of higher type subject to the Regulation 7.4 above.

7.6 The House Allotment Committee, in order to ensure occupation of existing accommodation by the allottees as per the eligibility criteria, shall redraw the allotments within 30 days after the notification of these regulations moving from lower entitled type towards higher. In case of non-availability of entitled accommodation in the lower type, the allottees shall be adjusted temporarily in the next higher category as per priority subject to Regulation 7.4 above.

7.7 The Vice Chancellor may at his discretion, authorize allotment of residence(s) to the employee(s) according to their entitlement out of turn, subject to the condition that the discretionary quota shall not exceed 5% of total no. of residences. License fee at normal rates shall be charged from such allottee(s). However, this out of turn allotment may be reviewed every one year by the Vice Chancellor.

## 8 OUT OF TURN ALLOTMENT

8.1 Out of turn allotment not exceeding 10% of the type of accommodation as per classification may be reserved for employees belonging to essential services by the House Allotment Committee, subject to the approval of the Vice Chancellor, as under:-

### Essential Services:-

S.No.	Essential Category
1.	Registrar
2.	Finance Officer
3.	Librarian
4.	Dean of Students Welfare
5.	University Engineer / (Electrical / Water Supply) Engineer
6.	Chief Security Officer / Dy. Security Officer
7.	P.S. to Vice-Chancellor
8.	Medical Officer / Dy. Medical Officer
9.	Medical Aid Center Staff
10.	Drivers
11.	Maintenance Supervisor / Electrician / Plumber
12.	Guest House Manager / Staff
13.	Telecom / Network / Light & Projection Operator Staff
14.	Warden*
15.	Any other service / category that may be determined as essential by the Vice Chancellor on the recommendations of Registrar.

8.2 The accommodation allotted to above services / category shall not be license free except the category at S.No.14\* at 8.1 above.

8.3 The essential category staff shall be allotted residence according to their own entitlement.

8.4 Whenever any staff member belonging to the essential services category gets a residence on his/her own turn, the essential category quota to that extent will be deemed to have been utilized.



**8.5** *The priority accommodation shall be given so long as the person holds the “Essential Post” in the category and make himself/herself available for duty at any time of the day or night as may be necessary.*

**8.6** *In case a person who has already been allotted accommodation under essential category quota is promoted or transferred to a non-essential category post, he/she shall vacate the accommodation allotted earlier to him/her under essential category within 90 days from the date of such order, failing which he/she shall have to pay penal rent as may be assessed by the Estates wing.*

**8.7** *The special **Medical Grounds** certified by the Medical Officer of the University could be considered for out of turn allotment of residences by the House Allotment Committee subject to the approval of the Vice-Chancellor.*

## **9 ALLOTMENT OF ACCOMMODATION OTHER THAN THE EMPLOYEES OF THE UNIVERSITY**

*Subject to the discretion of the Vice-Chancellor, the employees of the organizations viz. Bank, Post Office, DPS School etc. having their offices within the University campus may be allotted accommodation on fulfillment of the following:-*

**9.1** *The employees other than the employees of the University, as indicated above, may be allotted accommodation provided their presence in the campus is certified to be necessary by their Head of Department.*

**9.2** *The accommodation allotted to such employees shall be considered as per the availability except Type (Level-I).*

**9.3** *Such allotments when vacated on transfer etc. may be considered in favour of the new incumbent by the House Allotment Committee subject to the approval of Vice-Chancellor.*

**9.4** *The Rent for accommodation so provided shall be charged on the basis of corresponding equivalent HRA of the University employee for the type of accommodation allotted alongwith the license fee as may be prescribed.*

**9.5** *In case such employees are in receipt of House Rent Allowance higher than the corresponding equivalent HRA of the University employee for the type of accommodation allotted; then the amount of higher HRA shall be charged. For the purpose, such employees are required to furnish certificate of HRA from their Head of Department concerned.*

**9.6** *An employee of such an establishment, seeking accommodation on campus, will apply for accommodation through proper office channels of his establishment.*

**9.7** *The application should be duly supported by a Surety Bond provided by the Head of the concerned establishment towards payment of regular rent and other charges due from the allottee in respect of the type of accommodation provided and shall also indemnify the University in case of any default towards payment of rent and other charges due from the allottee.*

## **10 PERIOD FOR WHICH ALLOTMENT SUBSISTS AND THE CONCESSIONAL PERIOD FOR FURTHER RETENTION**

**10.1** *An allotment of residence ordinarily shall continue in force until the employee ceases to be in University service. It shall however be in the competence of the Vice Chancellor to cancel the allotment if the employee breaches any of the terms & conditions of allotment of these regulations or for any other reason.*

**10.2** *Allotment of a residence shall come to an end automatically on the happening of any of the following events mentioned in Col.1 below. The employee or his legal representatives, as the case may be, on their written request may be allowed grace period mentioned below against each event to vacate the premises subject to advance payment of rent, license fee or other charges as may be prescribed from time to time. The grace period will not confer any right on the allottee/ legal representatives as the case may be:*

<b>S. No.</b>	<b>Event</b>	<b>Grace period allowed to vacate Premises</b>
1	Resignation, Dismissal, removal or termination of service, cancellation of allotment or unauthorized absence which results in break in service	One month
2	Retirement or Terminal leave after i) Superannuation ii) Re-employment	Two months on normal license fee; and another two months on double the normal license fee months.
3	Death of allottee	Maximum One year
4	<i>Leave on Medical Grounds</i>	<i>Full period of Leave.</i>
5	<i>Leave (Study leave, Sabbatical leave, and Extraordinary leave for academic purpose on extension of Study leave or Sabbatical leave)</i>	<i>Full period of Leave.</i>
6	<i>Deputation/ Lien/ Contract/ EOL to accept an assignment</i>	<i>For the period of absence but not exceeding Six months.</i>
7	Completion of Contractual employment period	15 days

**Note:** - *The cases not covered hereinabove shall be decided by the Vice-Chancellor on the recommendations of House Allotment Committee.*

**10.3** *In exceptional circumstances, the Vice-Chancellor on the recommendations of House Allotment Committee may permit retention of the accommodation beyond the permissible limit prescribed above.*

**10.4** *Notwithstanding anything contained at 10.2 above, when an employee is dismissed or removed from service or when his services have been terminated and the University is satisfied and it is necessary or expedient in the interest of the University to do so, the University may cancel the allotment of the residence made to such employee either forthwith or with effect from such date prior to the expiry of the periods mentioned therein.*

## **11 PROVISION RELATING TO LICENSE FEE**

**11.1** *Where an allotment of residence has been accepted, the liability for license fee shall commence from the date of its occupation or the fifteenth day from the date of receipt of the allotment letter, whichever happens to be earlier.*

**11.2** An employee who after acceptance of the residence fails to occupy the same, he will be liable to pay license fee from the fifteenth day of the receipt of the allotment letter up-to a period of thirty days, where after the allotment shall automatically stand cancelled.

**11.3** Nothing contained in this Regulation shall apply where the University Engineer / Estates Officer certifies that the residence was not ready for occupation and as a result thereof the employee could not occupy the same within the period aforesaid. However, it shall duty of the works department to ensure that the vacated house is ready for occupation within a maximum period of 30 days.

**11.4** Where an employee, who is in occupation of a residence, is allotted another residence and he occupies the new residence, the allotment of the former residence shall be deemed to have been cancelled from the date of occupation of the new residence. He may, however, retain the former residence without payment of license fee for that day and the subsequent day for shifting. If any employee fails to hand over the possession of former residence after the tenth day of the acceptance of the offer of allotment, penal license fee will be charged for the former residence upto a maximum period of ten days where after the allotment of both the houses will stand cancelled.

**11.5** License Fee will be as under and will be charged from all categories of employees:

S. No.	Accommodation Type	License Fee/ Month
1	Level-I Quarters	Rs.500/-
2	Level-II Quarters	Rs.450/-
3	Level-II Apartments	Rs.400/-
4	Level-IIIA Apartments	Rs.300/-
5	Level-IIIB Apartments	Rs.200/-
6	Level-VI Quarters (Category I & II) Apartments	Rs.100/-

No separate maintenance/ conservancy charge shall be charged.

## **12. PERSONAL LIABILITY OF THE EMPLOYEE FOR PAYMENT OF LICENSE FEE TILL THE RESIDENCE IS VACATED**

The allottee who has been allotted a residence shall be personally liable for the payment of license fee, water, electricity and other common charges, if any and for any damage beyond normal wear and tear caused thereto or to the furniture, fixtures or fittings provided therein by University during the period for which the residence remains allotted to him, or where the allotment has been cancelled under any of the provisions in these Regulations, until the residence alongwith the out-houses appurtenant thereto has been vacated and full vacant possession thereof has been restored to the University.

## **13. SURRENDER OF AN ALLOTMENT AND PERIOD OF NOTICE**

An employee may at any time surrender a residence by giving intimation so as to reach the university at least ten days before the date of its vacation. The allotment of residence shall be deemed to have been cancelled with effect from the eleventh day after the date on which the letter is received by the University or the date specified in the letter, whichever is later. If the employee fails to give the notice, he/she shall be responsible for payment of license fee for ten days or the number of days by which the notice given by him falls short of ten days, provided that the University may accept a notice for a shorter period also. However, this shall not be applicable on the University employee(s) whose stay in the campus is one of the mandatory conditions of his/her Offer of Appointment/ engagement or whose stay in the campus is considered to be necessary by way of any order / instruction passed from time to time.

## **14. CHANGE OF RESIDENCE**

**14.1** An employee, to whom a residence has been allotted and is in actual occupation of it under these regulations, may apply for change to another residence of same type giving his preference for change. Provided that not more than one change be allowed in respect of one type of residence. Provided further that the preference once exercised shall not be changed during that allotment year.

**14.2** If an employee fails to accept the change of residence within five days of the receipt of offer of allotment, he shall not be considered for a change of residence for that type for a period of one year, and thereafter may be considered for change only on his making a fresh application for the said purpose.

**14.3** An employee, who after accepting a change of residence, fails to take possession of the same, shall be charged license fee for such residence in accordance with the provisions of **Regulations 11.2** in addition to the normal license fee for the residence already in his possession, the allotment of which shall continue to subsist.

## **15 MUTUAL EXCHANGE OF RESIDENCE**

*Employee to whom residence of the same type has been allotted may apply for permission to mutually exchange their residence and permission for such exchange may be granted by the House Allotment Committee after according due consideration. However, the provisions of mutual exchange shall not be permitted in case of employees retiring within one year.*

## **16. MAINTENANCE OF RESIDENCE**

**16.1** The employee to whom a residence has been allotted shall:

- a) Maintain it to the satisfaction of the University.
- b) Keep it in such a manner that it does not become public nuisance;
- c) Not carry out any structural changes;
- d) Not grow any tree shrubs or plants contrary to the instructions issued by the University nor cut or chop off any existing tree or shrub in any garden, courtyard or compound attached to the residence save with the prior permission in writing of the University; and tree, plantation or vegetation grown in contravention of this rule may be caused to be removed by the University at the risk and cost of the employees concerned;
- e) not use the premises for any purpose other than residence;
- f) not use the premises against any regulations or by laws of any Municipal or local authority whatsoever ;
- g) not make any additions or alternations in the premises allotted and
- h) the allottees themselves be responsible for their belongings etc.

**16.2** *The University officer designated by the Vice-Chancellor or the House Allotment Committee shall have the right of entry into the premises at all reasonable hours for purposes of inspection without prior notice.*

## **17. INVENTORY OF RESIDENCE**

The employee who has been allotted a residence shall sign an inventory of fixtures and fittings at the time of taking over the residence and shall ensure its proper handing over to the University at the time of its vacation.

## **18. SUBLETTING OF ACCOMMODATION**

**18.1** *No employee shall sublet any part or the whole allotted to him/her.*

**18.2** *An allottee who sublets part or whole of the residence allotted to him /her shall do so at his/her own risk and shall remain personally responsible for the licensee fee payable in respect of the residence and for any damage caused to the residence or its precincts or grounds or services provided therein by the University.*

**18.3** *An allottee who sublets part or whole of the residences allotted to him/her shall render himself / herself liable to cancellation of the allotment and eviction from the allotted residence. He/She shall also render himself/herself liable to disciplinary proceedings under rules.*

**18.4** *An allottee while proceeding on leave may allow any other employee to stay in apportion of his / her residence as a Caretaker for security purposes for a period not exceeding six months with the prior written permission of the House Allotment Committee.*

## **19. NON-ACCEPTANCE OF ALLOTMENT OFFER OR FAILURE TO OCCUPY ALLOTTED RESIDENCE AFTER ACCEPTANCE**

*If an employee on receipt of an allotment order fails to accept the allotment of residence within five days or take possession within eight days of the date of acceptance of the allotment order, the allotment order shall stand cancelled and the concerned employee shall be debarred for allotment for a period of one year from the date of such cancellation. The above cancellation shall be counted as refusal to take possession of the allotted residence and the claim of House Rent Allowance (H.R.A.) shall be governed in terms of the rules prescribed for the purpose.*

## **20 CONSEQUENCES OF BREACH OF REGULATIONS AND CONDITIONS**

**20.1** If any employee to whom a residence has been allotted, unauthorisedly sublets the residence\ or makes any unauthorized addition or alteration in any part of the residence or uses the residence or any portion thereof for any purpose other than residence or tampers with the electric or water connection or commits any other breach of the regulations in his regards or of the terms & conditions of the allotment or uses the residence or premises to be used for any purpose which the University considers to be improper or conducts himself in a manner which is the opinion of the University is prejudicial to the maintenance of harmonious relations with his neighbors or has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment/ change, the University may, without prejudice to any other disciplinary action that may be taken against him, cancel the allotment of the residence.

**20.2** If an employee who has been allotted a residence is found, in contravention of these Regulations, to have shared or sublet the entire residence or any portion thereof, or any of the out houses, garages appurtenant thereto, his allotment will be treated as cancelled and he would be required to vacate the residence within one month of its cancellation. The employee or person staying on thereafter would be treated as unauthorized occupant. Without prejudice to any other action that may be taken against such an employee, he shall be charged from the date of cancellation of allotment market rent for 2 months from the date of cancellation of allotment and twice the market rent subsequently. If the unauthorisedly sharing/ subletting is not brought to an end or the residence is not vacated at the end of two months from the date of cancellation, the defaulting employee may also be debarred from sharing a residence with another employee of the University for a period of one year and will also be liable to be proceeded against under the provision of Public Premises (Eviction of Unauthorized Occupants) Act 1971 as amended from time to time.



**20.3** Any outside person staying with the employee unauthorisedly shall be treated as trespasser and appropriate action will be taken against him by the University apart from taking disciplinary action against the employee, besides canceling the allotment in terms of these Regulations.

**20.4** Where the allotment of residence of an employee is cancelled for his conduct prejudicial to the maintenance of harmonious relations with neighbors, he may, at the discretion of University, be allotted another residence of the same type at any other place and this will be treated as a change under **Regulations 14**.

**20.5** The University may take all or any of the action under **sub-regulations 20.1 and 20.2** of this regulations and also declare the employee who commits a breach of the rules and instructions issued to him, to be ineligible for allotment of a residence for a period of three years.

## **21 INTERPRETATION OF REGULATIONS**

If any question regarding the interpretation of these Regulations arises in the House Allotment Committee the same will be referred to the Vice-Chancellor for final decision.

Provided further that wherever Regulations for allotment of residences of the University are silent on any subject or requires any modifications/ additions, the Vice-Chancellor may bring the same to the notice of Executive Council for final decision, if he considers it necessary.

*Approved by the Hon'ble Governor J&K Union Territory & Chancellor SMVDU after being discussed in the 17<sup>th</sup> meeting of the Executive Council held on 14/11/2011, and notified vide no: SMVDU/Adm/Estb/12/4897, dtd 20/04/2012.*

*Clause no.4, was further modified in the 23<sup>rd</sup> meeting of the Executive Council held on 17<sup>th</sup> April 2015, minutes of which were approved by the Hon'ble Governor J&K Union Territory & Chancellor SMVDU and notified vide no: SMVDU/A&R/15/23-EC/Min/0598, dtd. 08/07/2015.*