

UNIVERSITY OF DELHI

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(Revised up to 2002)

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Revised up to Feb., 2004

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Ordinances

(Revised up to Oct. 2004)



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Act No. VIII of 1922

*(As amended by Act No. XXIV of 1943)
(Further amended by Act No. V of 1952)
(Further amended by Act No. 61 of 1961)
(Further amended by Act No. 35 of 1970)
(Further amended by Act No. 48 of 1972)
(Further amended by Act No. 27 of 1981)
(Further amended by the Act No. 43 of 2002)*

(AS PASSED BY PARLIAMENT)

(Act No. VIII of 1922 received the assent of the Governor-General on the 5th March, 1922, Act No. XXIV of 1943 received the assent of the Governor-General on the 10th September, 1943. Act No. V of 1952 received the assent of the President on the 23rd February, 1952. Act No. 61 of 1961 received the assent of the President on the 19th December, 1961. Act No. 35 of 1970 received the assent of the President on the 4th September, 1970. Act No. 48 of 1972 received the assent of the President on the 3rd September 1972. Act No. 27 of 1981 received the assent of the President on the 11th September, 1981). Act No. 43 of 2002 received the assent of the President on the 25th September, 2002.

Note: The portions printed in italics represent the amendments made by the Delhi University (Amendment) Act, 1952, the Delhi University (Amendment) Act, 1961, the Delhi University (Amendment) Act, 1970, the Delhi University (Amendment) Act, 1972, and the Delhi University (Amendment) Act, 1981.

AN ACT TO ESTABLISH AND INCORPORATE a *teaching and affiliating University* at DELHI.

WHEREAS it is expedient to establish and incorporate a *teaching and affiliating University* at Delhi; It is hereby enacted as follows:

1. (1) This Act may be called THE DELHI UNIVERSITY ACT, 1922. **Short Title and Commencement**
(2) It shall come into force on such date as the Central Government may, by Notification in the 'Gazette of India', direct*

2. In this Act and in the Statutes, unless there is anything repugnant **Definition** in the subject or context:

*Act No. VIII of 1922 came into force on 1st May, 1922.
Act No. XXIV of 1943 came into force on 10th September, 1943.
Act No. V of 1952 came into force on 1st March, 1952.
Act No. 61 of 1961 came into force on 1st February, 1962.
Act No. 35 of 1970 came into force on 4th September, 1970.
Act No. 48 of 1972 came into force on 22nd June, 1972.
Act No. 27 of 1981 came into force on 11th September, 1981.
Act No. 43 of 2002 came into force on 25th September, 2002

THE ACT

- (a) 'College means an institution maintained or admitted to its privileges by the University and includes an Affiliated College and a Constituent College;

Explanation I. 'Affiliated College' means an institution recognised by the University in accordance with the provisions of this Act and the Statutes in which instruction is provided in accordance with the provisions of the Statutes and Ordinances up to the Bachelor's degree, but exclusive of Honours and Post-graduate degrees;

Explanation II. 'Constituent College' means an institution recognised as such by the Executive Council in accordance with the provisions of this Act and the Statutes;

- (b) 'Hall' means a unit of residence for students of the University provided, maintained or recognised by it;
- (c) 'Patron of the University' means a person who has made a donation of not less than one lakh of rupees to the funds of the University, and has been declared by the Chancellor to be a Patron of the University;
- (d) 'Principal' means the head of a College; and includes when there is no Principal, the person for the time being duly appointed to act as Principal, and in the absence of the Principal or the acting Principal, a Vice-Principal duly appointed as such;
- (e) *Omitted;*
- (f) 'Statutes', 'Ordinances' and 'Regulations' mean, respectively, the Statutes, Ordinances and Regulations of the University made under this Act;
- (g) 'Teachers' include Professors, Readers, Lecturers and other persons imparting instructions in the University or in any' College or Hall;
- (h) *Teachers of the University' means persons appointed or recognised by the University for the purpose of imparting instruction, in the University or in any College;*
- (i) 'University, means the University of Delhi; and
- (j) 'Warden' means the Head of a Hall.

THE UNIVERSITY

The University 3. (1) The first Chancellor and the first Vice-Chancellor of the University and the first members of the Court, the Executive. Council and the Academic Council and all persons who may hereafter become such officers or members so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of 'The University of Delhi'.

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(2) The University shall have perpetual succession and a Common Seal, and shall sue and be sued by the said name.

4. The University shall have the following powers, namely:

**Powers
of the
University**

(1) to provide for instruction in such branches of learning as the University may think fit, and to make provision for research and for the advancement and dissemination of knowledge,

(2) to hold examinations and to grant to, and confer degrees and other academic distinctions on, persons who-

- (a) have pursued a course of study in the University or in any College, or
- (b) are Non-collegiate Women students residing within the territorial jurisdiction of the University or
- (c) are teachers in educational institutions, under conditions laid down in the Statutes and Ordinances and have passed the examinations of the University under like conditions, or
- (d) have pursued a course of study by correspondence, whether residing within the territorial jurisdiction of the University or not, or
- (e) have been registered by the University, subject to such conditions as may be laid down in the Statutes. and Ordinances. as external candidates, being persons residing within the territorial limits to which the powers of the University extend.

(3) to confer honorary degrees or other distinctions, on approved persons in the manner laid down in the Statutes,

(4) to grant such diplomas to, and to provide such lectures and instruction for, persons not being members of the University, as the University may determine,

(5) to co-operate with other Universities and Authorities in such manner and for such purposes as the University may determine,

(6) to institute Professorships, Readerships, Lectureships and any other teaching posts required by the University,

(7) to appoint or recognise persons as Professors, Readers, or Lecturers, or otherwise as teachers of the University,

(8) to institute an award Fellowships, Scholarships, Exhibitions and Prizes* **,

(9) to maintain Colleges and Halls, to admit to its privileges Colleges not maintained by the University and to withdraw all or any of those privileges, and to recognise Halls, not maintained by the University and to withdraw any such recognition,

(9-A) to declare. with the consent of the colleges concerned, in the manner specified by the Academic Council, Colleges conducting

THE ACT

courses of study in the Faculties of Medicine, Technology, Music or Fine Arts, as autonomous Colleges;

Provided that the extent of the autonomy which each such College may have, and matters in relation to which it may exercise such autonomy, shall be such as may be prescribed by the Statutes.

(9-B) to set up one or more College Administrative Councils for two or more Colleges with such composition, powers and functions as may be laid down in the Statutes,

(10) to demand and receive payment of such fees and other charges as may be authorised by the Ordinances,

(11) to supervise and control the residence and discipline of students of the University, and to make arrangements for promoting their health and general welfare,

(11-A) to make grants from the funds of the University for assistance to forms of extra-mural teaching,

(12) to make special arrangements in respect of the residence, discipline and teaching of women students,

(12-A) to acquire, hold, manage and dispose of property, movable or immovable, including trust or endowed property, for the purposes of the University,

(12-B) with the approval of the Central Government, to borrow, on the security of University property, money for the purposes of the University,

(12-C) to create administrative and ministerial and other necessary posts and to make appointments thereto, and

(13) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a teaching and examining body, and to cultivate and promote Arts, Science and other branches of learning.

Territorial Exercise of Powers 5. (1) Save as otherwise provided in this Act, the powers of the University conferred by or under this Act [other than those conferred by Sub-clause (d) of Section 4] shall not extend beyond the limits of the State of Delhi and notwithstanding anything in any other law for the time being in force, no educational institution beyond those limits shall be associated with or admitted to any privileges of the University.

THE ACT

Proviso (Omitted).

(1-A) Notwithstanding anything contained in sub-section (1), the Central Government may, if it is of opinion that it is necessary or expedient so to do in the public interest, direct, by order in writing, the University to admit to its privileges any institution situated outside India and the University shall be bound to comply with such direction.

(2) Notwithstanding anything in any other law for the time being in force, no educational institution within the *afore-mentioned limits* shall be associated in any way with or be admitted to any privileges of any other University incorporated by law in India, and any such privileges granted by any such other University to any educational institution within *those limits* prior to the commencement of this Act shall be deemed to be withdrawn on the commencement of this Act:

Provided that the Central Government may by order in writing, direct that the provisions of this sub-section shall not apply in the case of any institution specified in the order.

“Provided further that provisions of this sub-section shall not apply in the case if any educational institution affiliated to the Indraprastha Vishwavidyalaya incorporated under the the Indraprastha Vishwavidyalaya Act, 1998”.

6. The University shall be open to all persons of either sex and of whatever race, *creed, caste or class*, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto, as a teacher or student, or to hold any office therein, or to graduate thereat, or to enjoy or exercise any privilege thereof, except* ** in respect of any particular benefaction accepted by the University, where such test is made a condition thereof by any testamentary or other instrument creating such benefaction:

University open to all Classes, Castes and Creeds

Provided that nothing in this Section shall be deemed to prevent religious instruction being given in the manner prescribed by the Ordinances to those *who have consented to receive it*.

7. (1) All recognised teaching, in connection with the University courses shall be conducted under the control of the Academic Council by teachers of the University, and shall include lecturing, laboratory work and other teaching conducted in accordance with any syllabus prescribed by the Regulations.

Teaching of the University

(2) Omitted

(3) The authorities responsible for organising such teaching, shall be prescribed by the Statutes.

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(4) The Courses and curricula shall be prescribed by the Ordinances and, subject thereto, by the Regulations.

(5) Omitted.

Visitor 7 -A (1) *The President of India shall be the Visitor of the University.*

(2) *The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, laboratories and equipment and of any institution maintained by the University, and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the University.*

(3) *The Visitor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.*

(4) *The Visitor may address the Vice-Chancellor with reference to the result of such inspection and inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the Visitor with such advice as the Visitor may offer upon the action to be taken thereon.*

(5) *The Executive Council shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or inquiry.*

(6) *Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit and the Executive Council shall be bound to comply with such directions.*

(7) *Without prejudice to the foregoing provisions of this Section the Visitor may, by order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes or the Ordinances:*

Provided that before making any such order he shall call upon the University to show cause why such an order should not be made and, if any cause is shown within a reasonable time, shall consider the same.

Chief Rector and Rectors 7-B. (1) *The Chief Commissioner of the State of Delhi shall be the Chief Rector of the University.*

(2) *Such persons, as may be appointed in this behalf in accordance with the Statutes, shall be the Rectors of the University.*

OFFICERS OF THE UNIVERSITY

Officers of the University 8. The following shall be the Officers of the University:
(i) the Chancellor,
(ii) the Pro-Chancellor,

THE ACT

(iii) the Vice-Chancellor,

(iv) *the Pro-Vice-Chancellor, if any,*

(v) *the Treasurer,*

(vi) the Registrar,

(vii) the Deans of the Faculties, and

(viii) such other persons in the service of the University as may be declared by the Statutes to be officers of the University.

9. Omitted.

10. Omitted.

11. Omitted.

12. Omitted.

13. Omitted.

14. Omitted.

15. Omitted.

16. *Subject to the provisions of this Act, the powers and duties of the Officers of the University, the terms for which they shall hold office and the filling of casual vacancies in such offices shall be provided for by the Statutes.*

AUTHORITIES OF THE UNIVERSITY

17. The following shall be the Authorities of the University : **Authorities of the University**

(i) The Court,

(ii) The Executive Council,

(iii) The Academic Council,

(iii-a) The Finance Committee,

(iv) The Faculties and

(v) such other authorities as may be declared by the Statutes to be authorities of the University.

18. *The Court shall be the Supreme authority of the University and shall have the power to review the acts of the Executive Council and the Academic Council (save when these authorities have acted in accordance with the power conferred upon them under this Act, the Statutes, or the Ordinances) and shall exercise all the powers of the University not otherwise provided for by this Act or the Statutes.* **The Court**

19. Omitted.

20. Omitted.

21. The Executive Council shall be the executive 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. **The Executive Council**

22. Omitted.

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The Academic Council 23. The Academic Council shall be the academic body of the University and 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. It shall have the right to advise the Executive Council on all academic matters. The constitution of the Academic Council and the term of office of its members, other than *ex-officio*, members, shall be prescribed by the Statutes.

24. *Omitted.*

Powers and Duties of Authorities of the University 25. *Subject to the provisions of this Act, the Constitution, powers and duties of the authorities of the University shall be provided for by the Statutes*

UNIVERSITY BOARDS

University Boards 26. The University shall include a Residence, Health, and Discipline Board and such other Boards as may be prescribed by the Statutes.

Constitutions etc. of Boards to be prescribed by Ordinances 27. The constitution powers and duties of the Residence, Health and Discipline Board, and all other Boards of the University shall be prescribed by the Ordinances.

STATUTES, ORDINANCES AND REGULATIONS

Statutes 28. *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 Court, the Executive Council, the Academic Council, the Finance Committee and such other bodies as may be deemed necessary to constitute from time to time :*
- (b) *the election and continuance in office of the members of the said bodies, including the continuance in office of the first members, and, the filling of vacancies of members and all other matters relative to those bodies for which it may be necessary or desirable to provide;*
- (c) *the appointment, powers and duties of the Officers of the University;*
- (d) *the constitution of a pension or Provident Fund and the establishment of an Insurance Scheme for the benefit of the officers, teachers and other employees of the University.*
- (e) *the conferment of honorary degrees;*
- (f) *the withdrawal of Degrees, Diplomas. Certificates and other Academic distinctions;*

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- (g) *the establishment and abolition of Faculties, Departments, Halls. Colleges and Institutions;*
- (h) *the conditions under which Colleges and other institutions may be admitted to the privileges of the University and the withdrawal of such privileges:*
- (hh) *the extent of the autonomy which a College. declared as an autonomous College under Clause 9(a) of Section 4, may have and the matters in relation to which such autonomy may be exercised;*
- (hhh) *the composition, powers and functions of College Administrative Councils:*
- (i) *the institution of Fellowships, Scholarships, Student-ships, Exhibitions, Medals and Prizes; and*
- (j) *all other matters which by this Act are or may be provided for by the Statutes.*

29. (1) On the commencement of the Delhi University (Amendment) Act, 1943, Statutes of the University shall be those set out in the Schedule*. **Statutes how made**

(2) *The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes :*

Provided that the Executive Council shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council:

Provided further that except with the prior concurrence of the Academic Council, the Executive Council shall not make, amend or repeal any Statute affecting all or any of the following matters, namely:

- (i) *the constitution, powers and duties of the Academic Council, and the other powers which may be conferred and duties which may be imposed on the Academic Council;*
- (ii) *the authorities responsible for organising recognised teaching in connection with the University courses;*
- (iii) *the withdrawal of Degrees, Diplomas, Certificates and other academic distinctions;*
- (iv) *the establishment and abolition of Faculties, Departments, Halls, Colleges and Institutions;*

*See also Section 26 of Delhi University (Amendment) Act, 1952.
Act No. V of 1952-Temporary provisions for Amendment of Statutes.

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- (v) *the conditions under which Colleges and other Institutions may be admitted to the privileges of the University and the withdrawal of such privileges;*
- (vi) *the institution of Fellowships, Scholarships, Studentships, Exhibitions, Medals and Prizes;*
- (vii) *the extent of the autonomy which a College may have and the matters in relation to which such autonomy may be exercised;*
- (viii) *the composition, powers and functions of College Administrative Councils; and*
- (ix) *the conditions on the fulfilment of which the teachers of Colleges and Institutions may be recognised as teachers of the University.*

(3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the previous approval of the Visitor who may sanction, disallow or return it to the Executive Council for further consideration.

Ordinances

30. *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 students to the University and their enrolment as such;*
- (b) *the courses of study to be laid down for all Degrees, Diplomas and Certificates of the University;*
- (c) *the Degrees, Diplomas, Certificates and other Academic distinctions to be awarded by the University, the qualifications for the same, and the means to be taken relating to the granting and obtaining of the same;*
- (d) *the fees to be charged for courses of study in the University and for admission to the Examinations, Degrees and Diplomas of the University;*
- (e) *the conditions of the award of Fellowships, Scholarships, Studentships, Exhibitions, Medals and Prizes;*
- (f) *the conduct of examinations, including the terms of office and manner of appointment and the duties of examining bodies, examiners and moderators;*
- (g) *the maintenance of discipline among the students of the University;*
- (h) *the conditions of residence of students at the University;*
- (i) *the special arrangements, if any, which may be made for the residence, discipline and teaching of women students, and prescribing for them of special courses of study;*

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- (j) *the giving of religious instruction;*
- (k) *the emoluments and the terms and conditions of service of teachers of the University;*
- (l) *the management of Colleges and other Institutions founded or maintained by the University;*
- (m) *the supervision and inspection of Colleges and other Institution admitted to privileges of the University; and*
- (n) *all other matters which by this Act or the Statutes are to be or may be provided for by the Ordinances.*

31. (1) *The Ordinances of the University as in force immediately before the commencement of the University (Amendment) Act, 1952, may be amended, repealed or added to at any time by the Executive Council:*

**Ordinances
how made**

Provided that-

- (i) *no Ordinance shall be made affecting the conditions of residence or discipline of students, except after consultation with the Academic Council;*
- (ii) *no Ordinance shall be made-*
 - (a) *affecting the admission or enrolment of students or prescribing examinations to be recognised as equivalent to the University examinations. or*
 - (b) *affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examinations or any course of study;**unless a draft of such Ordinance has been proposed by the Academic Council.*

(2) *The Executive Council shall not have power to amend any draft proposed by the Academic Council under the provisions of Sub-section (1) 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.*

(3) *Where the Executive Council has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the Central Government and the Central Government, may, by order, direct that the proposed Ordinance shall be laid before the next meeting of the Court for its approval and that pending such approval it shall have effect from such date as may be specified in the order :*

Provided that if the Ordinance is not approved by the Court at such meeting, it shall cease to have effect.

THE ACT

(4) All Ordinances made by the Executive Council shall be submitted, as soon as may be, to the Visitor and the Court, and shall be considered by the Court at its next meeting and the Court shall have power, by a resolution passed by a majority of not less than two-thirds of the members voting, to cancel any Ordinance made by the Executive Council, and such Ordinance shall from the date of such resolution cease to have effect.

(5) The Visitor may, by order, direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance, and any order of suspension under this Sub-section shall cease to have effect on the expiration of one month from the date of such order or on the expiration of fifteen days from the date of consideration of the Ordinance by the Court, whichever period expires later.

(6) The Visitor may, at any time after an Ordinance has been considered by the Court, signify to the Executive Council his disallowance of such Ordinance, and from the date of receipt by the Executive Council of intimation of such disallowance such Ordinance shall cease to have effect.

Regulations

32. (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, the Statutes or the Ordinances are to be prescribed by Regulations; and
- (c) providing for all other matters solely concerning such authorities or committees appointed by them and not provided for by this Act, the 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 the keeping of record of the proceedings of meetings.

(3) The Executive Council may direct the amendment, in such nanner as it may specify, of any Regulation made under this Section or the annulment of any Regulation made under Sub-section (1) :

Provided that any authority or Board of the University which is dissatisfied with any such direction may appeal to the Court, whose decision in the matter shall be final.

THE ACT RESIDENCE

33. Every student of the University (*other than a student who pursues a course of study by correspondence*) shall reside in a College a Hall, or under such conditions as may be prescribed by ***the Ordinances. **Residence**

34. (1) The Colleges shall be such as may, after the commencement of the Delhi University (Amendment), Act, 1943, be recognised by the Executive Council in accordance with this Act and Statutes, but shall include all Colleges recognised at the commencement of the said Act as Colleges of the University so long as such recognition continues. **Colleges**

(2) The conditions of residence in the Colleges shall be prescribed by the Ordinances; and every College shall be subject to inspection by any member of the Residence, Health and Discipline Board authorized in this behalf by the Board and by any Officer of the University authorized in this behalf by the Executive Council.

35. (1) The Halls shall be such as may be maintained by the University or approved and recognised by the Executive Council on such general or special conditions as may be prescribed by the Ordinances. **Halls**

(2) The Wardens and superintending staff of the Halls shall be appointed in the manner prescribed by the Ordinances.

(3) The conditions of residence in the Halls shall be prescribed by the Ordinances, and every Hall shall be subject to inspection by any member of the Residence, Health and Discipline Board authorized in this behalf by the Board and by any officer of the University or other person authorized in this behalf by the Executive Council.

(4) The Executive Council shall have power to suspend or withdraw the recognition of any Hall which is not conducted in accordance with the conditions prescribed by the Ordinances.

36. Omitted.

37. Omitted.

ANNUAL REPORT AND ACCOUNTS

38. The Annual Report of the University shall be prepared under the direction of the Executive Council, and shall be submitted to the Court on or before such date as may be prescribed by the Statues, and shall be considered by the Court at its annual meeting. The Court may pass resolutions thereon and communicate the same to the Executive Council. **Annual Report**

39. (1) *The accounts of the University shall, once at least in every year at intervals of not more than fifteen months, be audited by the Comptroller and Auditor General of India.* **Audit of Accounts**

(2) *The accounts when audited, shall be published in the ‘Gazette of India’, and a copy of the accounts together with the audit report shall be submitted by the University to the Visitor.*

THE ACT
SUPPLEMENTARY PROVISIONS

40 .Omitted.

Disputes as to Constitution of University Authorities and Bodies 41 .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.

Constitution of Committees 42 .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 authority concerned and of such other persons (if any) as the authority in each case may think fit.

Filling of Casual Vacancies 43. 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.

Proceedings of University Authorities and Bodies not Invalidated by Vacancies 44. 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.

Conditions of Service of Officers and Teachers. 45. (1) *Every salaried officer and teacher of the University shall be appointed under a written contract, which shall be lodged with the University and a copy thereof furnished to the officer or teacher concerned.*

(2) *Any dispute arising out of a contract between the University and any of its officers or teachers shall, at the request of the officer or teacher 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 Visitor; and the decision of the Tribunal shall be final.*

Pension and Provident Fund 46. (1) The University shall constitute, for the benefit of its officers, teachers, clerical staff and servants, in such manner and subject to such conditions as may be prescribed by the Statutes, such pension, insurance and provident funds as it may deem fit.

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(2) Where any such pension, insurance or provident fund has been so constituted or where any such pension, insurance or provident fund has been constituted by a College under rules which have been approved by the Central Government, the Central Government may declare that the provisions of the Provident Funds Act, 1925, shall apply to such fund as if it were a Government Provident Fund.

47. Omitted.

48. Omitted.

TEMPORARY PROVISIONS FOR AMENDMENT OF STATUTES

[Vide Section 26 of the Delhi University (Amendment) Act, 1952]

The Central government may, by Notification in the Official Gazette, make such adaptations and modifications in the Statutes in force immediately before the commencement of this Act as in its opinion may be necessary or expedient to bring the provisions of the Statutes into accord with the provisions of the principal Act as amended by this Act:

Provided that nothing in this Section shall be deemed to empower the Central Government to make any adaptation or modification of any such Statutes after the expiration of three months from the date on which this Act is brought into force by the Central Government under Sub-section (2) of Section 1.

TRANSITIONAL PROVISIONS

Any officer or authority of the University exercising any functions under the principal Act immediately before the commencement of this Act, shall continue to exercise such functions until the corresponding new officer or authority is appointed, elected or constituted in accordance with the provisions of the principal Act as amended by this Act or the Statutes as adopted or modified under this Act.

THE SCHEDULE

THE STATUTES OF THE UNIVERSITY

[See Section 29 (1)]

Definition 1. In these Statutes, unless there is anything repugnant in the subject or context-

- (a) 'The Act' means the Delhi University Act, 1922, as amended from time to time and 'section' means, a section of the Act; and
- (b) 'Officers', 'Authorities', 'Professors', 'Readers', 'Lecturers', 'Clerical Staff', and 'Servants' mean, respectively, Officers, Authorities, Professors, Readers, Lecturers, Clerical Staff and Servants of the University*.

Court 2. (1) The Court shall consist of the following persons, namely :

Ex-Officio Members .-

- (i) Chancellor;
- (ii) Pro-Chancellor;
- (iii) Vice-Chancellor;
- (iv) Pro- Vice-Chancellor, if any;
- (v) Dean of Colleges;
- (vi) Director, South Campus;
- (vii) Treasurer;
- (viii) All former Vice-Chancellors;
- (ix) Librarian;
- (x) Proctor; and
- (xi) Dean of Students' Welfare,

Representatives of Departments and Colleges.-

- (xii) Heads of Departments of Studies;
- (xiii) Principals of Colleges; and

* (1) Professors in Statute 7(1) includes 'Honorary Professors',

(2). 'University Teachers', 'Readers and Lecturers', in Statute 2(1) (xv) includes 'University appointed Teachers', and 'Recognised Teachers and Readers'.

(3) 'Colleges' wherever it occurs in the Act or the Statutes applies to 'Recognised Institutions' (E.C. Res. Nos. 60 and 65, dated 30-7-1952).

(4) 'Lecturers' occurring in Statute 9(3) (iv) includes 'recognised teachers' (Lecturer) of Colleges and Institutions. (E.C. Res. No. 90, dated 12-8-1958).

STATUTES

(xiv) 'Professors who are not Heads of Departments and Principals of Colleges, in the following manner:

- (a) All Professors from Faculties other than Faculties of Medical Sciences and Technology;
- (b) Five Professors from the Faculty of Medical Sciences by rotation according to seniority;
- (c) Three Professors from the faculty of Technology by rotation according to seniority.

Representatives of University Teachers other than Professors :

- (xv) (a) Two Readers, by rotation according to seniority, who shall be members for a term of three years.
- (b) Five Lecturers, by rotation according to seniority, who shall be members for a term of three years.

(xvi) Ten persons elected by the Alumni Association from amongst its members in accordance with the Rules laid down in Appendices E' and 'X' to these Statutes.

Persons Representing certain Professions and Industry and Commerce:

(xvii) Not more than ten persons, belonging to any of the following professions, viz., (1) Law, (2) Medicine, (3) Engineering and Technology and (4) Auditing and Accountancy to be elected by the Court in accordance with the Rules laid down in Appendices 'F' and 'X' to these Statutes.

Explanation: A person shall not be regarded as eligible for election under the foregoing clause unless-

- (a) he holds qualifications entitling him to practise the profession concerned; and
- (b) immediately prior to the date of his signing the nomination paper....
 - (i) has been practising that profession for not less than 5 consecutive years, and
 - (ii) has also been a member of an association or society of members of that profession for not less than 2 years.

(xviii) Not more than six persons representing Industry and Commerce to be elected by the Court in accordance with the Rules laid down in Appendices 'F' and 'X' to these Statutes.

Representatives of Legislatures :

(xix) Three members of Parliament, two to be elected by the Lok Sabha, from among its own members, in such manner as the Speaker may direct and one to be elected by the Rajya Sabha from among its own members, in such manner as the Chairman may direct.

STATUTES

“Provided further that if a Member of Parliament becoming a Minister or Speaker/Deputy Speaker Lok Sabha or Deputy Chairman, Rajya Sabha his/her nomination/election on the Statutory Body shall be deemed to have been terminated.

Representatives of Delhi Legislative Assembly:

- (xxi) Two members to be elected by the Delhi Legislative Assembly of the N.C.T. of Delhi, from among its own members, in such manner as the Speaker may direct.

Representatives of Municipal Bodies :

- (xxii) Two members to be elected by the Municipal Corporation, Delhi, from among its own members, in such manner as the Mayor may direct and one member to be elected by the New Delhi Municipal Committee, New Delhi, from among its own members, in such manner as the Chairman may direct.

Representatives of Educational Boards :

- (xxiii) The Chairman, Central Board of Secondary Education, New Delhi, and one other member of the Board, nominated by the Board.

Nominated Members :

- (xxiv) (a) Not more than five persons to be nominated by the Visitor;
- (b) One person to be nominated by the Chief Rector; and
- (c) Not more than two persons to be nominated by the Chancellor :

Provided that no employee of the University or of a recognised College or Institution shall be eligible to be a member under any of the items (xvi), (xvii), (xviii), (xix), (xx), (xxi), (xxii) or (xxiii).

(2) If any body of persons entitled to elect a member fails to do so within the time prescribed by the Court, the Court may appoint as member any person when that body of persons could have elected as a member :

Provided that in the case of the first elections to the Court, after the commencement of the Delhi University (Amendment) Act, 1952, the powers conferred upon the Court by this clause shall be exercisable by the Executive Council.

(3) Save as otherwise expressly provided, a member of the Court shall hold office for a period of five years.

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3. An annual meeting of the Court shall be held on a date to be fixed by the Executive Council, unless some other date has been fixed by the Court in respect of any year. Any vacancies among the officers of the University or among the members of the Court or the Executive Council or the Finance Committee which ought to be filled by the Court shall be so filled up either at such annual meeting or at any other meeting convened by the Vice-Chancellor.

4. A report of the working of the University during the previous year, together with a statement of the receipts and expenditure, the balance sheet, as audited, and the financial estimates shall be presented to the Court at its annual meeting. **Executive Council**

5. (1) The Executive Council shall consist of the following persons, namely:

- (i) Vice-Chancellor;
- (ii) Pro-Vice-Chancellor;
- (iii) Dean of Colleges;
- (iv) Director, South Campus;
- (v) Director, Campus of Open Learning;
- (vi) Treasurer;
- (vii) Proctor; .
- (viii) Three Deans as specified below:
 - (a) Dean of the Faculty of Science;
 - (b) Dean of the Faculty of Arts or the Dean of the Faculty of Social Sciences, by rotation, according to the seniority of the Faculty with reference to the date of its establishment;
 - (c) One Dean from among the other Faculties by rotation, according to seniority of the Faculties with reference to the dates of their establishment;
- (ix) Three Principals, none of whom is a Dean or is eligible to be a Dean, by rotation, according to seniority, including at least one Principal of a Women's College;
- (x) Four persons, none of whom shall be an employee of the University or of a recognised College or Institution, elected by the Court from among its members in accordance with the Rules laid down in Appendices' A' and 'X' to these Statutes, at least one of those so elected being a member of the Alumni Association;
- (xi) Two persons elected from amongst themselves by the teachers of the University & Library staff of the rank of Professional Junior and above of the University Library & College Librarians other than the Deans of Faculties, the

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Principals of Colleges and the Proctor, the election to be held in accordance with the Rules laid down in Appendices 'H' and 'X' to these Statutes;

- (xii) Two persons nominated by the Visitor;
- (xiii) One person nominated by the Chancellor.

(2) No person shall be a member under item (ix) or (x) of Clause (1) for more than two terms.

(3) Members referred to in items (vii) (b) & (c), (viii) and (x) of Clause (1) shall hold office for a term of two years while those referred to in items (ix), (xi) and (xii) for a term of three years.

(4) Seven members of the Executive Council shall form a quorum.

Note : When the provisions of items (vii) (c) and (viii) of Clause (1) come into force, the Dean who is representing the Faculty which is junior and the junior-most Principal excluding that belonging to a Women's College in case there is only one, shall cease to be the members of the Council and the other Dean and three remaining Principals shall continue to be members for the unexpired portion of their respective terms.

6. (1) The Executive Council shall, subject to the control of the Court, have the management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of the Act, the Statutes and the Ordinances, the Executive Council shall in addition to all other powers vested in it, have the following powers, namely:

- (i) to appoint, from time to time, the Registrar, Librarian, Principals of Colleges and Institutions established by the University and such Professors, Readers, Lecturers and other members of the teaching staff as may be necessary on the recommendations of Selection Committees constituted for the purpose;

Provided that no action shall be taken by the Executive Council, except in cases covered by the second proviso, in respect of the number, qualifications and the emoluments of teachers otherwise than after consideration of the recommendations of the Academic Council:

Provided further it shall not be necessary to constitute any Selection Committee for making appointment :

- (a) to any supernumerary post; or
- (b) to the post of a Professor of a person of high academic distinction, eminence and professional attainment invited by the Executive Council to accept the post;

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- (ii) to create administrative, ministerial and other necessary posts, to determine the number and emoluments of such posts, and to appoint persons to such posts on such terms and conditions of service as may be prescribed by the Ordinances in this behalf, or to delegate the powers of appointments to such authority or authorities or officer or officers as the Executive Council may, from time to time, by resolution, either generally or specially direct;
- (iii) to grant leave of absence to any officer of the University, other than the Chancellor, the Pro-Chancellor and the Vice-Chancellor and to make the necessary arrangements for the discharge of the functions of such officer during his absence;
- (iv) to manage and regulate the finances, 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;
- (v) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares or securities. as it may, from time to time, think fit, or in the purchase of immovable property in India, with the like power of varying such investments from time to time;
- (vi) to transfer or accept transfers of any movable or immovable, property on behalf of the University;
- (vii) to provide the buildings, premises, furniture and 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, and, for that purpose to appoint such persons as it may think fit;
- (ix) to entertain, adjudicate upon, and if it thinks fit, to redress any grievances of the officers of the University, the teaching staff, the students and the University's servants, who may, for any reason, feel aggrieved, otherwise than by an act of the Court;
- (x) to appoint Examiners and Moderators and if necessary, to remove them, and to fix their fees, emoluments and travelling 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;

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- (xii) to make such special arrangements as may be necessary for the residence and discipline of women students, after consulting the Advisory Board of Women's Education, the establishment and functions of which are to be prescribed by the Ordinances; and
- (xiii) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by the Act or the Statutes.

Academic Council

7. (1) The Academic Council shall consist of the following members, namely:

- (i) Vice-Chancellor;
- (ii) Pro- Vice-Chancellor;
- (iii) Dean of Colleges;
- (iv) Director, South Campus;
- (v) Director, Campus of Open Learning;
- (vi) Librarian;
- (vii) Deans of the Faculties;
- (viii) Heads of the Departments, other than Deans of Faculties;
- (ix) Eight Professors, other than Heads of the Departments and Principals of the Colleges, in the following manner:
 - (a) Six Professors from Faculties other than Faculties of Medical Sciences and Technology by rotation according to seniority;
 - (b) One Professor from the Faculty of Medical Sciences by rotation according to seniority;
 - (c) One Professor from the Faculty of Technology by rotation according to seniority;
- (x) Fifteen Principals of Colleges, other than Deans of Faculties by rotation according to seniority;
- (xi) The Dean of Students' Welfare;
- (xii) Twenty six persons elected from amongst themselves by the teachers of the University and Library Staff of the rank of Professional Junior and above of the University Library & College Librarians other than those falling under items (i) to (x), the election to be held in accordance with the rules laid down in Appendices 'B' and 'X' to these Statutes:

Provided that there shall be at least:

- (a) Four University appointed persons;
- (b) Four women;

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- (c) One teacher from the Faculty of Medical Sciences including Ayurvedic & Unani Systems of Medicines; and
- (d) One teacher from the non-medical Faculties imparting instruction in other professional courses;

Provided further that no person shall be elected to the Academic Council more than twice.

- (xiii) Five students of the University of whom one shall be a Research student, two Post-graduate and two Under- graduate students.

The student-members shall have such qualifications for eligibility as have been prescribed in Appendix 'C' and shall be elected in accordance with the Rules laid down in Appendices 'C' and 'X' to these Statutes.

- (xiv) Two persons, not being employees of the University or of a recognised College or Institution, co-opted by the Academic Council for their special knowledge.

(2) Except student members who shall hold office for one-year and *ex-officio* members, all other members of the Academic Council shall hold office for a term of two years:

Provided that in the case of members elected under Clause (1) (xi), the Vice-Chancellor may extend their term collectively for a period not exceeding one year at a time but not beyond two years on the whole:

Provided further that during the extended term, the Vice- Chancellor may at any time order holding of election under Clause (1) (xi) in which case the said members shall hold office only till the declaration of the result of that election.

(3) Thirty members of the Academic Council shall form a quorum.

8. Subject to the Act, the Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely:

- (i) to report on any matter referred to or delegated to it by the Court or the Executive Council;
- (ii) to make recommendations to the Executive Council with regard to-
 - (a) the creation of teaching posts in the University and Colleges maintained by the University and the abolition thereof; and
 - (b) the classification of the posts referred to in sub-item (a) and their emoluments and the duties attached thereto;

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- (iii) to formulate and modify or revise schemes for the organisation of Faculties, and to assign to such Faculties their respective subjects and also to report to the Executive Council as to the expediency of the abolition or sub-division of any Faculty or the combination of one Faculty with another;
- (iv) to make special arrangement, if any, for the teaching of women students and for prescribing for them special courses of study, after consulting the Advisory Board of Women's Education;
- (v) to make arrangements for the instruction and examination of persons not being members of the University as may be necessary;
- (vi) to promote research within the University and to require, from time to time, report on such research;
- (vii) to consider proposals submitted by the Faculties;
- (viii) to appoint Committees for admission to the University;
- * (ix) to recognise Diplomas and Degrees of other Universities and Institutions and to determine their corresponding value in relation to the Diplomas and Degrees of the Delhi University;
- (x) to fix, subject to any conditions accepted by the Court, the time, mode and conditions of competition for Fellowships, Scholarships and other prizes and to award the same;
- (xi) 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;
- (xii) to make arrangements for the conduct of examinations and to fix dates for holding them;
- (xiii) to appoint, whenever, necessary Inspectors or Boards of Inspectors for inspecting Colleges, applying for admission to the privileges of the University;
- (xiv) to declare the results of the various University examinations, or to appoint Committees or officers to do so, and to make recommendations regarding the conferment or grant of degrees, honours diplomas, licences, titles and marks of honour;
- (xv) to award Stipends, Scholarships, Medals and Prizes and to make other awards in accordance with the Ordinances and such other conditions as may be attached to the awards;

*The list of examinations of other Universities, etc. (formerly Appendices I, II and III) recognised for purposes of admission to a course of study in this University, is given in the Regulations part of the University Calendar.

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- (xvi) to publish lists of prescribed or recommended text-books, and to publish syllabuses of the prescribed courses of study;
- (xvii) to prepare such forms and registers as are, from time to time, prescribed by the Ordinances; and
- (xviii) 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, the Statutes and the Ordinances.

9. (1) The University will have such Faculties as may be prescribed by these Statutes:

Provided that all Faculties which have been established in accordance with the Act, the Statutes or the Ordinances as in force immediately before the commencement of the Delhi University (Amendment) Act, 1952, shall be deemed to have been established in accordance with these Statutes.*

(2) (a) Each Faculty shall consist of such Departments of Studies as may be assigned to it by the Ordinances;

(b) No Department shall be established or abolished except by the Statutes :

Provided that all Departments which have been established in accordance with the Act, the Statutes or the Ordinances as in force immediately before the commencement of the Delhi University (Amendment) Act, 1952, shall be deemed to be Departments established by these Statutes.*

* The following Faculties had been established prior to the commencement of the Delhi University (Amendment) Act, 1952 :

- (a) the Faculty of Arts.
- (b) the Faculty of Sciences.
- (c) the Faculty of Law.
- (d) the Faculty of Medical Sciences
- (e) the Faculty of Education.
- (f) the Faculty of Agriculture and Forestry.
- (g) the Faculty of Technology, and
- (h) the Faculty of Social Sciences.

*The following Departments had been established prior to the commencement of the Delhi University (Amendment) Act, 1952 :

- | | |
|--------------------------|--|
| <i>Faculty of Arts :</i> | (1) the Department of English |
| | (2) the Department of Philosophy |
| | (3) the Department of History |
| | (4) the Department of Mathematics |
| | (5) the Department of Sanskrit; Bengali, Punjabi and Sindhi. |
| | (6) the Department of Hindi |
| | (7) the Department of Arabic, Persian and Urdu |

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- (8) the Department of Russian
 - (9) the Department of Library Science.
 - (10) the Department of Political Science.
- Faculty of Science* :
- (1) the Department of Physics and Astrophysics
 - (2) the Department of Chemistry
 - (3) the Department of Anthropology
 - (4) the Department of Zoology
 - (5) the Department of Botany
 - (6) the Department of Nursing
 - (7) the Department of Home Science
- Faculty of Law* :
- (1) the Department of Law.
- Faculty of Social Sciences* :
- (1) the Department of Economics
 - (2) the Department of Social Work
- Faculty of Education* :
- (1) the Department of Education
- Faculty of Medical Sciences* :
- (1) the Department of Anatomy and Physiology
 - (2) the Department of Pathology & Bacteriology
 - (3) the Department of Medicine
 - (4) the Department of Surgery
 - (5) the Department of Tuberculosis.
- Faculty of Agriculture and Forestry* :
- (1) the Department of Agriculture
 - (2) the Department of Forestry.
- Faculty of Technology* :
- (1) the Department of Electrical Engineering
 - (2) the Department of Mechanical Engineering
 - (3) the Department of Chemical Engineering
 - (4) the Department of Textile Technology
 - (5) the Department of Architecture

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(c) Each Department shall consist of the following members, namely:

- (i) Teachers of the Department;
- (ii) Persons appointed to conduct research in the Department;
- (iii) Dean of the Faculty or Deans of the Faculties concerned;
- (iv) Honorary Professors, if any, attached to the Department;
- (v) Such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

(d) (i) Each Department shall have a Professor as its Head provided that when in a Department there is only one Professor or no Professor eligible to be the Head, a Reader may be appointed as its Head and when there is no Professor or Reader eligible to be the Head, the Dean of the Faculty concerned shall act as the Head of the Department.

(ii) No person shall ordinarily be appointed or continue as the Head of a Department on his attaining the age of sixty two years.

(iii) Subject as aforesaid, the duties and functions, terms and conditions and method of appointment of the Head of a Department shall be prescribed by the Ordinances.

(3) Each Faculty shall consist of the following members, namely:

- (i) Dean of the Faculty;
- (ii) Heads of Departments of Studies in the Faculty;
- (iii) All Professors in the Faculty;
- (iv) One Reader and one Lecturer, by rotation according to seniority, from each Department in the Faculty;
- (v) One Teacher concerned, by rotation according to seniority, from each College;

Provided that the College provides instruction in any of the subjects assigned to the Faculty;

(vi) Persons not connected with the University and having expert knowledge of the subject or subjects concerned co-opted by the Faculty, not more than one for each Department of the Faculty;

Provided that in the case of Faculties, where the number of Departments established is less than five, the number of persons so co-opted may be up to, but not more than five;

(vii) Five persons nominated by the Academic Council on the recommendation of the Vice-Chancellor, for their special knowledge of any subject assigned to the Faculty or any allied branch of knowledge.

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

(5) The conduct of the meeting of a Faculty and the quorum required for each Faculty shall be prescribed by the Ordinances.

9-A. The Faculties established in the University shall be the following :

- (1) Faculty of Music and Fine Arts.
- (2) Faculty of Mathematical Sciences.
- (3) Faculty of Management Studies.
- (4) Faculty of Ayurvedic and Unani Medicine.
- (5) Faculty of Inter-disciplinary and Applied Sciences.
- (6) Faculty of Applied Social Sciences & Humanities.
- (7) Faculty of Commerce & Business.
- (8) Faculty of Open Learning.
- (9) Faculty of Homeopathic Medicine.

9-B. There shall be the following Departments established in the University :

- (1) Department of African Studies.
- (2) Departments of Electrical Engineering.
- (3) Department of Mechanical Engineering.
- (4) Department of Civil Engineering.
- (5) Department of Architecture and Planning.
- (6) Department of Philosophy.
- (7) * * * * *
- (8) Department of Germanic & Romance Studies.
- (9) Department of Sociology.
- (10) * * * * *
- (11) Department of Geography.
- (12) Department of Music.
- (13) * * * * *
- to
- (17) * * * * *
- (18) Department of Urdu.
- (19) Department of Modern Indian Languages and Literary Studies.
- (20) Department of Business Management and Industrial Administration.
- (21) Department of Physics and Astrophysics.
- (22) Department of Buddhist Studies.
- (23) Department of Linguistics.
- (24) Department of Geology.
- (25) Department of Psychology.
- (26) Department of East Asian Studies.
- (27) Department of Commerce.
- (28) Department of Pharmacy.
- (29) Department of Biochemistry.
- (30) Department of Microbiology.
- (31) Department of Genetics.

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- (32) Department of Environmental Biology.
- (33) Department of Fine Arts.
- (34) Department of Computer Science.
- (35) Department of Ayurvedic Medicine.
- (36) Department of Unani Medicine.
- (37) Department of Mathematics.
- (38) Department of Statistics.
- (39) Department of Operational Research.
- (40) Department of Arabic.
- (41) Department of Persian.
- (42) Department of Library and Information Science.
- (43) Department of Business Economics.
- (44) Department of Electronics Sciences.
- (45) Department of Adult Continuing Education and Extension.
- (46) Department of Bio-Physics.
- (47) Department of Punjabi.
- (48) Department of Electronics and Communication Engineering.
- (49) Department of Slavonic & Finno-Ugrian Studies.
- (50) Department of Plant Molecular Biology.
- (51) Department of Applied Sciences & Humanities.
- (52) Department of Computer Engineering.
- (53) Department of Instrumentation & Control Engineering.
- (54) Department of Anatomy.
- (55) Department of Physiology.
- (56) Department of Medical Biochemistry.
- (57) Department of Pathology.
- (58) Department of Medical Microbiology.
- (59) Department of Pharmacology.
- (60) Department of Forensic Medicine.
- (61) Department of Medicine.
- (62) Department of Paediatrics.
- (63) Department of Psychiatry.
- (64) Department of Social & Preventive Medicine.
- (65) Department of Obstetrics & Gynaecology.
- (66) Department of Radiology, Radio-Therapy, Radio-Diagnosis & Radiation Medicine.
- (67) Department of Dermatology & Venereology.
- (68) Department of Surgery.
- (69) Department of Ophthalmology.
- (70) Department of Orthopaedics.
- (71) Department of Otolaryngology.
- (72) Department of Anaesthesiology & Critical Care.
- (73) Department of Tuberculosis & Respiratory Diseases.
- (74) Department of Financial Studies.
- (75) Department of Production & Industrial Engg.
- (76) Department of Distance & Continuing Education.

Powers of the Faculties 10. Faculties shall have such powers and shall perform such duties as may be assigned to them by these Statutes and the Ordinances and shall, from time to time, appoint such and so many Committees of Courses and Studies in different branches of knowledge as may be prescribed by the Ordinances. They shall also consider and make such recommendations to the Academic Council on any question pertaining to their respective spheres of work as may appear to them necessary or on any matter referred to them by the Academic Council.

Finance Committee 10-A. (1) The Finance Committee shall consist of the following members, namely:

- (i) Vice-Chancellor (*Chairman*);
- (ii) Pro- Vice-Chancellor, if any;
- (iii) Two persons nominated by the Visitor;
- (iv) Two persons, who are not employees of the University or of a recognised College or Institution, elected by the Court in accordance with the Rules laid down in Appendices 'D' and 'X' to these Statutes at least one of those so elected shall be a person who is not a member of the Executive Council;

Provided that no person shall be elected to the Finance Committee more than twice.

- (v) Treasurer (*Convener*).

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

(3) 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 meetings of the Finance Committee. In the absence of the Vice-Chancellor, the Pro-Vice-Chancellor shall preside at a meeting thereof. In the absence of both the Vice-Chancellor and the Pro- Vice-Chancellor, the Treasurer shall preside at a meeting thereof.

(5) A member of the Finance Committee shall have the right to record a minute of dissent if he dissents from his colleagues.

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

(7) The annual accounts and the financial estimates of the University prepared by the Treasurer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Executive Council for approval.

(8) The Finance Committee shall fix limits for the total recurring expenditure and the total non-recurring expenditure for the year, based on the income and resources of the University (which in the case of productive works, may include the proceeds of loans). No expenditure shall be incurred by the University in excess of the limits so fixed.

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

10-B. In addition to the Residence, Health and Discipline Board, there shall be separate Boards of Research Studies in Humanities, Sciences, Medical Sciences, Law, Music, Technology and Inter- disciplinary and Applied Sciences.

11. Subject to the provisions of the Act and the Statutes, any Authority of the University may, from time to time, appoint such and so many Standing Committees or Sub-Committees or Boards as it may deem fit and may, if it deems fit, appoint to them persons who are not members of such Authority. Such Committees and Boards may deal with any subject delegated to them, subject to subsequent confirmation by the Authority appointing them.

11-A. The Visitor may, on his own motion or on the recommendation of the Court, appoint such persons as he may think fit to be the Rectors of the University.

11-B. The Vice-President of India shall be the Chancellor of the University.

11-C. (1) The Chancellor shall, by virtue of his office, be the head of the University.

(2) The Chancellor shall, if present, preside at the Convocation of the University for conferring degrees and at all meetings of the Court.

11-D. The Chief Justice of the Supreme Court of India shall be the Pro-Chancellor of the University.

11-E. In the absence of the Chancellor, the Pro-Chancellor, if present, shall preside at a meeting of the Court.

11-F. (1) The Vice-Chancellor shall be appointed by the Visitor from a panel of not less than three persons selected by a Committee as constituted under Clause (2).

(2) The Committee referred to in Clause (1) shall consist of three persons two of whom shall be persons not connected with the University or a recognised College or Institution nominated by the Executive Council and one person nominated by the Visitor. The Visitor shall appoint one of the three persons to be the Chairman of the Committee :

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

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

(4) The Vice-Chancellor shall hold office for a term of five years and shall not be eligible for re-appointment.

Provided that, notwithstanding the expiry of the said period of five years, he shall continue in office until his successor is appointed and enters upon his office.

Provided further that the Visitor may direct that a Vice-Chancellor, whose term of office has expired, shall continue in office for such period, not exceeding one year, as may be specified in the direction.

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

(5) The emoluments and the other terms and conditions of service of the Vice-Chancellor shall be prescribed by the Ordinances.

(6) In the case of a casual vacancy in the office of the Vice-Chancellor, the Pro-Vice-Chancellor, if any, shall until the appointment of a new Vice-Chancellor, perform the functions of the Vice-Chancellor.

However, if there is no Pro-Vice-Chancellor or there is a casual vacancy also in the Office of the Pro-Vice-Chancellor, the Dean of Colleges/Director, South Delhi Campus shall, until the appointment of a new Vice-Chancellor, perform the functions of the Vice-Chancellor according to their seniority from the date of appointment. In the event of the date of appointment of the two officers in their offices being the same, the seniority will be determined according to their date of birth.

In case of non-availability of the above-mentioned senior officer, the other officer shall perform the functions of the Vice-Chancellor.

Provided that if there is no Pro-Vice-Chancellor, no Dean of Colleges/Director, South Delhi Campus, the Registrar shall carry on the current duties of the office of the Vice-Chancellor and take action under item (g) of Statute 11-K.

Powers of the Vice-Chancellor

11-G. (1) The Vice-Chancellor shall be the principal Executive and Academic Officer of the University and shall take rank in the University next to the Pro-Chancellor. He shall be the *ex-officio* Chairman of the Executive Council, the Academic Council and the Finance Committee, and shall, in the absence of the Chancellor and the Pro-Chancellor, preside at the Convocation to confer degrees. In the absence of the Chancellor and the Pro-Chancellor, he shall also preside at the meetings of the Court. He shall be entitled to be present at and to address any meeting of any authority or other body of the University but shall not be entitled to vote thereat unless he is a member of such authority or body.

(2) It shall be the duty of the Vice-Chancellor to see that the Act, the Statutes, the Ordinances and the Regulations are duly observed and he shall have all powers necessary for that purpose.

(3) He shall have the power of convening meetings of the Court, the Executive Council and the Academic Council and shall

perform all such acts, as may be necessary to carry out or further the provisions of the Act, the Statutes and the Ordinances.

(4) If, in the opinion of the Vice-Chancellor, any emergency has arisen which requires that immediate action should be taken, the Vice-Chancellor shall take such action as he deems necessary and shall report the same for confirmation at the next meeting to the authority which, in the ordinary course, would have dealt with the matter:

Provided further if the action taken by the Vice-Chancellor is not approved by the authority concerned he may refer the matter to the Visitor 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 thirty days from the date on which he receives notice of such action, an appeal to the Executive Council.

(5) The Vice-Chancellor shall exercise general control over the affairs of the University and shall give effect to the decisions of the Authorities of the University.

(6) All powers relating to the proper maintenance of discipline, in the University shall stand vested in the Vice-Chancellor.

11-H. (1) The Pro-Vice-Chancellor, if the Executive Council decides that there should be one, shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor and on such terms as may be laid down in the Ordinances : **Pro-Vice-Chancellor**

Provided that where the recommendation of the Vice-Chancellor is not accepted by the Executive Council, the matter shall be referred to the Visitor who may either appoint the person recommended by the Vice-Chancellor or ask the Vice-Chancellor to recommend another person to the Executive Council.

(2) The term of office of the Pro-Vice-Chancellor shall ordinarily be coterminous with the office of the Vice-Chancellor:

Provided that, notwithstanding the expiry of the term of his office, the Pro-Vice-Chancellor shall continue in office until his successor is appointed and enters upon his office.

(3) On the expiry of the term of his office the Pro-Vice-Chancellor shall be eligible for re-appointment

(4) A person appointed as Pro-Vice-Chancellor under Clause (2) or (3) of this Statute shall retire from office, if, during the term of his office or any extension thereof, he completes the age of 65 years.

(5) Subject to the control and supervision of the Vice-Chancellor, the Pro-Vice-Chancellor shall perform such duties and exercise such functions and powers as the Vice-Chancellor may specify generally or in individual cases and shall assist the Vice-Chancellor on all matters academic and administrative.

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When the Vice-Chancellor is on leave or is away from town for any other reason the Pro- Vice-Chancellor shall perform the functions of the Vice-Chancellor.

Treasurer

11-J. (1) The Treasurer shall be elected by the Court from among a panel of three persons nominated by the Executive Council. The Council shall obtain the consent of the person concerned before inclusion of his name in the panel so nominated. The election of the Treasurer by the Court shall be subject to the approval of the Visitor. He shall hold office for a term of five years.

The election to the office of the Treasurer shall be held either at the annual meeting of the Court or at any other meeting of the Court convened by the Vice-Chancellor. The election shall be by secret ballot. The candidate who obtains the highest number. of votes shall be declared to have been elected. In case of tie, the Chairman shall determine by drawing lots in such a manner as he may determine which of the persons shall be deemed to have been elected. The three persons nominated by the Executive Council for election should signify their consent in writing before their names are nominated.

(2) He shall be an *ex-officio* member of the Court and the Executive Council.

(3) A casual vacancy in the office of the Treasurer shall be filled by the Executive Council. The person appointed to fill such vacancy shall hold office until the election of his successor either at the next annual meeting or at any other meeting of the Court convened by the Vice-Chancellor.

(4) The Treasurer shall exercise general supervision over the funds of the University and shall advise it as regards its financial policy.

(5) The Treasurer shall-

- (a) subject to the control of the Executive Council, manage the property and investments of the University and be responsible for the preparation of the annual accounts and the financial estimates and for their presentation to the Executive Council and the Court;
- (b) subject to the powers of the Executive Council, be responsible for seeing that all monies are expended on the purpose for which they are granted or allotted;
- (c) convene meetings of the Finance Committee; and
- (d) exercise such other powers as may be prescribed by the Ordinances.

(6) The receipt of the Treasurer or of the person or persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for the same.

Registrar

11-K. (1) The Registrar shall be appointed by the Executive Council and shall be a whole-time officer of the University. The terms

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and conditions of service of the Registrar shall be such as may be prescribed by the Ordinances.

(2) The Registrar shall be *ex-officio* Secretary of the Court, the Executive Council, the Academic Council, the Finance Committee and the Faculties, but shall not be deemed to be a member of any of these Authorities.

(3) It shall be the duty of the Registrar—

- (a) to be custodian of the records, Common Seal and such other property of the University as the Executive Council shall commit to his charge;
- (b) to issue all notices convening meetings of the Court, the Executive Council, the Academic Council, the Finance Committee, the Faculties, the Boards of Studies, and of any Committee appointed by the Authorities of the University;
- (c) to keep the minutes of all meetings of the Court, the Executive Council, the Academic Council, the Finance Committee, the Faculties and any Committee appointed by the Authorities of the University;
- (d) to conduct the official correspondence of the Court, the Executive Council and the Academic Council;
- (e) to supply to the Visitor copies of the Agendas of the meetings of the Authorities of the University as soon as they are issued and the Minutes of meetings of Authorities ordinarily within a month of the holding of the meeting;
- (f) in an emergency, when neither the Vice-Chancellor nor the Pro-Vice-Chancellor nor the Director, South Delhi Campus nor the Dean of Colleges is able to act, to call a meeting of the Executive Council forthwith and to take its directions for the carrying on of the work of the University; and
- (g) to perform such other duties as may, from time to time, be assigned to him by the Executive Council.

11-L. The following other persons in the service of the University are hereby declared to be officers of the University:

Other Officers

- (1) Dean of Colleges;
- (2) Director, South Campus;

- (3) Director, Campus of Open Learning;
- (4) Librarian; and
- (5) Proctor

Dean of Colleges

11-M. (1) The Dean of Colleges, if the Executive Council decides that there should be one, shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor and on such terms as may be laid down in the Ordinances:

Provided that where the recommendation of the Vice-Chancellor is not accepted by the Executive Council, the matter shall be referred to the Visitor who may either appoint the person recommended by the Vice-Chancellor or ask the Vice-Chancellor to recommend another person to the Executive Council.

(2) The term of office of the Dean of Colleges shall ordinarily be coterminous with the office of the Vice-Chancellor:

Provided that, notwithstanding the expiry of the term of his office, the Dean of Colleges shall continue in office until his successor is appointed and enters upon his office.

(3) On the expiry of the term of his office, the Dean of Colleges shall be eligible for re-appointment.

(4) A person appointed as Dean of Colleges under Clause (2) or (3) of the Statute shall retire from office if, during the term of his office or any extension thereof, he completes the age of 65 years.

(5) Subject to the control and supervision of the Vice-Chancellor, the Dean of Colleges shall perform such duties and exercise such functions and powers as the Vice-Chancellor may specify generally or in individual cases and shall assist the Vice-Chancellor on all matters academic and administrative.

Director, South Campus

11-N. (1) The Director, South Campus, if the Executive Council decides that there should be one, shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor.

Provided that if such recommendation is not accepted by the Executive Council, the matter shall be referred to the Visitor, who may either appoint the person recommended by the Vice-Chancellor or ask the Vice-Chancellor to recommend another person to the Executive Council.

(2) The term of office of the Director, South Campus, shall be coterminous with the office of the Vice-Chancellor:

Provided that the Director, South Campus, shall continue in office until his successor enters upon his office.

(3) The Director, South Campus, shall be eligible for re-appointment on the expiry of the term of his office.

(4) Notwithstanding anything contained in Clauses (2) and (3) the Director, South Campus, shall retire from office if, during the term of his office or any extension thereof, he completes the age of 65 years.

(5) In all administrative and academic matters concerning those Departments and Colleges that are specified by the Vice-Chancellor, the Director, South Campus, shall exercise all such powers and functions of the Vice-Chancellor as the Vice-Chancellor may specify.

(6) The emoluments: and other terms and conditions of service of Director, South Campus, shall be prescribed by the Ordinances.

11-O¹. (1) The Director, Campus of Open Learning, if the Executive Council decides that there should be one, shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor.

Director, Campus of Open Learning

Provided that if such recommendation is not accepted by the Executive Council, the matter shall be referred to the Visitor, who may either appoint the person recommended by the Vice-Chancellor or ask the Vice-Chancellor to recommend another person to the Executive Council.

(2) The term of office of the Director, Campus of Open Learning, shall be coterminous with the office of the Vice-Chancellor.

Provided that the Director, Campus of Open Learning shall continue in office until his successor enters upon his office.

(3) The Director, Campus of Open Learning, shall be eligible for re-appointment on the expiry of the term of his office.

(4) Notwithstanding anything contained in Clauses (2) and (3), the Director, Campus of Open Learning, shall retire from office if, during the term of his office or any extension thereof, he completes the age of 65 years.

(5) In all administrative and academic matters concerning the Campus of Open Learning, the Director, Campus of Open Learning, shall exercise all such powers and functions of the Vice-Chancellor as the Vice-Chancellor may specify.

(6) The emoluments and other terms and conditions of service of Director, Campus of Open Learning, shall be prescribed by the Ordinances.”

11-P. When the Vice-Chancellor and the Pro-Vice-Chancellor are on leave or away from town for any reason, the Dean of Colleges/Director, South Delhi Campus shall perform the functions of the Vice-Chancellor according to their seniority from the date of appointment. In the event of the date of appointment of the two officers in their Offices being the same, the seniority will be determined according to their date of birth.

Dean **12.** (1) The Deanship of a Faculty will rotate amongst the Departments of that faculty. For that purpose a list of such Departments, in the order reckoned from the date of their establishment, the oldest Department being put first and so on, shall be prepared. Where two or more departments have been established on the same date, their relative place in the list will be determined by draw of lots.

Any person who is the Head of that Department whose turn comes according to the list, shall be the Dean for a period of three years provided that if that person ceases to be the Head before completing the said term, his successor in the Department shall be the Dean for the remainder of the term and provided further that in a case where the turn of such a department comes where the Dean is to act as the Head, that Department will be bypassed by the one immediately next to it in the list.

(1-A) Notwithstanding anything contained in Clause (1), where there is a Professor in a Faculty, a Reader shall not be appointed as its Dean. In such a situation, if there is a Professor in that Department whose turn comes according to the list, he shall be the Dean; if there is no such Professor, that Department will be bypassed to be followed by next in the list and so on till such time it is ensured that a Professor alone becomes the Dean.

(1-B) When there is no Professor or Reader in a Faculty who can be appointed as its Dean, then the Vice-Chancellor, or the Pro-Vice-Chancellor if so designated by the Vice-Chancellor, shall act as the Dean of that Faculty.

(2) The Dean of each Faculty shall be the executive officer of the Faculty, and shall preside at its meetings.

(3) The Dean shall issue the lecture lists of the University in the Departments comprised in the Faculty, and shall be responsible for the conduct of teaching therein.

(4) The Dean shall have the right to be present and to speak at any meeting of any Committee of the Faculty, but not to vote thereat unless he is a member of the Committee.

12 -A. The Librarian shall be appointed by the Executive Council and shall be a whole-time officer of the University. He shall exercise such powers and perform such duties as may be prescribed by these Statutes or as may, subject to these Statutes, be assigned to him by the Executive Council. **Librarian**

12 -B. The Proctor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor and shall exercise such powers and perform such duties in respect of the maintenance of discipline among students, as may be assigned to him by the Vice-Chancellor. The Proctor shall hold office for a term of two years. **Proctor**

13. The appointment of a Warden shall, in the case of a Hall maintained by the University, be made by the Executive Council, and in other cases be subject to the approval of the Executive Council. The Warden shall hold office for a period of two years. **Warden**

14. (1) Every Under-graduate student not residing in a College or Hall shall be attached to a College or Hall for tutorial help and disciplinary supervision and for such other purposes as may be prescribed by the Ordinances : **Attachment to Colleges and Halls**

Provided that special exemption from the provisions of the Statute may be made available to women students under conditions to be prescribed by the Ordinances.

(2) Provision for tutorial help to, and disciplinary supervision of Post-graduate students shall be made by the Ordinances.

15. The Court may, on the recommendation of the Executive Council, by a resolution passed with the concurrence of not less than two-thirds of the members voting, withdraw any degree or diploma conferred by the University. **Withdrawal of Degrees and Diplomas**

16. (1) All proposals for the conferment of Honorary Degrees shall be made by the Academic Council to the Executive Council, and shall require the assent of the Court before submission to the Chancellor for confirmation: **Honorary Degrees**

Provided that, in cases of urgency, the Chancellor may act on the recommendation of the Executive Council only.

(2) Any Honorary Degree conferred by the University may, with the previous approval of two-thirds of the members of the Court and the sanction of the Chancellor, be withdrawn by the Executive Council.

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University Teachers

17. (1) Teachers of the University shall be of two classes, namely:
- (i) Appointed teachers of the University; and
 - (ii) Recognised teachers of the University.
- (2) 'Appointed teachers of the University' shall be either-
- (a) Servants of the University paid by the University and appointed by the Executive Council as Professors, Readers or Lecturers or otherwise as teachers of the University, or
 - (b) persons appointed by, the Executive Council as Honorary Professors, Readers or Lecturers or otherwise as teachers of the University.
- (3) 'Recognised teachers of the University' shall be-
- (a) members of the staff of a recognised College of the University, or
 - (b) members of the staff of a recognised Institution which provides graduate and post-graduate courses of study approved by the University :
Provided that no such member of the staff of a recognised College or Institution shall be deemed to be a recognised teacher unless-
- (a) he is recognised by the Executive Council as a Professor, Reader or in any other capacity as a teacher of the University; and
 - (b) his teaching in his own College or Institution relating to graduate and post-graduate courses is approved by the University.

Recognition of Teachers

18. (1) The qualifications of recognised teachers of the University shall be such as may be determined by the Ordinances.
- (2) All applications for the recognition of teachers of the University shall be made in such manner as may be laid down by the Regulations made by the Executive Council in that behalf.
- (3) A person in the service of a College/Institution once recognised as Professor/Reader/Lecturer by the University shall continue to be recognised even though he/she is transferred from one teaching institution to another teaching institution affiliated to this University. In case a teacher recognised in any of the capacities mentioned above by this University is transferred to an institution outside Delhi and later returns to Delhi in any of the teaching institutions/colleges affiliated to this University, his/her recognition as previously done by the University shall be restored.

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(4) The Executive Council may, on a reference from the Vice-Chancellor; withdraw recognition from a teacher.

Provided that the teacher or the College concerned may, within a period of thirty days from the date of the order of withdrawal, appeal against the order to the Chancellor whose decision shall be final.

18-A. Subject to the provisions of Statute 6(2)(i), no person shall be appointed or recognised as teacher of the University except on the recommendation of a Selection Committee constituted for the purpose.

19. (1) The Selection Committee for any appointment specified : in column (1) of the Table hereto annexed shall consist of the Vice- Chancellor, the Pro-Vice-Chancellor (if any), a nominee of the Visitor, and the persons specified in the corresponding entry in column (2) of the said Table:

Selection Committee

THE TABLE

- | | |
|---------------------|---|
| Professor: | (i) The Head of the Department concerned, if he is a Professor. If the Head is a Reader, then the Professor, if any, in that Department. |
| | (ii) In case of an appointment in the University Medical College or in a Law Centre, the Principal of that College or the Professor-in-Charge of that Centre, as the case may be. |
| | (iii) The Head of the Research Institute maintained or recognised by the University in the subject concerned. |
| | (iv) Three persons not connected with the University, nominated by the Academic Council for their special knowledge of, or interest in, the subject with which the Professor will be concerned. |
| Reader or Lecturer: | (i) The Head of the Department concerned. |
| | (ii) In case of an appointment in the University Medical College or in a Law Centre, the Principal of that College or the Professor-in-Charge of that Centre, as the case may be. |
| | (iii) Two persons not connected with the University, nominated by the Academic Council for their special knowledge of, or interest in, the subject with which the Reader or Lecturer will be concerned. |
| | (iv) The Head of the Research Institute maintained or recognised by the University in the subject concerned |
| Registrar: | (i) Treasurer. |

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- (ii) Two members of the Executive Council nominated by it.
- Librarian: Two persons not connected with the University, one nominated by the Executive Council and the other nominated by the Academic Council.
- (2) The Selection Committee for the recognition of teachers of the Colleges shall consist of the following members:
- (a) for the purpose of recognising a College teacher as a Professor :
- (i) Vice-Chancellor,
 - (ii) Pro- Vice-Chancellor (if any),
 - (iii) nominee of the Visitor appointed under Statute 19(1),
 - (iv) Dean of the Faculty concerned, if he is a Professor. If the Dean is a Reader, then the Professor, if any, in the Departments.
 - (v) Head of the Department concerned if he is a Professor. If the Head is a Reader, then the Professor, if any, in that Department.
 - (vi) Three persons not connected with the University, nominated by the Academic Council for their special knowledge of, or interest in, the subject with which the Professor will be concerned.
- (2) for the purpose of recognising a College teacher as a Reader:
- (i) Vice-Chancellor,
 - (ii) Pro- Vice-Chancellor (if any),
 - (iii) nominee of the Visitor appointed under Statute 19(1),
 - (iv) Dean of the Faculty concerned.
 - (v) Head of the Department concerned,
 - (vi) Two persons not connected with the University, nominated by the Academic Council for their special knowledge of, or interest in, the subject with which the Reader will be concerned.
- (b) for the purpose of recognising a College teacher as a Lecturer or otherwise as a teacher of the University :
- (i) Vice-Chancellor,
 - (ii) Pro- Vice-Chancellor (if any),
 - (iii) Nominee of the Visitor appointed under Statute 19(1),
 - (iv) Dean of the Faculty concerned,
 - (v) Head of the Department concerned.

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(3) The Vice-Chancellor, or in his absence, the Pro- Vice- Chancellor, if any, shall preside at the meetings of a Selection Committee.

(4) The meetings of a Selection Committee shall be convened by the Vice-Chancellor, or in his absence, by the Pro-Vice-Chancellor, if any. The meetings shall be fixed at a time convenient to the nominee of the Visitor and other persons nominated by the Academic Council/Executive Council.

(5) Notwithstanding anything contained in Clause (1) to (4), the Director, South Campus, shall also be a member of a Selection Committee in respect of appointment of teachers or, for their recognition; as the case may be, in respect of such Departments and Colleges in the South Campus as the Vice-Chancellor may specify.

(6) The quorum for a meeting of the Selection Committee shall not be complete unless, in addition to the Chairman, in a case where the number of Visitor's nominee and the persons nominated by the Academic Council/ Executive Council on the Selection Committee is four, at least three of them and where such number is three, at least two of them are present in the meeting. If the quorum is not complete, the meeting shall be adjourned.

(7) The Selection Committee shall consider and submit to the Executive Council recommendations as to the appointment referred to it. If the Executive Council is unable to accept the recommendations made by the Committee, it shall record its reasons and submit the case to the Visitor for final orders.

20 . Omitted.

21 . Omitted.

22 . Omitted.

23 . Omitted.

24 . Omitted.

25 . Omitted.

26. The Fellowships and Scholarships instituted by the University are those set out in Appendix 'G' to these Statutes. The conditions for their award shall be prescribed by the Ordinances.

27 . Omitted.

28. (1) There shall be Provident Fund for the benefit of the Officers, Teachers, Clerical staff and other Servants of the University :

Provident Fund

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Provided that only persons in permanent whole-time service or persons appointed as whole-time servants for a period of not less than four years or persons appointed as whole-time servants in a temporary capacity and who have completed four years of service shall be entitled to subscribe to the Provident Fund from the date of appointment and that Part-time servants and other temporary incumbents of posts shall not be so entitled.

Provided further that probationers shall be entitled to subscribe to the Provident Fund retrospectively from the date of their appointment after they have been confirmed and in that case the University shall also make its contribution from the said date.

Notwithstanding the foregoing provisions and the provisions of Clause (13) (a), (b), (c) persons who are in receipt of any pension from Government if re-employed in the University may be permitted to subscribe to the Provident Fund, provided that where the term of re-employment is initially for a year or less but is later extended so as to exceed one year the contribution with interest will be credited only after the completion of one year's re-employed service. The contribution with interest shall be payable for the entire period for which the re-employed pensioner is allowed to contribute to the Provident Fund if such period exceeds one year.

(2) The management of the Provident Fund shall vest in the Executive Council which may, from time to time, make Regulations or issue such general or special directions as may be consistent with the Statutes as to the conduct of the business of the Fund, or its management or the privileges of the depositors, not herein expressly provided for, or vary or cancel any Regulations made or directions given:

Provided that there shall be a Provident Fund Committee consisting of the Vice-Chancellor, the Pro-Vice-Chancellor, the Treasurer, the Registrar, the Finance Officer, two members appointed by the Executive Council from amongst its own members and two members elected by the subscribers to the Provident Fund under Statute 28 and Statute 28-A, for purposes of advising the Executive Council in the matters relating to investments, payments and other matters in respect of the Provident Fund.

All members of the Provident Fund Committee, other than *ex-officio* members, shall hold office for a term of two years.

(3) (i) Every servant of the University entitled to subscribe to the Provident Fund and receiving a salary of thirty rupees per mensem or more shall be required to subscribe to the Provident Fund.

(ii) No employee of the University shall be entitled to the benefits of the Provident Fund whose services in the University entitle

him to a pension or on whose account the University contributes towards his pension or who has been appointed by the University on a consolidated salary or on special terms.

(iii) The Executive Council, may in the case of a person appointed to a substantive post, permit the transfer to the Provident Fund of any moneys standing to his credit in any recognised Provident Fund to which he was a subscriber immediately before his appointment in the University, and may, with his consent, make such arrangements with the authorities of that other Provident Fund for the purpose of the transfer, whether in the form of cash or of securities, or of both, as may be convenient.

(4) Every servant of the University entitled to the benefits of the Provident Fund shall be required to sign a written declaration in the prescribed form that he has read this Statute and agrees to abide by it, and shall hand in for registration in the University Office the names of the person or persons to whom he wishes the balance at his credit to be paid in the event of his death.

A subscriber may, from time to time, add or change his nominee by written application to the Executive Council.

A register of such of nominees shall be kept in the University Office.

(5) The rate of subscription shall be 8-1/3% of the monthly salary, rounded off to the nearest rupee, and the amount calculated on this basis shall be deducted from the monthly salary of the employee :

Provided that a subscriber may be permitted to subscribe a higher percentage of his salary in whole rupees subject to a maximum to be fixed by the Executive Council.

Provided further that no subscription or contribution shall be made to the Provident Fund by an employee who is on leave without pay.

(6) The University shall, in the case of each employee, contribute to the Fund a sum equal to such percentage of his salary, rounded off to the nearest rupee as may be approved by the Central Government :

Provided that in the case of a person holding a permanent post in the University immediately before the commencement of the Delhi University (Amendment) Act, 1952, the rate of contribution by the University shall not be less than that which was payable by it immediately before such commencement.

(7) (i) All amounts accruing to the Fund shall be placed in a Nationalised Bank to be operated in such manner as the Executive Council may direct, The balance of the Fund, after reserving suitable amounts for current needs, shall be invested in long term deposits in a Nationalised Bank or in the Post Office or in investments authorised by the Indian Trust Act of 1882 at the discretion of the Executive Council.

Interest at the rate fixed for the purpose by the Executive Council, from time to time, shall be credited to each subscriber account.

(ii) The subscription paid by the subscriber and the contribution by the University shall be entered monthly in a separate account for each subscriber.

(iii) The accounts of the fund shall be audited once a year and a statement of the total amount to the credit of each subscriber shall be furnished to him.

(8) A subscriber at the termination of his service shall be entitled to receive the amount which accumulates to his credit.

(9) On the subscriber's death, the amount at the credit of the subscriber shall be paid to the person or persons duly nominated by him or when no such nomination is made, to his legal heir or heirs.

(10) The amount at the credit of a subscriber shall not be subject to any deduction even to cover loss or damage sustained by the University through the subscriber's misconduct or negligence.

(11) (i) No final withdrawal shall be allowed until the termination of the subscriber's service or his death. But in case of necessity of which the Executive Council shall be the sole judge, the Executive Council may allow a subscriber an advance of a sum not exceeding the total amount subscribed by him.

(ii) Recoveries towards the amount shall be made in equal - monthly instalments not exceeding thirty as may be decided by the Executive Council commencing from the first payment of a full month's salary after the advance is granted but no recovery shall be made from a subscriber when he is on leave otherwise than on full pay.

(iii) When an advance is sanctioned under sub-rule (2) before repayment of last instalment of any previous advance is completed the balance of any previous advance not recovered shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

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(iv) An employee who does not withdraw any amount from his Provident Fund account either as a loan or as final withdrawal shall be entitled to a Bonus on the subscription made by him during a financial year. Such Bonus shall be calculated at the rate of 3% of the subscription for such of the employees whose total emoluments do not exceed Rs. 500/- and at the rate of 1 % in case of those whose emoluments exceed Rs. 500/- per month. For purposes of calculation of Bonus the emoluments will be taken as on 31st March of the preceding year. However, in the case of subscribers whose Life Insurance Policies are financed through the Provident Fund subscription, the Bonus shall be calculated on the net subscription during the year after deducting the amount of Life Insurance premium paid during the year. The amount of Bonus so calculated shall be credited to the account of the subscriber at the end of each financial year.

Note : The above provisions shall come into force from the financial year, 1975- 76.

(12) Notwithstanding the provisions of the preceding Clauses of this Statute, all matters relating to, or arising out of the constitution and management of the Provident Fund specified in Clause (1) of this Statute shall in respect of the period prior to the 19th day of June, 1928, be governed and regulated by the original Statute made in that behalf on the 28th day of Septemeber 1922, by the Central Government in exercise of the power conferred on it by Section 47 of the Act.

(13) When a subscriber leaves the University or dies in the service of the University, the Executive Council shall, on the recommendation of the Provident Fund Committee, make payment to him or his estate or person or persons nominated by him under Clause (4) out of the Provident Fund under the following conditions:

- (a) If a subscriber leaves or dies before completing four years service, he shall be entitled to the amount which he himself has subscribed together with the interest thereon and the remaining amount shall be paid back to the University.
- (b) If a subscriber leaves or dies after completing four years' but less than eight years' service he shall be entitled to the full amount contributed by him with interest together with half of the amount contributed by the University with interest.
- (c) If a subscriber leaves or dies after completing eight years' service, he shall be entitled to the total amount standing to his credit in the Provident Fund on the date of his ceasing to be in service.
- (d) When a sum becomes payable to a subscriber under items (b) and (c) above, the Treasurer of the University will be entitled to deduct therefrom any amount due under any

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liability incurred by the subscriber to the University but not exceeding in any case the total amount of any contributions credited to the account of the subscriber by the University and of any interest which has accrued on such contributions:

Provided that the above provisions shall not apply to persons who were subscribers to the Provident Fund before these provisions came into force”.

(14) Notwithstanding anything contained in the preceding Clause of this Statute, a subscriber who ceases to be in service of the University by reason of his taking up an appointment with another University or an educational institution or a national laboratory, may be declared to be entitled to the contribution of the University in accordance with the rules framed by the Executive Council.

(15) On a written application from a subscriber to the Provident Fund and with the approval of the Executive Council, the University may allow premia on the Life Insurance Policy of the subscriber to be paid out of the subscriber's share in his Provident Fund. In all such cases the Life Insurance Policy for which the premia are so paid shall be assigned in favour of the University. On the retirement of the subscriber from the service of the University the policy shall be re-assigned to him by the University.

In case of maturity of the policy during the service of the subscriber in the University, the full amount of the policy shall be credited to the Provident Fund of the subscriber. In case of the death of the subscriber, during the service of the University, the full amount of the policy shall be paid to the legal representative of the deceased entitled to the Provident Fund.

(16) The word 'Subscription', wherever it occurs in this Statute, means the amount paid by the subscriber and similarly the word 'Contribution' means the amount contributed by the University.

STATUTE 28-A

1. In this Statute unless there is anything repugnant in the subject or context:

(a) 'Emoluments' means emoluments which a member of the staff was receiving immediately before the date of his retirement or relinquishment of service and includes-

- (1) Substantive pay in respect of a permanent post other than a tenure post held in a substantive capacity;
- (2) Dearness pay admissible in respect of (1) above;
- (3) Personal allowance which is granted in lieu of loss of substantive pay in respect of a permanent post other than a tenure post;

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- (4) Fees or Commission if they are authorised emoluments of an appointment and are in addition to pay (in this case emoluments means the average earning for the last six months of service);
- (5) Special pay attached to the permanent post other than a tenure post when the special pay has been sanctioned permanently and the post is held in a substantive capacity;
- (6) Save as otherwise provided in Sub-clause (aa) one half of-
 - (i) the difference between the emoluments referred to in (1), (3) and (5) above and the pay actually drawn in higher officiating or temporary appointments;
 - (ii) Special pay other than referred to in (5) above;
 - (iii) Pay drawn in temporary or officiating appointments;
 - (iv) Personal allowance other than that referred to in (3) above;
 - (v) the difference between the substantive pay and the pay actually drawn in higher tenure appointments whether held in substantive or officiating capacity, provided that service in the tenure appointments does not qualify for the grant of a special additional pension.

(aa) If an employee holding a permanent post in a substantive capacity:

- (i) Officiating in a higher post (other than a tenure post) continuously for not less than 3 years and retires or dies while holding the higher post; or is confirmed in such higher post at any time during the last three years of his service after having officiated in that post continuously for three years or more; his emoluments for pension in respect of the higher post for any period beyond three years continuous service in that post shall be determined under Clause (1) (a). as if he held that post in a substantive capacity;
- (ii) for computing the length of continuous service in respect of a higher post under Clause (i) above, all kinds of leave all periods during which an employee officiated in a higher post, and the time spent on deputation and foreign service shall be included, provided that it is certified that but for his proceeding on leave or serving in other post or going on deputation or foreign service, as the case may be, the employee concerned would have officiated in or held the higher post;

Note : For extending the benefit of (i) above in respect of a temporary post, the temporary post should be borne on

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a cadre which includes permanent post on the same scale as the temporary post.

(aaa) In respect of an employee retiring from service on or after 1-7-1968, the term 'Emoluments' means the pay as defined in Clause 1 (f) :

Provided further that for purpose of calculation of the amount of gratuity admissible to a person in receipt of an emoluments in excess of Rs. 1,800/- p.m., his emoluments shall be reckoned at Rs. 1,800/- p.m. (In respect of employees who retire on or after the 1st January, 1973 the maximum ceiling of emoluments to be taken into account for calculation of gratuity has been raised to Rs. 2,500/- per mensem) :

Provided further that in respect of employees who become eligible to payment of Death-cum- Retirement Gratuity on or after 31st March, 1985, the ceiling of emoluments be raised to Rs. 4,000/- p.m. :

Provided further that in respect of employees retiring on or after 1.1.86, there will be no ceiling on reckonable emoluments for calculating the gratuity.

Note : (1) In respect of employees who retire on or after 1st January, 1973 emoluments for the purpose of determining pension and death-cum-retirement gratuity, in respect of the period prior to 1st January, 1973, shall include besides Pay and Dearness Pay (where admissible) :

- (i) the dearness allowance where dearness pay is not admissible;
- (ii) the balance of dearness allowance where dearness pay is admissible;
- (iii) the interim relief.

Note : (2) In respect of employees who continue to draw dearness allowance and interim relief on or after 1st January, 1973 by virtue of opting for the revised scales of pay on the basis of the decision of the Government of India on the recommendations of the Third Pay Commission in case of non-teaching staff, and the revised scales of pay accepted by the Government of India effective from 1st January, 1973 in case of teaching staff (Professors, Readers and Lecturers) from the date subsequent to 1st January, 1973, besides pay and dearness pay (where admissible), dearness allowance and the interim relief as admissible on such pay under the orders in force on 31-12-1972 and drawn by the employee for the periods beyond 31-12-1972 till the date the revised scales of pay as mentioned above become applicable to him shall be treated as emoluments for the

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purpose of determining pension and death-cum-retirement gratuity; the dearness allowance granted from 1st May, 1973 and thereafter shall not be treated as emoluments. These rules will also apply to the employee who opts for the existing rules of pay and retires from service without coming over to the revised scales of pay.

(aaaa) Provided further that if immediately before retirement or relinquishment of service, an employee has been absent from duty on leave with allowances, his emoluments for the above purpose shall be taken at what they would have been had he not been absent from duty.

(b) 'Average emoluments' means the average of the emoluments as defined above, calculated in respect of the last three years of service.

In the case of employees who retired on or after 29th February, 1976, the average emoluments shall be determined with reference to the emoluments calculated in respect of the last ten completed months of service.

(c) 'Family' for the purpose of General Provident Fund and Contributory Provident Fund means-

- (i) in the case of a male subscriber, the wife or wives, parents, children and minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grand-parents; provided that if a subscriber proves his wife had been judicially separated from him or has ceased under customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family, in matters to which these rules relate, unless the subscriber subsequently intimates in writing to the Registrar that she shall continue to be so regarded;
- (ii) in the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grand-parents; provided that if a subscriber by notice in writing to the Registrar expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels such notice in writing.

Note : 'Child' means a Legitimate child and includes an adopted child where adoption is recognised by the personal law Governing the subscriber.

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Note : This amendment will also be applicable in the case of Delhi University College Retirement Benefit Rules-1970.

(d) 'Fund' means the General Provident' Fund or the Contributory Provident Fund of the University as per context.

(e) 'Leave' means any variety of leave recognised by the University.

(f) 'Pay' means the amount drawn monthly by a person as pay which has been sanctioned for the post held by him substantively or in an officiating capacity and includes special pay and personal pay, if any.

(g) 'Personal Pay' means additional pay granted to a person :

- (i) to save him from a loss of substantive pay in respect of a permanent post owing to a revision of pay or to any reduction of such substantive pay—otherwise than as a disciplinary measure; or

(ii) in exceptional circumstances on other personal consideration.

(h) 'Qualifying Service' means service rendered by a person in a substantive capacity including periods spent on probation. All service rendered to the University on a full time basis in a temporary or officiating capacity followed without interruption by confirmation in the same or another post shall count as qualifying service except in respect of periods of service paid from 'Contingencies'.

Note : (1) An employee, who has not derived any form of retirement benefits from some other organisation before joining the service of the University of Delhi, shall be eligible to add to his service qualifying for superannuation pension but not for any other class of pension the actual period not exceeding one-fourth of the length of his service or the actual period by which his age at the time of recruitment exceeded twenty five years or a period of five years; whichever is least, if the post to which he is appointed is one:

- (a) for which post-graduate research, or specialised qualification, or experience in scientific, technological or professional field is essential; and
- (b) to which candidates of more than twenty five years of age are normally recruited :

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Provided that this concession shall not be admissible to an employee unless his actual qualifying service at the time he quits the University service is not less than ten years :

Provided further that this concession shall be admissible only if the recruitment rules in respect of the said post contain a specific provision that the post is one which carries the benefit of this Clause.

(2) The powers of condonation of break in service shall ordinarily rest with the Executive Council of the University. The condonation of break in service can be done under the following circumstances:

- (1) The interruptions should have been caused by reasons beyond the control of the employee concerned.
- (2) Service preceding the interruption should not be less than of five years duration and in cases where there are two or more interruptions, the total service, pensionary benefits in respect of which will be lost if the interruptions are not condoned should not be less than five years.
- (3) The interruption should not be more than one year's duration. In cases where there are *two* or more interruptions the total of the period of all the interruptions that are condoned should not exceed one year :

Provided that, in exceptional cases the Executive Council shall recommend to the Visitor for condonation of the break in service for a period exceeding one year; in case of an employee who has put in ten years qualifying service preceding the interruption or the first of the interruptions of the service, when there are more than one; if such condonation is considered necessary in the interest of the University. The period of break even though condoned by the Executive Council, shall not count as qualifying service.

Explanation I—Counting of period of leave as qualifying service.

- (i) All periods of leave with pay and allowances shall count as qualifying service.
- (ii) The period spent on deputation for training or deputation for any special purpose including periods of travel to and from the country of deputation shall count as qualifying service; provided that if the employee has availed himself of any extra-ordinary leave without allowances during the period of deputation, the period of such extra-ordinary leave shall be excluded.

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Explanation II—Period not counting as qualifying service.

The following periods in the service of a person shall not count as qualifying service:

- (i) Time passed under suspension by a person pending enquiry into his conduct, if the suspension is not immediately followed by reinstatement.
- (ii) Extra-ordinary leave without allowances.
- (iii) Unauthorised absence in continuation of authorised leave of absence.
- (iv) Service below the age of 18 years.
- (v) The period of break in service even though condoned by the Executive Council.

Note : Provided that the extra-ordinary leave may be allowed to count as qualifying service at the discretion of the Executive Council in the following circumstances:

- (i) If it is taken for academic pursuits directly connected with the teaching/research job of the employees in the University.
- (ii) If it is taken on medical certificate.
- (iii) If it is taken due to the inability of the employee concerned to join or rejoin duty due to civil commotion or a natural calamity provided that he has not any other type of leave at his credit.
- (iv) If it is taken to take full time assignments in another University/ Institution or any other Authority and that the University/ Institution/Authority or the person concerned makes necessary contribution towards retirement benefits.

Explanation III—Retirement benefits to temporary employees.

- (i) Temporary employees, who are/were in service on 1.1.1986 and retire on superannuation or on being declared permanently incapacitated for further University service by the appropriate medical authority after having rendered temporary service of not less than 10 years, shall be eligible for grant of superannuation/invalid pension retirement gratuity and family pension at the same scale as admissible to permanent employees of the University.
- (ii) Temporary employees, who are/were in service on 1.1.1986 and seek voluntary retirement after completion of 20 years of service, shall be eligible for retirement

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pension and other pensionary benefits like death-cum-retirement gratuity and family pension.

Note : Amendments Nos. (i) and (ii) above are in terms of O.M. No. 2/1/87/PIC-II dated 14.4.1987 issued by the Govt. of India Min. of Personnel Public Grievances & Pension, Department of Pension & Pensioners' Welfare and the same will also be applicable in the case of Delhi University College Retirement Benefit Rules 1970.

(i) 'Special Pay' means an addition of the nature of pay to emoluments of a post or of a person granted in consideration of the specially arduous nature of his duties or of a specific addition to his work or responsibility.

(j) 'Year' means the financial year of the University.

(k) 'Injury' means bodily injury resulting from violence, accident or disease, assessed by the Consulting Medical Officer of the University as being not less than severe involving loss of earning power.

Note : Examples of injuries of certain categories are given in Schedule 'F'.

(l) 'Accident' means—

- (i) A sudden and unavoidable mishap; or
- (ii) A mishap due to an act of devotion to duty in an emergency arising otherwise than by violence out of and in the course of service.

(m) 'Disease' means-

- (i) disease solely and directly attributable to an accident; or
- (ii) an epidemic disease contracted by a person in consequence of his being ordered on duty to an area in which such disease is prevalent, or in consequence of his attending voluntarily, out of humanitarian motives, upon any patient suffering from any such disease in an area where he happens to be in the performance of his duties; or
- (iii) venereal disease or septicaemia where such disease or septicaemia is contracted by a Medical Officer as a result of attendance in the course of his official duty or an infected patient or of conducting a post-mortem examination in the course of that duty.

(n) 'Risk of Office' means any risk not being a special risk of accident or disease to which a person is exposed in the course of and as

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a consequence of his duties but nothing shall be deemed to be a risk of office which is a risk common to human existence in modern conditions in India, unless such risk is definitely enhanced in kind or degree by the nature, conditions, obligations or incidents of service.

Note : The term 'risk of office', shall include risk of death or injury to which a person is exposed where he attends on a working day, or is required to attend on a holiday, the place of his employment for the performance of his duties during any riot or civil commotion in the locality and while proceeding from his residence to the place of his employment or *vice-versa*, becomes a victim of the said riot or civil commotion,

(o) 'Special risk' means—

- (i) a risk of suffering injury by violence;
- (ii) a risk of injury by accident to which a person is exposed in the course of and as a consequence of the performance of any particular duty which has the effect of materially increasing his liability to such injury beyond the normal risks of his office;
- (iii) a risk of contracting disease to which a Medical Officer is 'exposed as a result of attending in the course of his official duty to a venereal or septicaemia patient or conducting a post-mortem examination in pursuance of that duty'.

(p) 'Violence' means the act of a person who inflicts an injury on an employee:

- (i) by assaulting or resisting him in the discharge of his duties, or in order to deter or prevent him from performing his duties; or
- (ii) because of anything done or attempted to be done by such member of the staff or by any other member of the staff in the lawful discharge of his duty as such; or
- (iii) because of his official position.

(q) 'Employee' means members of the staff (both academic and non-academic) of the University.

(r) 'University' shall mean the University of Delhi as defined in the Act.

(s) 'Registrar' shall mean the Registrar of the University of Delhi,

(t) 'Vice-Chancellor' shall mean the Vice-Chancellor of the University of Delhi.

(u) 'College' shall mean an affiliated or constituent College of the University of Delhi in receipt of maintenance grant from the University Grants Commission.

2. Notwithstanding any provisions of Statute 28.

(a) A person who joins the University service on or after the 1st day of April, 1964, who was a subscriber to the Provident Fund under Statute 28, shall be entitled to subscribe to one of the two alternative schemes, *i.e.*, to the General Provident Fund-cum-Pension-cum-Gratuity Scheme set out in Appendix 'A' or to the Contributory Provident Fund-cum-Gratuity Scheme set out in Appendix 'B'. He shall have the option to continue to subscribe in terms of Statute 28 :

Provided a person who joins the University service after the 1st Day of January, 1986 shall not be entitled to subscribe to the Contributory Provident Fund-cum-Gratuity Scheme set out in Appendix 'B'. He shall be governed by the General Provident Fund-cum-Gratuity Scheme set out in Appendix 'A'.

(b) A person who joined the University service before the 1st day of April, 1964 and who, for that reason, had been permitted to contribute to the Provident Fund under Statute 28, may continue to be governed by the provisions of that Statute, or, may, at his option, elect to be governed instead, either by the General Provident Fund-cum-Pension-cum-Gratuity Scheme set out in Appendix 'A' or by the Contributory Provident Fund-cum-Gratuity Scheme set out in Appendix 'B' to this Statute. The option provided for in this sub-clause shall be exercised and communicated to the Registrar, in writing, on or before the date to be specified by the Executive Council and when once exercised, shall be final. The service of such person who opts for General Provident Fund-cum-Pension-cum-Gratuity Scheme shall be deemed to have been in the pensionable post from the commencement of his service in the University, irrespective of the period of service for which the person might have subscribed to the Provident Fund:

Provided that a person who was in the University service before the 1st day of April, 1964, and who, retired on or after the 1st day of April, 1964 before having the opportunity of exercising the option under the sub-clause shall be entitled to exercise an option to opt for either the Scheme set out in Appendix 'A' or the Scheme set out in Appendix 'B' :

Provided further that in the case of a person who was in the University service before the 1st day of April, 1964 and who retired on or after 1st April, 1964, died before having the opportunity of exercising the option under the sub-clause, the person or the persons validly nominated under Statute 28 can make a specific request to opt for either the Scheme set out in Appendix 'A' or the Scheme set out in Appendix

'B' and the Executive Council shall have the discretion to accede to the request of the said nominee or nominees of the deceased.

(c) A person who holds a temporary appointment in the service of the University on the 1st day of April, 1964 shall, after continuous service of one year, be entitled to the benefits of General Provident Fund-cum-Pension-cum-Gratuity Scheme set out in Appendix-A to this Statute, from the date of commencement of service or from 1st April, 1964 whichever is earlier.

3. Notwithstanding anything contained in the preceding Clause, a person appointed on contract, a part-time employee and the retired pensioner, deputationist, purely temporary, and daily wage staff shall not be entitled to the benefits of the General Provident Fund-cum-Pension-cum-Gratuity Scheme as contained in Appendix 'A' and the Contributory Provident Fund-cum-Gratuity Scheme as contained in Appendix 'B' except to the extent provided for therein :

Provided that a person who is initially appointed on contract and is subsequently continued permanently shall have, on cancellation of his, contract terms, the option to choose either the Scheme set out in Appendix 'A' or the Scheme set out in Appendix 'B' and he shall have for the purpose of these schemes, the benefit of the service rendered under contract, if the retirement benefits under the contract terms are paid back by him to the University.

4. (i) *Transfer of employees of one Central University to the other.*

A person joining the University after leaving the service of another Central University shall, in the event of his permanent absorption in the University, be allowed retirement benefits in respect of his previous service rendered under the Central University, provided that there is no break in the service excepting the admissible transit time to join the new post and the service rendered is qualifying. This would also cover cases of employees of Colleges affiliated to the Delhi University, receiving maintenance grant from the University Grants Commission (*i.e.* an employee from a College of the Delhi University coming over to the Delhi University and vice-versa).

Note : (1) For the purpose of these rules, resignation on an appointment in a Central University/Colleges affiliated to the Delhi University to take up with proper permission another appointment in another Central University/Colleges affiliated to the Delhi University is not a resignation of service.

(2) (a) In case of transfer of an employee from an affiliated college of Delhi University to Delhi University and *vice-versa* the entire liability on account of retirement

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benefits will be met by Delhi University or the affiliated college of Delhi University from which the employee would finally retire.

- (b) The terms and conditions of counting of past service for pension, in case of transfer of an employee from one Central University to another will be regulated by the instructions issued by the Government of India vide its OM No. 281084–Pension Unit, dated 29.8.1984 vide Appendix ‘D’ to Statute 28-A. Accordingly necessary prorata retirement benefits will be transferred from one Central University to the other.
- (3) In case of Contributory Provident Fund, however, the lending University’s or College’s contribution together with the employees Contributions should on permanent absorption be transferred to the borrowing Central University/Colleges affiliated to the Delhi University.

(ii) When an employee of an autonomous organisation under the Central Government is permanently absorbed in the University.

On his permanent absorption in the Central University, such of the past services of an employee of an autonomous organisation set up by the Central Government, as would have counted for retirement benefits in that autonomous body, should count for retirement benefits payable by the University provided that the transfer is certified to be in the public interest of which the Executive Council of the University shall be the sole judge subject to the following:

- (a) The transfer is with the consent of the autonomous organisation.
- (b) The autonomous organisation concerned pays to the University, at the time of his permanent absorption in the University, the capitalised value of the retirement benefits in respect of the past service of the employee in that organisation.
- (c) In case the employee in question is on Contributory Provident Fund Scheme, the accumulation in his Contributory Provident Fund account shall be transferred by the autonomous organisation to the University, at the time of permanent absorption.

(iii) When an employee of the University is transferred to an autonomous organisation.

The past service of an employee of the University will count for retirement benefits in the case of his permanent absorption in an autonomous organisation provided that the transfer is certified to be in the public interest and the service rendered is qualifying, subject to the following conditions:

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- (a) The transfer should be with the agreement of the University though the autonomous organisation will be the sole judge to decide whether a transfer is in public interest.
- (b) The University pays the capitalised value of the pension and gratuity in respect of the past service of the employee in the University to the autonomous organisation at the time of his permanent absorption therein.
- (c) In case the employee in question is on Contributory Provident Fund Scheme, the accumulations in his Contributory Provident Fund Account will be transferred by the University to the autonomous organisation concerned.

(iv) When an employee of a State Government/University is permanently absorbed in the University and vice-versa.

The past service will count for retirement benefits provided that the transfer is certified to be in the public interest and also subject to the following conditions: .

- (a) The transfer is made with the consent of parent institution;
- (b) The institution to which the employee is transferred shall be the sole judge to decide as to whether the absorption is in the public interest or not;
- (c) The parent institution pay the capitalised value of pension and gratuity in respect of past service of the employee in that institution to the latter employer at the time of his permanent absorption; and
- (d) In case the employee in question is on Contributory Provident Fund Scheme, the accumulations in the Contributory Provident Fund Account shall be transferred by the parent organisation to the new employer.

When an employee of a State Government/State Autonomous Body/ State Statutory Body including a State University who have agreed to reciprocal arrangements is permanently absorbed in the University or *vice-versa* and is in service on 7th February, 1986, the terms and conditions of counting of combined service for pension/ Gratuity will be regulated by the instructions issued by the Ministry of Home Affairs (Department of Personnel and Administrative Reforms vide O.M.No. 28 (10)/84-P&PW/ Vol. II dated 7.2.1986, 17.6.1986, 30.10.1986 and 20.3.1987 vide Appendix ‘E’ to Statute 28-A.

The terms and conditions of counting of combined service for Pension/gratuity in respect of a University employee permanently absorbed in Mizoram Govt. and *vice-versa* and is in service on 7.3.1988 will be regulated by the instructions issued by the Government of India, Ministry of

Personnel, P.G. & Pension vide O.M. No. 28/10/84-P & PW/Volume-II dated 7.3.1988 vide Appendix 'F' to Statute 28-A; in respect of a University employee permanently absorbed in Tamil Nadu and *vice-versa* and is in service on 18.4.1988 will be regulated by the instructions issued by the Government of India, Ministry of Personnel, P.G. & Pension vide O.M. No. 28/10/84-P & PW/Volume-III dated 18.4.1988 vide Appendix 'G' to Statute 28-A; in respect of a University employee permanently absorbed in Goa and *vice-versa* and is in service on 27.5.1988 will be regulated by the instructions issued by the Government of India, Ministry of Personnel, P.G. & Pension vide O.M. No. 28/10/84-P & PW/Volume-II dated 27.5.1988 vide Appendix 'H' to Statute 28-A and in respect of University employees permanently absorbed in Manipur and is in service on 20.9.1988 will be regulated by the instructions issued vide O.M. No. 28/10/84-P & PW/Volume-II dated 20.9.1988 vide Appendix-I to Statute 28-A."

The terms and conditions of counting of combined service for pension/gratuity in respect of a University employee permanently absorbed in Haryana Govt. and *vice-versa* and is in service on 20.7.1989 will be regulated by the instructions issued vide O.M. No. 28/10/84-P & PW/Volume-II (D) dated 20.7.1989 vide Appendix 'K' to Statute 28-A.

The terms and conditions of counting of combined service for pension/gratuity in respect of University employees permanently absorbed in Orissa Government and *vice-versa* and is in service on 14.2.90 will be regulated by the instructions issued vide O.M. No. 28/10/84-P & PW (B) Vol. II dated 14.2.90 vide Appendix 'L' to Statute 28-A.

(v) When an employee of a reputed Institution/Authority not covered above is permanently absorbed in the University and vice-versa.

The past service in this case will also count as in other categories in Sub-Clauses (ii), (iii) and (iv) under this Clause and with same conditions provided that the transfer is from an institution/authority approved by the Government of India.

The provision under Clause 4 (ii) to (v) will take effect from 3rd September, 1973.

Note: A resignation shall not entail forfeiture of past service if it has been submitted to take up with prior and proper permission of the previous organisation another appointment under the University or any other organisation mentioned in Sub-Clauses (ii), (iii), (iv) and (v) under this Clause.

This takes effect from 31st March, 1977 and cases prior to this date will not be re-opened.

(vi) Permanent absorption of Central Government Employees to the University and vice-versa.

(a) The terms and conditions of permanent absorption of Central Government employees in the University will be regulated by the instructions issued by the Ministry of Finance (Department of Expenditure) from time to time. A copy of these consolidated instructions incorporated in the Ministry of Finance Office Memorandum No. 26(18)-EV (B)/75 dated the 8th April, 1976 as given vide Appendix 'C' to Statute 28-A.

(b) In respect of employees who retire from the Central Government/Central Autonomous Bodies/the University service on or after 29.8.1984, the terms and conditions of counting services for pension will be regulated by the instructions issued by the Govt. of India vide its O.M. No. 28/10/84-Pension Unit dated 29.8.1984 vide Appendix 'D' to Statute 28-A.

Note : (1) The Government of India, Ministry of Home Affairs, Department of Personnel and Administrative Reforms vide O.M. No. 28/10/84-Pension Unit dated 29.8.1984 regarding mobility of personnel between Central Government Departments and Central autonomous bodies counting of service for pension and gratuity, has extended the benefit of pension based on combined service in respect of those employees who retire from the Central Government/Central autonomous bodies/Central Universities service on or after the issue of these order. It has been stated therein that Central autonomous body means body which is financed wholly or substantially from cess or Central Government grants and Central autonomous body includes a Central statutory body or a Central University but does not include a public undertaking.

(2) These orders will be applicable only where the transfer of the employee from one organisation to another was/is with the consent of the organisation under which he was serving earlier, including cases where the individual had secured employment directly on his own volition provided he had applied through proper channel/with proper permission of the administrative authority concerned.

(3) In respect of those who retired from Central Government/Central autonomous/Central University service prior to 29.8.1984 and who are otherwise eligible for the benefit of service thereunder, the arrears of pension, if any, which become due to the combined pension would be disbursed to them w.e.f. 29.8.1984. They would not be entitled to get any relief in respect of the past service prior to 29.8.1984.

5. As and when the Central Government amends its Rules giving more benefits to its employees relating to General Provident Fund, Contributory Provident Fund, Pension, Gratuity, etc. which are advantageous to the employees of the University, the employees of the University will be entitled to the same benefits with effect from the date such amendment is brought into force by the Central Government with respect to its employees.

6. The sanction and payment of retirement benefits admissible under this Statute shall be regulated by such procedural instructions as would be issued by the Executive Council.

7. If any question arises relating to the interpretation of this Statute, it shall be referred to the Visitor whose decision thereon shall be final.



APPENDIX 'A' TO STATUTE 28-A

General Provident Fund-cum-Pension-cum-Gratuity Scheme

General Provident Fund

1. *Nominations:*

A subscriber shall, at the time of joining the Fund, send to the Registrar a nomination in such form and in such manner as may be laid down in the Ordinance, conferring on one or more persons, the right to receive the amount that may stand to his credit in the Fund, in the event of his death, before the amount has become payable or, having become payable, before it has been paid:

Provided that if, at the time of making the nomination, the subscriber has a family, the nomination shall not be in favour of any person or persons other than a member of his family:

Provided further that the nomination made by the subscriber in respect of any other Provident Fund to which he was subscribing before joining the Fund shall, if the amount to his credit in such other Fund has been transferred to his credit in the Fund, be deemed to be a nomination under this Statute until he makes a nomination in accordance with this Statute.

2. The University will not be bound by, nor will recognise any assignment or encumbrance executed or attempted to be created which affects the disposal of the amount standing to the credit of a subscriber who dies before the amount becomes payable.

3. (1) An account shall be opened in the name of each subscriber to which shall be credited the subscriber's subscription and interest as provided by these Statutes on subscription.

(2) If an employee admitted to the benefit of the fund was previously a subscriber to any Contributory/Non-contributory Provident Fund of the Central Government/State Government or of a body corporate, owned or controlled by Government or Universities/Colleges or institutions of University status or an autonomous organisation registered under the Societies Registration Act of 1860 immediately before his appointment in the University/College, the amount of his accumulations in such Contributory or Non-contributory Provident Fund shall be transferred to his credit in the Fund.

(3) The management of the Provident Fund shall vest in the Executive Council which may, from time to time, make regulations or issue such general or specific directions as may be consistent with the Statutes as to the conduct of the business of the fund or its management or the privileges of the depositors, not herein expressly provided for, or vary, or cancel any regulations made or directions given.

Provided that there shall be a Provident Fund Committee, consisting of the Vice-Chancellor, the Pro-Vice-Chancellor, the Treasurer, the Registrar, the Finance Officer, two members appointed by the Executive Council from amongst its own members and two members elected by the subscribers to the General Provident Fund-cum-Pension-cum-Gratuity Scheme for purposes of advising the Executive Council in the matters relating to investments, payment and other matters in respect of Provident Fund. All members of the Provident Fund Committee, other than *ex-officio* members, shall hold office, for a term of two years.

4. *Conditions and Rates of Subscription:*

“Every subscriber shall subscribe monthly to the fund when on duty in the service of the University or on foreign service:

Provided that a subscriber shall not subscribe during the period when he is under suspension and may at his option, not subscribe during any period of leave other than leave on full pay or earned leave of less than thirty days’ duration, as the case may be. Such option shall be exercised in the manner prescribed in the Ordinance:

Provided further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one sum or in instalments, any sum not exceeding the maximum amount of arrear of subscription payable for that period.

5. *Rates of Subscription:*

The rate of subscription shall be fixed by the subscriber himself subject to the following conditions:

The rate of subscription may not be less than $6-\frac{1}{4}$ % of his emoluments and not more than his total emoluments, amount so calculated being rounded off to the nearest rupee, provided that in the case of subscriptions at the minimum or maximum rates, the rounding off will be to the next higher or the next lower rupee respectively. The amount of subscription may be enhanced or reduced as prescribed in the Ordinance.

‘Emoluments’ for the purpose of this Clause shall be as prescribed in the Ordinance.

Provided that the rate of subscription shall not be less than 6% of his emoluments and not more than his total emoluments with effect from 1.6.1971.

6. *Interest*

The University shall pay to the credit of the account of each subscriber, interest at such rate as may be determined by the Executive Council for each year at the beginning of the year. Such interest shall be credited to the account of each subscriber as prescribed in the Ordinance.

7. *Advances from the Fund :*

The payment of an advance from the Fund may be sanctioned to the subscriber from the amount of his subscription and interest thereon, standing to his credit, subject to such conditions as may be laid down in the Ordinance.

Recoveries of the amount advanced shall be made from the emoluments of the subscriber in such manner as laid down in the Ordinance and shall commence after payment of the advance is made on the first occasion, on which the subscriber draws emoluments for a full month.

8. *Withdrawal from the Fund :*

Subject to the conditions specified hereunder the withdrawal from the fund may be sanctioned by the Vice-Chancellor at any time:

(1) (A) After the completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund, for one or more of the following purposes namely:

- (a) meeting the cost of higher education, including where necessary, the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely:
 - (i) for education outside India for academic, technical, professional or vocational course beyond the High School stage; and
 - (ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage;
- (b) meeting the expenditure in connection with the betrothal/ marriage of the subscriber or his sons or daughters, and any other female relations actually dependent on him;
- (c) meeting the expenses in connection with the illness, including, where necessary, the travelling expenses, of the

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subscriber and members of his family or any person actually dependent on him.

(B) During the service of a subscriber from the amount of subscription and interest thereon standing to the credit of the subscriber in the Fund, for one or more of the following purposes:

- (a) building or acquiring a suitable house or ready built flat for his residence including the cost of the site or any payment towards the allotment of a plot or flat by the Delhi Development Authority, State Housing Board or a House Building Society.
- (b) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence;
- (c) purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose;
- (d) reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber;
- (e) renovating, additions or alterations or upkeep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from Government at a place other than the place of duty;
- (f) constructing a house on a site purchased under Clause (c);

(C) Within six months before the date of the subscriber's retirement, from the amount standing in his credit in the Fund, for the purpose of acquiring a farm land or business premises or both.

Note : A subscriber who has availed himself of an advance under the scheme for the grant of advance for house-building purpose, or has been allowed any assistance in this regard from any Government source, shall be eligible for the grant of withdrawal under Sub-Clauses (a), (c), (d) and (f) of Clause (B) for the purposes specified therein and also for the purpose of re-payment of any loan taken under the aforesaid Scheme subject to the limit specified in Clause 8(2).

If a subscriber has an ancestral house or built a house at a place other than the place of his duty with the assistance of loan taken from the Government he shall be eligible for the grant of a final withdrawal under Sub-Clauses (a), (c) and (f) of Clause (B) for purchase of a house site or

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for construction of another house or for acquiring a ready built flat at the place of his duty :

Provided that in no case the maximum amount of withdrawal shall exceed Rs. 1,25,000 or 75 times the monthly pay, whichever is less :

Provided further that in the case of a subscriber who has availed himself of an advance under the scheme of the University for grant of advances for house-building purposes, or has been allowed any assistance in this regard from any Government source, the sum withdrawn under this sub-rule, together with the amount of advance taken under the aforesaid scheme or the assistance taken from any Government source shall not exceed Rs. 1,25,000 or 75 times the monthly pay, whichever is less.

(D) Without assigning any reason, a subscriber within twelve months before retirement on superannuation can apply to the Pro- Vice- Chancellor for sanction of part/final withdrawal up to 90% of the balance at his credit. This facility will be available only once to the subscriber.

Subscribers availing this facility shall not, however, be eligible to invest the amount of such withdrawals in the new saving scheme introduced by the Ministry of Finance, Department of Economic Affairs vide their notification No.F. 2-14/89-NS-11 dated 7.6.1989.

(2) Any sum withdrawn by a subscriber at anyone time for one or more of the purposes specified in Clause 8(1) from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six months' pay of the subscriber, whichever is less. The Vice-Chancellor may, however, sanction the withdrawal of an amount in excess of these limits up to three fourths of the balance at his credit in the fund, having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber; and (iii) amount to his credit in the Fund.

Provided that for construction of house/flat, the Vice-Chancellor may sanction final withdrawal up to 90% from the G.P.F. amount including interest of the employee.

(3) A subscriber who has been permitted to withdraw money from the fund under Clause 8 (1) shall satisfy the Vice-Chancellor within a reasonable period as may be specified by him that the money has been utilised for the purpose for which it was withdrawn if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall be ordered by the Vice-Chancellor to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Executive Council.

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(4) A subscriber who has already drawn or may draw in future an advance under Rule 7 for any of the purposes specified in Rule 8 (1) (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) may convert at his discretion by written request to the sanctioning authority the balance outstanding into a final withdrawal on his satisfying the conditions laid down in Rule 8.

8-A. An employee who does not withdraw any amount from his Provident Fund account either as a loan or as final withdrawal shall be entitled to a Bonus on the subscription made by him during a financial year. Such Bonus shall be calculated at the rate of 3% of the subscription for such of the employees whose total emoluments do not exceed Rs. 500/- and at the rate of 1 % in case of those whose emoluments exceed Rs. 500/- per month. For purposes of calculation of Bonus the emoluments will be taken as on 31st March of the preceding year. However, in the case of subscribers whose Life Insurance Policies are financed through the Provident Fund subscription, the Bonus shall be calculated on the net subscription during the year after deducting the amount of Life Insurance premium paid during the year. The amount of bonus so calculated shall be credited to the account of the subscriber at the end of each financial year.

Note : The above provision shall come into force from the financial year 1975-76.

9. *Final withdrawal from the Fund :*

When a subscriber quits the service of the University, the amount standing in his credit in the fund shall be payable to him upon an application made by him in the prescribed Form XIII in that behalf to the Registrar.

Provided that a subscriber who has been dismissed from the service of the University and is subsequently reinstated in service, shall, if required to do so, repay any amount paid to him from the fund in pursuance of this Clause with interest thereon at the rate provided in this Appendix in the manner provided. The amount so repaid shall be credited to his account in the Fund.

Explanation : A subscriber who is granted refused leave shall be deemed to have quit the service from the date of compulsory retirement or the expiry of an extension of service.

10. *Retirement of a Subscriber :*

When a subscriber has proceeded on leave preparatory to retirement or if he is entitled to vacation, on leave preparatory to retirement combined with vacation, or (b) while on leave, has been permitted to retire or has been declared by the Consulting Medical

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Officer of the University or by a competent medical authority that may be prescribed by the Executive Council in this behalf to be unfit for further service the amount standing to his credit in the Fund shall, upon an application made by him in that behalf to the Registrar, become payable to the subscriber :

Provided that the subscriber if he returns to duty shall, if required to do so, repay to the Fund for credit to his account the whole or part of any amount paid to him from the Fund in pursuance of this Clause with interest thereon at the rate provided, by instalments or otherwise by recovery from his emoluments or otherwise as the Vice-Chancellor may direct.

11. (1) In the event of the death of a subscriber before the amount standing to his credit has become payable or where the amount has become payable before payment has been made, the payment shall be made as provided in the Ordinance.

(2) *Deposit-linked Insurance Scheme:*

- (i) On the death of a subscriber in service, the person(s) eligible to receive Provident Fund balance in terms of the relevant rules will be sanctioned an additional amount equal to the average balance in the account of the deceased in the Fund during the three years immediately preceding the death of the employee subject to the provisions of sub-para (iii) below:
- (ii) In the case of Contributory Provident Fund, only the subscription of the employee with interest thereon will be taken as the balance for the purpose of this scheme.
- (iii) The above benefit will be available with effect from 8.1.1975 subject to the fulfilment of the following conditions:
 - (a) The balance representing subscription with interest thereon in the account of the employee should not have fallen below the following limits at any time during the three years preceding the date of death :

(i) Teachers, Asstt. Registrars and Officers in equivalent scale and above	Rs. 3000/- upto 31.1.1978 Rs. 4000/- with effect from 1.2.1978
(ii) Section Officer and other Officers in equivalent scale	Rs. 2500/-
(iii) Employees other than those mentioned in (i), (ii) & (iv)	Rs. 1500/-

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- (iv) Employees in scale the maximum Rs. 1000/- of which is Rs. 291/- and below.
Provided that nothing in this Clause shall apply if the death of such a subscriber occurs before the first of February, 1978.
- (b) The upper limit up to which the benefit of insurance cover will be available will be Rs. 10,000/-. Thus any amount in excess of Rs. 10,000/- in the Fund will be disregarded for the purpose of this extra benefit.
- (c) The benefit would be admissible only if an employee has put in at least five years' service at the time of death.
- (iv) On or after 1.1.1989 on the death of a subscriber in service, the person(s) eligible to receive Provident Fund balance in terms of the relevant rules will be sanctioned an additional amount equal to the average balance in the account of the deceased in the Fund during the three years immediately preceding the death of the employee subject to the provisions of sub-para (v) below :
- (v) This benefit will be available subject to the fulfilment of the following conditions:
- (a) The balance at the credit of such subscriber shall not at any time during the 3 years preceding the month of death have fallen below the limits of :
- (i) Rs. 12,000/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 4000/- or more.
- (ii) Rs. 7500/- in the case of subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 2900/- or more but less than Rs. 4,000.
- (iii) Rs. 4500/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 1151/- or more but less than Rs. 2900.
- (iv) Rs. 3000/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three

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years, a post the maximum of the pay scale of which is less than Rs. 1151/-.

- (b) The upper limit up to which the benefit of insurance cover available will be Rs. 30,000/-. Thus any amount in excess of Rs. 30,000/- in Fund will be disregarded for the purpose of this extra benefit.
- (c) The benefit would be admissible only if an employee has put in at least five years service at the time of death.

12. A statement of account shall be furnished to each subscriber once a year in the manner prescribed in the Ordinance.

13. *Investment of Fund :*

All amounts accruing to the Fund shall be placed in a nationalised Bank to be operated in such manner as the Executive Council may direct. The balance of the Fund after reserving suitable amounts for current needs, shall be invested in long term deposits in a nationalised Bank or in the Post Office or other investments authorised by the Indian Trust Act of 1882, at the discretion of the Executive Council.

14. *Pension :*

In addition to the General Provident Fund as provided in the foregoing provision of this Statute, every person governed by the provisions of this Section of Appendix 'A' shall be entitled to a pension according to the rules provided hereinafter.

Subject to such rules as may be applicable to the categories of pension set out below, no person shall be eligible for pension unless he has put in a minimum of ten years of qualifying service in the University; provided that minimum age after which service counts for pension shall be eighteen (18) years. In case the qualifying service falls below ten years, a gratuity as in Schedule 'C' shall be admissible.

- (1) The Vice-Chancellor reserves to himself the right of withholding for specified period, and of ordering recovery from a pension of the whole or part of any pecuniary loss caused to the University, if, in any departmental or judicial proceedings, the pensioner is found guilty of grave misconduct or negligence during the period of his service, including service rendered upon re-employment after retirement.

Provided that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below the limit specified in the proviso under Clause 16.

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- (2)(a) The departmental proceedings referred to in Sub-Clause (1), if instituted while the University employee was in service whether before his retirement or during his re-employment, shall, after the final retirement of the University employee, be deemed to be proceedings under this rule and shall be continued and concluded by the authority by which they were commenced in the same manner as if the University employee had continued in service.

Provided that where the departmental proceedings are instituted by an authority subordinate to the Vice-Chancellor, that authority shall submit a report recording its findings to the Vice-Chancellor.

- (b) The departmental proceedings, if not instituted while the University employee was in service, whether before his retirement or during his re-employment :
- (i) shall not be instituted save with the sanction of the Vice-Chancellor;
 - (ii) shall not be in respect of any event which took place more than four years before such institution, and
 - (iii) shall be conducted by such authority and in such place as the Vice-Chancellor may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could be made in relation to the University employee during his service.
- (3) No judicial proceedings, if not instituted while the University employee was in service, whether before his retirement or during his re-employment shall be instituted in respect of a cause of action which arose, or of an event which took place, more than four years before such institution.
- (4) In the case of a University employee who has retired on attaining the age of superannuation or otherwise and against whom any departmental or judicial proceedings are instituted or where departmental proceedings are continued under Sub-Clause (2) above, a provisional pension not exceeding the pension which would have been admissible on the basis of the qualifying service up to the date of retirement of the University employee, or if he was under suspension on the date of retirement, up to the date immediately preceding the date on which he was placed under suspension, shall be sanctioned.
- (5) Where the Vice-Chancellor decides not to withhold or withdraw pension but orders recovery of pecuniary loss from pension, the recovery shall not ordinarily be made at a rate exceeding one-third of the pension admissible on the date of retirement of a University employee.

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- (6) For the purpose of this Clause:
- (a) Departmental proceedings shall be deemed to be instituted on the date on which the statement of charges is issued to the University employee or pensioner, or if the University employee has been placed under suspension from an earlier date, on such date; and
 - (b) Judicial proceedings shall be deemed to be instituted;
 - (i) in the case of criminal proceedings, on the date on which the complaint or report of a police officer, of which the Magistrate takes cognizance, is made; and
 - (ii) in the case of civil proceedings, on the date of the complaint is presented in the court.

With effect from 01.01.1986, the service gratuity for qualifying service of less than ten years shall be calculated at uniform rates of half month's emoluments for every completed 6 monthly period of service instead of at the rates specified in Schedule 'C'.

15. Subject to the minimum qualifying service, an employee shall be eligible for one or other of the following classes of pensions, depending upon circumstances of the case:

- (a) *Compensation Pension* : If an employee is discharged owing to the abolition of the permanent post, he shall be granted a compensation pension on the scale prescribed in Clause 16.
- (b) *Invalid Pension* : An invalid pension shall be granted to an employee on retirement from the service of the University, for permanent physical or mental disability incapacitating him for further service, if certified by the Consulting Medical Officer of the University, on the scale prescribed in Clause 16.

In respect of an employee who retired on invalid pension on or after 1st January, 1973 or who may retire as such here-after, the amount of invalid pension shall not be less than the amount of the family pension mentioned at Clause (C) of Rule (24) of Appendix 'A'.
- (c) *Superannuation or Retiring Pension* : A superannuation or retiring pension, as the case may be, shall be granted to an employee who may retire from service on completion of the age of retirement or on completion of thirty years of qualifying service whichever is earlier.

Provided that in the event of retirement after thirty years of qualifying service but before the completion of age of sixty years, the employee concerned shall give in this behalf a notice in writing to the Registrar at least three months before the date on which he wishes to retire. In respect of those retiring voluntarily after 30 years of qualifying service on or after 10.9.1983, the total qualifying service shall be increased by the period not exceeding three years, subject to the condition that the total qualifying service rendered by the University employee does not in any case exceed thirty three years and it does not take him beyond the date of superannuation.

Provided further an employee who has put in not less than 20 years of qualifying service may, by giving notice of three months in writing to the Registrar, retire from service voluntarily and the benefit of retiring pension will be admissible to University employee under this scheme subject to the following conditions:

- (i) A notice of less than three months may also be accepted in deserving cases by the appointing authority.
- (ii) An employee who retires voluntarily while he is on leave not due, without returning to duty, that retirement shall take effect from the date of commencement of the leave not due and the leave salary paid in respect of such leave not due shall be recovered.
- (iii) Before an employee gives notice of voluntary retirement under this proviso he should satisfy himself by means of a reference to the Registrar that he has, in fact, completed 20 years service qualifying for pension.
- (iv) A notice of voluntary retirement may be withdrawn subsequently only with the approval of the appointing authority provided the request for such withdrawal is made before the expiry of the notice.
- (v) A notice of voluntary retirement given after completion of 20 years qualifying service will require acceptance by the appointing authority if the date of retirement on the expiry of the notice would be earlier than the date of which the employee concerned could have voluntarily retired under the existing rules applicable to him (i.e. on completion of 30 years qualifying service). Such acceptance may be generally given in all cases except those (a) in which disciplinary proceedings are pending or contemplated against the employee concerned for the imposition of a major penalty and the disciplinary

authority having regard to the circumstances of the case is of the view that the imposition of the penalty of the removal or dismissal, from service would be warranted in the cases or (b) in which prosecution is contemplated or may have been launched in a Court of Law against the employee concerned. The employee giving notice may presume acceptance and the retirement shall be effective in terms of the notice unless the appointing authority passes an order to the contrary before the expiry of the period of notice excepting those referred to in (a) & (b) above. If it is proposed to accept the notice of voluntary retirement, even in such cases, specific approval of the Executive Council should be obtained and such employee can not presume acceptance of the notice.

- (vi) While granting proportionate pension to an employee retiring voluntarily, under this proviso, weightage of up to five years would be given as an addition to the qualifying service actually rendered by him the grant of weightage of upto five years will, however, be subject to the following conditions:
 - (a) The total qualifying service after allowing the weightage should not, in any event exceed 30 years qualifying service (33 years in respect of those retiring voluntarily on or after 10.9.1983) and it does not take him beyond the date of superannuation.
 - (b) The weightage of service will not apply to those employees on deputation to autonomous bodies/public sector undertakings/ Universities etc. who propose to get absorbed in such institutions.
- (vii) The weightage given under this proviso will be only an addition to the qualifying service for purposes of pension and gratuity. It will not entitle the employees retiring voluntarily to any notional fixation of pay for purpose of calculating the pension and gratuity which will be based on the actual emoluments calculated with reference to the date of retirement.
- (viii) An employee giving notice of voluntary retirement may also apply, before the expiry of the notice, for the leave standing to his credit which may be granted to him to run concurrently with the period of notice. The period of leave, if any, extending beyond the date of retirement on expiry of notice but not extending beyond the date on which the University employee should have retired on attaining the age of superannuation may be allowed as

terminal leave in accordance with the leave Rules of the University applicable to the employee.

- (ix) The amount of pension to be granted after giving the weightage will be subject to the provisions contained in Clause 14 of Statute 28-A, Appendix 'A'.

Note : The amendment would also be applicable in the case of Delhi University Colleges retirement benefit rules, 1970-*mutatis mutandis*.

16 (i) An employee eligible for pension under any of the categories mentioned above shall be granted on retirement, half of one eightieth (1/2/80th) of the average emoluments for each completed six monthly period of qualifying service subject to a maximum pension as stipulated in the table appended (Schedule 'A') and subject also to the total pension not exceeding thirty times one eightieth of the average emoluments :

Provided that an employee who has retired or will retire on superannuation retiring, invalid or compensation pension on or after 1st March, 1970, and the amount of pension including ad-hoc increase in accordance with the rules/orders in force at the time of his retirement, is less than Rs. 40/- per month the same shall be raised to Rs. 40/- per month (inclusive of ad hoc increase where applicable) with effect from 1.3.1970.

Provided further that in case of a pensioner under this scheme, if the amount of pension including ad hoc increase or both which the pensioner may be in receipt of on 1.3.1970, is less than Rs. 40/- per month (inclusive of ad hoc or temporary increase as the case may be, where applicable), the same shall be raised to Rs. 40/- per month with effect from 1.3.1970.

In respect of employees who had retired on or after 1st January, 1973 or who may retire thereafter the amount of pension in terms of this rule shall be in appropriate amount set out in Schedule 'AA'.

Provided further in the case of superannuation/retiring/invalid/compensation pension falling due on 1st April, 1982 or thereafter the amount of pension plus relief in pension payable be stepped up to Rs. 150/- per month till normal entitlement (pension plus relief) itself adds up to Rs. 150/- per month or more.

Provided further in the case of superannuation/retiring/invalid/compensation pension falling due on 1st April, 1983, or thereafter the amount of pension plus relief in pension payable be stepped up to Rs. 160/- per month till normal entitlement (pension plus relief) itself adds up to Rs. 160/- per month or more.

In respect of employees who had retired on or after 31st March, 1979 or who may retire thereafter, the amount of pension shall be determined in accordance with the following slabs :

- | | | |
|-------|--|--|
| (i) | Up to first Rs. 1000/- of average emoluments reckonable for pension. | Amount of monthly pension 50% of average emoluments. |
| (ii) | Next Rs. 500/- of average emoluments reckonable for pension. | 45% of average emoluments. |
| (iii) | Balance of average emoluments reckonable for pension. | 40% of average emoluments subject to an overall ceiling as per Note 2 below. |

- Note:*
- (1) The amount of pension arrived at on the basis of the above slabs will be related to the maximum qualifying service of 33 years. For University employees who, at the time of retirement, have rendered qualifying service of ten years or more but less than 33 years, the amount of their pension will be such proportion of the maximum admissible pension as the qualifying service rendered by them bears the maximum qualifying service of 33 years. A few illustrations are given in Schedule 'AAA'.
 - (2) The pension as determined in accordance with the above slabs plus the maximum relief on pension at the rate of Rs. 100/- per month admissible to a pensioner as on 1.12.1978 in accordance with the orders issued by the Government of India and made applicable to the pensioners to whom these Statutes apply, will be subject to an overall ceiling of Rs. 1500/- per month. If the pension itself exceeds Rs. 1,500/- per month, then the maximum pension for full service of 33 years will be restricted to Rs. 1,500/- per month and no relief will be payable up to index level 328.
 - (3) The existing provisions of the Statutes regarding admissibility of service gratuity, Death-cum-Retirement Gratuity, Family pension and determination of the average emoluments, service qualifying for pension including the provision of treating completed six monthly period of service as qualifying and fraction of a rupee being rounded off to next higher rupee, will remain unaltered.

With effect from 10th September, 1983 in calculating the length of qualifying service, fraction of a year equal to 3 months and above shall be treated as a completed one-half year and reckoned as qualifying service.

Provided further that in the case of superannuation/invalid/retiring/compensation pension falling due on 1.1.1986 or thereafter, the amount of pension plus relief in pension payable be stepped up to Rs. 375/- per month.

In respect of employees retiring on or after 1.1.1986, pension shall be calculated at 50% of average emoluments instead of under the slab formula and shall be subject to a minimum of Rs. 375/- p.m. and maximum of Rs. 4500/- p.m.

(ii) *Nominations:*

Any pensioner to whom any pension is payable by the University may nominate any other person (hereinafter referred to as the nominee) in accordance with the provisions given below, who shall receive after the death of the pensioner all moneys payable to the pensioner on account of such pension, before or after the death of such nomination and which remain unpaid immediately before the death of the pensioner.

- (1) Every pensioner who has retired on or before the date of coming into effect of this amendment shall within six months nominate any person for the purpose of above mentioned paragraph in the form given in the Schedule 'G' and submit it, in triplicate by personal service after taking receipt or by sending through registered post acknowledgement due to the respective Pension Disbursing Authority through whom pension is drawn.
- (2) Within thirty days of the receipt of nomination in the form as referred to above the Pension Disbursing Authority shall get the particulars of the pensioner as mentioned in the above form, verified with reference to the available record and return to the pensioner, after obtaining a receipt thereof, the duplicate copy of the nomination form duly attested by him or an officer authorised by him in this behalf. The triplicate copy shall be sent to the Registrar of the University while the original copy of the nomination shall be recorded.
- (3) Every employee who is due to retire after the date of coming into force of the amendment shall, submit the nomination, in triplicate, in the form referred to above to the Registrar of the University within three months before or after the date of retirement.

- (4) Within thirty days of the receipt of the nomination in the form referred to above the Registrar shall get the particulars of the pensioners, as mentioned in the form verified with reference to the records of the establishment and return to the pensioner after obtaining the receipt thereof, the duplicate copy of the nomination form duly attested by him or by an officer authorised by him in this behalf. The triplicate copy duly accepted shall be sent to the Finance Officer, who shall pass it on to the Pension Disbursing Authority.
 - (5) A Notice of modification of nomination including cases where a nominee pre-deceases the pensioner shall be submitted in triplicate in the form given in Schedule 'H' to the Pension Disbursing Authority in the manner specified in Sub-Clause 1 and thereafter the provisions of the Sub-Clause (2) shall apply *mutatis-mutandis* with modifications as if it was made under Sub-Clause (1).
 - (6) A Nomination or a fresh nomination or notice of modification of nomination shall be signed by the pensioner or, if he is illiterate, shall bear his thumb impression given in the presence of two witnesses who shall also sign a declaration to the effect in the nomination, fresh nomination or notice of modification of nomination, as the case may be. .
 - (7) Nomination, fresh nomination or notice of modification of nomination shall take effect from the date of receipt thereof by the Pension Disbursing Authority or the Registrar, as the case may be.
 - (8) A nomination made under this Clause and accepted by the Registrar, shall be a conclusive proof with regard to the persons nominated to receive arrears of pension of the pensioner.
17. *Commutation of Pension :*
- (a) A University employee who may be entitled to or has been authorised any class of pension referred to in Clause 15 above shall, subject to the conditions specified below, be entitled to commute for lump sum payment a fraction not exceeding one third of his pension. In an application for commutation in Form 1 or Form 2, as the case may be, an applicant shall indicate the fraction of pension which he desires to commute and may either indicate the maximum limit of one third of pension or such lower limit as he may desire to commute. If fraction of pension to be commuted results in fraction of rupee, such fraction of a rupee shall be ignored for the purpose of commutation.

- (b) No employee against whom departmental or judicial proceedings have been instituted, as referred to in Clause 14 above shall be eligible to commute a fraction of his pension, during the pendency of such proceedings.
- (c) The commutation of pension shall become absolute on the date on which the application in Form 1 is received, from the employee by the Finance Officer of the University or on the date following the date of his retirement, whichever is later and in the case of Form 2 on the date on which the medical authority signs the medical report. Provided the reduction in the amount of pension on account of commutation shall be operative from the date of receipt of the commutation value of pension or at the end of three months after issue of authority by the Finance Officer of the University for the payment of commuted value of pension, whichever is earlier.
- (d) If the applicant dies without receiving the commuted value on or after the date on which commutation became absolute, the commuted value shall be paid to his heirs.
- (e) The lumpsum payable shall be calculated in accordance with the table of values prescribed from time to time and applicable to the applicant on the date on which the commutation becomes absolute.
- (f) An applicant who is authorised a compensation pension, superannuation or retiring pension on completion of 30 years of qualifying service or proportionate pension on completion of 20 years of qualifying service vide sub-Clause (a) & (c) of Clause 15 above shall, subject to the limit in sub-clause (a) above, be eligible to commute a fraction without medical examination provided that he applies for commutation in Form 1 within one year of date of his retirement.
- (g) In case not covered by sub-Clause (f), an applicant in Form 2 shall be eligible to commute a fraction of his pension subject to the limit prescribed in sub-Clause (a) above after he has been declared fit by the medical board constituted by the Vice-Chancellor in the case of invalid pension and the Chief Medical Officer, W.U.S. Health Centre in the other cases. The applicant shall be required to pay for medical examination such fee as may be specified by the Executive Council.

If the medical authority refuses commutation, the University employee can make an appeal within one month of receipt of report if he feels that the medical authority in refusing

commutation on medical grounds or making addition of years to his actual age has committed an error of judgement. The medical authority shall arrange for the second medical examination, if the applicant so desires. The examination shall be at the expense of the employee and shall take place after the expiry of a period of not less than one year from the date of the first medical examination.

- (h) A University employee who is due to retire on superannuation and desires payment of the commuted value of pension being authorised at the time of issue of the pension payment order, shall be eligible to apply for commutation of a fraction of pension alongwith pension papers prior to the date of retirement provided that he retires from superannuation only and apply to the Registrar not later than 3 months before the date of superannuation. No such application shall be entertained if the period is less than three months from the date of superannuation of the University employee. The University shall have no liability for the payment of the commuted value of pension if the University employee dies before the date of superannuation or forfeits claim to pension before such retirement.
- (i) An applicant who has commuted a fraction of his pension and after commutation his pension has been revised and enhanced retrospectively as a result of University's decision, the employee shall be paid the difference between the commuted value determined with reference to enhanced pension and the commuted value already authorised. For the payment of difference, the employee shall not be required to apply afresh.

Provided that in the case of an employee who has commuted a fraction of his original pension not exceeding rupees one hundred per month after being declared fit by a medical authority and as a result of retrospective enhancement of pension he becomes eligible to commute an amount exceeding one hundred rupees per mensem he shall be allowed the difference between the commuted value of one hundred rupees per mensem and the commuted value of the fraction of the original pension without further medical examination. The commutation of any further amount beyond rupees one hundred per mensem shall be treated as fresh commutation and allowed subject to examination by a Medical Board.

- I. Such University pensioners who have commuted a portion of their pension, and on 1.4.1985, or thereafter, have

completed or will complete 15 years from their respective dates of retirement will have their commuted portion of pension restored.

- II. University employees who got themselves absorbed under Central Public Sector Undertakings/autonomous bodies and have received/or opted to receive commuted value of 1/3rd of pension as well as terminal benefits equal to the commuted value of balance amount of terminal benefits equal to the commuted value of balance amount of pension left after commuting 1/3rd of pension are not entitled to any benefit under these orders as they have ceased to be University pensioners.
- III. Each pensioner who is eligible as in paragraph (I) above is required to apply in the prescribed Form, duly completed, to the Registrar of the University who will restore the commuted portion of pension if the commuted amount has been mentioned in the Pension Payment Order and will also pay the arrears, if any.
- IV. In cases where the pensioner had completed 15 years from the date of retirement on 1.4.1985 or thereafter and had died subsequently his/her legal heir(s) is/are also entitled to receive arrears with effect from 1.4.1985 (or from the date of completion of 15 years from the date of retirement whichever is later), till the date of the pensioner's death. For this purpose, legal heir(s) may also apply to the Registrar.

GRATUITY

18. (i) In addition to the pension/gratuity as provided in the foregoing provisions of Appendix 'A' to Statute 28-A an employee who has completed five years of qualifying service at the University may be granted an additional (Death-cum-Retirement) Gratuity in accordance with the scale indicated in Clause 19. This gratuity shall be payable on his retirement from the service of the University. In the event of his demise, the gratuity shall be payable to the nominee of the deceased in the manner prescribed (vide Forms V to VIII).

(ii) If there is no such nomination or if the nomination made does not subsist the gratuity shall be paid in the manner indicated below:

- (a) If there are one or more surviving members of the family as in the following sub-clauses (aa), (bb), (cc) and (dd), to all such members in equal shares:
 - (aa) wife or wives, in the case of male employee;
 - (bb) husband in the case of a female employee;

(cc) sons including step sons and adopted sons; .

(dd) unmarried daughters including step daughters and adopted daughters.

(b) If there are no such surviving members of the family as in Clause (a) above, but there are one or more members as in the following sub-clauses (aa), (bb), (cc), (dd), (ee), (ff) and (gg), to all such members in equal shares:

(aa) widowed daughters including step daughters and adopted daughters.

(bb) father
 (cc) mother

} including adoptive parents in the case of individuals whose personal law permits adoption.

(dd) brothers below the age of eighteen years including step brothers;

(ee) unmarried sisters and widowed sisters including step sisters;

(ff) married daughters; and

(gg) children of pre-deceased son.

Note : 1. The right of female member of the family, or that of a brother, of an employee who dies while in service or after retirement, to receive the share of gratuity shall not be affected if the female member marries or re-marries, or the brother attains the age of eighteen years, after the death of the employee and before receiving her or his share of the gratuity.

Note : 2. Where gratuity is granted under this rule to a minor member of the family of the deceased employee, it shall be payable to the guardian on behalf of the minor.

Note : 3. Where an employee dies while in service, or after retirement without receiving the amount of gratuity, and-

- (a) leaves behind no family; or if
- (b) has made no nomination; or
- (c) the nomination made by him does not subsist; the amount of death-cum-retirement gratuity payable to him under this rule shall lapse to the University.

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(iii) No gratuity shall be payable on resignation from the service of the University or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age.

19. (i) The amount of Death-cum-Retirement Gratuity will be one-fourth of the emoluments of an employee for each completed six monthly period of qualifying service subject to a maximum of fifteen times the emoluments. In the event of death of an employee while in service the Gratuity shall be subject to a minimum of twelve times the emoluments of the employee at the time of his death :

Provided that in no case it shall exceed Rs. 24,000/- and that the amount of gratuity payable is further subject to the provision of Clause 24(A) (vi) of Appendix 'A' to Statute 28-A and the Note thereunder.

With effect from 1.1.1986, in the event of death in harness, the Death-Gratuity shall be admissible at the following rates:

<i>Length of Service</i>	<i>Rate of Gratuity</i>
(i) 5 years or more but less than 20 years.	12 times of emoluments
(ii) 20 years or more	Half of emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments provided that the amount of Death Gratuity shall in no case, exceed one lakh rupees.

(ii) In respect of employees who retired from service on or after 1st January, 1973 or who may retire from service thereafter or died while in service on or after the aforesaid date or in the event of their death in service thereafter, for Death-cum-Retirement Gratuity, the existing maximum limit of 'fifteen times the emoluments' as prescribed in Clause (i) above shall be raised to 16-1/2 times the emoluments:

Provided that the maximum monetary limit of Rs. 24,000/- applicable to Death-cum-Retirement Gratuity under the proviso to Clause (i) above shall in respect of cases falling under Clause (ii) above be raised to Rs. 30,000/-.

Provided further in respect of persons who become eligible to payment of Death-cum-Retirement Gratuity on or after 31st January, 1982, the maximum amount may be raised to Rs. 36,000/-.

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Provided further in respect of employees who become eligible to payment of Death-cum-Retirement Gratuity on or after 31st March, 1985, the maximum amount be raised to Rs. 50,000/-.

Provided further in respect of employees who become eligible for payment of Retirement-Gratuity on or after 1.1.1986, the maximum monetary limit be raised to Rs. 1,00,000/-.

(iii) With effect from 14.9.1983 the qualifying service shall be calculated in six monthly periods. A fraction of less than three months shall not be taken into account and any period between three months and six months shall be treated as a six monthly period in calculating the total qualifying service.

20. If an employee who has become eligible for a pension or gratuity dies within a period of five years after he retires from the service of the University, and the sums actually received by him at the time on account of such pension together with the gratuity granted under the above provisions and the commuted value of any portion of the pension commuted by him are less than the amount equal to twelve times the emoluments, a gratuity equal to the deficiency shall be granted to the person or persons nominated by him.

21. If a permanent employee dies before completing five years of qualifying service, his family will be eligible for a gratuity equal to six times his emoluments at the time of his death, except in cases in which death occurs in the first year of service, when gratuity admissible will be equal to two months' emoluments.

22. *Temporary Employees:* .

(a) *Terminal Gratuity:* A temporary employee who retires on superannuation or is discharged on account of retrenchment or is declared invalid, for further service, will be eligible for a gratuity at the rate of one third of a month's pay for each completed year of service provided that, he has completed not less than five years of continuous service at the time of retirement, discharge or invalidment.

(b) *Death Gratuity :* The family of a temporary employee who dies while in service will be eligible for a death gratuity on the scale and subject to the conditions specified below:

- (i) On death after completion of one year of service but before completion of three years of service. A gratuity equal to one month's pay.
- (ii) On death after completion of three years of service but before completion of five years of service. A gratuity equal to two month's pay.

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- (iii) On death after completion of five years of service or more A gratuity equal to three month's pay or the amount of the terminal gratuity mentioned in sub-clause (a) above whichever is more.

Provided the families of temporary employees who died in harness on or after 1.1.1986 shall be eligible to death gratuity on the same scale as admissible to families of permanent employees under the clause 19(i) above.

Note : For the purpose of determining the amount of terminal or death gratuity under this Clause pay will mean only basic pay and also dearness pay (if any) at the time of relinquishing service or of death, as the case may be. It will not include special pay, personal pay and other emoluments as pay. In case the employee concerned was on leave with or without allowances immediately before retirement, discharge, invalidment or death, pay for this purpose will be pay which he would have drawn had he not proceeded on such leave.

FAMILY PENSION

23. The Family Pension Scheme as detailed below will be applicable to regular employees in pensionable service, temporary or permanent, subject to the provision of Clause 38.

24. It will be administered as below:

(A) For those who were in service on 1st April, 1964, but retired before 1st January 1966, and are still alive and who opt for General Provident Fund-cum-Pension-cum-Gratuity Scheme, the following provisions will apply:

- (i) The family pension will be admissible in case of death while in service or after retirement, if at the time of death, a retired officer was in receipt of a compensation, invalid, retiring or superannuation pension. In case of death while in service, the employee should have completed a minimum period of one year in service.

Provided in case of death while in service before completion of one year of continuous service, the family pension will be admissible if the employee concerned was examined by the appropriate medical authority and declared fit by that authority for University service immediately prior to the appointment to the service or post.

Note: The amendment will also be applicable in the case of Delhi University Colleges Retirement Benefit Rules, 1970.

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- (ii) 'Family' for purposes of this scheme will include the following relatives of the employee:
- (a) Wife in the case of male officer;
 - (b) Husband in the case of female officer;
 - (c) Minor sons;
 - (d) Unmarried minor daughters.

Note : (i) (c) and (d) will include children adopted legally before retirement.

(ii) Marriage after retirement will not be recognised for the purpose of the Scheme.

(iii) The family pension will be admissible:

- (a) In the case of widow/widower up to the date of death or re-marriage whichever is earlier;
- (b) In the case of minor sons until the age of 25 years;
- (c) In the case of unmarried daughter until she attains the age of 25 years or marriage, whichever is earlier;
- (d) Family pension payable to a son or daughter shall be stopped if he or she starts earning his or her livelihood or attains the age of 25 years whichever is earlier;

Provided that if the son or daughter of an employee is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of 25 years, the family pension shall be payable to such son or daughter for life subject to the following conditions, namely:

- (i) If such son or daughter is one among two or more children of the employee, the family pension shall be initially payable to the minor children in the order set out in item (c) of sub-para (iv) of this rule until the last minor child attains the age of 25, as the case may be, and thereafter the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and the same shall be payable to him/her for life;
- (ii) If there are more than one such son or daughter suffering from disorder or disability of mind or who are physically crippled or disabled, the family pension shall be paid in the following order namely:
 - (i) firstly, to the son, and if there are more than one son, the younger of them will get the family pension only after the life time of the elder.

- (b) secondly, to the daughter, and if there are more than one daughter, the younger of them will get the family pension only after the life time of the elder.
- (iii) the family pension shall be paid to such son or daughter through the guardian as if he or she were a minor;
- (iv) before allowing the family pension for life to any such son or daughter, the sanctioning authority shall satisfy that the handicap is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of a Civil Surgeon setting out, as far as possible, the exact mental or physical condition of the child;
- (v) the person receiving the family pension as guardian of such son or daughter shall produce every three years a certificate from a medical officer not below the rank of a Civil Surgeon to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.

Note : Where an officer is survived by more than one widow, the pension will be paid to them in equal share. On death of the widow, her share of the pension will become payable to her eligible minor child; if at the time of the death, a widow leaves no minor child, the payment of her share of the pension will cease.

Where an officer is survived by a widow but has left behind an eligible minor child from another wife, the eligible minor child will be paid the share of the pension which the mother would have received if she had been alive at the time of the death of the officer.

- (iv) (a) Except as provided in note below sub-para (iii), the family pension shall not be payable to more than one member of the family at the same time.
- (b) If a deceased employee or pensioner leaves behind a widow or widower, the family pension shall become payable to the widow or widower, failing which to the eligible child.'
- (c) If sons and unmarried daughters are alive, unmarried daughters shall not be eligible for family pension unless the sons attain the age of eighteen years and thereby become ineligible for the grant of family pension.
- (v) In the event of re-marriage or death of the widow/widower, the pension will be granted to the minor children through their

natural guardian. In disputed cases, however, payments will be made through a legal guardian.

- (vi) Every employee eligible to the benefit of the above scheme, will be required to surrender a portion of gratuity where admissible, equal to two months, 'emoluments' or 'pay' as the case may be subject to a maximum of Rs.3600/-. However, in respect of employees who retired from service on or after 1st January, 1973 or who may retire from service thereafter or die while in service on or after the aforesaid date or in the event of their death in service thereafter the maximum limit of gratuity required to be surrendered shall be Rs. 5,000/- (instead of Rs. 3,600/-). Where an employee governed by this Scheme retires, as a bachelor who has not adopted any child, no deduction from his gratuity will be made. In case where the gratuity admissible is less than two months pay, the same will be resumed by University against the family pension benefit admissible under the scheme:

Provided that no deduction shall be made from the *Death-cum-Retirement Gratuity* as contribution towards family pension with effect from 22nd September, 1977.

Note : In the case of employees retiring without wife/ husband or minor children including adopted children, the deduction of two month's pay/ emoluments from the gratuity will not be made as in the case of bachelors.

- (vii) Under the scheme, the following benefits will be awarded:

<i>Pay of the Employee</i>	<i>Monthly Pension of Widow/ Widower/Children</i>
1. Rs. 800/- and above	12% of pay subject to a maximum,of Rs. 150/-.
2. Rs. 200/- and above	15% of pay subject to a maximum of Rs. 96/- and a minimum of Rs. 60/-.
3. Below Rs. 200/-	30% of pay subject to a minimum of Rs. 25/-.

Provided that in case an employee dies on or after the 28th February, 1970 and his family is eligible for pension under this scheme and the amount of family pension including ad hoc increase in accordance with the rules/orders in force at the time of his death, is less than Rs. 40/- per month the same shall be raised to Rs. 40/- per month (inclusive of ad hoc increase where applicable) with effect from 1.3.1970.

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Provided further that in case of recipients of family pension under this scheme, if the amount of pension including ad hoc increase or temporary increase or both which the beneficiary may be in receipt on 1-3-1970 is less than Rs. 40/- per month, the same shall be raised to Rs. 40/- per month (inclusive of ad hoc or temporary increase as the case may be where applicable) with effect from 1-3-1970.

(B) For those who are in service on or after 1st January, 1966, the following additional provision will apply:

- (i) If the employee has put in 7 years of service or *more* prior to his death, for a period of 7 years from the date of death or till the date on which the officer would have reached the normal age of superannuation had he remained alive, whichever period is shorter, the pension payable under the aforesaid orders will be at 50% of the pay last drawn subject to a maximum of twice the pension admissible under (ii) below:
- (ii) If the employee has not put in 7 years of service prior to death or after 7 years of payment as in (i) above, the rate of the family pension will be as under:

<i>Pay of the Employee</i>	<i>Monthly Pension of Widow/Widower/Children</i>
1. Rs. 800/- and above	12% of pay subject to a maximum of Rs. 150/-.
2. Rs. 200/- and above but below Rs. 800/-	15% of pay subject to a maximum of Rs. 96/- and minimum of Rs. 60/-.
3. Below Rs. 200/-	30% of pay subject to a minimum of Rs. 25/-.

Provided that in case an employee dies on or after the 28th February, 1970 and his family is eligible for pension under this Scheme and the amount of family pension, including ad hoc increase in accordance with the rules/orders in force at the time of his death, is less than Rs. 40/- per month, the same shall be raised to Rs. 40/- per month (inclusive of ad hoc increase where applicable) with effect from 1-3-1970.

Provided further that in case of recipients of family pension under this scheme, if the amount of pension including ad hoc increase or temporary increase or both which the beneficiary may be in receipt on 1.3.1970 is less than Rs. 40/- per month, the same shall be raised to Rs. 40/- per month (inclusive of ad hoc or temporary increase as the case may be, where applicable) with effect from 1.3.1970.

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Note : 'Pay' for this purpose shall mean the pay which the employee was drawing on the date of his death while in service or immediately before his retirement. If on the date of his death, while in service, or immediately before his retirement, an employee has been absent from his duty on leave (including extra-ordinary leave) or suspension, 'pay' means the pay which he drew immediately before proceeding on such leave or suspension.

(C) For the employees who died while in service on or after the 1st January, 1973 or in the event of their death after retirement on or after 1st January, 1973 and were in receipt of compensation, invalid, retiring or superannuation pension on the date of death the rates of the Family Pension shall be revised as follows :

<i>Pay of the Employee</i>	<i>Amount of Monthly Family Pension.</i>
1. Below Rs. 400/-	30% of pay subject to a minimum of Rs. 60/- and a maximum of Rs. 100/-.
2. Rs. 400/- and above but below Rs. 1200/-.	15% of pay subject to a minimum of Rs. 100/- and a maximum of Rs. 160/-.
3. Rs. 1200/- and above.	12% of pay subject to a minimum of Rs. 160/- and a maximum of Rs. 250/-.

The amount of the family pension at enhanced rates as determined under Clause (B) (i) above shall be payable:

- (a) In the event of the death of an employee while in service for a period of seven years or up to the date on which he would attain the age of 65 years had he survived, whichever period is less.
- (b) In the event of the death after retirement the family pension at enhanced rates shall be payable up to the date on which the employee would have attained the age of 65 years had he survived or for seven years whichever period is less, but in no case the amount of family pension shall exceed the pension sanctioned to the employee at the time of retirement. However, in cases where the amount of family pension admissible as per this Clause (C) exceeds the pension sanctioned at the time of the retirement, the amount of family pension sanctioned under this sub-clause shall not be less than that amount. The pension sanctioned at the time of retirement shall be the pension inclusive of any portion which may have been commuted before death.

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Provided further that in the case of family pensions falling due on 1.1.1986 or thereafter, the amount of family pension plus relief in pension payable be stepped up to Rs. 375/- p.m.

(D) For the employees who died while in service on or after 1.1.1986 or in the event of their death after retirement on or after 1.1.1986 and were in receipt of compensation, invalid, retiring or superannuation pension on the date of death, the rates of the family pension shall be as follows:

<i>Basic Pay Per Month</i>	<i>Rate of Family Pension per month inclusive of Dearness Relief up to average Consumer Price Index 608</i>
(i) Not exceeding Rs. 1500/-	30% of basic pay subject to minimum of Rs. 375/-.
(ii) Exceeding Rs. 1500/- but not exceeding Rs. 3,000/-	20% of basic pay subject to minimum of Rs. 450/-.
(iii) Exceeding Rs. 3,000/-	15% of basic pay subject to a minimum of Rs. 600/- and a maximum of Rs. 1,250/-.

The amount of the family pension at enhanced rates as determined under Clause (B) (i) above shall be payable:

- (a) In the event of death of an employee while in service a period of seven years or up to the date on which he attain the age of 65 years had he survived, whichever period is less.
- (b) In the event of the death after retirement the family pension at enhanced rates shall be payable upto the date on which the employee would have attained the age of 65 years had he survived, or for seven years whichever period is less, but in no case the amount of family pension shall exceed the pension sanctioned to the employee at the time of retirement.

However, in cases where the amount of family pension admissible as per this Clause (D) exceeds the pension sanctioned at the time of retirement, the amount of family pension sanctioned under this Sub-clause shall not be less than that amount. The pension sanctioned at the time of retirement shall be the pension inclusive of any portion which may have been commuted before death.

25. All employees entitled to the benefit of Family pension shall be required to furnish details of their 'family' as defined in Clause (ii) of Clause 24 (A) above, *i.e.*, the date of birth of each member with his/her relationship with the employee. This statement shall be

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countersigned by the Registrar and posted in the service record of the employee. The employee will thereafter be required to keep the statement up-to-date. Additions and alterations in this statement will be made by the Registrar from time to time on receipt of information from the employee concerned.

26. In cases where death occurs while in service, the Registrar on receiving information of death of an employee while in service shall send a letter as prescribed in Form IX to the family of the deceased and ask for necessary documents mentioned therein. On receiving documents the Registrar shall take necessary action to sanction the pension to the eligible member of the family.

EXTRA-ORDINARY PENSION AND GRATUITY

27. Extra-ordinary pension and gratuity may be sanctioned by the Executive Council of the University on the advice of an *ad hoc* committee when an employee sustains an injury or dies as a result of an injury or is killed. In making the award, the Executive Council may take into consideration the degree of fault or contributory negligence on the part of the employee who sustains an injury or dies as a result of an injury or is killed.

The said *ad hoc* committee shall consist of five members, four appointed by the Executive Council from amongst themselves and the fifth member will be the representative from the Ministry of Finance, Government of India.

28. For the purpose of the provisions for Extra-ordinary Pension and Gratuity, injury shall be classified as follows:

CLASS 'A'

Injuries caused "as a result of special risk of office which have resulted in the permanent loss of an eye or a limb or are of a more serious nature.

CLASS 'B'

Injuries caused as a result of special risk of office and equivalent, in respect of the degree of disablement which they cause, to the loss of a limb or are very severe; or injuries caused as a result of risk of office which have resulted in the permanent loss of an eye or a limb, or are of a more serious nature.

CLASS 'C'

Injuries caused as a result of special risk of office which are severe, but not very severe and likely to be permanent; or injuries caused as a result of risk of office which are equivalent, in respect of the

degree of disablement which they cause, to the loss of a limb or which are very severe or severe and likely to be permanent.

29. If an employee sustains an injury which falls within class 'A' he may be awarded -

- (a) a gratuity of the applicable amount specific in Schedule 'D', and
- (b) with effect from the date following the expiry of one year from the date of the injury;
 - (i) if the injury has resulted in the permanent loss of more than one limb or one eye, a permanent pension of the applicable amount specific in Schedule 'D' for a higher scale pension, and
 - (ii) in other cases, a permanent pension, the amount of which shall not exceed the applicable amount specified in Schedule 'D' for a higher scale pension and shall not be less than half that amount.

30. If an employee sustains an injury which falls within class, 'B' he may be awarded :

- (a) if the injury has resulted in the permanent loss of an eye or a limb or is of more serious nature, a permanent pension with effect from the date of the injury, of an amount which shall not exceed the applicable amount specified in Schedule 'D' for a lower scale pension and shall not be less than half of that amount:
- (b) in other cases:
 - (i) for a period of one year with effect from the date of the injury, a temporary pension, the amount of which shall not exceed the applicable amount specified in Schedule 'D' for a lower scale pension and shall not be less than half of that amount, and thereafter;
 - (ii) a pension within the limit specified in sub-clause (i) if the Consulting Medical Officer of the University from year to year certifies that the injury continues to be very severe.

31. If an employee sustains an injury which falls within Class 'C' he shall be awarded a gratuity of the applicable amount specified in Schedule "D" if the Consulting Medical Officer of the University certifies that the employee is likely to be unfit for service for a year, or a proportionate amount subject to a minimum of one-fourth the amount so specified if he is certified to be likely to be unfit for less than a year :

Provided that in cases where the injury is equivalent, in respect of the degree of disablement which it causes, to the loss of a limb, the Executive Council may award, if it thinks fit, in lieu of the gratuity, a pension not exceeding the amount admissible under sub-clause (b) of Clause 30.

32. A temporary pension awarded under this Statute may be converted into a permanent injury pension :

- (a) when the employee is rendered invalid out of service on account of the injury in respect of which the temporary pension was awarded, or
- (b) when the temporary pension has been drawn for not less than five years, or
- (c) at any time if the Consulting Medical Officer certifies that he sees no reason to believe that there will ever be a perceptible decrease in the degree of disablement.

33. The awards shall be made to the widow and children of an employee as follows :

- (a) if the employee is killed or dies of injury received as a result of special risk of office :
 - (i) a gratuity of the applicable amount specified in Schedule 'E', and
 - (ii) a pension the amount of which shall not exceed the applicable amount specified in Schedule 'E'
- (b) if the employee is killed or dies of injuries received as a result of risk of office, a pension the amount of which shall not exceed the applicable amount specified in Schedule 'E',

Note: The rates in Schedule 'E' are subject to the condition that the pension payable to a child/children will in no case be less than the amount of pension which would have been admissible to him/ them had the provisions of the family pension been applied.

Provided that if the pay of deceased employee was less than Rs. 2001-, the monthly pension or the sum of pensions that may be granted under this Statute shall not, irrespective of the rates (including the minimum limits) specified in Schedule 'E' exceed the limit of one-half of his pay; and if in any case the sum of such pensions calculated under Schedule 'E' exceeds the limit of one-half of his pay, such a prorata reduction shall be made in the amount of such individual pension as will reduce the sum to such limit :

Provided further that for a period of 7 years from the date of death or till the date on which the employee would have reached the normal

age of superannuation had he remained alive, whichever period is shorter, the pension payable will be at 50% of the basic pay last drawn subject to a maximum of twice the pension admissible under Clause 26, if the employee has rendered continuous service for not less than 7 years.

This provision is not applicable to those employees, who retired before 1-1-1966.

34. If the deceased employee has left neither a widow nor a child, an award may be made to his father and his mother individually or jointly and in the absence of the father and the mother, to minor brothers and sisters, individually or collectively, if they were largely dependent on the employee for support and are in pecuniary need:

Provided that the total amount of the awards shall not exceed one-half of the pension that would have been admissible to the widow under the preceding Clause:

Provided further that each minor brother's or sister's share shall not exceed the amount of pension specified in Schedule 'E' for a child who is not motherless.

35. Any award made under Clause 37 will, in the event of an improvement in the pecuniary circumstances of the pensioner, be subject to review in such manner as the Executive Council may, by order prescribe.

36. An Extra-ordinary Family Pension under this Statute will take effect from the day following the death of the member of the staff or from such other date as the Executive Council may decide.

37. An Extra-ordinary Family Pension will ordinarily be tenable—

- (a) in the case of widow or mother until death or re-marriage, whichever occurs earlier;
- (b) in the case of a son or brother, until the age of 21;
- (c) in the case of an unmarried daughter or sister, until marriage or until she attains the age of 24, whichever is earlier; and
- (d) in the case of a father, for life.

Note : The above provision takes effect retrospectively from the 29th March, 1978 and will apply only to those cases where the employee retired/retires or died/dies in service on or after 29th March, 1978.

38. The family of the employee dying as a result of 'risk of office' or 'special risk of office' who are paid pension etc., under Clause 36, will not be entitled to the family pension under Clause 23.

39. When a claim for any injury pension or gratuity or family pension arises under any of the rules in this Section, the Officer-in-charge of the office or the department or section in which the injured or the deceased was employed will forward the claim to the Executive Council through the Registrar with the following documents :

- (a) a full statement of circumstances in which the injury was received, the disease was contracted or the death occurred;
- (b) the application for injury pension or gratuity in Form X or as the case may be, the application for family pension in Form XI, in the Annexure;
- (c) in the case of an injured member of the staff or one who has contracted a disease, a Medical Report in Form XII in the Annexure. In the case of a deceased member of the staff, a medical report as to the death or reliable evidence as to the actual occurrence of the death if the member of the staff lost his life in such circumstances that the Medical Report cannot be secured.

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Schedule 'A'

SCALE OF PENSION

(Clause 16 of Appendix 'A' of Statute 28-A)

<i>Completed six monthly period of qualifying Service.</i>	<i>Scale of Pension</i>	<i>Maximum Pension (in Rs.) Per annum</i>
20	10/80 of average emoluments	2,700
21	10½/80 " "	2,835
22	11/80 " "	2,970
23	11½/80 " "	3,105
24	12/80 " "	3,240
25	12½/80 " "	3,375
26	13/80 " "	3,510
27	13½/80 " "	3,645
28	14/80 " "	3,780
29	14½/80 " "	3,915
30	15/80 " "	4,050
31	15½/80 " "	4,185
32	16/80 " "	4,320
33	16½ " "	4,455
34	17/80 " "	4,590
35	17½/80 " "	4,725
36	18/80 " "	4,860
37	18½/80 " "	4,995
38	19/80 " "	5,130
39	19½/80 " "	5,265
40	20/80 " "	5,400
41	20½/80 " "	5,535
42	21/80 " "	5,670
43	21½/80 " "	5,805
44	22/80 " "	5,940

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45	22½/80	"	"	6,075
46	23/80	"	"	6,210
47	23½/80	"	"	6,345
48	24/80	"	"	6,480
49	24½/80	"	"	6,615
50	25/80	"	"	6,750
51	25½/80	"	"	6,885
52	26/80	"	"	7,020
53	26½/80	"	"	7,115
54	27/80	"	"	7,290
55	27½/80	"	"	7,425
56	28/80	"	"	7,560
57	28½/80	"	"	7,695
58	29/80	"	"	7,830
59	29½/80	"	"	7,965

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Schedule 'AA'

SCALE OF PENSION IN RESPECT OF THE EMPLOYEES WHO
RETIRE FROM SERVICE ON OR AFTER 1.1.1973.

(Clause 16 of Appendix 'A' of Statute 28-A)

<i>Completed six monthly period of qualifying service.</i>	<i>Scale of Pension</i>	<i>Maximum Pension (in Rs.) Per annum</i>
20	10/80 of average emoluments	3,750.00
21	10½/80ths " "	3,937.50
22	11/80ths " "	4,125.00
23	11½/80ths " "	4,312.50
24	12/80ths " "	4,500.00
25	12½/80ths " "	4,687.50
26	13/80ths " "	4,875.00
27	13½/80ths " "	5,062.50
28	14/80ths " "	5,250.00
29	14½/80ths " "	5,437.50
30	15/80ths " "	5,625.00
31	15½/80ths " "	5,812.50
32	16/80ths " "	6,000.00
33	16½/80ths " "	6,187.50
34	17/80ths " "	6,375.00
35	17½/80ths " "	6,562.50
36	18/80ths " "	6,750.00
37	18½/80ths " "	6,937.50
38	19/80ths " "	7,125.00
39	19½/80ths " "	7,312.50
40	20/80ths " "	7,500.00
41	20½/80ths " "	7,687.50
42	21/80ths " "	7,875.00
43	21½/80ths " "	8,062.50

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44	22/80ths	" "	8,250.00
45	22½/80ths	" "	8,437.50
46	23/80ths	" "	8,625.00
47	23½/80ths	" "	8,812.50
48	24/80ths	" "	9,000.00
49	24½/80ths	" "	9,187.50
50	25/80ths	" "	9,375.00
51	25½/80ths	" "	9,562.50
52	26/80ths	" "	9,750.00
53	26½/80ths	" "	9,937.00
54	27/80ths	" "	10,125.00
55	27½/80ths	" "	10,312.50
56	28/80ths	" "	10,500.00
57	28½/80ths	" "	10,687.50
58	29/80ths	" "	10,875.00
59	29½/80ths	" "	11,062.00
60	30/80ths	" "	11,250.00
61	30½/80ths	" "	11,437.50
62	31/80ths	" "	11,625.00
63	31½/80ths	" "	11,812.50
64	32/80ths	" "	12,000.00
65	32½/80ths	" "	12,000.00
66	33/80ths and above	" "	12,000.00

COMMUTATION TABLE FOR PENSIONS

(Clause 17 of Appendix 'A' of Statute 28-A)

Commutation for a Pension of Rupee One per annum.

<i>Age next birth day</i>	<i>Commutation value expressed as number of years' purchase</i>	<i>Age next birth day</i>	<i>Commutation value expressed as number of years' purchase</i>	<i>Age next birth day</i>	<i>Commutation value expressed as number of years' purchase</i>
17	19.28	40	15.87	63	9.15
18	19.20	41	15.64	64	8.82
19	19.11	42	15.40	65	8.50
20	19.01	43	15.15	66	8.17
21	18.91	44	14.90	67	7.85
22	18.81	45	14.64	68	7.53
23	18.70	46	14.37	69	7.22
24	18.59	47	14.10	70	6.91
25	18.47	48	13.82	71	6.60
26	18.34	49	13.54	72	6.30
27	18.21	50	13.25	73	6.01
28	18.07	51	12.95	74	5.72
29	17.93	52	12.66	75	5.44
30	17.78	53	12.35	76	5.17
31	17.62	54	12.05	77	4.90
32	17.46	55	11.73	78	4.65
33	17.29	56	11.42	79	4.40
34	17.11	57	11.10	80	4.17
35	16.92	58	10.78	81	3.94
36	16.72	59	10.46	82	3.72
37	16.52	60	10.13	83	3.52
38	16.31	61	9.81	84	3.32
39	16.09	62	9.48	85	3.13

SCALE OF GRATUITY

(Clause 14 of Appendix 'A' of Statute 28-A)

<i>Complete six monthly period of qualifying service</i>		<i>Scale of Gratuity</i>	
1	...	1/2 month's emoluments	
2	...	1	” ”
3	...	1½	” ”
4	...	2	” ”
5	...	2½	” ”
6	...	3	” ”
7	...	3½	” ”
8	...	4	” ”
9	...	5.3/8	” ”
10	...	4 3/4	” ”
11	...	5.1/8	” ”
12	...	5½	” ”
13	...	5.7/8	” ”
14	...	6¼	” ”
15	...	6.5/8	” ”
16	...	7	” ”
17	...	7.3/8	” ”
18	...	7 3/4	” ”
19	...	8.1/8	” ”

SCALE OF INJURY GRATUITY AND PENSION

(Clause 29, 30 and 31 of Appendix 'A' of Statute 28-A)

<i>Pay of employee on the date of injury</i>	<i>Gratuity Higher Scale</i>	<i>Monthly Pension Lower Scale</i>	<i>Monthly Pension</i>
		Rs.	Rs.
1. Rs. 2000/- and over		300	225
2. Rs. 1,500/- and over but		275	200
3. Rs. 1,000/- and over but under Rs. 1,500/-.		200	150
4. Rs. 900/- and over but under Rs. 1000/-.	3 months' pay subject to a minimum of Rs. 800/-	150	125
5. Rs. 400/- and over but under Rs. 900/-		100	84
6. Rs. 350/- and over but under Rs. 400/-		85	70
7. Rs. 200/- and over but under Rs. 350/-		67	50
8. Under Rs. 200/-.	4 month's pay	1/3rd of pay subject to a minimum Rs. 8/- per mensem.	1/5th of pay subject to a minimum of Rs. 4/- per mensem.

FAMILY GRATUITY AND PENSION

(Clause 33 and 34 of Appendix 'A' of Statute 28-A)

A. WIDOW

<i>Pay of Employee on the date of injury</i>	<i>Gratuity</i>	<i>Monthly Pension</i>
		Rs.
1. Rs. 800/- and over	3. months' pay subject to a minimum of Rs. 200/-	20% of pay subject to a maximum of Rs. 275/-.
2. Rs. 200/- and over but under Rs. 800/-		25% of pay subject to a maximum of Rs. 150/- and minimum of Rs. 75/-
3. Under Rs. 200/-	4 months' pay	45% of pay subject to a maximum of Rs. 75/- and minimum of Rs. 40/-

B. CHILDREN

<i>Pay of the employee on the date of the death</i>	<i>Monthly pension of each child</i>	
	<i>If the child is motherless.</i>	<i>If the child is not motherless.</i>
1. Rs. 800/- and over	Rs. 60/-	Rs. 25/-
2. Rs. 250/- and over but under Rs. 800/-	Rs. 37/50	Rs. 13/-
3. Under Rs. 250/-	15% of pay subject to a minimum of Rs. 4/-.	1/20 of pay subject to a minimum of Rs. 3/-

CLASSIFICATION OF INJURIES

Equal to loss of limb :

- Bemiplegia without aphasia.
- Permanent use of tracheotomy tube.
- Total deafness of both ears.

Very Severe :

- Complete unilateral facial paralysis, likely to be permanent.
- Leison of Kidney, urator or bladder,
- Compound fractures (except phalanges).
- Such gross destruction of soft parts as to lead to permanent disability or loss of function.

Severe and likely to be permanent :

Ankylosis of, or considerable restriction in, the movement of one of the following joints :

Knee, elbow, shoulder, hip, ankle, temporomaxillary or rigidly or the dorsilumbar or cervical sections of the spine.

Partial loss of vision of one eye.

Destruction or loss of one testcle.

Retention of foreign bodies not causing permanent or serious symptoms.

FORM-A

(See Rule-1)

To,

Pension Disbursing Authority/Head of Office
(Name of Bank/Treasury/Post Office/Accounts Officer, etc.)

I.....hereby nominate the person
(Name of the pensioner in capital letters)

named below under rule 5 of the payment of Arrears of Pension
(Nomination) Rules, 1983.

Name & Address of nominee	Relationship with Pensioner	Date of Birth	If nominee is minor Name and address of the person who may receive the said pension during the nominee's minority.
1	2	3	4

Name and address of the other nominee in case the nominee under column (1) pre-deceases the pensioner.	Relationship with pensioner	Date of Birth if the other nominee is minor.	Name and address of person who may receive the pension during the other nominee's minority.	Contingency on the happening of which nomination shall become invalid.
5	6	7	8	9

Place

Signature (or thumb impression if illiterate) and Name of Pensioner

Date

Witness : Signature

Address

Name & Address.....

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Signature of Pension Disbursing Authority/Head of Office

Acknowledgement to be sent by the Pension Disbursing Authority/
Head of Office).

Certificate that application/nomination has been received from

Name of Pensioner.....
Whose address is

Place..... Signature of Pension Disbursing Authority
Bank/Treasury/Post Office/Accounts
Date..... Officer/Head of Office.

Full Address.....
.....
.....

STATUTES

FORM - B

{See Rule-5 (5)}

To,

The Pension Distribution Authority
Name of Bank/Treasury/Post Office/Account Officer, etc.
Please.....

I..... hereby make the following
(Name of the Pensioner in Capital Letters)
alternative nomination in cancellation of the previous nomination made on
.....under rule 5 of the payment of Arrears of Pension
(Nomination) Rules, 1983.

Name & Address of Nominee	Relationship with Pensioner	Date of Birth	If nominee is minor Name and Address of the person who may receive the said pension during the nominee's minority.
1	2	3	4

Name and address of the other nominee in case the nominee under column (1) pre- deceases the pensioner.	Relationship with Pensioner	Date of Birth if the other nominee is minor.	Name and address of person who may receive the pension during the other nomi- nee's minority	Contin- gency on the happen- ing of which nomination shall be- come invalid.
5	6	7	8	9

Place Signature (or thumb
impression if illiterate) and
Date Name of Pensioner
Witness :
Signature
Name and Address Address.....
Signature of Pension Disbursing Authority
Date/Stamp

Certified that application/nomination (Form B) has been received from

(Name of the Pensioner) whose address is _____

Signature of Pension Disbursing Authority

Place _____ Date _____ P/O/Treasury with full Address.....

.....

APPENDIX 'B' TO STATUTE 28-A

(Contributory Provident Fund-cum-Gratuity Scheme)

Provident Fund

1. Every whole-time employee shall be entitled to subscribe monthly to the University Contributory Provident Fund after continuous service of one year with effect from the date of appointment. The rate of subscription may not be less than 10% of his emoluments and not more than his total emoluments, the amount so calculated being rounded off to the nearest rupee provided that in the case of subscription at the minimum or maximum rates, the rounding off will be to the next higher or the next lower rupee respectively.

The University shall contribute to this fund 10% of the pay from the date of subscription, rounded off to the nearest rupee. No subscription or contribution shall be made to the Provident Fund by an employee who is on leave without pay.

With effect from 1.3.1992 the rate of employees subscription as well as the rate of University contribution towards Contributory Provident Fund shall be @ 10% of pay.

Subject to the condition that no deduction be made which reduces the credit by more than the amount of any contribution by University with interest thereon credited under Clause 6(ii) before the amount standing to the credit of the subscriber in the Fund is paid out of the Fund.

The Vice-Chancellor may direct the deduction therefrom and payment to University of :

- (i) all amounts representing such contribution and interest, if the subscriber within five years of commencement of his service as such, resigns from the service or ceases to be an employee of the University otherwise than by reason of death, superannuation, or a declaration by a competent medical authority that he is unfit for further service, or the abolition of the post or the reduction of establishment.
- (ii) all amounts representing such contribution and interest, if the subscriber resigns from the service or ceases to be an employee of the University before confirmation.
- (iii) any amount due under a liability incurred by a subscriber to University.

- (iv) all amounts representing such contribution and interest, if the subscriber is dismissed from service due to misconduct, insolvency or inefficiency.

Provided that where the Vice-Chancellor is satisfied, that such deduction, except in the case falling under (ii) above, would cause exceptional hardship to the subscriber, he may by order, exempt from such deduction an amount not exceeding two-third of the amount of such contribution and interest which would have been payable to the subscriber, if he had retired on medical grounds.

Provided further that if any such order of dismissal is subsequently cancelled, the amount so deducted shall, on his reinstatement in the service be replaced to his credit in the fund.

Note : For the purpose of the Sub-Clause (i) of this rule the period of five years shall be reckoned from the commencement of the subscriber's continuous service under University.

Provided that in the case of person who joined the University service before 1.4.1964, the University's contribution shall be restricted to 8% of his pay from the date of his appointment, provided further that during a particular period prior to 1.4.1964, if the rate of contribution was less than 8% the lower rate of contribution will be operative for such period.

Notwithstanding the foregoing provisions and the provisions of Clause (3), persons who have retired from Government or University of Delhi or any of its Colleges or a Central University or its Colleges or the Institute of Science, Bangalore, or a National Laboratory if re-employed in the University may be permitted to subscribe to the Provident Fund, provided that where the term of re-employment is initially for a year or less but is later extended so as to exceed of one year's the contribution with interest will be credited only after the completion of one year's re-employed service. The contribution with interest shall be payable for the entire period for which the re-employed person is allowed to contribute to the Provident Fund if such period exceeds one year.

2. (i) No employee of the University shall be entitled to the benefits of the Provident Fund whose service in the University entitles him to a pension or on whose account the University contributes towards his pension or who has been appointed by the University on a consolidated salary on special terms or on a part-time or daily wage basis.

(ii) If an employee admitted to the benefit of the fund was previously a subscriber to any Contributory/Non-Contributory Provident Fund of the Central Government/State Government or of a

body corporate, owned or controlled by Government or Universities/ Colleges or Institutions of University status or an autonomous organisation registered under the Societies Registration Act of 1860 immediately before his appointment in the University, the amount of his accumulations in such Contributory or Non-Contributory Provident Fund shall be transferred to his credit in the Fund.

3. (a) When the amount of Provident Fund becomes payable to a subscriber, the Treasurer of the University will be entitled to deduct therefrom any amount due under any liability incurred by the subscriber to the University but not exceeding in any case the total amount of the contributions credited to the account of the subscriber by the University and of any interest which has accrued on such contributions.

(b) Notwithstanding anything contained in the preceding Clause of this Statute, a subscriber who ceases to be in the service of the University by reason of his taking up an appointment with another University or a College or a National Laboratory without any break and with prior permission may be declared to be entitled to the contribution of the University in accordance with the rules framed by the Executive Council.

4. The management of the Provident Fund shall vest in the Executive Council which may, from time to time, make regulations or issue such general or special directions as may be consistent with the Statutes as to the conduct of the business of the fund, or its management or the privileges of the depositors, not herein expressly provided for, or vary, or cancel any regulations made or directions given.

Provided that there shall be a Provident Fund Committee consisting of the Vice-Chancellor, the Pro- Vice-Chancellor, the Treasurer, the Registrar, the Finance Officer, two members appointed by the Executive Council from amongst its own members and two members elected by the subscribers to the Provident Fund under Statute 28 and Statute 28-A, for purpose of advising the Executive Council in matters relating to investments, payments and other matters in respect of the Provident Fund.

All members of the Provident Fund Committee, other than *ex-officio* members, shall hold office for a term of two years.

5. Every employee of the University entitled to the benefits of the Provident Fund shall be required to sign a written declaration in the prescribed form that he has read the Statute and agrees to abide by it, and shall hand in for registration in the University Office the names of the person or persons to whom he wishes the balance at his credit to be paid in the event of his death :

Provided that if at the time of making the nomination the subscriber has a family, the nomination shall not be in favour of any person or persons other than a member of his family:

Provided further that the nomination made by the subscriber in respect of any other Provident Fund to which he was subscribing before joining the Fund shall, if the amount to his credit in such other Fund has been transferred to his credit in the Fund: be deemed to be a nomination under this Statute until he makes a nomination in accordance with this Statute.

The subscriber may, from time to time, add or change his nominee by written application to the Executive Council.

A register of such nominees shall be kept in the University office.

6 (i) All amounts accruing to the Fund shall be placed in a nationalised bank to be operated in such manner as the Executive Council may direct. The balance of the Fund after reserving suitable amount for current needs, shall be invested in long term deposits in a nationalised bank, or in the Post Office or other investments authorised by the Indian Trust Act of 1882, at the discretion of the Executive Council.

Interest at the rate fixed for the purpose by the Executive Council, from time to time, shall be credited to each subscriber's account. The total amount of interest shall be rounded off to the nearest rupee (50 paise and above counting as the next higher rupee).

(ii) The subscription paid by the subscriber and the contribution by the University shall be entered monthly in a separate account for each subscriber.

(iii) The accounts of the Fund shall be audited once a year and a statement of the total amount to the credit of each subscriber shall be furnished to him.

7. Subject to the provisions of Clause (3), a subscriber at the termination of his service shall be entitled to receive the amount which accumulates to his credit, viz., his subscription with interest and contribution by the University with interest thereon upon an application made by him in the prescribed Form XIII in that behalf to the Registrar.

8. (1) On the subscriber's death the amount at the credit of the subscriber shall be paid to the person or persons duly nominated by him or when no such nomination is made, to his legal heir or heirs.

(2) *Deposit-linked Insurance Scheme:*

(i) On the death of a subscriber in service, the person(s) eligible to receive Provident Fund balances in terms of the relevant rules will be sanctioned an additional amount equal to the average balance in the account of the deceased in the Fund during the three years immediately preceding the death of employee subject to the provisions of sub-para (iii) below:

(ii) In the case of Contributory Provident Fund, only the subscription of the employee with interest thereon will be taken as the balance for the purpose of this scheme.

(iii) The above benefit will be available with effect from 8.1.1975 subject to the fulfilment of the following conditions:

(a) The balance representing subscription with interest thereon in the account of the employee should not have fallen below the following limits at any time during the three years preceding the date of death:

(i) Teachers, Asstt. Registrars and Officers in equivalent scale and above.	Rs. 3000/- up to 31.1.1978 Rs. 4000/- with effect from 1.2.1978
(ii) Section Officers and other Officers in equivalent scale	Rs. 2500/-
(iii) Employees other than those mentioned in (i), (ii) and (iv)	Rs. 1500/-
(iv) Employees in scale the maximum of which is and below.	Rs. 1000/- Rs. 291/-

Provided that nothing in this Clause shall apply if the death of such a subscriber occurs before the 1st of February, 1978.

(b) The upper limit up to which the benefit of insurance cover will be available will be Rs. 10,000/-. Thus any amount in excess of Rs. 10,000/- in the Fund will be disregarded for the purpose of this extra benefit.

(c) The benefit would be admissible only if an employee has put in at least five years' service at the time of death.

- (iv) On or after 1.1.1989 on the death of a subscriber in service, the person(s) eligible to receive Provident Fund balance in terms of the relevant rules will be sanctioned an additional amount equal to the average balance in the account of the deceased in the Fund during the three years immediately preceding the death of the employee subject to the provisions of sub-para (vi) below:
- (v) Only the subscription of the employee with interest thereon will be taken as the balance for the purposes of this scheme.
- (vi) This benefit will be available subject to the fulfilment of the following conditions:
 - (a) The balance at the credit of such subscriber shall not at any time during the 3 years preceding the month of death have fallen below the limits of-
 - (i) Rs. 12,000/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 4000/- or more.
 - (ii) Rs. 7500/- in the case of subscriber who has held for the greater part of the aforesaid period of three years, a post the maximum. of the pay scale of which is Rs. 2900/- or more but less than Rs. 4000/-.
 - (iii) Rs. 4500/- in the case a subscriber who has held for the greater part of the aforesaid period of three years a post the maximum of the pay scale of which is Rs. 1151/- or more but less than Rs. 2900/-.
 - (iv) Rs. 3000/- in the case of ,subscriber who has held for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs. 1151/-.
 - (b) The upper limit up to which the benefit of insurance cover will be available will be Rs. 30,000/-. Thus any amount in excess of Rs. 30,000/- in the Fund will be disregarded for the purpose of this extra benefit.
 - (c) The benefit would be admissible only if an employee has put in at least five years' service at the time of death.

9. (i) No final withdrawal shall be allowed until the termination of the subscriber's service or his death. But in case of necessity of which the Executive Council shall be sole judge, the Executive

Council may allow a subscriber an advance of a sum not exceeding the total amount subscribed by him.

(ii) Recoveries towards the amount shall be made in equal monthly instalments not exceeding thirty as may be decided by the Executive Council commencing from the first payment of a full month's salary after the advance is granted, but no recovery shall be made from a subscriber when he is on leave otherwise than on full pay.

(iii) When an advance is sanctioned under sub-rule (2) before repayment of last instalment of any previous advance is completed the balance of any previous advance not recovered shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

(iv) *Withdrawal from the Fund :*

Subject to the conditions specified hereunder the withdrawals from the Fund may be sanctioned by the Vice-Chancellor at any time.

A. (1) After completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount of subscription and interest thereon standing to his credit in the Fund, for one or more of the following purposes:

- (a) meeting the cost of higher education, including where necessary, the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely:
 - (i) for education outside India for academic, technical, professional or vocational course beyond the High School stage;
 - (ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage;
- (b) meeting the expenditure in connection with the betrothal/ marriage of the subscriber or his sons or daughters, and any other female relations actually dependent on him.
- (c) meeting the expenses in connection with the illness, including, where necessary, the travelling expenses, of the subscriber and members of his family or any person actually dependent on him.

- B. After completion of ten years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation whichever is earlier from the amount of subscription and interest thereon standing to the credit of the subscriber in the Fund for one or more of the following purposes:
- building or acquiring a suitable house or ready-built flat for his residence including the cost of the site;
 - repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence;
 - purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose;
 - reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber;
 - renovating, additions or alterations or upkeep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from the University at a place other than the place of duty;
 - constructing a house on a site purchased under Clause (c)

Within six months before the date of the subscriber's retirement, from the amount of subscription and interest thereon standing to his credit in the Fund, for the purpose of acquiring a farm land or business premises or both.

Note : 1. A subscriber who has availed himself of a house building advance from the University or has been allowed any assistance in this regard from any Government source shall be eligible for the grant of final withdrawal under sub-Clauses (a) (c) (d) and (f) of Clause (B) for the purposes specified therein and also for the purpose of re-payment of any loan taken from sources indicated above subject to the limit specified in Clause 9 (iv) (2)

If a subscriber has an ancestral house or built a house at a place other than the place of his duty with the assistance of loan taken from the University he shall be eligible for the grant of withdrawal under sub-Clauses (a) (c) and (t) of Clause (B) for purchase of a house site or for construction of another house or for acquiring a ready-built flat at the place of his duty :

Provided that in no case the maximum amount of withdrawal shall exceed Rs. 1,25,000 or 75 times the monthly pay, whichever is less: provided further that in the case of a subscriber who has availed himself of an advance under the scheme of the University for grant of advances for house building purposes, or has been allowed

any assistance in this regard from any Govt. source, the sum withdrawn under this sub-rule, together with the amount of advance taken under the aforesaid scheme or the assistance taken from any Government sources shall not exceed Rs. 1,25,000 or 75 times the monthly pay, whichever is less.

- Withdrawal under sub-Clauses (a), (d), (e) or (f) of Clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alterations to be made duly approved by the local municipal body of the area where the site or house is situated and only in cases where the plan is actually got to be approved.
 - The amount of withdrawal sanctioned under sub-Clause (b) of Clause (B) shall not exceed 3/4th of the balance on date of application together with the amount of previous withdrawal under sub-Clause (a) reduced by the amount of previous withdrawal. The formula to be followed is : 3/4th of balance (as on the date) plus amount of previous withdrawal(s) for the house in question minus the amount of the previous withdrawal(s).

Provided that for construction of house/flat, the Vice-Chancellor may sanction final withdrawal up to 90% from the C.P.F. amount including interest of the employee.
 - Withdrawal under sub-Clause (a) or (d) of Clause (B) shall also be allowed where the house site or house is in the name of wife/husband provided she/he is the first nominee to receive Provident Fund money in the nomination made by the subscriber.
 - Only one withdrawal shall be allowed for the same purpose under Clause 9(iv). But marriage/education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the local municipal body of the area where the house or flat is situated shall not be treated as the same purpose. Second or subsequent withdrawal under sub-Clause (a) or (f) of Clause (B) for completion of the same house shall be allowed up to the limit laid down under Note 3.
 - A withdrawal under Clause 9(iv) shall not be sanctioned if an advance under Clause 9(i) is being sanctioned for the same purpose and at the same time.
- (2) Any sum withdrawn by a subscriber at anyone time for one or more of the purposes specified in Clause 9(iv) (I) from the amount standing to his credit in the fund shall not ordinarily exceed one-half of such amount or six months' pay of the

subscriber, whichever is less. The Vice-Chancellor may, however, sanction the withdrawal of an amount in excess of these limits up to three-fourths of the balance at his credit in the Fund, having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the Fund.

- (3) A subscriber, who has been permitted to withdraw money from the Fund under Clause 9(iv) (1) shall satisfy the Vice-Chancellor within a reasonable period as may be specified by him that the money has been utilised for the purpose for which it was withdrawn and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum and in default of such payment it shall be ordered by the Vice-Chancellor to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Executive Council.
- (4) A subscriber who has already drawn or may draw in future an advance under Rule 9(i) for any of the purposes specified in Rule 9(iv) (1) (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) may convert at his discretion by written request to the sanctioning authority the balance outstanding into a final withdrawal on his satisfying the conditions laid down in Rule 9(iv).

Without assigning any reason, a subscriber within 12 months before retirement on superannuation can apply to the Pro-Vice-Chancellor for sanction of part/final withdrawal up to 90% of the balance at his credit. This facility will be available only once to the subscriber.

Subscriber availing this facility shall not, however, be eligible to invest the amount of such withdrawal in the new saving scheme introduced by the Ministry of Finance. Deptt. of Economic Affairs vide their notification No. F. 2-14/89-NS-11. dated 7.6.1989.

9-A. An employee who does not withdraw any amount from his Provident Fund account either as a loan or as final withdrawal shall be entitled to a Bonus on the subscription made by him during a financial year. Such Bonus shall be calculated at the rate of 3% of the subscription for such of the employees whose total emoluments do not exceed Rs. 500/- and at the rate of 1 % in case of those whose emoluments exceed Rs. 500/- per month. For purposes of calculation of Bonus the emoluments will be taken as on 31st March of the preceding year. However, in the case of subscribers whose Life Insurance Policies are financed through the Provident Fund subscription, the Bonus shall be calculated on the net subscription during the year after deducting the amount of Life Insurance premium paid during the year. The amount of Bonus so calculated shall be credited to the account of the subscriber at the end of each financial year.

Note: The above provisions shall come into force from the financial year 1975-76.

10. On a written application from a subscriber to the Provident Fund and with the approval of the Vice-Chancellor, the University may allow premia on the Life Insurance Policies of the subscriber to be paid out of the subscriber's share in his Provident Fund. In all such cases the Life Insurance Policy for which the premia are so paid shall be assigned in favour of the University. On the retirement of the subscriber from the service of the University the policy shall be reassigned to him by the University.

In case of the maturity of the policy during the service of the subscriber in the University, the full amount of the policy shall be credited to the Provident Fund of the subscriber. In case of the death of the subscriber, during the service of the University, the full amount of the Policy shall be paid to the nominee or, in the absence of nomination, to the legal representative of the deceased entitled to the Provident Fund.

11. The word 'subscription', wherever it occurs in this Statute, means the amount paid by the subscriber and similarly the word 'contribution' means the amount contributed by the University.

GRATUITY

12. (i) An employee who has completed five years of qualifying service at the University shall be granted Death-cum-Retirement Gratuity in accordance with the scale indicated in Clause 13. This gratuity shall be payable on his retirement from the service of the University. In the event of his demise this gratuity shall be payable to the nominee or nominees of the deceased in the manner prescribed (vide Annexure Forms V to VIII).

(ii) If there is no such nomination or if the nomination made does not subsist, the gratuity shall be paid in the manner indicated below:

- (a) If there are one or more surviving members of the family as in the following sub-Clauses (aa), (bb), (cc) and (dd) to all such members in equal shares:
 - (aa) wife or wives, in the case of a male employee;
 - (bb) husband, in the case of a female employee;
 - (cc) sons including step-sons and adopted sons; and
 - (dd) unmarried daughters including step-daughters and adopted daughters.
- (b) If there are no such surviving members of the family as in Clause (a) above, but there are one or more members as in the following sub-Clauses (aa), (bb), (cc), (dd), (ee), (ff) and (gg) to all such members in equal shares:
 - (aa) widowed daughters including step-daughters and adopted daughters;
 - (bb) father
 - (cc) mother

} including adoptive parents in the case of individuals whose personal law permits adoption;