

**KLE ACADEMY OF HIGHER EDUCATION AND RESEARCH  
UNIVERSITY**

*Established under Section 3 of the UGC Act, 1956\**



***Memorandum of Association***

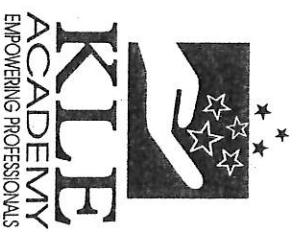
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\*vide MHPD Government of India Notification No. F.O. 10/2/2001-27A dated 12th April 2006



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\*vide MHRD, Government of India Notification No.F-9-19/2000-U.3(A) dated 13<sup>th</sup> April 2006.

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**MEMORANDUM OF ASSOCIATION AND RULES OF  
KLE ACADEMY OF HIGHER EDUCATION AND RESEARCH**

(Reg. No. : 498/04-05)  
(A SOCIETY REGISTERED UNDER KARNATAKA SOCIETIES REGISTRATION ACT, 1960)

**A-01) Name**

**KLE ACADEMY OF HIGHER EDUCATION AND RESEARCH HEREINAFTER REFERRED TO AS 'THE ACADEMY'**

**A-02) Office**

The registered office of the Academy shall be situated at J.N. MEDICAL COLLEGE CAMPUS, NEHRU NAGAR, BELGAUM-590 010, KARNATAKA STATE, INDIA.

**A-03) Objectives**

The objects of the Academy shall be to disseminate, create and preserve knowledge and understanding by teaching, research, extension and service through charitable institutions, and by effective demonstration and influence of corporate life on society and in particular the objects shall be -

- i) To provide for instruction and training in such branches of learning as it may deem fit;
- ii) To provide for research and for the advancement of and dissemination of knowledge;
- iii) To undertake extra mural studies, extension programmes and field outreach activities to contribute to the development of society;
- iv) To do all such other acts and things as may be necessary or desirable to further the objects of the Academy;
- v) To establish and maintain and to assign and encourage or promote in the State of Karnataka in particular and elsewhere in India in general, as and when deemed proper or expedient for the purposes of medical relief in the form of Hospitals or the

advancement of medical education and health and prevention and relief of sickness by medical research, teaching, extension and by organizing, and developing medical and health services in connection therewith to all or any of the following institutions, namely:

- a) Nursing Hospitals, Homes or Wards
- b) Nursing Institutions and Convalescent Homes
- c) Schools, Colleges and Institutions for purposes of imparting education in Health Sciences.
- d) Institutions for promoting medical research, extension and collaboration work.
- e) Ambulance, Corps with or without classes for imparting education and training in Ambulance work.
- f) Creches and Children's Hospitals.
- g) Establishment of primary and rural Health Centers.
- v) To procure the services of Doctors, Surgeons or Medical Practitioners including, Nurses, Assistants, Day Workers, Attendants and Servants either with or without remuneration, or in any honorary capacity.
- vii) To maintain and manage hospitals, schools by providing, establishing, endowing, furnishing them with all the necessary furniture, instruments and other equipments, particularly in the State of Karnataka and elsewhere in India in general, for the treatment of patients suffering from various diseases or accidents and in which they may remain debilitated for such periods and on such terms and conditions as the Board of Management may prescribe or in which they may be advised or treated as out patients, to provide accommodation for the treatment of and care for medical and surgical and

maternity attendance, nursing, food, medicine and all things and appliances of medical, surgical, dietetic and sanitary character.

Provided that, members of any community or religion may be admitted to all such benefits.

Such hospitals shall maintain Medical and Surgical Departments to which may be added as and when deemed fit by the Board of Management, such other Department or Departments, Branch or Branches as the occasion or circumstances may demand.

To hold workshops/seminars/conferences with a view to bringing experts in the fields of academics, industry and other sectors together for the benefit of the society.

To give or sponsor, at the sole discretion of the Academy, loan scholarships and free ships to the needy students.

To establish and start IT, CT, BT Centers and to provide various continuing education courses and consultancy services to the Business Houses, Industries and Governmental and non-Governmental organizations.

To start executive and management development programmes at different levels of Management in various functional areas.

To establish, manage and run the educational institutions at the primary, secondary and tertiary levels in the field of liberal education, Education, Science and Technology, Sports, Culture Health Science, Veterinary Sciences etc.

To start an Agricultural School/College and to train the rural community and create facilities for self employment.

To start financial consultancy services to advise the various industries, business houses, Government and non-Government organizations.

- xv) To operate Primary or Rural Health Centers in the rural areas for the benefit of the un reached people, either free of cost or on cost-to-cost basis.
- xvi) To grant medical relief to the people affected due to natural or man-made disasters.
- xvii) To start short-term courses for the professionals, technicians, artisans and such other persons to improve their professional competence.
- xviii) To open centers at various places in the State of Karnataka in particular and elsewhere in India in general for the equitable distribution of the educational, sanitary, drinking water and such other facilities as the Board of Management may deem fit.
- xix) To arrange for training and national integration, social awareness campus etc. for inculcating civic sense and value education among the common public in general and the younger generation in particular.
- xx) To establish homes for the aged so as to treat the aged and infirm men and women who need to be fed, clothed and cared for.
- xxi) To open centers for the upliftment of the socially disadvantaged people in general and the un reached population in particular.
- xxii) To establish orphanages to take care of the unfortunate children such as destitute and orphan children.
- xxiii) To build and maintain houses or other buildings and alter, improve or modify the same including any existing buildings and provide and equip the same with light, water, drainage, furniture, fittings, instruments, appliances and all other necessaries for the use to which such buildings are to be put.
- xxiv) To acquire immovable property by purchase, lease, hire, exchange or otherwise and to pull down, erect, alter and maintain buildings as may be thought fit by the Board of Management.

- xxv) To receive any gift of movable property (including money) or immovable property either with or without conditions as may be thought fit by the Board of Management.
- xxvi) To procure, make use of, provide and equip all such appliances, provisions and things as may be necessary or advisable for the proper treatment of patients.
- xxvii) To take such steps by personal or written appeals and exhibitions as may, from time to time, be deemed expedient for the purpose of procuring contributions to the funds of the Academy in the form of donations, annual subscriptions or otherwise.
- xxviii) To establish funds (contributory provident fund and gratuity) for the benefit of the employees and workers of the Academy as per the Government of India rules, from time to time.
- xxix) To print, publish and exhibit or subsidise the publication of any books, pamphlets or posters that may be considered desirable for the promotion of the objects of the Academy
- xxx) To expend the funds of the Academy in sending deserving patients to and maintaining them in convalescent and other similar institutions including private and public charitable hospitals, in such manner and to such extent as may, from time to time, be deemed expedient, in paying the expenses or part of the expenses for such patients and in sending such patients to their homes or elsewhere.
- xxxi) To promote the Indian System of Medicine so as to maintain the health of the healthy individual and to cure the disease of diseased individual.
- xxxii) To expend the funds of the Academy in sending employees or students of the Academy or Doctors, Nurses and similar personnel working in the Hospital run by the Academy, anywhere in

India or abroad, in such manner and to such extent as may, from time to time, be deemed expedient.

xxxiii) To accept subscriptions and donations (whether of movable or immovable property) and devices and requests for all or any of the objects and purposes aforesaid and to sell, exchange and otherwise dispose or to lease and except surrender or lease of, and manage and develop all immovable property so received and not required to be occupied or capable of being occupied for the purpose of the Academy, and generally to manage, invest and expend all money and property of the Academy.

xxxiv) To purchase and sell movable and immovable properties including shares and securities and such other investments so as to keep the funds of the Academy invested and/or employed in a Government or in the nationalized Banks with the objects of earning interest, dividend or profit by appreciation of prices, and to do any other charitable activities for the benefit of the Academy.

xxxv) To take over or amalgamate other charitable trusts with similar objects and to take over all the property, assets and funds of such societies or trusts held by or vested in such societies or trusts and the benefits of all contracts and agreements entered into by such societies or trusts and the liability of all debts, contracts and agreements properly incurred or entered into by such trusts in connection with such institutions and for such purposes, to execute and carry out into effect all such deeds and instruments as may be necessary or advisable.

xxxvi) To do all such other lawful things as are incidental and conducive to the attainment of the above said purposes.

xxxvii) The Academy shall be administered for the benefit of the public without any distinction of caste, color, sex or creed.

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xxxviii) To open centers for unattached or uncured women in need of sustenance and rehabilitation with special reference to securing for them emotional and medical support.

xxxix) To carry out the periodic, external, academic and financial audit of the Academy by the academic peers.

xl) To organise the induction programmes for the faculty and other academic staff.

xli) To encourage the faculty to undertake sponsored research programmes and publication of research articles in indexed national and international journals.

xlii) To organise faculty development and continuing education programmes for the inservice teachers.

#### **A-04) Powers and Functions of the Academy**

To carry out the above objectives and for the management of properties of the Academy, the Academy shall have the following powers :

i) to establish courses of study and research and to provide instruction in such branches of study as the Academy deems appropriate for the advancement of learning and dissemination of knowledge in such branches.

ii) to confer degrees and to grant Diploma and / or Certificates to persons who have satisfactorily completed the approved courses of study and / or research as may be prescribed and shall have passed the prescribed examinations;

iii) to institute and award visitorship, fellowship, exhibits, prizes and medals;

iv) to provide for instruction, teaching and training in such branches of learning and courses of study as the Academy may, from time to time, determine;

v) to make provision to enable constituent colleges to undertake specialised studies to organise, maintain

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- v) and manage departments, laboratories, libraries, museums and equipments for teaching or research; to establish, maintain and manage institutions of research, of specialised studies or of academic services unit;
- vi) to establish, maintain and manage constituent colleges, institutions, hostels, health centres, auditoria and gymnasiums;
- vii) to provide for establishment of off-campus and off-shore campuses for serving a group of constituent colleges, and also to provide for and maintain common resources centres in such campuses in the form of libraries, laboratories, computer centres, hostels, and the like centres of learning;
- ix) to create posts of principals, professors, readers, lecturers and other teaching or non-vacation academic posts required by the Academy with the prior approval of the sponsoring Body and to prescribe their qualifications and make appointments thereto;
- x) to appoint or recognise persons working in any other university, industry or organisation as adjunct professors, adjunct readers, adjunct lecturers, visiting professors of the Academy for specified periods;
- xi) to create non-teaching skilled, administrative, ministerial and other posts and prescribe their qualifications and pay-scales with prior approval of the sponsoring Body and to make appointments thereto;
- xii) to hold examinations and confer degrees and post-graduate diplomas and award post-higher secondary diplomas and certificates and other academic distinctions on persons who-
  - a) unless exempted therefrom in the manner prescribed, have pursued approved courses of

- study in the Academy and have passed the examinations prescribed by the Academy.
- b) have pursued approved courses of study in the Academy and have passed the examinations prescribed by the Academy; or
- c) have engaged in research under conditions provided by Bye-Laws.
- xiii) to confer honorary degrees or other academic distinctions as prescribed by the Bye-Laws;
- xiv) to monitor and evaluate the academic performance of constituent colleges and their periodical accreditation with the help of accrediting agencies like NBA, NAAC, ISO, EMS, SAS, JCI etc..
- xv) to hold and to manage trusts and endowments and institute and award fellowships, travelling fellowships, scholarships, studentship, medals and prizes for teachers and students of the Academy.
- xvi) to fix, demand and receive or recover such fees and other charges as may be regulated by the Bye-Laws from time to time;
- xvii) to supervise, control and regulate the conduct and discipline of the students of the Academy and hostels;
- xviii) to provide for mobility of students from formal to non-formal stream and vice-versa;
- xix) to make arrangements for promoting welfare of the employees of the Academy;
- xx) to co-ordinate and regulate teaching and research in the constituent colleges;
- xxi) to provide for the training and quality improvement of teachers and non-teaching employees;
- xxii) to provide for periodical assessment of the performance of teachers and non-teaching employees of the Academy in accordance with the provisions of the Bye-Laws.



- xxiii) to regulate and provide for attendance of the teachers on the premises of the Academy during teaching hours and beyond teaching hours, as prescribed and to prohibit teachers from taking or conducting private tuition or private coaching classes;
- xxiv) to provide for conduct and discipline rules for teaching and non-teaching staff and the enforcement thereof;
- xxv) to maintain records, documents and returns of the Academy;
- xxvi) to establish, maintain and manage, whenever necessary -
  - a) a printing and publication department;
  - b) extension boards of the Academy;
  - c) information bureaus;
  - d) employment guidance bureaus; and
  - e) such other activities as may be necessary and possible to fulfil the objects of the Academy;
- xxvii) to make provision for participation of students in -
  - a) the national service scheme;
  - b) the national cadet corps;
  - c) home guards and civil defence;
  - d) the national sports organisation;
  - e) physical and military training;
  - f) extra-mural teaching and research;
  - g) Centre for Distance Education;
  - h) programmes related to adult and continuing education, and extension;
  - i) any other programmes, services or activities directed towards cultural, economic and social betterment as may be necessary and

possible to fulfil the objectives of the Academy.

- xxviii) to provide for special training or coaching for competitive examinations, for recruitment to the public services, public undertakings and other competitive employment opportunities;
- xxix) to co-operate or collaborate with any other University, Institution, Authority or Organisation within and outside India for research and advisory services and for such purposes to enter into appropriate arrangement with other universities, institutions, authorities, or organisations to conduct certain courses as the situation may demand;
- xxx) to organise training programmes for the faculty and supporting staff.
- xxxi) to borrow funds for the purposes of the Academy on the security of the property of the university, with the prior permission of the sponsoring Body;
- xxxii) to explore the possibilities of augmenting the resources of the Academy by exploring or innovating activities such as research and development, consultancy, training programmes and providing services for different clients from industry, trade or any other non-government organisations;
- xxxiii) to undertake academic collaboration and twinning programmes with universities and institutions abroad, with the approval of the Central Government;
- xxxiv) to receive funds for collaboration programmes from foreign agencies subject to rules and regulations of the Central Government.
- xxxv) to lay down for teachers service conditions including code of conduct, workload, norms of performance appraisal, and such other instructions or directions as, in the opinion of the university, may be necessary in academic matters;

xxxxvi) to undertake development programmes in higher education, research, consultancy-based projects and training programmes for outside agencies, by charging fees, so as to generate resources;

xxxxvii) to make special provisions for benefit of the Academy, education to be made available to classes and communities which are socially and educationally backward;

xxxxviii) to make special provision for such benefits of the Academy, education to be made available for women students and handicapped students as the Academy may think necessary;

xxxxix) to make special provision for higher education in rural and tribal areas;

xi) to implement the national literacy and adult education programme through teachers and students on voluntary basis in the Academy system and to evolve measures to give due weightage to the efforts and performance of the students in this area in addition to their normal academic performance, and also to evaluate the performance of the teachers in this area;

xii) to perform such other functions as deemed fit by the Academy.

#### **A-05) Interpretation of the Objectives**

The Academy is established for public benefit and accordingly the objectives of the Academy as set forth above will be interpreted and restricted to mean such objectives and purposes as are regarded in law to be a public charitable in nature.

#### **A-06) Academy Open to All**

(i) The Academy shall be open to all persons of whatever race, religion, creed, caste, class and geographical area of the country. No test or condition shall be imposed as to religious belief or occupation in admitting or appointing members, students,

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teachers, workers or in any other connection whatsoever.

(ii) No capitation fee shall be charged in any form in consideration for admission.

(iii) In the case of self-financing Institutions, fees to be prescribed shall be as per regulations prescribed under the UGC Act, Section 26 (1) (i).

No benefaction that involves conditions and obligations opposed to the spirit and objects of the Academy shall be accepted by the Academy.

#### **A-07) Admissions**

Admission shall be made on an all India basis to identical courses in all deemed to be universities through a common entrance test conducted either by the University Grants Commission or by an Institution / Agency identified and approved by the UGC. This shall apply also to those institutions which have already been given the deemed to be university status.

#### **A-08) Income and Property of the Academy to be Applied for the Objectives Only**

The income and property of the Academy, howsoever derived, shall be applied towards the promotion of the objectives as set forth in this Memorandum of Association.

#### **A-09) Income and property of the Academy not to be paid or transferred by way of profit.**

No portion of the income and property of the Academy shall be paid or transferred directly or indirectly by way of profit, to the persons, who at any time, or have been members of the Academy or to any of them, provided that nothing herein contained shall prevent the payment in good faith or remuneration to any member thereof or other person in return for any service rendered to the Academy or for travelling, halting and other similar charges.

#### **A-10) Management of the Academy**

The names and addresses and occupations of the first members of the Board of Management to whom under

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rules, the management of the Academy is entrusted till the various authorities in accordance with the rules are constituted, are given below as required under the Societies Registration Act, 1960.

**KLE ACADEMY OF HIGHER EDUCATION & RESEARCH  
MANAGEMENT COMMITTEE MEMBERS FOR THE YEAR 2004-05**

Sr. No.	Name & Address	Age	Occupation	Designation
1)	Shri Prabhakar Basaprabhu Kore B.Com. Ankali, Tq. : Chikodi, Dist. : Belgaum. Belgaum Res.BC 92, Church Road, Camp, Belgaum-590 009.	58	Agriculture	President
2)	Shri Ashok Ganapati Bagewadi B.A.,B.Com. 562, Dalal Path, Nipani, Tq. : Chikodi, Dist : Belgaum.	65	Agriculture	Vice- President
3)	Dr. Fakirappa Veerappa Marvi M.Pharm., Ph.D. Principal Quarters, B-4, JNMC Campus, Belgaum-590 010.	58	Service	Secretary
4)	Dr. Veerupaxi Shivalingappa Sadhunavar Mahantesh Nursing Home Bailhongal, Dist. Belgaum.	52	Agriculture & Medical Practitioner	Member
5)	Shri Shrishaili Chennappa Mergud B.Com Bharat Oil Mill, At Post : Bailhongal, Dist. : Belgaum.	54	Agriculture & Industrialist	Member
6)	Dr. H. B. Rajishekar M.D. Director, Health Science Research Foundation, Dept. Of Medical Education, J.N. Medical College, Belgaum-590 010.	67	Service & Medical Practitioner	Member
7)	Dr. Vishwanath Dundappa Patil M.D.D.C.H Principal, J.N.Medical College, Belgaum-590 010.	56	Service	Member

**WITNESS :**

No.	Name & Address	Age	Occupation
01.	Prof. S.B. Biradar, Principal, B.V.Bellad Law College, Belgaum-590001	58	Service
02.	Prof. S.S. Urabinavar Dept. of English, Lingaraj College Belgaum - 590001	52	Service

**A-11) Review & Inspection**

The Central Government / UGC shall have the right to cause an inspection to be made of the Academy, its buildings, laboratories, its examinations, teaching and other work conducted or done by the Academy; and to cause an inquiry to be made, if considered necessary by the Central Government / UGC, in respect of any matter of the Academy (deemed to be university).

Following the inspection, the Central Government / UGC may issue directions to the Academy (deemed to be university) which shall be binding on the Academy (deemed to be university).

In case, the Institution (deemed to be university) fails to comply with the direction(s) of the Central Government / UGC and / or fail to perform as per expectations of the Central Government / UGC, the deemed to be university status conferred on the Institution can be withdrawn by the Central Government on the recommendation of the UGC.

## RULES OF THE ACADEMY

### **R-01) Short Title**

These rules shall be called the rules of the KLE ACADEMY OF HIGHER EDUCATION AND RESEARCH

### **R-02) Address of the Academy**

The registered office of the Academy shall be situated at NEHRU NAGAR, BELGAUM - 590 010.

### **R-03) Definitions**

In these Rules unless the Context otherwise requires :

- a) "Academic Council" means the Academic Council of the Academy.
- b) "Authorities" mean the authorities of the Academy.
- c) "Board of Management" means the Board of Management of the Academy.
- d) "Chancellor" means Chancellor of the Academy.
- e) "College" means constituent college (maintained and managed) by the Academy.
- f) "Central Govt." means the Govt. of India.
- g) "Department" means the teaching department of the college of the Academy.
- h) "Non-vacational academic staff" such a teachers classified by the Academy to be non-vacational staff but, shall not include staff engaged purely in discharging administrative functions.
- i) "Principal" means the Head of the constituent colleges and it includes Director of the Academy.
- j) "Registrar" means the Registrar of the Academy.
- k) "Sponsoring Body" means the K.L.E. Society, Belgium.
- l) "Student Council" means student council constituted under the Bye-Laws of the Academy.

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m)

"Teacher" means fulltime approved Principal, Professor, Asso./Asstt. Professor, Reader, Lecturer, Librarian, Tutors etc. in the Academy.

n) "Vice-Chancellor" means Vice-Chancellor of the Academy.

### **R-04) Authorities of the Academy**

The following shall be authorities of the Academy :

- i) Chancellor
- ii) Board of Management
- iii) Academic Council
- iv) Planning and Monitoring Board
- v) Finance Committee
- vi) Advisory Committee
- vii) Such other authorities as may be declared by the Bye-Laws to be authorities of the Academy.

### **R-05) Powers & Composition of the Board of Management**

The Board of Management shall be the principal organ of management in the Academy. It shall be a compact and homogenous body enabling it promptly to take and implement well considered decisions and to effectively handle crisis situations.

(a)

#### **Powers :**

- (i) The Board of Management shall be the principal executive body of the Academy and shall, in addition to all powers vested in it have the following powers namely :
  - To manage and administer the revenues and properties of the Academy and to conduct all the administrative affairs of the Academy not otherwise specifically provided for.
- (ii) To create teaching and academic posts, to determine number, qualifications and cadres thereof as approved by the University Grants

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Commission and the emoluments of such posts in consultation with the Finance Committee.

(iii) To appoint such Professors, Associate Professors / Readers, Asstt. Professors / Lecturers and other academic staff as may be necessary on the recommendation of the Selection Committee.

(iv) To lay down the duties and conditions of service of the Professors, Associate Professors, Asstt. Professors and other academic staff maintained by the Academy, in consultation with the Academic Council.

(v) To Provide for appointment of Visiting Fellows and Visiting Professors.

(vi) To create administrative, ministerial and other necessary posts in terms of the cadres laid down or otherwise and to make appointment thereof in consultation with the Finance Committee.

(vii) To grant leave of absence to the Vice-Chancellor or any other officer of the Academy and to make necessary arrangements for carrying on the functions of the officers proceeding in leave during their absence.

(viii) To regulate and enforce discipline among the employees of the Academy and take appropriate disciplinary action, wherever necessary.

(ix) To manage and regulate the finance, accounts, investments, property and all other administrative affairs of the Academy and for that purpose to appoint such agent or agents as it may deem fit.

(x) To entertain and adjudicate upon and, if thought fit, to redress any grievances of the employees and students of the Academy.

(xi) To select an emblem and to have a common seal for the Academy and to provide for the custody and use of such seal.

(xii) To institute Fellowships including Travelling Fellowships, Scholarships, Studentships, Medals and Prizes in accordance with the bye-laws to be framed for the purpose.

(xiii) To amend and receive payment of fees and other charges.

(xiv) To appoint such Committees for such purpose and with such powers as the Board of Management may think fit and to co-opt such persons on these Committees as it thinks fit.

(xv) To appoint Auditors for the ensuing year.

(xvi) To open account or accounts of the Academy with any one or more scheduled banks and to lay-down the procedure for operating the same.

(xvii) To manage the finances, accounts, investments, moveable properties, business and all other administrative affairs of the Academy.

(xviii) To issue appeals for funds for carrying out the objectives of the Academy and consistent with provisions of the objectives clause of the Academy, to receive grants, donations, contributions, gifts, prizes, scholarships, fees and other moneys, to give grants and donations, to award prizes, scholarships etc.

(xix) To purchase, take on lease or accept as gift or otherwise any land or buildings or works which may be necessary or convenient for the purpose of the Academy, and, on such terms and conditions as it may deem fit and proper and to construct or alter and maintain any such buildings or works.

- (xx) To draw and accept and make and endorse discount and negotiate Government of India's and other promissory notes, bills and exchange, cheques or other negotiable instruments.
- (xxi) To transfer or accept transfers of any movable property on behalf of the Academy.
- (xxii) To advise the Holding Trustees (if any) on matters regarding acquisition, management and disposal of any immovable property on behalf of the Academy.
- (xxiii) To provide building or buildings, premises, furniture, fittings, equipment, appliances and other facilities required for carrying on the work of the Academy.
- (xxiv) To execute in consultation with the Holding Trustees (if any) conveyance, transfer, Government Securities, re-conveyances, mortgages, leases, bonds, licenses and agreements in respect of property, moveable or belonging to the Academy or to be acquired for the purpose of the Academy.
- (xxv) To appoint, in order to execute an instrument or transact any business of the Academy, any person as attorney of the Academy with such powers as it may deem fit.
- (xxvi) In consultation with the Holding Trustees (if any), raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities founded or based on any of the properties and assets of the Academy or without any securities and upon such terms and conditions as it may think fit and to pay out of the funds of the Academy, all expenses, incidental to the raising of money and to repay and redeem any money borrowed.

- (xxvii) To invest the funds of the Academy or money entrusted to the Academy in or upon such securities and in such manner as it may deem fit and from time to time transpose any investment.
- (xxviii) To maintain a fund to which shall be credited,
  - (a) All moneys provided by the Central or State Governments / University Grants Commission.
  - (b) All fees and other charges received by the Academy.
  - (c) All moneys received by the Academy as grants, gifts, donations, benefactions, bequest or transfers and
  - (d) All moneys received by the Academy in other manner or from any other source.
- (xxix) To deposit all moneys credited to the fund in scheduled banks or to invest them in consultation with the Finance Committee.
- (xxx) To maintain proper accounts and other relevant records and prepare Annual Statements of Accounts including the Balance-sheet for every previous financial year, in such form as may be prescribed by the Regulations / Bye-laws.
- (xxxi) To constitute, for the benefit of the teaching, academic, technical, administrative and other staff, in such manner and subject to such conditions as may be prescribed by the Bye-laws such pension, insurance, provident fund and gratuity as it may deem fit for the benefit of the employees of the Academy and to aid in the establishment and support of Association, Institutions, Funds, Trusts, and conveyances calculated

to benefit the staff and the students of the Academy.

(xxxii) To delegate, all or any of its powers to any Committee or Sub-committee constituted by it or the Vice-Chancellor of the Academy or any other person.

(xxxiii) To establish on the advice of the Academic Council Divisions and Departments for the academic work and functions of the Academy and to allocate areas of Study, Teaching and Research to them.

(xxxiv) To conduct examinations or tests for admission to the courses taught in the Academy to conduct examinations for Degree and Diplomas and to declare the result of such examinations and test and to confer, grant or award Degrees, Diplomas, Certificates and other academic titles and distinctions.

(xxxv) To establish, maintain and manage hostels for the students of the Academy.

(xxxvi) To fix the remunerations and travelling and other allowances of examiners, moderators, tabulators and such other personnel appointed for examinations in consultation with the Academic Council and the Finance Committee.

(xxxvii) To recognize and maintain, control and supervise hostels owned and managed by other agencies for the students and to rescind such recognition.

(xxxviii) The Board of Management shall be the principal executive body of the Academy and shall have the powers to take all necessary decisions for the smooth and efficient functioning of the Academy.

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**(b) Composition of the Board of Management**

The Board of Management shall consist of :-

- 01) Vice-Chancellor - Chairman
- 02) Deans of Faculties (if any) not exceeding three by rotation and seniority.
- 03) Three nominees of the Chancellor of the Academy.
- 04) One nominee of the Chairman, UGC.
- 05) One nominee of the Government of India.
- 06) One nominee of the funding agency / agencies.
- 07) Three teachers (Professor, Reader, Lecturer) (by rotation) according to seniority.
- 08) One nominee of the sponsoring Society.
- 09) The Registrar shall be the non-Member Secretary.

*[Note :- The Chairman of the Board of Management shall ordinarily be the Vice-Chancellor of the Academy. However, while suggesting the composition of the Board of Management, alternate proposal for appointment of a Chairman of the Board could be made.]*

**(c) Terms of Membership**

All the members of the above body other than ex-officio and members of the teaching staff shall hold office for a term of three years and shall be eligible for reappointment.

Members of teaching staff in the above body shall hold office for a period of 2 years or till such time as they continue to be members of the teaching staff, whichever is less.

**(d) Meeting of the Board of Management**

(i) The Board of Management shall meet atleast

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four times a year. Not less than 15 days notice shall be given of a meeting of the Board of Management and a copy of the proceedings of each meeting shall be furnished to the Chancellor of the Academy as soon as possible after the meeting.

- (ii) Each member of the above Body including its Chairman shall have one vote and decisions at the meeting of the Board shall be taken by simple majority. In case of a tie, the Chairman shall have a casting vote.
- (iii) Every meeting of the above Body shall be presided over by its Chairman, and in his absence by a member chosen by the members present from amongst themselves shall preside over the meeting.
- (iv) Any business which it may be necessary for the above Body to perform may be carried out by circulating appropriate resolution thereon among its members and any resolution so circulated and approved by a simple majority shall be as effective and binding as if such resolution had been passed at the meeting of the Board.

If a member other than the Vice-Chancellor or those representing the teachers accepts a full time appointment in the Academy or he does not attend three consecutive meetings of the Board of management without proper leave of absence, he shall cease to be member of the above Body.

**R-06) Constitution of Standing Committee and Appointment of Ad-Hoc Committee by the Board of Management**

- (i) Subject to the provision of the Rules/Bye-laws of the Academy, the Board of Management may by a resolution constitute such Standing Committee or Co-Committee or Ad-hoc Committee or Committee

for such purposes and with such powers as the Board may think fit for exercising any power or powers or discharging any functions of the Academy or for inquiring into reporting and advising upon any matter of the Academy.

- (ii) The Board of Management may co-opt such person on the Standing Committees or Ad-hoc Committees as it may consider suitable.

**R-07) Delegation of Powers of the Board of Management**

The Board of Management may by a resolution, delegate to the Chancellor, Vice-Chancellor or any other officer of the Standing Committee or the Ad-hoc Committee such of its power as it may deem fit, subject to the condition that the action taken by the Chancellor or the Vice-Chancellor or the officer concerned or the Standing Committee or the Ad-hoc Committee concerned in the exercise of the powers so delegated shall be reported at the next meeting of the Board of Management.

**R-08) Academic Council**

The Academic Council shall be the principal academic body of the Academy and shall, subject to the provisions of the Memorandum of Association and the Rules and Bye-laws shall have the control over and be responsible for the maintenance of standard of education, teaching and training, interdepartmental coordination, research, examinations and tests within the Academy and shall exercise such other powers and perform such other duties and functions as may be prescribed or conferred upon it by the Rules and Bye-laws.

**(a) Membership of the Academic Council**

- (i) The Academic Council shall consist of the following persons, namely :
  - (a) Vice-Chancellor of the Academy - Chairman
  - (b) Dean of Faculties, if any
  - (c) Heads of the Departments of the Academy



- (d) Ten Professors other than the Heads of the Departments (by rotation and on seniority)
- (e) Three Readers from the Departments other than the Heads of the Departments by rotation in the order of seniority nominated by the Vice-Chancellor.
- (f) Three Lecturers from the Departments by rotation in the order of seniority nominated by the Vice-Chancellor.
- (g) Three persons from amongst educationists of repute or persons from any other field related to the activities of the Academy who are not in the service of the Academy nominated by the Chancellor.
- (h) Three persons who are not members of the teaching staff co-opted by the Academic Council for their specialized knowledge.

The term of members other than ex-officio members shall be two years. They shall not be eligible further unless every one has completed one term.

**[Note :** *The representation of different categories should be only through rotation and not through election. It may also be ensured that no particular faculty dominates the membership of the council.]*

**(b) Powers and Functions of the Academic Council**

The Academic Council shall be principal academic body of the Academy and shall, in addition to all other powers and duties vested in it, have the following powers and duties viz:

- (a) To exercise general supervision over the academic work of the Academy and to give direction regarding methods of instructions, evaluation or research or improvements in academic standards.
- (b) To promote research within the Academy, acquire reports on such researches from time to time.

- (c) To consider matters of academic interest either on its own initiative or at the instance of the Board of Management and to take proper action there on.
- (d) To make arrangements for the conduct of the examinations in conformity with the bye-laws.
- (e) To maintain proper standards of the examinations.
- (f) To recognise diplomas and degrees of Universities and other Institutions and to determine equivalence with the diplomas and degrees of the Academy.
- (g) To prescribe course of study leading to degrees and diplomas of the Academy.
- (h) To appoint examiners, moderators, tabulators and such other personnel for different examinations.
- (i) To suggest measures for departmental co-ordination.
- (j) To make recommendations to the Board of Management on:

- (i) Measures for improvement of standards of teaching, training and research.
- (ii) Institution of Fellowships, Travelling Fellowships, Scholarships, Medals, Prizes etc.
- (iii) Establishment or abolition of departments/centers and
- (iv) Bye-laws covering the academic functioning of the Academy, discipline, residence, admissions, examinations, award of fellowships and studentships, freships, concessions, attendance etc.

(k) To appoint Sub-committees to advise on such specific matters as may be referred to it by the Board of Management.

(l) To consider the recommendations of the Sub-committees and to take such action (including making of recommendations to the Board of Management) as the circumstances on each case may require.

(m) To take periodical review of the activities of the Departments/Centres and to take appropriate action (including making of recommendations to the Board of Management) with a view to maintaining and improving the standards of instruction.

(n) To exercise such other powers and perform such other duties as may be conferred or imposed upon it by the rules and bye-laws.

(o) To recommend institution of Teaching posts, Professors, Readers, and Lecturers to the Board of Management.

**(c) Meeting of the Academic Council**

i. The Academic council shall meet as often as may be necessary but not less than three times during the academic year.

ii. One third of the total members of the Academic Council shall constitute the quorum for the meeting of the Academic Council.

iii. Any business which it may be necessary for the Academic Council to perform except such as may be placed before its meeting, may be carried out by circulation of the resolution among all its members and the resolutions so circulated and approved by simple majority shall be effective and binding as if such resolution had been passed in the meeting of the Academic Council,

provided that at least one half of the total number of the members of the Academic Council have recorded their views on the resolution.

**R-09) Finance Committee**

The finance Committee shall consist of the following members :

i. Vice-Chancellor of the Academy-Chairman.

ii. A person nominated by the Chancellor.

iii. Two nominees of the Board of Management, one of whom shall be a member of the Board.

iv. A representative of the UGC.

v. A representative of the Central Government.

**(a) Terms of Office of the Members of the Finance Committee**

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

**(b) Powers and Functions of the Finance Committee**

**(a)** The Finance Committee shall meet at least twice a year to examine the accounts and to scrutinise proposals for expenditure.

**(b)** The annual accounts and financial estimates of the Academy shall be placed before the Finance Committee for consideration and thereafter submitted to the Board of Management together with comments of the Finance Committee for approval.

**(c)** The Finance Committee shall fix limits of total recurring expenditure and the total nonrecurring expenditure of the year based on the income and resources of the Academy. No expenditure shall be incurred

by the Academy in excess of the limits so fixed.

(d) No expenditure other than that provided in the budget shall be incurred by the Academy without the approval of the Finance Committee.

(e) To recommend to the Board of Management the creation of all types of posts.

#### **R-10) Advisory Committee**

For a period of first ten years the Academy will have an Advisory Committee under the Chairmanship of a person nominated by the Commission from among members of the Commission including Vice-Chairman. The Advisory Committee will include the Head of the Institution and its senior faculty alongwith one/two experts nominated by the UGC to help its academic planning and growth.

#### **R-11) Planning & Monitoring Board**

The Planning & Monitoring Board shall be the principal Planning Body of the Academy and shall be responsible for the monitoring of the development programmes of the Academy.

The Vice-Chancellor of the Academy shall be the Chairman of the Planning & Monitoring Board. It may include six or seven internal members and a few outside experts, including one nominee of the UGC.

The constitution, powers and functions of the Planning and Monitoring Board shall be prescribed by the Bye-laws.

The Planning & Monitoring Board would have the right to advise the Board of Management and the Academic Council on any matter which it considers necessary for the fulfillment of the objectives of the Academy.

The recommendations of the Planning & Monitoring Board shall be placed before the Board of Management for consideration and approval. Proposals relating to academic matters may be processed through the Academic Council.

#### **R-12) Selection Committee**

i) There shall be a Selection Committee for making recommendations to the Board of Management for appointment to the posts of Professors, Associate Professors and Asstt. Professors in the Academy and such other posts as may be prescribed by the Bye-laws.

ii) Every Selection Committee shall consist of the following members.

##### **(a) For Appointment of Professors**

- i. Vice-Chancellor of the Academy as Chairman.
- ii. A person nominated by the Chancellor.
- iii. Dean of Faculty/head of the Deptt./ Chairman, Board of Studies, provided he is a Professor.
- iv. Three outside experts nominated by the Chancellor from a panel of not less than six names recommended by the Academic Council and approved by the Board of Management.

##### **(b) For Appointment of Reader and Lecturers**

- i. Vice-Chancellor-Chairman.
- ii. A person nominated by the Chancellor of the Academy.
- iii. Dean Faculty/Head of the Deptt./ Chairman, Board of Studies provided he is a Professor, or Reader.
- iv. Two outside experts nominated by the Chancellor from a panel of not less than six names recommended by the Academic Council and approved by the Board of Management.

III) Meetings

- (a) The meetings of the Selection Committee will be convened by the Chairman of the Selection Committee as and when necessary.
- (b) Four members of the Selection Committee shall form the quorum, consisting of at least two experts.
- (c) If the Board of Management is unable to accept the recommendations of the Selection Committee, it shall record its reasons about it and submit the case to the Chancellor whose decision shall be final in the matter.

**R-13) Board of Studies**

- I There shall be one Board of Studies for each Department of the Academy.
  - II The Board of Studies of each Department shall consist of
    - (a) Head of the Department - Chairman
    - (b) All Professors of the Department
    - (c) Two Readers of the Department by rotation according to seniority
    - (d) Two Lecturers of the Department by rotation according to seniority.
    - (e) Not more than 2 persons to be co-opted for their expert knowledge including those belonging to the concerned profession or industry.
- The powers and functions of the Board of Studies shall be prescribed by the Bye-laws of the Academy.

**R-14) Grievance Redressal Machinery**

For individual grievance and complaint, every institution shall have a Grievance Redressal Machinery as may be prescribed in the Bye-Laws.

**15) Officers of the Academy**

The following shall be the officers of the Academy.

- (i) Vice-Chancellor
- (ii) Registrar
- (iii) Finance Officer,
- (iv) Such other officers as may be prescribed by the Bye-laws.

**(a) Chancellor**

The Academy shall have a Chancellor who by virtue of his office be the Head of the Academy and shall when present, preside over the convocations of the Academy. He shall be appointed by the sponsoring Society and shall hold office for a period of 5 years.

Where power is conferred upon the Chancellor to nominate persons to authorities, the Chancellor shall to the extent necessary nominate persons to represent the various interests for the furtherance of the objectives of the Academy.

**(b) Vice-Chancellor**

The Vice-Chancellor shall be a whole time salaried officer of the Academy and shall be appointed by the Chancellor from a panel of three names suggested by a Search Committee. The composition of the above Committee would be :-

- i) A nominee of the Chancellor of the Academy.
- ii) A nominee of the Central Government.
- iii) A nominee of the Chairman UGC.

Provided further that if the Chancellor does not approve of any of these persons so recommended, he shall call for a fresh panel.

The Vice-Chancellor shall hold office for a term of 5 years. He shall not be eligible for reappointment.

Provided that not withstanding the expiry of the said period of 5 years, he can continue in office till his successor is appointed and assumes office but not beyond six months.

Provided further that a person appointed as Vice-Chancellor shall retire from office during the tenure of his office of extension, thereof, if any, he completes the age of 65 years.

If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise and in his absence due to illness or any other cause, the Dean or if there is no Dean, the senior most Professor shall perform the duties of Vice-Chancellor until a new Vice-Chancellor is appointed or as the case may be, the existing Vice-Chancellor resumes duties.

i) The Vice-Chancellor, shall be the Principal and executive officer of the Academy and shall exercise general supervision or control over the affairs of the Academy and implement the decisions of all the authorities of the Academy.

ii) The Vice-Chancellor may, if he is of the opinion that immediate action is called for on any matter exercise any power conferred upon any Authority of the Academy under the Memorandum of Association and the Rules and Regulations/By-laws, take such action or proceed to take such action and shall report to the concerned Authority on the action taken by him on such matters.

Provided that if the Authority concerned as mentioned in clause (i) above, is of the opinion that such action ought not to have been taken, it may refer the matter to the Chancellor whose decision thereon shall be final.

Provided further that any person in the service of the Academy is aggrieved by the action taken by the Vice-Chancellor under the said clause he shall have the right to appeal against such action to the Board of Management within 30 days from the date on which such action is communicated to him and thereupon the Board of Management may confirm, modify or reverse the action taken by the Vice-Chancellor.

iii) The Vice-Chancellor, unless otherwise provided, shall be the Ex-officio Chairman of the Board of Management, the Academic Council and the Finance Committee.

iv) It shall be the duty of the Vice-Chancellor to ensure that the Memorandum of Association, the Rules, Bye-laws and Regulations of the Academy are duly observed and implemented and he shall have necessary powers in this regard.

v) The Vice-Chancellor shall exercise general control over the affairs of the Academy and shall be mainly responsible for implementation of the decisions of the various authorities of the Academy.

vi) All powers relating to the proper maintenance and discipline of the Academy shall be vested in the Vice-Chancellor.

vii) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be Prescribed by the rules and Bye-laws and Regulations.

viii) The Vice-Chancellor shall exercise all other powers as may be delegated to him by the Board of Management.

ix) The Vice-Chancellor shall have the power to re-delegate some of his powers to any of

his subordinate officers with the concurrence and approval of the Board of Management.

- x) The Vice-Chancellor shall have the power to convene or cause to be convened meeting of the various bodies of the Academy.

**(c) Head of the Department**

- (i) There shall be a Head of the Department for each of the Departments in the Academy who shall be appointed by the Vice-Chancellor from amongst the Professors of the Department.

Provided that if there is no Professor in the department, the Vice-Chancellor may appoint a Reader as Head of the Department.

- ii) The term of appointment of the Head of the Department shall normally be 3 years and he shall be eligible for reappointment for one more term.
- iii) The powers and functions of the Head of the Department shall be prescribed by the bye-laws of the Academy.

**(d) Registrar**

- (a) The Registrar shall be a whole-time salaried officer of the Academy and shall be appointed by the Board of Management on the recommendations of the Selection Committee consisting of the following :-

- i) Vice-Chancellor - Chairman
- ii) One nominee of the Chancellor of the Academy.
- iii) One nominee of the Board of Management
- iv) One expert appointed by the Board of

Management who is not an employee of the Academy.

- (b) The emoluments and other terms and conditions of service of the Registrar shall be as may be prescribed by the Bye-laws.

- (c) When the office of the Registrar is vacant or when the Registrar is absent by reason of illness or any other reason the duties and functions of the Registrars shall be performed by such other person as the Vice-Chancellor may appoint for the purpose.

- (d) The Registrar shall be ex-officio Secretary of the Board of Management, the Academic Council, Planning and Monitoring Board but shall not be deemed to be a member of any of these authorities.

- (e) The Registrars shall be directly responsible to the Vice-Chancellor of the Academy.

- (f) The following shall be the duties of the Registrar

- (i) To be Custodian of the records, the funds of the Academy and such other property of the Academy as the Board of Management may commit to his charge.

- (ii) To conduct the official correspondence on behalf of the authorities of the Academy.

- (iii) To issue notice convening meetings of the authorities of the Academy and all Committees and sub-Committees appointed by any of these authorities.

- (iv) To keep the minutes of the meetings of all the authorities of the Academy and of all the Committees and Sub-committees appointed by any of these authorities.

- (v) To make arrangements for and supervise the examinations conducted by the Academy.
- (vi) To represent the Academy in suits or proceedings by or against the Academy, sign powers of attorney, perform pleadings or depute his representatives for this purpose.
- (vii) To enter into agreement, sign documents and authenticate records on behalf of the Academy.
- (viii) To hold in special custody books and documents of the Academy.
- (ix) To safeguard and maintain the buildings, gardens, office, canteen, cars and other vehicles, laboratories, libraries, reading rooms, equipment and other properties of the Academy.
- (x) To perform such other duties as may be specified in the Rules and Bye-laws or as may be specified by the Board of Management or the Vice-Chancellor from time to time.

**(e) Finance officer**

The Finance Officer shall be whole time salaried officer of the Academy and shall be appointed by the Board of Management preferably on deputation from a panel of names submitted by the State Govt. / Central Govt. The emoluments and other terms and conditions of service of the Finance shall be as may be prescribed by the Bye-laws.

The Finance Officer shall work under the supervision for the Vice-Chancellor and is accountable to the Board of Management through the Vice-Chancellor. He would be the Ex-officio non-Member Secretary of the Finance Committee. He would be

an advisor to the Vice-Chancellor for financial matters.

Subject to the control of the Board of Management to manage properly any investment of the Academy, he shall be responsible for the preparation of annual estimates any statements of account for submission to the Finance Committee and the Board of Management.

**R-16) Seniority List**

- (a) Whenever in accordance with these Rules, any person is to hold an office or to be a member of an Authority of the Academy by rotation according to seniority, such seniority shall be determined according to the length of the continuous service of such person in grade and in accordance with such other principles as the Board of Management may from time to time prescribe.
- (b) It shall be the duty of the Registrar to prepare and maintain in respect of each class of persons to whom the provisions of these rules apply, a complete and up-to-date seniority list in accordance with the provisions of the foregoing clause.
- (c) If two or more persons have equal length of continuous service in a particular grade or the relative Seniority of any person or persons is in doubt, the Registrar may on his own notion and shall at the request of any such person, submit the matter to the Board whose decision shall be final.

**R-17) Delegation of Powers**

Subject to the Provisions of these Rules and Bye-laws any Officer or Authority of the Academy may delegate his or its power to any other officer or Authority or person under their respective control and subject to the conditions that the overall responsibility for exercise of the Powers so delegated shall continue to rest in the Officer or Authority delegating such powers.

**R-18) Dispute as to Membership**

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 any Committee to the Academy, the matter shall be referred to the Chancellor of the Academy, whose decision thereon shall be final.

**R-19) Right of Central Government to Inspect the Academy**

i) The Government of India, shall have the right to cause an inspection to be made by such person or persons as it may direct, of the Academy, its buildings, fixtures and fittings, laboratories and equipment as also examinations, teaching and other work carried on or done by the Academy and, if necessary, to cause an inquiry to be made in respect of any matter connected with the administration or finances of the Academy.

ii) The Government of India, shall, in every case, give notice to the Academy of its intention to cause an inspection or inquiry to be made and on receipt of such a notice the Academy shall have the right to make such representations to the Government of India as it may consider necessary.

iii) Where an inspection or inquiry has been caused to be made by the Government of India the Academy shall be entitled to appoint a representative who shall have the right to be present and to be heard at such inspection or inquiry.

iv) The Government of India may communicate the result of such inspection or inquiry together with such advice as it may be pleased to offer as to the action to be taken by the Academy to the Vice-Chancellor of the Academy who shall communicate the same to the Board of Management.

v) The Board of Management shall give proper consideration to the said communication regarding the result of inspection or inquiry and the proposals for action by the Academy and communicate to the

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Government of India the action, if any, which it proposes to take or has taken upon the result of such inspection or inquiry.

(vi) Where the Board of Management does not, within a reasonable time, take any action to the satisfaction of the Government of India, the Government of India may after giving due consideration to the explanation furnished or representation made by the Board of Management to it, issue such directions as it may think fit and the Board of Management shall comply with such directions.

**R-20) Review of the Academic Activities of the Academy**

i) The functions of the Academy shall be reviewed after a period of every 5 years or even earlier, if necessary, by a Committee appointed by the University Grants Commission.

ii) The report of the Committee shall be considered by the Commission. In the event of an adverse appraisal of the Academy, the commission shall direct the Academy to take immediate remedial measures. In the event of noncompliance of the Commission's directions within the specified period as determined by the UGC in this respect, the Commission shall have the right to recommend to the Government of India for the revocation of the Notification issued earlier declaring an Institution as deemed to be University.

**R-21) Resignation**

Any member other than an ex-officio member of any Authority may resign by a letter addressed to the Registrar and the resignation shall take effect as soon as it is accepted by the Chancellor as the case may be or the Chairman of the Board of Management.

**R-22) Acting Chairman of the Meetings**

Where no provision is made for Chairman to preside over a meeting of an Authority of the Academy or any Committee

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of such Authority, or if the Chairman so provided is absent, the members shall select one from amongst themselves to preside at such meeting.

### **R-23) Validation of Certain Acts, Decisions**

No act proceedings of any Authority or any body or any Committee of the Academy shall be invalid merely by reason of

- (a) any vacancy therein or any defect in the constitution thereof, or
- (b) any defect in the nomination of appointment of a person acting as a member thereof, or
- (c) any irregularity in its procedure not affecting the merits of the case.

### **R-24) Disqualification**

(a) A person shall be disqualified for having been chosen as and for being a member of any of the authorities of the Academy.

- i) If he is of unsound mind or is deaf or mute
  - ii) If he is an undischarged insolvent
  - iii) If he has been convicted by a court of law of an offence involving more turpitude.
- (b) If any question arises as to whether a person is or has been subjected to any disqualifications mentioned above, the question shall be referred for decision to the Chancellor and his decision shall be final and no suit or proceeding shall lie in any civil court against such decision.

### **R-25) Filling of Casual Vacancies**

Casual vacancies among the members (other than ex-officio members) of any Authority or any other Committee of the Academy shall be filled as soon as it may be convenient by the person or the Authority who appointed or co-opted the member whose place has become vacant and the person appointed or co-opted to a casual vacancy shall be a member of such Authority or Committee for the residual term for which the person whose place he fills would have been a member.

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### **R-26) Bye-laws**

Subject to the provisions of the Memorandum of Association and the Rules and Bye-Laws, the Board of Management shall in addition to all other powers vested in it, have the power to frame bye-laws which may provide for all or any of the following matters.

- (a) Establishment of Department of teaching and halls of residence.
- (b) The admission of students to the Academy and their enrolment as such.
- (c) The courses of study to be laid down for all degrees, diplomas and certificates of the Academy.
- (d) The grant of academic awards (such as degrees and diplomas) and distinctions.
- (e) The fees to be charged for courses of study in the Academy and for admission to the examinations, degrees, diplomas and certificates of the Academy.
- (f) The institution of and prescription of the conditions of the award of fellowships, scholarships, studentships, medals and prizes.
- (g) The conduct of examinations, appointment of examiners and approval and publication of results thereof.
- (h) The maintenance of discipline among the students,
- (i) The maintenance of discipline among the employees of the Academy.
- (j) The conditions of residence and health of students of the Academy.
- (k) The classification, emoluments, method of appointment, and the determination of the terms and conditions of service of the teaching staff of the Academy.
- (l) The constitution of pension, provident fund, insurance etc. for the benefit of the officers, teachers, Academic Staff and the other staff of the Academy.

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- (m) The establishment of special centres.
- (n) The creation, composition and functions of any Committees or body, which is considered necessary for the work of the Academy.
- (o) The preparation and submission of budget estimates.
- (p) The procedure for convening of meeting of any Authority or Committee.
- (q) The laying down of procedures to be observed at any meeting of any Authority or any Committees.
- (r) To constitute any other body as an Authority of the Academy.
- (s) All other matters which by this Memorandum or the Rules may be provided for by the Bye-laws provided that no Bye-laws shall be made affecting the condition of residence, health of disciplines of student, admission or enrolment of students, conditions, mode of appointment or duties of examiners or the conduct or standard of examinations or any course of study without consulting the Academic Council.

**R-27) Interpretation Clause**

In the event of conflict of opinion with regard to interpretation of Memorandum of Association or the Rules and Bye-laws, the opinion of the UGC shall be final.

**R-28) Income and property of the Academy to be utilized for its object only**

The income and property of the Academy howsoever derived shall be utilized solely for promoting the objects of the Academy as set out in this Memorandum of Association.

**R-29) Bar on payment of Transferring of the income and property of the Academy by way of profit**

No portion of the income and property of the Academy shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise howsoever by way of profit to the persons

who were at any time or are members of the Academy or to any of them or any persons claiming through them or any of them provided that nothing herein contained shall prevent the payment in goods faith of remuneration to any member thereof or other person as consideration for any service rendered to the Academy or for travelling or other allowances and such other charges.

**R-30) Adjustment of Income and property on Dissolution of the Academy**

After, on the winding up or dissolution of the Academy there shall remain after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the members of the Academy or any of them but shall be transferred to the Academy, or other bodies in consultation with the agencies concerned who have helped in creation of those assets.

**R-31) Legal Proceedings**

i) For the purpose of Section 6 of the Societies Registration Act, 1860, the person in whose name the Academy may sue or be sued shall be the Registrar.

ii) No suit or legal proceedings shall lie against the Central Government or UGC or the Academy or an Officer of the Academy or a member of the Authority of the Academy in respect of anything done or purported or intended to be done in pursuance of any article of Memorandum of Association or the Rules of Bye-laws made thereunder.

**R-32) Alterations, Amendments, and Additions in the Rules**

The Rules and Bye-laws of the Academy may be altered, amended and added to by the Board of Management in accordance with the provision of the Societies Registration Act, 1860, as in force for the time being provided any such alterations, amendments and additions in the Rules of the Academy shall become effective only after the receipt of concurrence of the Government of India.

**R-33) Funds, Accounts, Audits and Annual Report**

- (i) The funds of the Society shall be utilised solely for the purpose of Society.
- (ii) The accounts of the Academy shall be maintained in the name of the Academy and not in the name of a particular trust or Society whether financing or sponsoring the Academy or not. The accounts of the Academy shall be kept in such forms as may be laid down by the Board of Management and shall conform to the rules, if any, prescribed by the University Grants Commission / the Government of India. The accounts of the Academy will be open to examination by the Comptroller and Auditor General of the Government of India.
- (iii) All funds belonging to the Academy or under the control of the Board of Management shall be shown separately in the accounts of the Academy.
- (iv) Annual Reports and the Audit Reports shall be submitted to the Government of India within nine months of the closure of the accounting year for the purpose of being laid down on the table of the Parliament.
- (v) The accounts of income and expenditure as also the annual financial statement and annual accounts shall be audited by the Comptroller and Auditor General of India through the Accountant General of the State concerned.

