



THE ALIGARH MUSLIM UNIVERSITY Act XL of 1920

**AS AMENDED
BY
THE ALIGARH MUSLIM UNIVERSITY
(AMENDMENT) ACT, 1981 (62 OF 1981)**



AND



**THE STATUTES OF THE UNIVERSITY
(AS ADAPTED UNDER SECTION 28 OF THE ACT)
(Amended upto December, 2012)**

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THE ALIGARH MUSLIM UNIVERSITY ACT, 1920

CONTENTS

Arrangement of Sections

<i>Sections</i>	<i>Page</i>
1. Short title and commencement	1
2. Definitions	2
The University	
3. Incorporation	3
4. Dissolution of the Mohammadan Anglo-Oriental College, Aligarh and the Muslim University Association, and transfer of all properties to the University	3
5. Powers of the University	4
6. Recognition of Degrees	6
7. Reserve Funds	6
8. University open to all <i>classes</i> , castes and creeds	7
9. Omitted	7
10. Residence of Students	7
11. Teaching in the University	7
12. Power to establish and maintain High Schools and other Institutions.	7
12A. Omitted	8
The Visitor	
13. The Visitor	8
14. Omitted	9
Chief Rector	
15. Chief Rector	9
Officers of the University	
16. Officers of the University	9
17. The Chancellor	10
18. The Pro-Chancellor	10
19. The Vice -Chancellor	10
20. The Pro-Vice-Chancellor	11
20A. The Honorary Treasurer	11
20B. The Registrar	11
20C. The Finance Officer	11
21. Powers of other Officers	11

The Act

Section	Page
Authorities of the University	
22. Authorities of the University	12
23. The Court	12
24. The Executive Council	13
25. The Academic Council	13
26. Other Authorities of the University	13
26A. Citizen of India-qualification of membership	13
Statutes, Ordinances and Regulations	
27. Powers to make Statutes	13
28. The Statutes	14
29. Powers to make Ordinances	15
30. Omitted	17
31. Regulations	18
Admissions and Examinations	
32. Omitted	18
33. Examinations	18
Annual Report and Accounts	
34. Annual Report	19
35. Annual Accounts and Balance Sheet	19
36. Conditions of Service of Employees	20
36A. Procedure of appeal and arbitration in disciplinary cases against students	20
36B. Right to Appeal	20
37. Provident and Pension Funds	21
38(1) Omitted	21
38(2) Filling of Casual Vacancies	
39. Proceedings of University authorities not invalidated by vacancies.	21
40. Protection of action taken in good faith	21
41. Mode of proof of University record	21
Extract from the Aligarh Muslim University (Amendment) Act, 1981 (62 of 1981)	
Transitional provisions	22
Saving	22

THE SCHEDULE	
The Statutes of the University	
Statutes	Page
1. The Chancellor	23
1A. The Pro-Chancellor	23
2. The Vice-Chancellor	23
3. Powers and duties of the Vice-Chancellor	24
4. Pro-Vice-Chancellor	25
4A. The Honorary Treasurer	26
5. Registrar	26
5A. Controller of Examinations	28
6. Finance Officer	29
6(A&B) Directors of the Centres	31
7. Deans of Faculties	32
8. Chairmen of Departments	33
8A. Coordinator of Unit of the Centre	34
9. Omitted	34
10. Dean of Student's Welfare	35
11. Provost	35
12. Proctor	36
13. Librarian	36
14. Court	36
15. Meetings of the Court	39
16. Executive Council	40
17. Powers and Functions of Executive Council	41
18. Academic Council	43
19. Powers of the Academic Council	44
20. Faculties and Departments	46
21. Powers and Functions of the Faculties	50
22. Boards of Studies	51
23. Deleted	52
24. Deleted	52
25. Deleted	52
26. Finance Committee	52
27. Selection Committees	53
28. Committees	57
29. Terms and Conditions of Service of Teachers	57
30. Seniority Lists	61
31. Powers in respect of granting and withdrawing degrees	62

32.	Deleted	.....	62
33.	Deleted	.....	62
34.	Students' Union	.....	62
35.	Maintenance of Discipline among students of the University	.....	62
36.	Establishment of Colleges and Institutions	.....	63
37.	Convocation	.....	64
38.	Acting Chairman of meetings	.....	64
39.	Resignation	.....	64
40.	Removal of members and employees	.....	65
40A.	Time Limit to submit appeal	.....	66
41.	Residence condition for membership and office	.....	66
42.	Membership of authorities by virtue of membership of other bodies	.....	67
43.	Alumni (Old Boys') Association	.....	67
44.	Delegation of Powers	.....	67
	Annexure to Statute 20 (2) (c)	.....	68
45.	Provident Fund	.....	70
46.	Subscription to Provident Fund	.....	70
47.	Rate of Subscription to P.F.	.....	70
48.	Placement of amount of P.F. in securities	.....	71
49.	Conditions of payment of P.F.	.....	71
61.	General Provident Fund cum-Pension-cum-Gratuity and Contributory Provident Fund-cum Gratuity	.....	76

The Aligarh Muslim University Act, 1920 Act No. XL of 1920

(14 September, 1920)

*[Amending Acts and Adaptation Orders. 1. The Repealing and Amending Act, 1924 (7 of 1924). 2. The Aligarh Muslim University (Amendment) Act, 1931 (18 of 1931). 3. The Aligarh Muslim University (Amendment) Act, 1935 (5 of 1935). 4. The Government of India (Adaptation of Indian laws) Order, 1937, 5. The Aligarh Muslim University (Amendment) Act, 1941 (17 of 1941). 6. The Aligarh Muslim University (Amendment), Act, 1943 (4 of 1943). 7. The Aligarh Muslim University (Amendment) Act, 1945, (11 of 1945) 8. The Repealing and Amending Act, 1947 (2 of 1948). 9. The Indian Independence (Adaptation of Central Acts and Ordinances) Act, 1948, 10. The Adaptation of Laws Order, 1950. 11. The Aligarh Muslim University (Amendment), Act, 1951 (62 of 1951). 12. The Adaptation of Laws (No. 2) Order, 1956. 13. The Aligarh Muslim University (Amendment), Act, 1965 (19 of 1965). 14. The Aligarh Muslim University (Amendment), Act, 1972 (34 of 1972). 15. The Aligarh Muslim University (Amendment), Act, 1981 (62 of 1981)]**

AN ACT TO INCORPORATE A TEACHING AND RESIDENTIAL MUSLIM UNIVERSITY AT ALIGARH

Whereas it is expedient to incorporate a teaching and residential Muslim University at Aligarh, and to dissolve the Societies registered under the Societies Registration Act, 1860 (21 of 1860), which are respectively known as the Muhammadan Anglo-Oriental College, Aligarh and the Muslim University Association, and to transfer to and vest in the said University all properties and rights of the said Societies and of the Muslim University Foundation Committee:

It is hereby enacted as follows :

1. Short title and Commencement -(1) This Act may be called the Aligarh Muslim University Act, 1920.

* 10th February 1982.

(2) It shall come into force on such † date and as the Central
** Government may, by notification in the Official Gazette, appoint.

***2. Definitions-** In this Act, and in all Statutes made here under, unless the context otherwise requires-

- (a) “Academic Council” means the Academic Council of the University;
- (b) “Board of Studies” means the Board of Studies of the University;
- (c) “Chancellor”, “Pro-Chancellor” and “Vice-Chancellor”, means respectively, the Chancellor, Pro-Chancellor and Vice-Chancellor of the University;
- (d) “Court” means the Court of the University;
- (e) “Department” means a Department of Studies and includes a Centre of Studies established by the Ordinances;
- (f) “Executive Council” means the Executive Council of the University;
- (g) “Faculty” means a Faculty of the University;
- (h) “Hall” means a unit of residence or of corporate life maintained by the University for its students;
- (hh) ***“Non-teaching staff” means the employees of the University other than the teachers;
- (i) “Statutes” “Ordinances” and “Regulations” means respectively, the Statutes, Ordinances and Regulations of the University for the time being in force;
- (j) ***Omitted;
- (k) “Teachers” means Professors, Readers, Lecturers, and such other persons as may be appointed for imparting instruction in the University or a Hall and are designated as teachers by the Ordinances;

† 1st December, 1920, see Gazette of India 1920, Pt. I. page 2213.

** Government of India (Adaption of Indian Laws) Order, 1937

* Aligarh Muslim University (Amendment) Act, 1972.

*** Aligarh Muslim University (Amendment) Act, 1981.

- (l) “University” means *the educational institution of their choice established by the Muslims of India, which originated as the Muhammadan Anglo-Oriental College., Aligarh and which was subsequently incorporated as the Aligarh Muslim University.

THE UNIVERSITY

****3. Incorporation** - The Chancellor, the Pro-Chancellor and the Vice-Chancellor and the members of the Court, the Executive Council and the Academic Council, for the time being, shall be a body corporate by the name of the Aligarh Muslim University and shall have perpetual succession and a common seal and shall sue and be sued by the name.

4. Dissolution of the Muhammadan Anglo-Oriental College, Aligarh and the Muslim University Association and transfer of all properties to the University- From the commencement of this Act-

- (i) the Societies known as the Muhammadan Anglo-Oriental College, Aligarh, and the Muslim University Association shall be dissolved, and all properties, movable and immovable, and all rights, powers and privileges of the said Societies and all properties, movable and immovable and all rights, powers and privileges of the Muslim University Foundation Committee shall be transferred to and vest in the University and shall be applied to the objects and purposes for which the University is incorporated;
- (ii) all debts, liabilities and obligations of the said Societies and Committee shall be transferred to the University and shall thereafter be discharged and satisfied by it;
- (iii) all references in any enactment to either of the said Societies or to the said Committee shall be construed as references to the University;
- (iv) any will, deed or other documents, whether made or executed before or after the commencement of this Act, which contains any *bequest*, gift or trust in favour either of the said societies or of the said Committee shall, on the

* Aligarh Muslim University (Amendment) Act, 1981.

** Aligarh Muslim University (Amendment) Act, 1972.

commencement of this Act be construed as if the University was therein named instead of such Society or Committee;

- (v) subject to any orders which the Court may make, the buildings which belonged to the Muhammadan Anglo-Oriental College, Aligarh shall continue to be known and designated by the names and styles by which they were known and designated immediately before the commencement of this Act;
- (vi) subject to the provisions of this Act, every person employed immediately before the commencement of this Act in the Muhammadan Anglo-Oriental College, Aligarh, shall hold employment in the University by the same tenure and upon the same terms and conditions and with the same rights and privileges as to pension and gratuity as he would have held the same under the Muhammadan Anglo-Oriental College Aligarh, if this Act had not been passed.

5. Powers of the University - The University shall have the powers, namely-

(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) (a) to promote Oriental and Islamic studies and give instruction in Muslim theology and religion and to impart moral and physical training;

*(b) to promote the study of the religions, civilization and culture of India ;

** (c) to promote especially the educational and cultural advancement of the Muslims of India;

*(3) to hold examinations and to grant diplomas or certificates to, and confer degrees and other academic distinctions on persons subject to such conditions as the University may determine and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

* Aligarh Muslim University (Amendment) Act, 1972.

** Aligarh Muslim University (Amendment) Act, 1981.

† (4) to confer honorary degrees or other distinctions in the manner laid down in the Statutes;

*(5) to provide instruction for such persons who are not members of the University, as the University may determine;

(6) to cooperate or * collaborate with other Universities and authorities in such manner and for such purposes as the University may determine;

†(7) to institute Professorships, Readerships, Lectureships, and other teaching or * academic posts required by the University and to appoint persons to such Professorships, Readerships, Lectureships and other posts** and determine their conditions of service in accordance with the Statutes;

*(7A) to appoint persons working in any other University, institution or organization as teachers of the University for a specified period;

(8) to institute and award Fellowships (including Travelling Fellowships), Scholarships, Studentships, Exhibitions, and Prizes in accordance with the Statutes and Ordinances;

** (9) to institute and maintain Halls for the students of the University;

*(9A) to establish within a radius of twenty five kilometers of the University Mosque such special Centres, specialized Laboratories or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;

(10) to demand and receive such fees and other charges as may be prescribed by the Ordinances;

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

†(11A) to make special arrangements in respect of residence, discipline and teaching of women students;

† Aligarh Muslim University (Amendment) Act, 1951.

* Aligarh Muslim University (Amendment) Act, 1972.

** Aligarh Muslim University (Amendment) Act, 1981.

*(11B) to create administrative, ministerial and other posts and to make appointments thereto** and determine their conditions of services in accordance with the Statutes;

*(11C) to regulate and enforce discipline among the employees of the University and to take such disciplinary measures as may be deemed necessary;

*(11D) to acquire, hold, manage and dispose of property, movable or immovable, including trust or endowed property for the purposes of the University;

*(11E) to borrow, with the approval of the Central Government, on the security of the property of the University, money for the purposes of the University;

*(11F) to declare a Department of Studies to be an autonomous department ; and

†(12) 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.

6. Recognition of Degrees - The degrees, diplomas and other academic distinctions granted or conferred to or on persons by the University shall be recognised by the (Central and State Government) ‡ as are the corresponding degrees, diplomas and other academic distinctions granted by any other University incorporated under any enactment.

7. Reserve Funds - The University shall invest and keep invested in securities in which trust funds may be invested in accordance with the law for the time being in force relating to trusts in India† a sum of thirty lakhs of rupees and a permanent endowment to meet the recurring charges of the University other than charges in respect of Fellowships, Scholarships, Prizes and Rewards :

Provided that :

(1) any Government securities as defined in the Indian Securities Act, 1920 (10 of 1920) which may be held by the University shall, for the

* Aligarh Muslim University (Amendment) Act, 1972.

† Aligarh Muslim University (Amendment) Act, 1951.

‡ The Indian Independence (Adaption of Central Acts and Ordinances) Act. 1948

** Aligarh Muslim University (Amendment) Act, 1981.

purposes of this section be reckoned at their face value; and

(2) the aforesaid sum of thirty lakhs shall be reduced by such sums as, at the commencement of this Act, the ‡ Central Government shall, by order in writing, declare to be the total capitalised value for the purpose of this section :-

(a) of all permanent recurring grants of money which have been made either to the Muhammadan Anglo-Oriental College, Aligarh, the Muslim University Association or the Muslim University Foundation Committee, by any Ruler of a State in India; and

(b) of the total income accruing from immovable property (not being land or buildings, in the occupation and use of the said College) which by the operation of this Act has been transferred to the University.

****8. University open to all classes, castes and creeds-** The University shall be open to all persons (including the teachers and taught) of either sex and of whatever race, religion, creed, or class:

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.

9. Omitted.

†10. Residence of Students - Every student of the University shall reside either in a Hall * or a hostel or under such conditions as may be prescribed by the Ordinances.

†11. Teaching in the University - All recognized teaching for the purpose of University degrees, diplomas and certificates shall be conducted *under the supervision of the Academic Council and in accordance with the Statutes and Ordinances.

†12. Power to establish and maintain High Schools and other Institutions - (1) The University shall, subject to the Statutes have power to establish and maintain High Schools within a radius of fifteen miles from the University Mosque.

‡ Govt. of India (Adaptation of Indian Laws) Order, 1937.

** Aligarh Muslim University (Amendment) Act, 1981.

† Aligarh Muslim University (Amendment) Act, 1951.

* Aligarh Muslim University (Amendment) Act, 1972.

(2) The University may also, with the sanction of the Visitor and subject to the Statutes and Ordinances, *establish and maintain such Special Centres, Specialized Laboratories or such other institutions for research or instruction as are necessary for the furtherance of its objects either on its own or in cooperation or collaboration with any other institution.

*12A. Omitted.

THE VISITOR

13. The Visitor † (1) The President 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 equipments, 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 administration or finances of the University.

*(2A) The Visitor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and on receipt of such notice, the University shall have the right to make such representation to the Visitor as it may consider necessary.

*(2B) After considering the representation, if any, made by the University, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (2).

*(2C) Where any inspection or inquiry has been caused to be made by the Visitor, 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.

†(3) 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 be pleased to offer upon the action to be taken thereon.

* Aligarh Muslim University (Amendment) Act, 1972.

† Aligarh Muslim University (Amendment) Act, 1951.

†(4) 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.

†(5) Where the Executive Council does not, within 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 direction as he may think fit and the Executive Council shall comply with such directions.

†(6) 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.

*(7) The Visitor shall have such other powers as may be prescribed by the Statutes.

†14. Omitted.

CHIEF RECTOR

***15. Chief Rector** - The Governor of the State of Uttar Pradesh shall be the Chief Rector of the University.

OFFICERS OF THE UNIVERSITY

16. Officers of the University - The following shall be Officers of the University:

- (1) The Chancellor,
- (2) The Pro-Chancellor,
- (3) The Vice-Chancellor,
- (3A) The Pro-Vice Chancellor, if any,
- ** (3B) The Honorary Treasurer,

* Aligarh Muslim University (Amendment) Act, 1972.

† Aligarh Muslim University (Amendment) Act, 1951.

** Aligarh Muslim University (Amendment) Act, 1981.

- (3C) The Registrar,
- (3D) The Finance Officer,
- (3E) The Deans of the Faculties; and
- (4) Such other Officers as may be declared by the Statutes to be Officers of the University.

****17. The Chancellor-** (1) The Chancellor of the University shall be elected by the Court in such manner and for such term as may be prescribed by the Statutes.

(2) The Chancellor shall, by virtue of his office be the Head of the University.

(3) The Chancellor shall, if present, preside at the convocations of the University held for conferring degrees.

****18. The Pro-Chancellor** - (1) The Pro-Chancellor shall be elected by the Court in such manner and for such term as may be prescribed by the Statutes.

(2) The Pro-Chancellor shall, in the absence of the Chancellor, preside over the convocations of the University held for conferring degrees.

***19. The Vice-Chancellor** - (1) The Vice-Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter;

Provided that if the authority concerned is of opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final ;

* Aligarh Muslim University (Amendment) Act, 1972.

** Aligarh Muslim University (Amendment) Act, 1981.

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes or Ordinances.

***20. The Pro-Vice-Chancellor** - The Pro-Vice-Chancellor shall be appointed in such manner, and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

****20A. The Honorary Treasurer** - (1) The Honorary Treasurer shall be elected by the Court in such manner and for such term as may be prescribed by the Statutes.

(2) The Honorary Treasurer shall exercise such powers and perform such functions as may be prescribed by the Statutes.

***20B. The Registrar-** (1) The Registrar shall be appointed in such manner as may be prescribed by the Statutes.

(2) The Registrar shall have the powers to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

***20C. The Finance Officer-** The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

***21. Powers of Other Officers-** The Powers of Officers other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, the Honorary Treasurer, the Registrar and the Finance Officer shall be prescribed by the Statutes.

* Aligarh Muslim University (Amendment) Act, 1972.

** Aligarh Muslim University (Amendment) Act, 1981.

AUTHORITIES OF THE UNIVERSITY

22. Authorities of the University - The following shall be the authorities of the University :-

- (1) The Court
- (2) The Executive Council
- (3) The Academic Council
- ** (3A) The Finance Committee
- * (3B) The Faculties; and
- (4) Such other authorities as may be declared by the Statutes to be authorities of the University.

**** 23. The Court** - (1) The Court shall consist of the Chancellor, the Pro-Chancellor, the Vice-Chancellor and the Pro-Vice-Chancellor (if any) for the time being, and such other persons as may be specified in the Statutes.

(2) The Court shall be the supreme governing body of the University and shall exercise all the powers of the University, not otherwise provided for by this Act, the Statutes, the Ordinances and the Regulations and it shall have power to review the acts of Executive and the Academic Councils (save where such Councils have acted in accordance with powers conferred on them under this Act, the Statutes or the Ordinances).

(3) Subject to the provisions of this Act, the Court shall exercise the following powers and perform the following duties, namely :-

- (a) to make Statutes and to amend or repeal the same;
- (b) to consider Ordinances ;
- (c) To consider and pass resolutions on the annual report, the annual accounts and the financial estimates;
- (d) to elect such persons to serve on the authorities of the University and to appoint such officers as may be prescribed by this Act or the Statutes; and
- (e) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes.

* Aligarh Muslim University (Amendment) Act, 1972.

** Aligarh Muslim University (Amendment) Act, 1981.

24. The Executive Council - The Executive Council shall be the *principal executive body of the University. Its constitution and the term of office of its members and its powers and duties shall be prescribed by the Statutes.

25. The Academic Council- (1) The Academic Council shall be the *principal academic body of the University and shall subject to the provisions of this Act, the Statutes and the Ordinances coordinate and exercise general supervision over the academic policies of the University.

(2) The constitution of the Academic Council and the term of office of its members and its powers and duties shall be prescribed by the Statutes.

†26. Other authorities of the University- The constitution, powers *and functions of the **Finance Committee and Faculties and of such other authorities as may be declared by the Statutes to be authorities of the University, shall be prescribed by the Statutes.

****26A.** A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University if he is not a citizen of India.

STATUTES, ORDINANCES AND REGULATIONS

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

- (a) the constitution, powers and functions of the authorities of the University, and such other authorities as may be constituted from time to time.
- (b) the election and continuance in office of the members of the said authorities, the filling of vacancies of members, and all other matters *relative* to those authorities for which it may be necessary or desirable to provide;

† Aligarh Muslim University (Amendment) Act, 1951.

* Aligarh Muslim University (Amendment) Act, 1972.

** Aligarh Muslim University (Amendment) Act, 1981.

- *(c) the manner of election or appointment, as the case may be, of the Chancellor, the Pro-Chancellor, the Vice-Chancellor and other officers of the University;
- (d) the manner of appointment of teachers and other academic staff and their emoluments;
- (e) the manner of appointment of employees other than teachers and other academic staff of the University and their emoluments;
- (f) the manner of appointment of teachers and other academic staff working in any other University or Institution for a specified period for undertaking a joint project;
- (g) the conditions of service of employees including the provision for pension, insurance and provident fund, the manner of termination of service and disciplinary action;
- (h) the principles governing seniority of service of employees;
- (i) the procedure for arbitration in cases of dispute between employees or students and the University;
- (j) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;
- (k) the establishment and recognition of students' Union or associations of teachers, academic staff or other employees of the University;
- (l) all other matters which by this Act are to be, or may be provided by the Statutes.

***28. The Statutes-** (1) On the commencement of the Aligarh Muslim University (Amendment) Act, 1981, the Statutes in force immediately before such commencement, as amended by that Act, shall be the Statutes of the University.

(2) After the commencement of the Aligarh Muslim University (Amendment) Act, 1981, the Court may, notwithstanding anything contained in sub-section (1), make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1) in the manner hereinafter provided in this section.

(3) The Executive Council may propose to the Court the draft

of any Statutes for its consideration and such draft shall be considered by the Court at its next meeting:

Provided that the Executive Council shall not propose the draft of any Statute or of any amendment of a 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 upon the proposal and any opinion so expressed shall be considered by the Court.

(4) The Court may approve any such draft as is referred to in sub-section (3) or reject it or return it to the Executive Council for reconsideration, either in whole or in part, together with any amendments which the Court may suggest.

(5) Any member of the Court may propose to the Court, the draft of any Statute and the Court may reject the proposal or refer such draft for consideration to the Executive Council, which may either reject the proposal or submit the draft to the Court in such form as the Executive Council may approve and the provisions of this section shall apply in the case of any draft so submitted as they apply in the case of a draft proposed by the Executive Council.

(6) No new Statute or amendment or addition or repeal of any Statute shall come into force unless it is approved by the Visitor, who may sanction or disallow it, or return it for further consideration.

†29. Powers to make Ordinances - (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:-

- (a) the admission of 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 award of degrees, diplomas, certificates and other academic distinctions, 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;

* Aligarh Muslim University (Amendment) Act, 1981.

† Aligarh Muslim University (Amendment) Act, 1951.

- (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 remuneration to be paid to the examiner, moderator, invigilator and tabulator;
- (h) the conditions of residence of the students of the University;
- (i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing for them of special courses of studies;
- (j) the giving of religious instruction;
- *(k) the emoluments and the terms and conditions of service of the academic and other staff of the University;
- (l) the maintenance of High Schools and other institutions in accordance with the provisions of section 12;
- *(m) the establishment of Centres of study, Boards of Study, Inter-Disciplinary Committees, special Centres, specialised Laboratories, Committees on Advanced Study and Research, Committees of Departments and Centres, Admission Committee, Examination Committee, Boards of Residence and Halls, Discipline Committee, Cultural Committee, Social Service Committee, Games Committee and Students Advisory Committees;
- *(n) the manner of co-operation and collaboration with other Universities and authorities including learned bodies or associations;
- *(o) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;
- *(p) such other terms and conditions of teachers as are not prescribed by the Statutes; and
- *(q) all other matters which by this Act or the Statutes may be provided for by the Ordinances.

* Aligarh Muslim University (Amendment) Act, 1972.

*(2) The Ordinances in force immediately before the commencement of the Aligarh Muslim University (Amendment) Act, 1972, may be amended, repealed or added to at any time by the Executive Council, provided that :-

- (i) in making the Ordinances in respect of the matters enumerated in sub-section (1) other than those enumerated in clauses (k) and (p), the Executive Council shall act on the recommendation of the Academic Council.

** (ii) Omitted.

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

*(4) Where the Executive Council has rejected or returned the draft of an Ordinance proposed by the Academic Council, the Academic Council may consider the question afresh and in case the original draft is re-affirmed by a majority of not less than two-thirds of the members present and voting and more than half the total number of members of the Academic Council, the draft may be sent back to the Executive Council which shall either adopt it or refer it to the Visitor whose decision shall be final.

*(5) Every Ordinance made by the Executive Council shall come into effect immediately.

*(6) Every Ordinance made by the Executive Council shall be submitted to the Visitor within two weeks. The Visitor shall have the power to direct the University within four weeks of the receipt of the Ordinance to suspend the operation of any such Ordinance and he shall, as soon as possible inform the Executive Council about his objection to the proposed Ordinance. The Visitor may, after receiving the comments of the University, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.

† 30. Omitted.

* Aligarh Muslim University (Amendment) Act, 1972.

** Aligarh Muslim University (Amendment) Act, 1981.

† Aligarh Muslim University (Amendment) Act, 1951.

31. Regulations - (1) The authorities of the University may make regulations consistent with this Act, the Statutes and the Ordinances -

- (a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;
- (b) providing for all matters which by this Act, 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 not provided for by this Act, the Statutes and 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 meeting and of the business to be considered at meetings and for the keeping of a record of the proceedings of meetings.

*(3) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation made under this section **other than any Regulation made by the Court or the annulment of any such Regulation.

*** (4) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

*** (5) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of any thing previously done under that Statute, Ordinance or Regulation.

ADMISSION AND EXAMINATIONS

†32. Omitted

†33. **Examinations** - (1) All arrangements for the conduct of examinations shall be made, and all examiners shall be appointed by the Executive Council on the recommendation of the Academic Council.

† Aligarh Muslim University (Amendment) Act, 1951.

** Aligarh Muslim University (Amendment) Act, 1981.

***The Delegated Legislation provisions / Amendments Act 2004.

†(2) Omitted.

†(3) The Academic Council shall appoint Examination Committee consisting of members of its own body or of other persons or of both as it thinks fit, to moderate examination questions and to prepare and publish the result of the examinations.

ANNUAL REPORT AND ACCOUNTS

***34. Annual Report** - (1) 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 after such date as may be prescribed by the Statutes and the Court shall consider the report in its annual meeting.

(2) The Court shall submit the Annual Report to the Visitor and also to the Chancellor along with its comments, if any.

**(3) A copy of the annual report as submitted to the Visitor shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.

****35. (1) The Annual accounts and balance sheet** of the University shall be prepared under the direction of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor General of India or by such person or persons as he may authorise in this behalf.

(2) A copy of the annual accounts, together with the audit report thereon, shall be submitted to the Court and the Visitor along with the observations of the Executive Council.

(3) Any observations made by the Visitor on the annual accounts shall be brought to the notice of the Court and the observations of the Court, if any, shall, after being considered by the Executive Council, be submitted to the Visitor.

(4) A copy of the annual accounts, together with the audit report, as submitted to the Visitor, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.

† Aligarh Muslim University (Amendment) Act, 1951.

* Aligarh Muslim University (Amendment) Act, 1972.

** Aligarh Muslim University (Amendment) Act, 1981.

(5) The audited annual accounts, after having been laid before both the Houses of Parliament, shall be published in the Gazette of India.

36. Conditions of Service of Employees - (1) Every *employee of the University shall be appointed on a written contract which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

(2) Any dispute arising out of a contract between the University and of its *employee shall, at the request of the employee concerned, be referred to a Tribunal or Arbitration consisting of one member appointed by the Executive Council, one member nominated by the employee concerned and an umpire appointed by the † Visitor. The Decision of the tribunal shall be final, and no suit shall lie in any Civil Court in respect of the matters decided by the tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of **Indian Arbitration Act, 1899 (9 of 1899), and all the provisions of that Act with the exception of section 2 thereof shall apply accordingly.

***36A. Procedure of appeal and arbitration in disciplinary cases against students** - (1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than a year may, within ten days of the date of receipt of such order or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(2) Any dispute arising out of any disciplinary action taken by the University against a student shall at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-section (2) of section 36 shall, as far as may be, apply to the reference made under this sub-section.

***36B. Right to appeal**- 'Every employee or student of the University shall, notwithstanding anything contained in this Act, have

* Aligarh Muslim University (Amendment) Act, 1972.

† Aligarh Muslim University (Amendment) Act, 1951.

** Arbitration Act, 1940 (No. X of 1940).

a right to appeal, within such time as may be prescribed by the Statutes, to the Executive Council against the decision of any officer or authority of the University and thereupon the Executive Council may confirm, modify or reverse the decision appealed against.

† 37. Provident and Pension Funds - (1) The University shall constitute for the benefit of its officers, teachers and servants such pension or provident fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where such provident or pension fund has been so constituted, the ‡ Central Government may declare that the provisions of the † Provident Funds Act, 1925 (19 of 1925) shall apply to such fund, as if it were a Government provident fund.

FILLING OF CASUAL VACANCIES

†38. (1) Omitted.

*(2) Casual vacancies in any office or in any authority † shall be filled up by the authority which has power to appoint to the office or authority**.

39. Proceedings of University authorities not invalidated by vacancies - No act or proceeding of any authority of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

***40. Protection of action taken in good faith** - No suit or other legal proceeding shall lie against any officer or employee of the University for anything which is in good faith done, or intended to be done, in pursuance of the provisions of this Act, Statutes or Ordinances.

***41. Mode of proof of University record**- A copy of any receipt, application, notice, order, proceeding, resolution of any authority or Committee of the University, or other documents in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceedings or resolution, documents or the existence of entry

* Aligarh Muslim University (Amendment) Act, 1972.

† Aligarh Muslim University (Amendment) Act, 1951.

‡ Government of India (Adaptation of Indian Laws Order), 1937.

** Aligarh Muslim University (Amendment) Act, 1965.

in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 (1 of 1872) or in any other law for the time being in force.

**EXTRACT FROM THE ALIGARH MUSLIM UNIVERSITY
(AMENDMENT) ACT, 1981 (62 of 1981)**

***Transitional Provisions**

(1) The Court and the Executive Council of the Aligarh Muslim University shall, as soon as may be, after the commencement of this Act, be constituted in accordance with the provisions of the Principal Act and of the Statutes, as amended by this Act, and until the Court or the Executive Council is so constituted, the Court or the Executive Council functioning immediately before such commencement, shall continue to exercise all the powers and perform all the functions under the Principal Act, as so amended.

(2) The Chancellor and the Pro-Chancellor shall, as soon as may be, after the commencement of this Act, be elected in accordance with the provisions of the Principal Act and of the Statutes, as amended by this Act, and the person holding any such office immediately before such commencement, shall continue to hold that office until his successor enters upon his office.

(3) The Vice-Chancellor and the Pro-Vice-Chancellor and the Heads of Departments of the Aligarh Muslim University holding office immediately before the commencement of this Act, shall, on and from such commencement, hold their respective offices by the same tenure and upon the same terms and conditions as they held it immediately before such commencement.

***Saving** - Anything done, any action taken or any degree or other academic distinction conferred by the Aligarh Muslim University before the commencement of this Act shall, notwithstanding any change made by this Act in the constitution of the Court or the Executive Council, be valid as if such thing was done, action was taken, or degree or academic distinction was conferred under the provisions of the Principal Act, as amended by this Act.

* Aligarh Muslim University (Amendment) Act, 1981.

THE SCHEDULE

[See Section 28 (1)]

The Statutes of the University

1. The Chancellor - (1) The Chancellor shall be elected ** by the Court by a simple majority.

(2) The Chancellor shall hold office for a term of three years and shall be eligible for re-election.

** (3) The Chancellor shall, if present, preside over the meetings of the Court.

(4) Every proposal for the conferment of an honorary degree shall be subject to confirmation by the Chancellor.

1A. The Pro-Chancellor - (1) The Pro-Chancellor shall be ** elected by the Court by a simple majority.

(2) The Pro-Chancellor shall hold office for a term of three years and shall be eligible for re-election.

** (3) Any casual vacancy in the office of the Pro-Chancellor shall be filled by the Chancellor on the recommendation of the Executive Council and the person so appointed shall hold office until the next annual meeting of the Court.

(4) The Pro-Chancellor shall, in the absence of the Chancellor, perform the functions of the Chancellor.

2. The Vice -Chancellor - (1) The Vice -Chancellor shall be appointed by the Visitor from a ** panel of at least three persons recommended by the Court from a panel of five persons recommended by the Executive Council:

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

** (2) Omitted.

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

(4) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office.

** Aligarh Muslim University (Amendment) Act, 1981.

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 a total period of one year, as may be specified in the direction.

(5) Notwithstanding anything contained in clause (4), a person appointed as Vice-Chancellor shall, if he completes the age of **seventy years during the term of his office or any extension thereof, retire from office.

(6) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be such as may be prescribed by the Ordinances

(7) If the office of the Vice-Chancellor becomes vacant due to his death, resignation or otherwise or if he is unable to perform his duties owing to absence, illness or any other cause, the Pro-Vice-Chancellor shall discharge the duties of the Vice-Chancellor until a new Vice-Chancellor* or the Vice-Chancellor*, as the case may be, assumes office:

Provided that if the Pro-Vice-Chancellor is not available, the †senior most Dean among the members of the Executive Council in the category of Deans of the Faculties shall discharge the duties of the Vice-Chancellor until a new Vice-Chancellor or the Vice-Chancellor, as the case may be, assumes office.

† Provided further that if the senior most Dean among the members of the Executive Council in the category of Deans of the Faculties is not available or he/she declines to accept the responsibility, the next available Dean, in order of seniority, among the members of the Executive Council in the category of Deans of the Faculties shall discharge the duties of the Vice-Chancellor until a new Vice-Chancellor or the Vice-Chancellor, as the case may be, assumes office.

3. Powers and Duties of the Vice - Chancellor - (1) The Vice-Chancellor shall be the *Ex-Officio* Chairman of the Court,

* Ref. Ministry of Education and Social Welfare letter No. F. 3-1/74- U-2, dated 3 January 1974

† Ref. MHRD Letter No. F.3-27/2003-Desk (u) dated 13-9-2004

** MHRD Letter No. F. No 3-2/2012-Desk(u) dated 11.04.2012

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 held for conferring degrees. 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 there at 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 to ensure such observance.

(3) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Court, the Executive Council, the Academic Council and the Finance Committee.

4. The Pro-Vice-Chancellor - (1) The Pro-Vice-Chancellor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor on such terms and conditions 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 :

Provided further that the Executive Council may, on the recommendation of the Vice-Chancellor appoint a Professor to discharge the duties of the Pro-Vice-Chancellor in addition to his own duties as a Professor.

(2) The term of office of the Pro-Vice-Chancellor shall be such as may be decided by the Executive Council, but it shall not in any case exceed five years or until the expiration of the term of office of the Vice-Chancellor whichever is earlier and shall be eligible for reappointment :

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

* Provided further that the Pro-Vice-Chancellor shall, while discharging the duties of Vice-Chancellor under Clause (7) of Statute 2, continue in office notwithstanding the expiration of the term of

* Ref. Ministry of Education and Social Welfare, letter No. F. 3-1/74-U-2, dated 3 January 1974.

office until a new Vice-Chancellor or the Vice-Chancellor, as the case may be, assumes office.

(3) The emoluments and other terms and conditions of service of the Pro-Vice-Chancellor shall be such as may be prescribed by the Ordinances.

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

***4A. Honorary Treasurer** - (1) The Honorary Treasurer shall be elected by the Court by a simple majority.

(2) The Honorary Treasurer shall hold office for a term of three years and shall be eligible for re-election for another term.

(3) The Honorary Treasurer shall hold office on such terms and conditions as may be prescribed by the Ordinances.

(4) The Honorary Treasurer shall be a member of the Finance Committee and shall exercise general supervision over the funds of the University.

5. Registrar- (1) The Registrar shall be a whole-time salaried employee of the University and shall be appointed on the recommendation of a Selection Committee constituted for the purpose**, for a tenure of five years, which may be renewed for similar terms by the Executive Council.

(2) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed by the Ordinances;

Provided that the term of appointment of the Registrar shall not be continued beyond the date of his attaining the age of sixty two*** years.

Provided further that notwithstanding his attaining the age of sixty two*** years, he shall continue in office until his successor is appointed and enters upon his office, or for a period of one year, whichever is earlier.

* Aligarh Muslim University (Amendment) Act, 1981.

** Ref. Ministry of HRD letter No. F. 3-32/92-Desk (U) dated September 10, 1992.

*** Ref. Ministry of HRD letter No. F. 3-20/92-Desk (U) dated August 24, 1999.

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

(4) (a) The Registrar shall have power to take disciplinary action against such of the employees of the University as may be specified in the orders of the Executive Council and to suspend them pending inquiry, to administer warning to them or to impose on them the penalty of censure or the withholding of increment:

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

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in item (a).

(c) In a case where the inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor alongwith his recommendations :

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

(5) The Registrar shall be *ex-officio* Secretary of the Executive Council, the Academic Council and the Faculties, but shall not be deemed to be a member of any of these authorities. He shall be *ex-officio* Member-Secretary of the Court.

(6) It shall be the duty of the Registrar -

(a) to be custodian of the records, the 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, Executive Council, Academic Council, *Faculties,*Boards of Studies and of any committees appointed by the authorities of the University;

(c) to keep the minutes of all the meetings of the Court , Executive Council, Academic Council,*Faculties and of any

* Ref. Ministry of HRD letter No. F. 3-30/2003-Desk (U) dated 6-9-2004

committees appointed by the authorities of the University;

- (d) to conduct the official correspondence of the Court, Executive Council and Academic Council;
- +(e) Deleted.
- (f) to supply to the Visitor, copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of the meetings;
- (g) to represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representative for the purpose; and
- (h) to perform such other duties as may be specified in these Statutes, or prescribed by the Ordinances or the Regulations or as may be required, from time to time, by the Executive Council or the Vice-Chancellor.

***5A. Controller of Examinations** - (1) The Controller of Examinations shall be a whole-time salaried employee of the University and shall be appointed on the recommendation of a Selection Committee constituted for the purpose**, for a tenure of five years, which may be renewed for similar terms by the Executive Council.

(2) The emoluments and other terms and conditions of service of the Controller of Examinations shall be such as may be prescribed by the Ordinances;

Provided that the term of appointment of the Controller of Examinations shall not be continued beyond the date of his attaining the age of sixty two*** years;

Provided further that notwithstanding his attaining the age of sixty two years***, he shall continue in office until his successor is appointed and enters upon his office, or for a period of one year, whichever is earlier.

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

+ Ministry of HRD letter No. F.3-25-84-Desk (U) dated 3/6 Aug. 1984.

** Ref. Ministry of HRD letter No. F. 3-32/92-Desk (U) dated Sep.10, 1992.

*** Ref. Ministry of HRD letter No. 3-20/99-Desk (U) dated August 24, 1999.

(4) The Controller of Examinations shall :-

- (1) Control the conduct of all University examinations and admissions to the University and Superintendent all other arrangements necessary therefore and the execution of all processes connected therewith in accordance with the manner prescribed by the Ordinances;
- (2) *Issue all notices for convening meetings of the Committee of Examinations, Admission Committee, the Boards of Examiners, Board of Secondary Education or any Boards and Committees appointed by authorities of the University in connection with the examinations, and maintain and keep the minutes of all such meetings;
- (3) Call from any office or Institution under the University any information or returns that he may consider necessary for the performance of his duties and to discharge his responsibilities;
- (4) Notwithstanding anything to the contrary contained in these Statutes, the Ordinances and the Regulations, perform such other duties, administrative or academic, as may be prescribed, from time to time, by the Executive Council or the Vice-Chancellor.

6. Finance Officer - (1) The Finance Officer shall be a whole-time salaried employee of the University and shall be appointed on the recommendations of a Selection Committee constituted for the purpose** for a tenure of five years, which may be renewed for similar terms by the Executive Council, on such terms and conditions as may be prescribed by the Ordinances;

Provided that the term of appointment of Finance Officer shall not be continued beyond the date of his attaining the age of sixty two*** years;

Provided further that notwithstanding his attaining the age of sixty two*** years, he shall continue in office until his successor is appointed and enters upon his office, or for a period of one year whichever is earlier.

(2) When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the

** Ref. Ministry of HRD letter No. F. 3-32/92-Desk (U), dated Sep.10, 1992.

*** Ref. Ministry of HRD letter No. 3-20/99-Desk (U) dated August 24, 1999.

* Ref. Ministry of HRD letter No. F. 3-30/2003-Desk (U), dated Sep.6, 2004.

Office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Finance Officer shall be *Ex-Officio* Secretary of the Finance Committee, but shall not be deemed to be a member of such committee.

*(4) The Finance Officer shall advise the University as regards its financial policy and perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by these Statutes or the Ordinances:

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding ten thousand rupees without the previous approval of the Executive Council.

(5) Subject to the control of the Executive Council, the Finance Officer shall :-

- (a) hold and manage the property and investments including trust and endowed property;
- (b) ensure that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;
- (c) be responsible for the preparation of annual accounts and the budget of the University for the next financial year and for their presentation to the Executive Council;
- (d) keep a constant watch on the state of the cash and bank balances and on the state of investment;
- (e) watch the progress of the collection of revenue and advise on the methods of collection employed;
- (f) have the accounts of the University regularly audited by an internal audit party ;
- (g) ensure that the registers of buildings, lands, furniture and equipments are maintained upto-date and that the stock checking is conducted, of equipment and other consumable materials in all offices, special centres, specialized laboratories, colleges and institutions maintained by the University;
- (h) call for explanation for unauthorised expenditure and for

* Aligarh Muslim University (Amendment) Act, 1981.

other financial irregularities and suggest disciplinary action against the persons at fault; and

- (i) call for from any office, college or institution under the University, any information or returns that he may consider necessary for the performance of his duties.

(6) The receipt of the Finance Officer 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 payment of such money.

† 6A. **Directors of the Centres** shall be the Officers of the University in accordance with Section 16(4) of AMU Act XL of 1920.

B. Directors of Centres - (1) The Director of a centre shall be appointed by the Executive Council on the recommendation of a Selection Committee constituted for the purpose.

(2) The Director of a Centre shall be a whole time salaried employee of the University.

(3) The Director of a Centre shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for re-appointment for not more than another term.

(4) Notwithstanding anything contained in clause (3), a person appointed as Director of a Centre shall, if he completes the age of sixty-five years during the term of his office retire from office.

(5) The emoluments and other terms and conditions of service of the Director of a Centre shall be such as may be prescribed by the Ordinances.

(6) If the office of the Director of a Centre becomes vacant due to his death, resignation or otherwise or if he is unable to perform his duties owing to illness, absence or any other cause, the duties of his office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(7) The Director of a Centre shall be responsible for the conduct and maintenance of the standard of teaching and research in the campus. He shall have such other functions as may be prescribed by the Ordinances.

† Ref. MHRD Letter No. F 3-26/10-Desk(u) dated 12.10.2010

***7. Deans of Faculties** - (1) Every Dean of a Faculty shall be appointed by the Executive Council from amongst the Professors in the Faculty by rotation according to seniority for a period of two years;

†Provided that in the Faculty of Medicine/Unani Medicine no Professor shall be appointed as Dean of the Faculty if he/she does not have the Medical/Unani qualifications prescribed by the Medical Council of India/Central Council of Indian Medicine, as the case may be.

******(2) If at any time, there are no Professor in a Faculty the Vice-Chancellor, or if so designated by him, the Pro-Vice-Chancellor, shall exercise the powers of the Dean of the Faculty concerned.

*******(3) A Dean on attaining the age of supernuation of teacher as may be prescribed by the Ordinances shall cease to hold office as such.

(4) The persons holding office as Deans by virtue of their office as Principal of the Jawahar Lal Nehru Medical College and the Principal of Zakir Hussain College of Engineering and Technology on the commencement of the Aligarh Muslim University (Amendment) Act, 1972 and persons who were appointed as Dean on July 1, 1972 shall continue to hold the Office of the Dean of their respective Faculties until the expiry of their term of office.

(5) A Dean of Faculty may resign his office at any time during his tenure, and Professor may decline the offer of appointment as the Dean of a Faculty.

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

(7) The Dean shall be the Head of the Faculty and shall be responsible for the conduct and maintenance of the standards of teaching and research in the Faculty. He shall have such other functions as may be prescribed by the Ordinances.

(8) The Dean shall have the right to be present and to speak at any meeting of the Board of Studies or committee of the Faculty,

* Ref. Ministry of Education and Social Welfare letter No. F. 3-58/73-U. 2 dated 23 October, 1973.

** Ref. Mini. of Edu. and Social Welfare No. F. 3-40/72, U. 2, dated 24 Oct. 1972

† Ref. Ministry of Human Resource Dev. letter No. 3-21/99-Desk(U), dt. 1.10.1999

******* Ref. Ministry of HRD Letter No. F-3-33/Desk (U) dated 05.11.2008

as the case may be, but not the right to vote thereat unless he is a member thereof.

***8. **Chairmen of Departments**- (1) Each Department shall have a Chairman who shall be a Professor and whose duties and functions and terms and conditions of appointment shall be prescribed by the Ordinances :

Provided that if there are more Professors than one in any Department the ******Chairman of the Department shall be appointed in accordance with the provisions made in respect thereof by the Ordinances.

*******Provided further that in case of Departments which have only one Professor, the Vice-Chancellor shall first appoint the Professor as the Chairman of the Department and thereafter the Senior Reader from amongst the two Senior most Readers by rotation for a specified period as laid down in the Ordinances. After the term of the Readers is over the Professor would again be appointed as the Chairman and the rotation would continue.

Provided further that in a department where there is no Professor, a Reader may be appointed as ******Chairman of the Department in accordance with the provision made in respect thereof by the Ordinances:

Provided also that if there is no Professor or Reader in a Department, the Dean of the Faculty concerned shall act as the ******Chairman of the Department;

‡ Provided also that, until the Ordinances as prescribed above are passed and appointments made accordingly, the persons who were appointed on 17.7.1972 or thereafter, shall continue as ******Chairman of the Departments and perform the same functions.

(2)** A ***Chairman of the Department may resign his office at any time during his tenure and a Professor or Reader may decline the offer of appointment as the ******Chairman of a Department.

(3)** A ***Chairman of a Department on attaining the age of superannuation of teachers as may be prescribed by the Ordinances **††** shall cease to hold office as such.

* Ref. Ministry of Education and Social Welfare letter No. F. 3-58/73-U. 2 dated 23 October, 1973.

****** Aligarh Muslim University (Amendment) Act, 1981.

******* Ref. Ministry of HRD Letter No. F. 3-21/92-Desk (U) dated July 12, 1995

‡ Ref. Ministry of Education and Social Welfare letter No. F. 3-95/73-U. 2 dated 3 January, 1974.

†† Ref. Ministry of HRD Letter No. F-3-33/Desk (U) dated 05.11.2008

+8A. Coordinator of Unit of the Centre - (1) Each Unit of the Centre shall have a Coordinator who shall be a Professor and whose duties and functions and terms and conditions of appointment shall be prescribed by the Ordinances.

Provided that if there are more Professors than one in any Unit of the Centre the Coordinator of the Unit of the Centre shall be appointed in accordance with the provisions made in respect thereof by the Ordinances.

Provided further that in case of Units of the Centre which have only one Professor, the Vice-Chancellor shall first appoint the Professor as the Coordinator of the Unit of the Centre and thereafter the Senior Reader from amongst the two Senior most Readers by rotation for a specified period as laid down in the Ordinances. After the term of the Readers is over the professor would again be appointed as the Coordinator and the rotation would continue.

Provided further that in a unit of the Centre where there is no Professor, a Reader may be appointed as Coordinator of the Unit of the Centre in accordance with the provision made in respect thereof by the Ordinances.

Provided also that if there is no Professor or Reader in a Unit of Centre, the Director of the Centre shall act as the Coordinator of Unit of the Centre.

Provided also that until the Ordinances as prescribed above are passed and appointments made accordingly, the persons who have been deputed in June 2010 or thereafter, shall continue to perform the assigned duties at the Units of the Centre.

(2) A Coordinator of the Unit of the Centre may resign his office at any time during his tenure and a Professor or Reader may decline the offer of appointment as the Coordinator of a Department/ Unit of the centre.

(3) A Coordinator of a Unit of the Centre on attaining the age of superannuation as may be prescribed by the Ordinances shall cease to hold office as such.

****9. Omitted.**

+ Ref. Ministry of HRD Letter No. F 3-26/10 Desk(u) dated 12.10.2010

** Aligarh Muslim University (Amendment) Act, 1981.

10. Dean of Students' Welfare - (1) * If the Executive Council, after considering the recommendation of the Vice-Chancellor, is of the opinion that the Dean, Students' Welfare need to be appointed, such a Dean shall be appointed from time to time from amongst the teachers of the University not below the rank of a Reader by the Executive Council on the recommendation of the Vice-Chancellor.

(2) The Dean so appointed under clause (1) shall be a whole-time officer and shall hold office for a term of three years and shall be eligible for re-appointment:

Provided that the Executive Council may, if it is considered necessary appoint on the recommendation of the Vice-Chancellor, a teacher, not below the rank of a Reader to discharge the duties of the Dean of Students' Welfare in addition to his duties and in such a case the Executive Council may sanction a suitable allowance.

(3) The person who is appointed as the Dean of Students' Welfare shall continue to hold his lien on his substantive post and shall be eligible to all the benefits that would have otherwise accrued to him but for his appointment as Dean of Students' Welfare.

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

(5) The duties and powers of the Dean of Students Welfare shall be prescribed by the Ordinances.

11. Provost- (1) A Provost shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor.

(2) A Provost shall hold office for a term of two years and shall be eligible for re-appointment.

*(3) When the office of the Provost is vacant or when a Provost is, by reason of illness or absence or any other cause, unable to

* Ref. Ministry of Education and Social Welfare letter No. F. 3-58/73-U. 2 dated 23 October, 1973.

perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

12. Proctor *(1) The Proctor shall be appointed by the Executive Council from amongst the teachers of the University not below the rank of a Reader on the recommendation of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor.

(2) The Proctor shall hold office for a term of two years and shall be eligible for re-appointment.

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

13. Librarian - (1) The Librarian shall be appointed by the Executive Council on the recommendation of a Selection Committee constituted for the purpose and shall be a whole-time officer of the University.

(2) The Librarian **shall exercise such powers and perform such duties as may be assigned to him by the Executive Council.

14. (1) The Court - The Court shall consist of the following members, namely :-

Ex-Officio members

- *(i) Chancellor;
- *(ii) Pro-Chancellor;
- (iii) Vice-Chancellor;
- (iv) Pro-Vice-Chancellor;
- *(v) Honorary Treasurer;
- (vi) All Ex-Vice-Chancellors;
- (vii) All Deans of Faculties;
- +(vii)(a) Directors of all Centres;
- (viii) Dean of Student's Welfare;

* Aligarh Muslim University (Amendment) Act., 1981.

** Ref. Ministry of HRD (Department of Education letter No. F. 3-54/87-Desk (U) dated 15/16-2-1988.

+ Ref. Ministry of HRD Letter No. F 3-26/10-Desk(u) dated 12.10.2010

* Ref. Min. of Edu. & Social Welfare letter No. F.3-58/73U-2, dated 23,Oct. 1973

- (ix) Librarian;
- (x) Registrar;
- *(xi) Five Provosts by rotation according to seniority;
- (xii) Proctor;

Representatives of the Departments and Colleges

- *(xiii) Twenty Chairmen of Departments, by rotation according to seniority;
- +(xiii)(a) One Coordinator from amongst the Coordinators of the Units of each Centre, by rotation according to seniority.
- *(xiv) Principals of Colleges;

Representatives of teachers other than Chairmen of Departments and Principals of Colleges

- *(xv) Two Professors, who are not Chairmen of Departments, to be elected from amongst themselves;
- *(xvi) Three Readers to be elected from amongst themselves;
- (xvii) Five Lecturers to be elected from amongst themselves;

Representatives of Schools maintained by the University

- *(xviii) Two Principals of Schools maintained by the University by rotation according to seniority;

Representatives of non-teaching staff

- *(xix) Five representatives of non-teaching staff to be elected from amongst themselves;

Representatives of ex-students

- *(xx) Twenty five representatives of ex-students to be elected by the Alumni (Old Boys) Association;

Representatives of donors

- (xxi) Ten representatives of donors who have donated at least a sum of twenty** thousand rupees or transferred property worth at least twenty** thousand rupees to the University, to be elected from amongst themselves.

* Aligarh Muslim University (Amendment) Act. 1981.

** Ref. M/O HRD letter No. F. 3-15/2001-Desk - (U) dated 22 November 2001

+ Ref. Ministry of HRD Letter No. F 3-26/10-Desk(u) dated 12.10.2010

Representatives of learned professions, industry and commerce

- (xxii) Ten persons representing the learned professions, industry and commerce, to be elected by the Court;

Representatives of All India Muslim Education Conference

- (xxiii) Five representatives of the All-India Muslim Education Conference;

Representatives of Parliament

- (xxiv) Ten members of Parliament, six to be elected by the House of the People (Lok Sabha) from amongst its members and four to be elected by the Council of States (Rajya Sabha) from amongst its members;

Representatives of Muslim Culture and Learning

- (xxv) Fifteen persons representing Muslim Culture and Learning to be elected by the Court, of whom ten shall be persons residing outside the State of Uttar Pradesh;
- (xxvi) Six persons representing Muslim Colleges of Oriental learning in India, to be elected by the Court;
- (xxvii) Four persons from amongst the Chairmen (including Presidents) of the Wakf Boards constituted under the Wakf Act, 1954 (29 of 1954), or under any other law in force in a State, to be elected by the Court;
- (xxviii) Two persons representing Urdu Language and Literature, to be elected by the Court;
- (xxix) Five persons representing Muslim Educational and Cultural Societies situated outside the State of Uttar Pradesh, to be elected by the Court;

Representatives of Students

- (xxx)(a) President, Vice-President, Secretary and one nominee of the Executive Council of the Students Union *Ex-Officio*;
- (xxx)(b) Eleven students to be elected by a simple majority by students of the various faculties classified into groups in the manner prescribed by the Ordinances;

Nominated Persons

- (xxxi) Five persons to be nominated by the Visitor;

- (xxxii) One person to be nominated by the Chief Rector;

- (xxxiii) One person to be nominated by the Chancellor.

Provided that in making nominations under items (xxxi) to (xxxiii), due regard shall be had to the representation of the different areas of the country in view of the all India-character of the University: Provided further that no employee of the University shall be eligible to be a member under items (xx) to (xxix) or under items (xxxi) to (xxxiii);

†(2) All the members of the Court, other than ex-officio members and members representing students, shall hold office for a term of three years, provided that a representative of the Parliament elected to the Court under Item (xxiv) shall be deemed to have vacated his/her membership of the said authority consequent upon his/her becoming a Minister or Speaker/Deputy Speaker, Lok Sabha or Deputy Chairman, Rajya Sabha.

(3) An *ex-officio* member shall cease to be a member of the Court as soon as he vacates the office by virtue of which he is such a member.

(4) Members representing students shall hold office for a period of one year or till such time as they continue to be students, whichever is earlier.

****15. Meetings of the Court** (1) An annual meeting of the Court shall be held in the month of October every year 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 so that the report should reach the Government of India by 30th November. At an annual meeting, a report of the working of the University during the previous year together with a statement of the receipts and expenditure and the balance sheet, as audited, and the financial estimates for the next year shall be presented and any vacancies among the members of the ‡ Executive Council or the Court which are to be filled up by the Court shall be filled.

(2) A copy of the statement of receipts and expenditure, the balance sheet and the financial estimates referred to in clause (1) shall be sent to every member of the Court at least seven days

† Ref. M/O HRD letter No. F. 3-4/2001- Desk - (U) dated 12 January, 2004

** Ref. Ministry of HRD letter No. F. 3-19/92 Desk - (U) dated 5.4.1995

‡ Ref. Ministry of Education and Social Welfare letter No. F. 3-58/73, U. 2 dated 23 October, 1973.

before the date of the annual meeting.

*(3) One third of the members of the Court shall form a quorum for a meeting of the Court.

(4) Special meeting of the Court may be convened by the Executive Council or the Vice-Chancellor, or, if there is no Vice-Chancellor, by the Pro-Vice-Chancellor, or if there is no Pro-Vice-Chancellor, by the Registrar:

Provided that a special meeting of the Court shall also be called if *one third of the members of the Court make a requisition in writing in this behalf :

16. The Executive Council - (1) The Executive Council shall consist of the following members namely :-

- (i) Vice-Chancellor ;
 - (ii) Pro-Vice-Chancellor;
 - *(iii) Honorary Treasurer;
 - *(iv) Five Deans of Faculties by rotation according to seniority;
 - + (iv)(a) One Director of Centres, by rotation according to seniority.
 - *(v) Two Principals of Colleges, other than the Principal of the Women's College, by rotation according to seniority;
 - *(vi) Principal, Women's College;
 - *(vii) One Provost, by rotation according to seniority;
 - *(viii) Proctor;
 - *(ix) Six members of the Court, none of whom shall be an employee of the University, to be elected from amongst themselves;
 - *(x) Two representatives of Professors and Readers to be elected from amongst themselves;
 - *(xi) Two representatives of Lecturers to be elected from amongst themselves;
 - *(xii) Three persons to be nominated by the Visitor;
 - *(xiii) One person to be nominated by the Chief Rector:
- Provided that no employee of the University shall be eligible* for nomination under items (xii) and (xiii).

* Aligarh Muslim University (Amendment) Act, 1981.

+ Ref. Ministry of HRD Letter No. F 3 26/10-Desk(u) dt. 12.10.2010

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

*(3) Fifteen members of the Executive Council shall form a quorum for a meeting of the Executive Council.

17. Powers and Functions of Executive Council :

(1) The Executive Council shall 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 the Registrar, Finance Officer, Controller of Exams. & Director of Centres, Librarian, Principals of Colleges and Institutions established by the University and such Professors, Readers, Lecturers and other members of the teaching and academic staff as may be necessary, on the recommendation of the Selection Committee constituted for the purpose:

*Provided that no action shall be taken by the Executive Council in respect of the number, qualifications, emoluments, and other conditions of service of teachers, without consideration of the recommendation of the Academic Council.

- (ii) to appoint members of the Administrative staff ;
- (iii) to grant leave of absence to any officer of the University other than the Chancellor, and the Vice-Chancellor and to take the necessary arrangements for the discharge of the functions of such officers during his absence;
- (iv) To regulate and enforce the discipline among members of the teaching, administrative and other staff of the University in accordance with these Statutes and the

* Aligarh Muslim University (Amendment) Act, 1981.

+ Ref. Ministry of HRD Letter No. F 3 26/10-Desk(u) dt. 12.10.2010

Ordinances;

- (v) 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,
- (vi) to invest any money belonging to the university, including any applied income in such stocks, funds, shares, or securities as it shall, 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.
- (vii) to transfer or accept transfers of any movable or immovable property on behalf of the University;
- (viii) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;
- (ix) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (x) to entertain, adjudicate upon and, if thought 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;
- (xi) 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;
- (xii) To maintain a register of donors to the University;
- (xiii) to select a common seal for the University and provide for the custody and use of such seal;
- (xiv) to make such special arrangements as may be necessary for the residence and discipline of women students;
- (xv) to delegate any of its powers to the Vice-Chancellor, Pro-Vice-Chancellor, the Registrar or the Finance

Officer or such other employees or authority of the University or to a Committee appointed by it as it may deem fit;

- †(xvi) to institute fellowships, scholarships, studentships, medals and prizes on the recommendation of the Academic Council; and
- (xvii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by the Act or the Statutes.
- †18. **Academic Council-** (1) The Academic Council shall consist the following members, namely :-
 - (i) Vice-Chancellor;
 - (ii) Pro-Vice-Chancellor;
 - (iii) Deans of Faculties;
 - (iv) Chairmen* of the Departments of Studies;
 - (v) Principals and Heads of Institutions;
 - (vi) Dean of Student's Welfare;
 - *(vii) Omitted;
 - (viii) Librarian;
 - (ix) Secretary, Games Committee;
 - ** (x) Three Professors; five Readers; and seven Lecturers to be elected from each category by the teachers in that category.
 - (xi) Five persons not being in the service of the University, co-opted by the Academic Council for their special knowledge, provided that not more than two persons shall be co-opted from subjects assigned to any one Faculty;
 - †(xii) Two Provosts by rotation according to seniority;
 - (xiii) Proctor;
 - *(xiv) The President, Students' Union.
 - *(xv) Two post-graduate students, one research student and one undergraduate student, to be elected by the

* Aligarh Muslim University (Amendment) Act, 1981.

** Ref. Ministry of HRD letter No. F. 3-28/99-Desk (U) dated 4-12-2000.

† Ref. Ministry of Edu. & Social Welfare letter No. F. 3-58/73, U.2, dated 23 Oct. 1973.

students from amongst themselves;

Provided that no student member of the Academic Council shall participate in the discussions in respect of matters relating to Examinations, Selection Committees, appointments and conditions of service of the teaching staff.

- + (xvi) Director Centre for Women's Studies;
 + (xvii) Directors of all Centres;
 + (xviii) Two Coordinators from amongst the Coordinators of the Units of each Centre by rotation according to seniority.

(2) The members of the Academic Council, other than ex-officio members and students members shall hold office for a term of two years.

*(2A). The President, Students' Union shall hold office for so long as he continues to hold the office of the President, Students' Union and every other student member shall hold office for a period of one year:

Provided that a student member shall cease to hold office upon his ceasing to be a student of the University.

†(3) Twenty members of the Academic Council shall form the quorum.

19. Powers of the Academic Council - 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 :-

- (a) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, co-operative teaching among colleges, evaluation of research or improvements in academic standards;
- (b) to bring about inter-faculty co-ordination, to establish or appoint Committees or Boards, for taking up projects on an inter-faculty basis;
- (c) to consider matters of general academic interest either at its own initiative or referred to by a Faculty, or the

† Ref. Ministry of Education and Social Welfare letter No. F. 3-58/73, U. 2 dated 23 October, 1973.

* Aligarh Muslim University (Amendment) Act, 1981.

+ Ref. Min. of HRD letter No. F.3-26/10-Desk(U), dated 12.10.2010

Executive Council and to take appropriate action thereon;

- †(d) to review the working of the Faculties as and when necessary;
- †(e) to formulate, modify or revise schemes for the organisation of, and assignment of subjects to Faculties and to report to the Executive Council as to the expediency of the abolition, reconstitution or division of any Faculty or the amalgamation of one or more Faculties;
- †(f) to recognise diplomas and degrees of other Universities and institutions and to determine their equivalence with the diplomas and degrees of the Aligarh Muslim University;
- †(g) to make such arrangements for the instruction and examination of persons, not being members of the University, as may be necessary;
- †(h) to make proposals to the Executive Council for the establishment of Colleges, Departments, Institutions of Research and specialised studies, Special Centres, Libraries, Laboratories and Museums;
- †(i) to recommend to the Executive Council draft Ordinances regarding examinations of the University, the conditions on which students shall be admitted to such examinations and the working, maintenance and use of the University Library;
- †(j) to maintain proper standards of examinations;
- †(k) to constitute such Advisory Councils/Committees of Students' Affairs consisting of such number of teachers and students as may be prescribed by the Ordinances;
- †(l) 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 Ordinances; and
- (m) to frame such regulations and rules consistent with the

† Ref. Ministry of Education and Social Welfare letter No. F. 3-58/73, U. 2 dated 23 October, 1973.

Statutes and Ordinances regarding the academic functioning of the University, discipline, residences, admissions, award of fellowships and studentships, fee concessions, corporate life and attendance.

20. Faculties and Departments - (1) The University shall have the following Faculties, namely :-

- (i) Faculty of Theology;
- (ii) Faculty of Arts;
- (iii) Faculty of Science;
- (iv) Faculty of Social Sciences;
- (v) Faculty of Engineering and Technology ;
- (vi) Faculty of Medicine ;
- (vii) Faculty of Law;
- (viii) Faculty of Commerce;
- †(ix) Faculty of Life Sciences;
- ** (x) Faculty of Unani Medicine;
- *** (xi) Faculty of Management Studies and Research;
- †† (xii) Faculty of Agricultural Sciences and
- ** (xiii) Such other Faculties as may be prescribed by these Statutes;

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

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

(c) The Department of Studies in existence in the University at the commencement of the Aligarh Muslim University (Amendment) Act, 1972 and the Faculties relating thereto are set out in the annexure to these Statutes:

* Provided that the following shall also be Departments of Studies;

- (i) Department of Ilmul Advia ;
- (ii) Department of Business Administration ;
- (iii) Department of Statistics and Operations Research;
- (iv) Department of Modern Indian Languages
- (v) Department of Chemical Engineering

† Ref. Ministry of HRD (Dept. of Education) Letter No. F-3-21/85-Desk(u) dated 21.04.1986.

** Ref. Ministry of HRD (Dept. of Education) Letter No. F-3-22/86-Desk(u) dated 20.11.1986.

*** Ref. Ministry of HRD Letter no. F 3-33/91-Desk(u), dated 30.01.1996.

†† Ministry of HRD Letter No. 3-25/99-Desk (u), dated 31.05.2000.

- (vi) Department of Kulliyat
- (vii) Department of Moalijat
- (viii) Department of Jarahat
- (ix) Department of Museology
- (x) Deleted
- (xi) Department of Applied Chemistry
- (xii) Department of Applied Mathematics
- (xiii) Department of Applied Physics
- (xiv) Department of Computer Science
- (xv) Department of Electronics Engineering
- (xvi) Department of Fine Arts
- (xvii) Department of Tuberculosis and Chest Diseases
- (xviii) Department of Dermatology
- (xix) Department of Psychiatry.
- (xx) Department of Radiotherapy
- *(xxi) Department of Physical Education
- (xxii) Department of Computer Engineering
- (xxiii) Department of Mass Communication.
- (xxiv) Department of Hifzan-e-Sehat-wa-Tibbi Samaji
- (xxv) Department of Architecture
- (xxvi) Department of Petroleum Studies
- (xxvii) Department of Tashreeh-wa-Munafeul Aza
- (xxviii) Department of Amraz-e-Niswan-wa-Atfal
- (xxix) Department of Post-Harvest Engineering. & Tech.
- (xxx) Department of Plant Protection
- (xxxi) Department of Agricultural Economics & Agricultural Business Management.
- (xxxii) Department of Agricultural Microbiology

* Ref. Ministry of HRD letter F. No. 3-8/2012-Desk (U) dated 19.12.2012.

- (xxxiii) Department of Prosthodontics/Dental Material;
- (xxxiv) Department of Oral & Maxillofacial Surgery
- (xxxv) Department of Oral & Dental Pathology and Microbiology / Oral Medicine & Dental Radiology.
- (xxxvi) Department of Periodontia & Community Dentistry
- (xxxvii) Department of Orthodontia/Human Dental Anatomy
- (xxxviii) Department of Pedodontia
- (xxxix) Department of Conservative Dentistry including Endodontics
- (xl) Department of Plastic Surgery
- +(xli) Department of Home Science.
- (xlii) Department of Saidla
- (xliii) Department of Ilmu Amraz
- (xliv) Department of Tashreehul Badan
- (xlv) Department of Amraz-e-Jild-wa-Amraz-e-Zohrawiya
- (xlvi) Department of Ilaj-Bit-Tadbir
- (xlvii) Department of Paediatric Surgery
- * (xlviii) Department of Cardiothoracic Surgery
- (xlix) Department of Neurosurgery
- ** (L) Interdisciplinary Department of Remote Sensing & GIS Applications.
- *** (LI) Department of Social Work
- (d) Each Department shall consist of the following members namely:-
 - (i) Teachers
 - (ii) Persons conducting research in the Department concerned.
 - (iii) Dean of the Faculty or Deans of the Faculties concerned;
 - (iv) Honorary Professors, if any, attached to Department; and
 - (v) Such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

* Ref. Ministry of HRD Letter no. F 3-19/2007-Desk(u) dated 26.03.2009.

** Ref. Ministry of HRD Letter No. F 3-22/2008-Desk(u) dated 10.12.2010

*** Ref. Ministry of HRD Letter F. No. 3-8/2012 Desk (U) dated 19.12.2012

+ Ref. Ministry of HRD Letter No. F. 3-31/2003 - Desk (U) dated 22.02.2007/25.07.2008

- (e) Each Department shall have a Chairman who shall be appointed in accordance with these Statutes and shall perform such functions as may be prescribed by the Ordinances.

(3) Every Faculty, other than the Faculty of Engineering and Technology, may comprise the following members, namely :-

- (i) Dean of the Faculty who shall be the Chairman;
- (ii) All Professors in the Faculty ;
- (iii) All Chairmen of Departments assigned to the Faculty who are not Professors;
- (iv) Principal, Women's College;
- (v) One Reader from each Department;
- (vi) Two Lecturers from each Department (one above ten years of service and one below ten years);

*Provided that in Departments where teachers from either of the categories mentioned above are not available, the representation will be made in order of seniority;

- (vii) Four persons nominated by the Academic Council from other Faculties of the University; and
- (viii) Five persons not in the service of the University co-opted by the Faculty for their special knowledge of any subject assigned to the Faculty, provided that not more than one person may be co-opted in respect of a subject assigned to a single Department.

Provided that the Principal, Women's College shall be on the Faculties of the subjects for which instruction is provided in the College;

Provided further that the Readers and Lecturers of categories

* Ref. Ministry of Education & Social Welfare letter No. F. 3-58/73, U 2 dated 23 October, 1973.

(v) and (vi) shall serve on the Faculties by rotation, according to seniority.

(4) The Faculty of the Engineering and Technology shall consist of the following members, namely :-

- (i) Dean of the Faculty who shall be the Chairman;
 - (ii) Principal, Z.H. College of Engineering & Technology;
 - (iii) All Chairmen of the Departments assigned to the Faculty;
 - (iv) Principals of the University Polytechnic and Women's Polytechnic;
 - (v) All Professors in the Faculty;
 - (vi) One Reader and one Lecturer by rotation according to seniority from each Department in the Faculty;
 - (vii) Not more than three Readers from the University Polytechnic and not more than two Readers from the Women's Polytechnic by rotation according to seniority ;
 - (viii) One Lecturer from the University Polytechnic and one Lecturer from the Women's Polytechnic by rotation according to seniority;
 - (ix) Persons not connected with the University having expert knowledge of the subject or subjects concerned, co-opted by the Faculty, one from each Department of the Faculty; and
 - (x) Three members elected by the Academic Council for their special knowledge of any subject assigned to the Faculty or of any allied branch of knowledge.
- (5) All members of a Faculty, other than the ex-officio members shall hold office for a term of two years.
- (6) The conduct of the meetings of a Faculty and the quorum required for each Faculty shall be prescribed by the Ordinances.

21. Powers and Functions of the Faculties - In addition to the powers and functions of the Faculties prescribed under

the Ordinances, they shall have power -

- (a) to co-ordinate teaching and research activities of Departments and Centres assigned to the Faculty and to promote and provide for inter-disciplinary teaching and research; and to arrange for examination and periodical tests in subjects falling within the purview of the Faculty;
- (b) to appoint Boards of Studies or committees or to undertake research projects common to more than one Department;
- (c) to approve courses of study proposed by the Departments;
- (d) to forward to the Executive Council the recommendations of the Boards of Studies or Committee for Advanced Studies and Research;
- (e) to propose the draft of Ordinances for the examination for courses conducted by the Faculty ;
- (f) to recommend proposals for the creation and abolition of teaching posts; and
- (g) to perform such other functions as the Executive Council and the Academic Council may prescribe.

22. Boards of Studies - (1) Each Department shall have a Board of Studies which shall consist of -

- (i) The Chairman of the Department - Chairman;
- (ii) Dean of the Faculty concerned;
- *(iii) All members of the Department;
- (iv) Two persons teaching allied or cognate subjects in the University assigned by the Academic Council; and
- (v) Two experts not in the service of the University co-opted by the Board of Studies.

* (2) The appointment of members specified in 22(1) (iv) and 22(1) (v) shall be for a period of two years.

* (3) The functions of Board of studies shall be-

(a) to recommend to the Faculty in the manner prescribed in

* Ref. Ministry of Education and Social Welfare letter No. F. 3-58/73, U. 2 dated 23 October, 1973.

* Aligarh Muslim University (Amendment) Act, 1981

the Ordinances;

- (i) Courses of Studies;
- (ii) Appointment of examiners for under-graduate and post-graduate courses, but excluding research degrees;
- (iii) creation or abolition or upgrading of teaching posts;
- (iv) field of study of each post at the time of its creation;
- (v) measures for improvement of standard of teaching and research;
- (vi) subject for research for various degrees and other requirement of research work; and
- (vii) appointment of supervisor of research;
- (b) to allocate teaching work among the teachers;
- (c) to consider matters of general academic interest to the Department and of its functioning;
- (d) to perform such other functions as may be assigned to it by the Faculty:

Provided that a Department for reasons of its size or otherwise shall, in the interest of efficient discharge of its functions, constitute Committees and assign them responsibilities in specified areas as prescribed in the Ordinances.

†23. *Deleted*

*24. & 25. *Deleted*

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

- (i) Vice-Chancellor;
- (ii) Honorary Treasurer
- (iii) Pro-Vice-Chancellor;
- (iv) Two Deans of the Faculties to be nominated by the Executive Council;

† Ref. Ministry of Education and Social welfare letter No. F-3 -58/73 - U.2, dated 23th October 1973.

* Aligarh Muslim University (Amendment) Act, 1981.

- (v) One person nominated by the Executive Council from amongst its members other than those in the service of the University;

- (vi) Three persons nominated by the Visitor.

(2) Five members of the Finance Committee shall form a quorum for a meeting of the Finance Committee.

(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.

(5) A member of the Finance Committee shall have the right to record a minute of dissent if he does not agree with any decision of the Finance Committee.

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

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

†27. **Selection Committee** - (1) The Selection Committee for appointment to the posts specified in column (1) of the Table below shall consist of the Vice-Chancellor, the Pro-Vice-Chancellor, a nominee of the Visitor and the persons specified in the corresponding entry in column (2) of the said Table:

Provided that where the appointment of a teacher is to be made

† Ref. Ministry of Education and Social welfare letter No. F-3 -58/73 - U.2, dated 23th October 1973.

in a +centre or a College or the University Polytechnic/**Women's Polytechnic, +the Director of that Centres the Principal of that College or the University Polytechnic/** Women's Polytechnic, as the case may be, shall also be an *ex-officio* member of the Selection Committee constituted for such appointment:

TABLE

(1)		(2)
Professor	*(i)	The Dean of the Faculty concerned;
	(ii)	The Chairman of the Department concerned, if he is Professor;
	(iii)	One Professor of the Department to be nominated by the Vice-Chancellor;
	(iv)	Three Persons not in the service of the University, nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in the subject with which the Professor will be concerned.
Reader/Lecturer	*(i)	The Dean of the Faculty concerned;
	(ii)	The Chairman of the Department concerned;
	(iii)	One Professor of the Department or if there is no Professor, a Reader of the Department, to be nominated by the Vice-Chancellor;
	(iv)	Two persons not in the service of the University, nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in the subject with which the Reader/Lecturer will

* Ref. Ministry of Education and Culture Letter No. F-3-28/84 Desk(u) dated 27 July, 1984.

** Ref. Ministry of HRD letter No. F-3-46/91 Desk(U), dated 05.03.1992

+ Ref. Ministry of HRD letter No. F.3-26/10-Desk(U), dated 12.10.2010

be concerned.

**Registrar/Controller (i) of Exams. /Finance Officer	(i)	Two members of the Executive Council nominated by it.
	(ii)	One person not connected with the University nominated by the Executive Council.
Librarian	(i)	Two persons not in the service of the University, who have special knowledge of the subject of Library Science/Library Administration to be nominated by the Executive Council.
	(ii)	One person not in the service of the University nominated by the Executive Council
Principal of College or Institution maintained by the University/ +Director of Centres		Three persons not in the service of the University of whom two shall be nominated by the Executive Council
		and one by the Academic Council for their special knowledge of or interest in a subject in which instruction is being provided by the College or Institution.

Note :-*** (1) The constitution of the Selection Committees for the posts of other teaching and academic staff and non-teaching staff other than those specified in the above table shall be as approved by the Executive Council from time to time:.

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

** Ref. Ministry of Education and Culture letter No. F-3-25/84 Desk(u) dated 3/6 August 1984.

*** Ref. Ministry of HRD (Deptt. of Education) letter No. F.3-36/87 Desk (U) dated 28 August, 1987

+ Ref. Ministry of HRD letter No. F.3-26/10-Desk(U), dated 12.10.2010

*(3) The meeting of the Selection Committee may be fixed with the prior consent of the Visitor's nominee or the experts to be appointed by the Executive Council:

Provided that the proceedings of the Selection Committee shall not be valid unless :-

(a) Where the number of Visitor's nominee, and the person nominated by the Executive Council is four in all, at least three of them attend the meeting; and

(b) Where the number of Visitor's nominee, and the persons nominated by the Executive Council is three in all, at least two of them attend the meeting.

*(4) The meetings of the Selection Committee shall be convened by the Vice-Chancellor or in his absence, by the Pro-Vice-Chancellor.

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

*(6) 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.

†(7) Notwithstanding anything contained in the foregoing clauses of this Statute or Statute 29, the Executive Council may invite a person of high academic distinction and professional attainment to accept a post of Professor in the University, on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post.

*(8) The Executive Council of the University may appoint a teacher or any other academic staff working in any other University or institution for undertaking a joint project in accordance with the manner prescribed in the Ordinances.

* Ref. Ministry of Education & Culture letter No. F-3-28/84 Desk (U) dated 27 July, 1984.

† Ref. Ministry of Education & Social Welfare letter No. F-3-58/73-U.2, dated 23 October 1973

Note 1. Where the appointment is being made for an interdisciplinary project, the Head of the Project shall be deemed to be the Chairman of the Department concerned.

Note 2. The Professor shall be concerned with the speciality for which his selection is being made and that the Vice-Chancellor shall consult the Chairman of the Department and the Dean of the Faculty before nominating the Professor.

28. Committees- Any authority of the University may appoint as many standing or special committees as it may deem fit, and may appoint to such committees persons who are not members of such authority. Any such committee may deal with any subject delegated to it subject to subsequent confirmation by the authority appointing it.

29. Terms and Conditions of Service of Teachers- (1) All the teachers of the University or any of its Institutions shall, in the absence of any agreement to the contrary, be governed by the terms and conditions of service as specified in the Statutes, Ordinances and Regulations of the University :

Provided that no alteration in the salary, the rate of contribution to the Provident Fund and the age of superannuation of a teacher in the service of the University shall be made to his disadvantage except with the previous approval of the Visitor.

(2) (a) All the appointments to permanent posts of teachers in the University shall be made by the Executive Council on the recommendation of a Selection Committee in accordance with the provisions of these Statutes after such posts have been duly advertised and the candidates concerned have been interviewed by the Selection Committee, except in cases where such Committee decides to consider the case of a candidate, otherwise than by an interview. Except as otherwise provided for in his contract of service, every teacher thus selected shall be placed on probation for a period of one year, on the expiry of which period he *shall be confirmed in his post. If he is not so confirmed, the Executive Council may, if it deems fit, dispense with his services as soon after the

* Ref. Ministry of Education and Social Welfare letter No. F-3-28/73 Desk(u2) dated 27 July, 1984.

expiry of his probationary period as may be practicable or extend the period of his probation for one year at the end of which, if he is not confirmed in his post, his services shall be dispensed with after expiry of the period of extension of his probation :

Provided that, if a person in the permanent service of the University is appointed on probation to a higher post in the same Department, he shall not lose his lien on his substantive post, nor shall he be deprived of the benefits of leave rules and of the Provident Fund Statutes to which he was entitled at the time of his appointment to the higher post during the period of his probation :

Provided further that the service of a teacher appointed on probation may be terminated at any time during the probationary period by giving two months' notice without assigning any reason.

(b) In making temporary appointments to posts of teachers-

(i) If the temporary vacancy is for a duration longer than one academic session, it shall be filled on the advice of the Selection Committee in accordance with the procedure indicated in the preceding item (a); and

*(ii) if the temporary vacancy is for a period less than a year, an appointment to such vacancy shall be made on the recommendation of a Local Selection Committee consisting of -

- (a) The Dean of the Faculty;
- (b) The Chairman of the Department;
- (c) One Professor of the Department or, if there is no Professor, a Reader of the Department to be nominated by the Vice-Chancellor; and
- (d) A nominee of the Vice-Chancellor

Provided that where the appointment of a teacher is to be made in a **Centre or a College or the University Polytechnic, ** the Director of Centre, Principal of College, University Polytechnic, as the case may be, shall also be an *ex-officio* member of the Local Selection Committee constituted for such appointment.

* Ref. Ministry of HRD (Dept. of Education) letter No. F.3-16/85 Desk(U), dated 1.07.1986.

** Ref. HRD letter No. F.3-26/10-Desk (U), dated 12.10.2010

Provided further that in case of sudden casual vacancies of teaching posts caused by death or any other reason, the Dean, may, in consultation with the Chairman of the Department concerned, make a temporary appointment for a month and report to Vice-Chancellor and the Registrar about such appointment.

(c) No teacher appointed temporarily shall, if he is not recommended by a regular Selection Committee for appointment under these Statutes be continued in service on such temporary employment, or given a fresh appointment unless he is subsequently selected by a local Selection Committee or a regular Selection Committee, for a temporary or permanent appointment, as the case may be.

(3) Every teacher of the University shall be ordinarily appointed on a written contract, the form of which shall be prescribed by Regulations. A copy of the contract shall be deposited with the Registrar.

(4) No teacher of the University shall be confirmed in his post unless he has fulfilled the conditions laid down in the contract of his appointment and unless the Vice-Chancellor, on the recommendation of the Dean of the Faculty and Chairman of the Department concerned, and in the case of the Chairman of the Department, on the recommendation of the Dean concerned, testifies to his fitness for confirmation.

(5) All temporary teachers whose total service in the University exceeds one year shall be required within two months of the completion of one year to produce a physical fitness certificate signed by a registered Medical Graduate, not below the status of a Civil Surgeon, provided that if the physical fitness examination is conducted at the University Health Service, the certificate signed by the Chief Medical Officer shall be deemed to be sufficient.

(6) Teachers appointed on probation and those in whose case probation has been waived, shall be required to produce a physical fitness certificate of the nature prescribed in clause (5) before joining their appointment :

Provided that nothing in this clause shall apply to such teachers who are already holding a permanent post in the University.

(7) Teachers holding temporary appointments shall not be confirmed in their posts unless they produce a physical fitness certificate as required in the foregoing clauses.

(8) No fee shall be charged if the physical fitness examination is conducted at the University Health Service.

(9) (a) All teachers of the University shall, if they are not employed for a fixed period retire from the University service with effect from the afternoon of the last day of the month in which they *attain the age of superannuation as may be prescribed by the Ordinances, and thereafter no extension in the period of service shall be given.

(b) The Executive Council may, however, in the interest of the University, re-employ a teacher for such period as it may deem fit and on such terms and conditions as it may prescribe, provided that no teacher shall be retained in service beyond the age as may *be prescribed by the Ordinances:

** Provided further that during the period of re-employment a teacher shall not be given any administrative responsibility.

(10) (a) A teacher due for retirement shall apply well before the date of retirement for such leave as may be due to him before retirement, and if he fails to so apply, he shall not be entitled to avail of the leave after retirement. Leave so applied for may be sanctioned, or refused in the interest of the University. If leave is so refused, the leave due shall be availed of after retirement.

†(b) All recommendations for re-employment after age of superannuation shall be made at least six months before the date of retirement, by the Chairman of the Department through the Dean of the Faculty concerned or may be initiated by the Dean of the Faculty concerned or the Vice-Chancellor. The recommendation in the case of the Chairman of the Department may be initiated by the Dean of the Faculty concerned or the Vice-Chancellor.

** Ref. Ministry of Education & Social Welfare letter no. F.3-6/77 U-2, dated 16.12.1977

† Ref. Ministry of Education & Social Welfare letter No. F. 3-6/77 U-2 dated 22.10.1977

* Ref. Ministry of HRD Letter No. F-3-33/2008 Desk (U) dated 05.11.2008

*(c) The teachers of the University shall be eligible for seeking voluntary retirement after 20 years of qualifying service on proportionate pension and gratuity with a weightage of upto 5 years towards qualifying service subject to the conditions as specified in Clause 15 (e) to Statute 61 of these Statutes.

++A University employee may also be allowed to retire voluntarily from service after he has attained the age of 50 years if he is in Group 'A' or group 'B' service or post (and has entered University service before attaining the age of 35 years), and in all other cases after he has attained the age of 55 years on proportionate pension and gratuity.

*(d) At any time and subject to conditions as specified in Clause 15(d) of Statute 61 after a University teacher has completed thirty years of qualifying service he may retire from the service.

(11) Notwithstanding anything contained in the foregoing Clauses of this Statute, the University may permit any Professor or Reader to accept, concurrently on a part-time basis appointment in any University or institution on such terms and conditions as may be prescribed in the Ordinances.

30 Seniority Lists - (1) Whenever, in accordance with these Statutes, any person is to hold an office or be a member of an authority of the University by rotation according to seniority, such seniority shall be determined according to the length of continuous service of such person in his grade, and, in accordance with such other principles as the Executive Council may from time to time prescribe.

(2) It shall be the duty of the Registrar to prepare and maintain, in respect of each class of persons to whom the provisions of these Statutes apply, a complete and upto-date seniority list in accordance with the provisions of the foregoing clause.

(3) If two or more persons have equal length of continuous service in a particular grade or the relative seniority of any person or persons is otherwise in doubt, the Registrar may, on his own motion and shall, at the request of any such person, submit the matter to the Executive Council whose decision thereon shall be final.

* Ref. Ministry of HRD (Dept. of Education) letter No. F.3-20/86 Desk(U), dated 17.06.1987.

++ Ref. Circular No. C-II Court (104)-3/1581 dated 10.12.2004

31. Powers in respect of granting and withdrawing degrees

(1) The Executive Council may, by resolution passed by a majority of not less than two-third of the members present and voting:-

- (a) on the recommendation of the Academic Council, make proposals to the Chancellor for the conferment of honorary degrees;
- (b) withdraw any ordinary degree or diploma conferred by the University; and
- (c) with the sanction of the Chancellor, withdraw any honorary degree.

(2) Notwithstanding anything contained in Clause (1), in cases of urgency, the Chancellor, may, on the recommendations of the Executive Council alone, confer an honorary degree.

† 32. Deleted.

† 33. Deleted.

***34. Students' Union** - There shall be a Students' Union to be known as Aligarh Muslim University Students' Union. The Vice-Chancellor of the University shall be the Patron of the Union.

35. Maintenance of discipline among students of the University -

(1) All powers relating to discipline and disciplinary action in relation to students shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may delegate all or any of his powers as he deems proper to the Proctor and such other officers as he may specify in this behalf.

(3) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action in the interest of maintaining discipline as may seem to him appropriate, the Vice-Chancellor may, in the exercise of his powers, by order, direct that any student or students be expelled, or rusticated, for a specified period, or be not admitted to a course or courses of Study in a College, Department or Institution of the University for a stated period, or be punished with fine for an amount to be specified in the order, or debarred from taking a University or College or

† Ref. Ministry of Education & Social Welfare, letter No. F.3-58/73 U-2, dated 23 October 1973.

* Ref. Ministry of HRD (Dept. of Education) letter No. F-3-56/87 Desk (u) dated 11.05.1988

Departmental Examination or Examinations for one or more years, or that the results of the student or students concerned in the Examination or Examinations in which he or they have appeared be cancelled.

(4) The Principals of Colleges, Heads of Special Courses, Deans of Faculties * Directors of Centres and Chairmen of Teaching Departments * Coordinators of the units/centres in the University shall have the authority to exercise all such disciplinary powers over the students in their respective Colleges, Centres, Institutions, Faculties and Teaching Departments in the University as may be necessary for the proper conduct of the Institutions, Special Courses and teaching in the concerned Departments.

*(5) Without prejudice to the powers of the Vice-Chancellor and the Proctor as aforesaid, detailed rules of discipline and proper conduct shall be framed by the University. The principals of Colleges, Heads of Centres, Deans of Faculties Director of Centre and Chairmen of Teaching Departments Coordinator of the unit of the Centre in the University may frame such supplementary rules, as they deem necessary for the aforesaid purposes. Every student shall be supplied with a copy of rules so made.

(6) At the time of the admission, every student shall be required to sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and the other authorities of the University.

36. Establishment of Colleges and Institutions-(1) The establishment of Colleges and Institutions and the abolition thereof shall be governed by these Statutes.

Provided that the Colleges and Institutions which have been established in accordance with the Act, the Statutes or the Ordinances in force immediately before the commencement of the Aligarh Muslim University (Amendment) Act, 1972 shall be deemed to be the Colleges and Institutions established by these Statutes.

*(2) The following shall also be Institutions established and maintained by the University:

- (i) Aligarh Muslim University Centre at Murshidabad (West Bengal);

* HRD Letter No. F-3-26/10-Desk (u) dated 12.10.2010

(ii) Aligarh Muslim University Centre at Malappuram, Kerala.

* (3) Each Centre of the University shall be headed by a Director and shall have such units thereof as may be specified by the Ordinances.

* (4) Each Unit of Centre shall be headed by a Co-ordinator, whose duties and functions and terms and conditions of appointments shall be prescribed by the Ordinances.

Provided further that a Unit in the Centre shall comprise of the teachers honorary Professor, Visiting Professors of a particular Unit who teach a subject. The teaching and research activities in a Unit shall be measured by a committee called 'Committee of Studies' (COS) as defined under the Ordinances

* (5) The appointment to the various posts in a Centre of the University shall be governed by the Act the Statutes and the Ordinances.

37. Convocations- Convocations of the University for the conferring of degrees or for other purposes shall be held in such manner as may be prescribed by the Ordinances.

38. Acting Chairman of meetings- Where no provision is made for a President or Chairman to preside over a meeting of an authority of the University or any committee of such authority or when the President or Chairman so provided for is absent, the members present shall elect one from among themselves to preside at such meeting.

39. Resignation- (1) Any member, other than an ex-officio member of the Court, Executive Council, Academic Council or any other authority of the University or any committee of such authority may resign by letter addressed to the Registrar and the resignation shall take effect as soon as such letter is received by the Registrar.

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

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

† Ref. Ministry of Education and Social Welfare letter No. F.3-58/73 U. 2, dated 23 October, 1973.

* HRD letter No. F.3-26/10-Desk(U), dated 12.10.2010

40. Removal of members and employees (1) A member of the Court, Executive Council or Academic Council may be removed by a resolution of the Court, Executive Council or Academic Council, as the case may be, passed by a majority of not less than two thirds of its members on either of the following grounds, namely:-

- (i) such member has become incapable of performing his duties.
- (ii) such member has been convicted by a court of an offence which, in the opinion of the Court of the University, Executive Council or Academic Council, as the case may be, involves moral turpitude.

(2) Notwithstanding anything contained to the contrary in the terms of his contract of service or of his appointment, any officer of the University, salaried or otherwise, may be removed from their offices by the authority which is competent to fill the vacancy on either of the following grounds namely:-

- (i) the officer has become incapable of performing his duties;
- (ii) the officer has been convicted by a court of an offence which, in the opinion of the Court of the University, Executive Council or Academic Council, as the case may be, involves moral turpitude.

Provided that nothing in this clause shall be deemed to effect any rights accruing to an officer appointed on contract in accordance with the terms of such contract.

(3) (a) Notwithstanding anything contained in the terms of the contract of service of a teacher, the Executive Council shall be entitled to dismiss a teacher on grounds of misconduct after following the procedure specified in clause (c), but save as aforesaid, the Executive Council shall not be entitled to determine the employment of a teacher save for good cause and after giving three months notice in writing or payment of three months' salary in lieu of such notice.

(b) The determination of a teacher's employment shall require a two-third majority of the members of the Executive Council present and voting.

(c) The Vice- Chancellor may suspend a teacher against whom any misconduct is alleged and shall report the case to the next meeting of the Executive Council, but before any orders for dismissal are passed, the teacher shall be informed of the allegations made against him and shall be given a reasonable opportunity to make such representation to the Executive Council or to any committee thereof appointed for the purpose, as he may desire to make; and further, he shall be entitled to claim the benefit of due enquiry, with full opportunity to inspect evidence and cross-examine witnesses, and offer his own evidence and witnesses, before the Executive Council or before a person or persons appointed by it to conduct the enquiry.

(d) Any dismissal on the ground of misconduct shall take effect on the date on which the teacher was first suspended.

(e) Before a notice is given or payment is made to the teacher under sub-clause (a), he shall be informed by the Executive Council of the cause of the action proposed to be taken against him and shall be given a reasonable opportunity of making such representations to the Executive Council or to any committee thereof appointed for the purpose, as he may desire to make.

(f) Notwithstanding anything contained in the Statutes, the teacher may at any time require his employment to be terminated by giving the Executive Council three month's notice in writing.

***40A. Time Limit to submit Appeal-** A person, entitled to appeal to the Executive Council under Section 36B of the Principal Act, must submit his appeal to the Registrar within three months of the date on which the decision, by which he has been aggrieved, is duly served on him.

Provided that a delay of not more than three months over and above the three months limitation period provided above, in filing appeal may be condoned by the Executive Council if it is satisfied that the delay was caused for reasons beyond the control of the appellant.

41. Residence condition for membership and office-Notwithstanding anything contained in these Statutes, no person who is not ordinarily resident in India shall be eligible to be an officer of the

+ Ref. Ministry of HRD (Deptt. of Education) Letter No. F-3-37/87 Desk (U) dated 18/19-8-1987.

University or a member of any authority of the University.

42. Membership of authorities by virtue of membership of other bodies- Notwithstanding anything contained in these Statutes, a person who holds any post in the University or is a member of any authority or body of the University in his capacity as a member of a particular authority or body or as the holder of a particular appointment shall hold office so long only as he continues to be a member of that particular authority or body or the holder of that particular appointment, as the case may be.

+Provided that the vacancy (for a period of six months or more) of an elected member of any authority or body of the University caused due to appointment/promotion to a higher category of teachers shall be filled in through by-election.

+Provided further that the member thus elected through by election shall hold office of that authority or body for the remaining period of the vacancy caused.

43. Alumni (Old Boys') Association- No member of the Alumni (Old Boys) Association shall be entitled to vote or stand for the election to the Court unless:

- (i) he has been a member of the Association for at least five years continuously prior to the date of election;
- (ii) he pays such subscription and satisfies other conditions, as may be prescribed by the Ordinances; and
- (iii) he is a graduate of the Aligarh Muslim University or an ex-student of the Muhammadan Anglo-Oriental College or the Muhammadan Anglo-Oriental Collegiate School, Aligarh.

Provided that if he is not a graduate, he should have been a member of the Association for at least ten years continuously prior to the date of election.

Explanation - The word "graduate" in this Statute shall include a graduate of the Muhammadan Anglo-Oriental College, Aligarh

44. Delegation of powers- Subject to the provisions of the Act and these Statutes, any officer or authority of the University may delegate his or its power to any other officer or authority or person under their respective control and subject to the condition that overall responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating such powers.

+ Ref. Ministry of HRD Letter No. F-3-23/92 Desk (U) dated 20-7-1995.

ANNEXURE*
Statute 20(2)(c)

(a) Faculty of Arts:

- (i) Department of Arabic
- (ii) Department of English
- (iii) Department of Hindi
- (iv) Department of Linguistics
- (v) Department of Persian
- (vi) Department of Philosophy
- (vii) Department of Sanskrit
- (viii) Department of Urdu

(b) Faculty of Social Sciences:

- (i) Department of Economics
- (ii) Department of Education
- (iii) Department of History
- (iv) Department of Islamic Studies
- (v) Department of Library *and Information Science
- (vi) Department of Political Science
- (vii) Department of Psychology
- ** (viii) Department of Sociology
- (ix) Centre of West Asian Studies

(c) Faculty of Commerce :

- (i) Department of Commerce

(d) Faculty of Law :

- (i) Department of Law

(e) Faculty of Theology:

- (i) Department of Sunni Theology
- (ii) Department of Shia Theology

(f) Faculty of Science:

- (i) Department of Chemistry
- (ii) Department of Geography
- (iii) Department of Geology
- (iv) Department of Mathematics
- (v) Department of Physics

(g) Faculty of Medicine:

- (i) Department of Anatomy
- (ii) Department of Physiology
- (iii) Department of Biochemistry
- (iv) Department of Pharmacology
- (v) Department of Pathology
- (vi) Department of Microbiology
- ** (vii) Department of General Surgery
- ** (viii) Department of Orthopaedic Surgery
- (ix) Department of Anaesthesiology
- ** (x) Department of Oto-rhino-laryngology (ENT Surgery)
- ** (xi) Department of Radio-Diagnosis
- (xii) Department of Forensic Medicine
- (xiii) Department of Medicine
- (xiv) Department of Paediatrics
- + (xv) Department of Community Medicine
- (xvi) Department of Obstetrics and Gynaecology
- (xvii) Department of Ophthalmology
- ++ (xviii) Deleted

(h) Faculty of Engineering and Technology:

- (i) Department of Civil Engineering
- (ii) Department of Electrical Engineering
- (iii) Department of Mechanical Engineering
- (iv) Department of Technology

(i) Faculty of Life Sciences:

- (i) Department of Botany
- (ii) Department of Zoology
- + (iii) Department of Biochemistry
- † (iv) Department of Wildlife Sciences
- (v) Department of Museology

**Re-number Statutes 29 to 45 (relating to Provident Fund, Pension and Gratuity for the employees of the University) referred to in the proviso to Section 28 (1) of the Act, as Statutes 45 to 61 respectively.*

+ Ref. Ministry of HRD (Dept. of Education) letter No. F.3-21/85 Desk(U), dated 21.4.1986

** Ref. Ministry of Education & Culture letter No. F.3-38/81Desk(U), dt. 1st Oct. 1981

* Ref. Ministry of Education and Social welfare, letter No. F.3-40/72 U.2, dated 24 October, 1972.

++ Ref. Ministry of Education S.W. letter No. F. 3-5/81-Desk (U) dated 13.9.1985.

† Ref. Ministry of HRD letter No. F-3-34/99 Desk (U) dated 9-2-2000.

* Ref. Statute 20 (2) (c)

** Ref. Ministry of HRD Letter F. No. 3-8/2012-Desk (U) dated 19.12.2012

Delete Appendix "A" of the Statutes and re-letter Appendices B and C as Appendices A and B respectively.

Note:- (All references of the Statutes according to the old numbering 29 to 45 and to Appendices B and C according to old lettering shall be construed as references to the corresponding renumbered Statutes 45 to 61, and to the re-lettered Appendices A and B respectively.)

45. Provident Fund- The management of the Provident Fund constituted under Section 37 (2) of the Act shall be vested in the Executive Council which shall maintain a separate account of the same.

†**46.** Persons appointed temporarily or in an officiating capacity including re-employed pensioners, after a continuous service of one year, and all permanent employees, probationers and persons appointed on contract for a period of not less than four years (as whole-time servants) shall be entitled to subscribe to the Contributory Provident Fund.

Explanation:-In the case of probationers, the University contribution shall be credited to their accounts only after their confirmation. The University contribution and interest thereon shall however, be payable for the entire period the employees have subscribed to the Contributory Provident Fund.

47. (1) The rate of the contribution by subscribers shall be 4,8,12,16,20, or 24 per cent of the salary of the employees for the previous month and the amount calculated on this basis shall be deducted from the monthly salary of the employee:

Provided that no contribution shall be made to the Provident Fund by a subscriber who is on leave without pay.

(2) The University shall contribute to the Fund such sum equal to a percentage of the salary of each employee as may be approved by the Central Government.

(3) The interest of both these contributions shall accrue to the account of the subscribers.

† Ref. Ministry of Education Letter No. F.3. 15/68 U.2, dated 24-5-1968.

48. Placement of amount of P.F. in Securities :

(1) The amount accruing to the fund shall be placed month by month in such securities as are approved by the Executive Council on the recommendation of the Provident Fund Committee .

(2) The contribution made by subscribers and the contribution of the University shall be credited monthly to the separate accounts of each subscriber.

(3) The accounts of the Fund be audited once a year by the University auditor or auditors and a copy of balance-sheet of the Fund shall be sent to every subscriber, together with a statement of the account standing to his credit.

49. Condition of payment of P.F.

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 Statute 53 out of Provident Fund under the following conditions:-

(a) If a subscriber leaves or dies before completing his four years' service, he shall be entitled to the amount which he himself has contributed under Statute 47 (1) 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 his four year's service, 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.

*Provided that where the Statutes prescribe a fixed tenure for an Officer, Clauses (a) and (b) shall not apply and such Officer , be entitled to the full amount contributed by the University to the Fund together with interest thereon.

(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) 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 taken up an appointment

* Ref. Ministry of HRD (Department of Education) Letter No. F.3. 30/91 Desk(u), dated 24-5-1999.

with another University or a recognised 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.

- (e) When a sum becomes payable to a subscriber under items (b) and (c) above, the *Finance Officer 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 any contributions credited to the account of the subscriber by the University and of any interest which has accrued on such contributions.

50. No employee of the University shall be entitled to the benefits of the Provident Fund whose service in the University entitled him to a pension or on whose account the University contributes towards his pension and leave allowance or who has been appointed by the University on special term precluding him from subscribing to the Provident Fund.

51. (a) No payment shall be made until the subscriber quits his service or dies. But in case of urgent necessity the Executive Council may, on the recommendation of the Provident Fund Committee make an advance of a sum equivalent to not more than six months' salary, provided that amount advanced does not exceed the amount actually subscribed by him with interest.

(b) Such advance shall be recovered with interest at the rate of 5 percent per annum in not more than twenty-four instalments, each of which shall not be less than one twenty-fourth of the total amount advanced:

Provided that if an advance is required for the purpose of building or purchasing a house the maximum limit of the advance may be equal to twelve months' salary of the subscriber out of his own contributions to the Fund, to be repaid in such instalment, not exceeding forty-eight as the Executive Council may determine.

(c) Recovery of advances shall be made monthly by deduction from salary commencing from the first payment of a full months' salary after the advance is granted but no recovery shall

* In pursuance of section 20B fo AMU(Amendment) Act, 1972, The word "Treasurer" has been substituted , by the word"Finance Officer" wherever occurring in these statutes.

be made from a subscriber when he is on leave of any kind other than casual leave.

(d) When a subscriber has already taken an advance he shall not be allowed to take another advance until the amount already advanced has been fully paid up.

51A. 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 pendency of 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 the case of death of 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.

52. Every servant of the University entitled to the benefits of the Provident Fund shall be presumed to have read and accepted the rules of the Provident Fund.

53. (a) A subscriber may file a written declaration in the form appended to these rules which will be treated as his will for the purpose of payment of his money after his death. The declaration shall be kept by the Finance Officer.

(b) Such subscriber may, from time to time, change his declaration and file a fresh declaration.

Form of Declaration

Depositor's No.....

(For.....depositor)

I hereby declare that in the event of my death the following persons shall be entitled to receive payment of the amount of my deposit in the Provident Fund in the proportions noted against their names and I make this my will so far as regards such deposit.

I also request that amount payable as above to the minors be paid to the person named below:-

Name and address of the Nominee	Relationship with the subscriber	Whether major or minor. If minor, state age.	Share of the deposit payable	Name and address of the persons to whom share is to be paid on behalf of minors	Sex and percentage of persons referred to in previous column

Two witnesses to signature

1
2

Here state married or unmarried

(Signature)

54. Such subscribers of the Provident Fund as were in the service of the late M.A.O. College and are still in the service of the University shall have their periods of service counted from the time they were first appointed for the purpose of Statute 49.

55. Omitted.

56. (1) A gratuity equal to one half month's pay for every completed year of service may be paid to a permanent servant or employee of the University on account of his physical incapacity to continue in its service:

Provided that the total amount of such gratuity shall not exceed Rs. 240 in any case.

Provided further that no gratuity shall be payable to a servant or employee of less than ten years' standing or entitled to a salary of Rs. 25 per mensem or over.

Provided further that in the case of a person who was a permanent servant or employee of the University immediately before the commencement of the Aligarh Muslim University (Amendment) Act, 1951 the University may pay a gratuity equal in amount to that which was payable by it immediately before such commencement.

(2) If such servant or employee dies while in the service of the University after completing a service of ten years such compassionate allowance not exceeding the pay of such servant or employee for three months, may be paid to such members of his family as may have been dependent on him for their livelihood as the Executive Council may, in view of the circumstances of each case, determine.

57. There shall be a Provident Fund Committee for the purpose of advising the Executive Council in matters relating to investment, payments etc. of the Provident Fund.

*58. (1) The Provident Fund Committee shall consist of the following:-

- (i) Vice-Chancellor,
- (ii) Pro-Vice-Chancellor,
- (iii) Registrar,
- (iv) Four subscribers to the Provident Fund one each from the following categories of staff to be elected from among themselves by the subscribers to the Provident Fund from the category concerned:
 - (a) Teaching Staff of the University and its maintained institutions.
 - (b) Non-teaching Staff (Administrative & Ministerial) ;
 - (c) Technical Staff; and
 - (d) Subordinate (Class IV) Staff;
- (v) Finance Officer (Convener).

(2) Once a person from any of the above categories of staff is elected to the Provident Fund Committee, he shall continue to be a member of the committee for the full term even though he is transferred to a different category or ceased to belong to the category of staff from which he has been elected.

* Ref. Ministry of Education and Social Welfare letter No. F. 3-42/78 Desk (u), dated 17.02.1979.

(3) The term of elected members shall be two years from the date of their election.

(4) The conduct of the meeting of the Provident Fund Committee and the quorum required for the meeting shall be prescribed by the Regulations.

59. Notwithstanding anything to the contrary contained in these Statutes interests shall not be credited to the Provident Fund Account of a subscriber who intimates the Finance Officer in writing that he does not wish to receive interest on his Provident Fund Account.

Provided that such subscriber may at any time rescind such instructions and when he does so interest shall be credited to his Provident Fund Account from the first day of April of the year following the one in which he gives such instructions.

60. A subscriber who is not receiving any interest on his Provident Fund Account in accordance with Statute 59 shall not be required to pay interest on the advances which may be made to him out of such account in accordance with the Statutes.

***61. General Provident Fund-cum-Pension-cum-Gratuity and Contributory Provident Fund-cum-Gratuity**

(1) The Management of the following schemes:-

- (a) General Provident Fund-cum-Pension-cum-Gratuity Scheme (Appendix 'A')
- (b) Contributory Provident Fund-cum-Gratuity Scheme (Appendix 'B')

constituted by the Universtiy under Section 37 (1) of the Act shall be vested in the Executive Council.

(2) (i) The provisions of the Statutes shall be deemed to have come into effect from 1st April, 1964.

******(2) (ii) Any amendment to the Central Government Rules relating to General Provident Fund, Contributory Provident Fund, Pension, Gratuity etc. shall be deemed to be an amendment to the relevant provisions of the Statutes/Ordinances/Regulations of the

* Ministry of Education Letter No. F3-18/68 U.2, dated 27-12-1968 (Old Statute 45).

** Ref. Ministry of HRD (Dept. of Education) Letter No. F-3-35/87 Desk (u) dated 19-8-1987.

Aligarh Muslim University on these matters with effect from the date such amendments are brought into force by the Central Government.

(3) In the Appendices 'A' and 'B' to this Statute unless there is anything repugnant in the subject or context:-

†(a) "*Emoluments*" means emolument which a member of the staff receiving immediately before his retirement or relinquishment of office and includes:-

- (1) Substantive pay in respect of a permanent post other than a tenure post held in a substantive capacity;
- (2) Personal allowance which is granted in lieu of loss of substantive pay in respect of a permanent post other than a tenure post;
- (3) 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);
- (4) 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;
- (5) Save as otherwise provided in the proviso to this subclause on behalf of :-
 - (i) The difference between the emoluments referred to in sub-clauses (1), (2)& (4) above and the pay actually drawn in higher officiating or temporary appointments;
 - (ii) Special pay other than referred to in sub-clause (4) above;
 - (iii) Pay drawn in temporary or officiating appointments;
 - (iv) Personal allowance other than that referred to in sub-clause (2) above;
 - (v) The difference between the substantive pay and the pay actually drawn in higher tenure appointments

† Ref. Ministry of Education and Social Welfare, Letter No. F. 3-14/79-Desk (u), dated 29.10.1979

whether held in substantive. or officiating capacity; provided that service in the tenure appointments does not qualify for the grant of special additional pension;

Provided that if an employee holding a permanent post in a substantive capacity.

- (i) Officiates 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 3 years of his service after having officiated in that post continuously for 3 years or more, his emoluments for pension in respect of the higher post for any period beyond 3 years continuous service in that post shall be determined under clause 3 (a) above as if he held that post in a substantive capacity;
- (ii) For computing the length of the continuous service in respect of a higher post under-sub-clause (i), above, all kinds of leave, all period during which an employee officiated in 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 sub-clause (i) in respect of a temporary post, the temporary post should be borne on a cadre which includes permanent post on the same time scale as the temporary post.

(b) “Average emoluments” means the average of the emoluments as defined above, calculated in respect of the last 3 years of service:

Provided that if during the last three years of service a person has been absent from duty on leave without allowances or suspended under such circumstances that the period of suspension does not count as service, the period so passed shall be disregarded in the calculation of average emoluments, an equivalent period prior to the 3 years being included.

***Note:-** In respect of persons retiring on or after 29th February 1976, the average emoluments will be determined with reference to emoluments drawn during the last 10 complete months. (While the period to be taken for average calculations has been reduced, the other provision of rule 3(b) under Statute 61 will continue to apply mutatismutandis).

(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 and children of a subscriber and the widows and children of a deceased son of the subscriber:

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the 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 Finance Officer that she shall continue to be so regarded.

(ii) In the case of a female subscriber, the husband, children of the subscriber, and the widows and children of a deceased son of the subscriber :

Provided that if a subscriber by notice in writing to the Finance Officer 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 covering the subscriber.

(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

* Ref. Ministry of Education and Social Welfare, letter No. F.3-12/79-Desk(U), dated 21-8-1979

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 revision of pay or to any reduction of such substantive pay other wise than as a disciplinary measure.
- Or
- (ii) in exceptional circumstances on other personal considerations.
- (h) “Substantive Pay” means the pay other than special pay, personal pay or emoluments classed as pay by the Executive Council, to which a University employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.
- (i) “Special Pay” means an addition of the nature of pay to the emoluments of a post or of a person granted in consideration of the specially arduous nature of his duties of a specific addition to his work or responsibility.
- (j) “Tenure Post” means a permanent post which an individual may not held for more than a limited period.
- (k) “Qualifying service” means service rendered by a person in a substantive capacity including periods spent on probation. All services rendered to the University on a full-time basis in a temporary or officiating capacity followed without interruption by confirmation the same or another post shall count as qualifying service except in respect of periods of service paid from contingencies.

Note:- An employee may add to his service qualifying for superannuation pension but not for any other class of pension.

- [I] The actual period not exceeding one fourth of the full length of his service or the actual period by which his age at the time of recruitment exceeds twenty five years or a period of five years whichever is least, if the post is one:-

- (a) for which post graduate research or specialist qualifications, for 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:

Provided that this concession shall not be admissible to any such employee unless his qualifying service at the time he quits the University Service is not less than ten years.

*The decision to grant this concession shall be taken by the Executive Council within two years of the confirmation of the employee in his/her post; provided that the aforesaid benefit will be extended to the existing employees if they apply within a period of six months of the approval and notification of this amendment.

[II] The benefit in service, upto a maximum of 3 years should be provided for the teachers who have acquired Ph.D. degree at the time of entry, so that almost all teachers get full retirement benefits which are available after 33 years of service, subject to the overall age of superannuation.

Provided that the aforesaid benefit will be extended to the teachers who retire on or after 1.1.1996.

Provided further that this benefit will not be available to those teachers who acquire Ph.D. degree subsequently after entry in the service. The term “entry point” will mean for this purpose all appointments made on the recommendations of General Selection Committee.

This benefit will, however, be extended to teachers without payment of pro-rata retirement benefit in case of transfer of service from other institution as per procedure laid down under Statute 61 (6) of the Statutes of the University, if not already made available to them, in their parent organization”.

EXPLANATION 1- Counting of period of leave as qualifying Service:

- (i) All periods of leave with pay and allowances *and all extra

* Ref. Ministry of HRD Letter No. F.3-28/2003-Desk (u) dated 23.02.2007.

ordinary leave granted on medical certificate shall count as qualifying service:

*Provided that in the case of extra-ordinary leave other than extra ordinary leave granted on medical certificate the appointing authority may at the time of granting such leave allow the period of that leave to count as qualifying service if such leave is granted to a University employee:-

(a) due to his inability to join or rejoin duty on account of civil commotion.

or

(b) for prosecuting higher scientific and technical studies.

(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.

+ EXPLANATION - II

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

(i) Time passed under suspension by a member of the staff pending enquiry into his conduct where, on conclusion of the enquiry he is not been fully exonerated or the suspension is not held to have been wholly unjustified; unless the Executive Council expressly declares at the time that it shall count, and then it shall count only to such extent as the Executive Council may declare.

(ii) Extra ordinary leave without allowances:

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

* Ref. Ministry of HRD, letter No. F.3-28/2003-Desk(U), dated 23-2-2007

+ Ref. Ministry of Education & Social Welfare, letter No. F.3-14/79-Desk(U), dated 29-10-1979

(i) If it is taken for academic pursuits directly connected with the teaching/research job of the employee 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 pension.

(iii) Unauthorised absence in continuation of authorised leave of absence.

(iv) Service below the age of 18 years.

(1) “Year” means the financial year of University.

(m) “Injury” means bodily injury resulting from violence, accident or disease assessed by the competent authority that may be prescribed by the Executive Council 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’.

(n) “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.

(o) “Disease” means -

(i) disease solely and directly attributable to an accident; or

(ii) epidemic disease contracted by a person in a 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 on an infected patient or of conducting a postmortem examination in the course of that duty.

(p) “*Risk of office*” means any risk not being a special risk of accident or a disease to which a person is exposed in the course of and as 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 of 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.

(q) “*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 an injury beyond the normal risk of his office;

(iii) a risk of contracting disease to which a medical officer is exposed as a result attending in the course of his official duty to venereal or septicaemia patient or conducting a post-mortem examination in pursuance of that duty.

(r) “*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 any thing 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.

(s) “*Employee*” means member of the staff (both academic and non-academic) of the University.

(4) (a) A person who joins the University service on or after the 1st day of April, 1964 shall opt for one of the two alternative schemes set out in Appendices ‘A’ and ‘B’ to this Statute notwithstanding the fact that the employee in the service of the University prior to the promulgation of these schemes had been permitted to subscribe to the Contributory Provident Fund under Statute 46. The option provided for in this sub-clause shall be exercised and communicated to the Finance Officer in writing within three months of the date of notification of the General Provident Fund-cum-Pension-cum-Gratuity and contributory Provident Fund-cum-Gratuity Schemes, or within three months of joining the University service in the case of a new entrant and when once exercised, shall be final.

* A person who does not exercise his option within the aforesaid period of three months shall be deemed to have opted for the General Provident Fund-cum-Pension-cum-Gratuity Scheme, set out in Appendix ‘B’

(b) A person who joined the University service before the 1st

* Ref. Ministry of Education Letter No. F.3-38/69-Desk (u) dated 23.10.1971..

day of April 1964 and who for that reason had been permitted, to contribute to the Provident Fund under Statute 46 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 Finance Officer, in writing within three months of the date of notification of the General Provident Fund-cum-Pension-cum-Gratuity and Contributory Provident Fund-cum-Gratuity Schemes, and when once exercised, shall be final.

A person failing to exercise his option within the aforesaid three months shall be treated to have opted for the existing rules obtaining before 1st April, 1964.

- (c) 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 Contributory Provident Fund.
- (d) 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 this clause shall be entitled to opt for either of the Schemes set out in Appendices 'A' and 'B'. The option provided for in this sub-clause shall be exercised and communicated to the Finance Officer in writing within three months of the date of notification of the General Provident Fund-cum-pension-cum-Gratuity and Contributory Provident Fund-cum-Gratuity Schemes and, when once exercised shall be final.
- (e) In the case of a person who was in the University service before the 1st day of April, 1964 and who retired on or before 1st April, 1964, and died before having the opportunity of exercising the option under this sub-clause, the person or persons validly nominated under Statute 53 can make a specific request to opt for either the Scheme set out in Appendix 'A' or the Scheme set out in Appendix

'B' within three months of the date of notification of these Schemes and the Executive Council shall have the discretion to accede to the request of the said nominee or nominees/legal successor or successors of the deceased.

- (f) 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 the one year, be entitled to the benefits of the General Provident Fund-cum-pension-cum-Gratuity Scheme set out in Appendix 'A' to this Statute or at his option, of the Contributory Provident Fund cum-Gratuity Scheme set out in Appendix 'B' to this Statute from the date of commencement of Service or from 1st April, 1964 whichever is earlier.

(5) The Provisions of this Statute shall not apply to officers appointed on contract, re-employed pensioners, deputationists and purely temporary and daily wage staff:

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 of the two schemes set out in Appendices 'A' and '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.

***(6) (i) When a Central Government Employee is absorbed in the University and vice-versa.**

- (a) Where the Central Government employee is borne on pensionable establishment the service rendered by him under the Government will be allowed to be counted in the University towards retirement benefits irrespective of the fact that the employee was temporary or permanent in Government. The pensionary benefits will however accrue only if the temporary service is followed by confirmation. If he retires as a temporary employee in the University, terminal benefits as are normally admissible under Clause 22 of the Statute 61, will be paid to the temporary employee.

The same procedure will apply in the case of employees of the University who are permanently absorbed in the

* Ref. Ministry of HRD (Dept. of Education) Letter No. F.3-13/87-Desk (u) dated 01.05.1987.

Central Government. The Government/University will discharge its pension liability by paying in lump sum as a one time payment, the prorata pension/service gratuity/terminal gratuity and D.C.R.G. for the service upto the date of absorption in the University/ Government as the case may be lump sum amount of the prorata pension will be determined with reference to commutation table (Schedule B) as amended from time to time.

- (b) A Central government employee with C.P.F. benefits on permanent absorption in the University will have the option either to join the G.P.F.-cum-Pension-cum-Gratuity Scheme or the C.P.F.-cum-Gratuity Scheme of the University provided that in either case the Central Government agrees to pay to the University prorata D.C.R.G. together with C.P.F. balance of the employee. The University shall resume the Government share to his C.P.F. with interest thereon or credit the same to his new C.P.F. Account according to his option. The option shall be exercised within one year from the date of absorption. If no option is exercised within the stipulated period, the employee shall be deemed to have opted for the G.P.F.-cum-Pension-cum-Gratuity Scheme of the University. Option once exercised shall be final.
- (c) In case a University employee under the C.P.F.-cum-Gratuity Scheme is permanently absorbed in the Central Government the University shall pay to the Government Department concerned prorata D.C.R.G. together with total balance at his credit in the C.P.F. Account of the University and interest thereon. His retirement benefit with the Government will then be regulated by the Government of India orders on the subject.
- (ii) Procedure prescribed above in sub-clause (i) will apply mutatis mutandis in the following cases also when a University employee is permanently absorbed:-
 - (a) In a Central autonomous or statutory body or vice-versa.
 - (b) In a State Government/University and vice-versa.
 - (c) In a reputed institution/authority not covered above and

vice-versa provided the University Grants Commission gets the names of such institutions approved in advance from the Central Govt.

- Note:- Central autonomous body which is financed wholly or substantially from Cess or Central Government grants “*Substantially*” means that more than 50 per cent of the expenditure of the autonomous body is met through Cess or Central Government grant. The Central Autonomous body includes a Central Statutory body or a Central University but does not include a public undertaking.
- (iii) only such service which qualifies for pension under the relevant rules of the Govt./Autonomous Body/University etc. shall be taken into account for this purpose.
 - (iv) The University employees who have already been sanctioned or received prorata retirement benefits for their past service from their previous employer mentioned in sub-clauses (i) and (ii) will have the option either:-
 - (a) to retain such benefits and in that event their past service will not qualify for pension or other retirement benefits in the University; or
 - (b) to have the past service counted as qualifying service for pension in the University in which case the prorata retirement benefits or their terminal benefits if already received by them will have to be deposited alongwith interest thereon (at such rate and in such manner as may be prescribed by the Executive Council) from the date of receipt of those benefits till the date of deposit with the University. The right to count previous service shall not revive until the whole amount has been refunded. In other cases where prorata retirement benefits have not been drawn the previous authority shall make the payment to the University.
 - (c) the option under this clause shall be exercised within a period of one year. If no option is exercised by such employees within the prescribed time limit they will be deemed to have opted for retention of the benefits already received by them. The option once exercised will be final.
 - (d) Where no terminal/retirement benefits have been

received, previous service will be counted as qualifying service for retirement benefits under the University rules only if the previous employer accepts the pension liability for the service in accordance with the principles laid down in this clause. In no case pension contribution/liability shall be accepted from the employee concerned.

(v) Provisions of the above amendments will be applicable only where the transfer of the employees from the other organization to the University and vice-versa was/is with the consent of that organizations including the cases where the individual had secured employment directly on his own volition provided he had applied through proper channel with the permission of the administration/ authority concerned.

(vi) The above amendments will take effect from 29.8.1984 and will apply to the employees who retire from service on or after 29.8.1984.

(7) 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.

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

*** (9) Counting of past service on submission of technical resignation on or after 1-1-2004 by employees governed by Central Civil Services (Pension) Rules, 1972.**

(i) All the employees who entered into Central Government service or in the service of an Autonomous Body set up by Central Government (satisfying the conditions laid down in para-4 of O.M. dated 29-8-1984), on or before 31-12-2003 and who were governed by old pension scheme under the Central Civil Services (Pension) Rules, 1972, will continue to be governed by the same pension scheme and same rules, for the purpose of counting of their past service under the said rules or under the provisions of

* G.I.Dept. of P.&P.W., O.M. No. 28/30/2004-P&PW(B) dated 26.7.2005 and UGC's letter No. F.1-2/2004 (FA-NPS) dated 3.3.2006 duly adopted by the AMU vide O.M. L.D.No. (C)/1856 dated 20.5.2006.

the DP&AR's O.M. No. 28/10/84-PU dated 29-8-1984, as amended from time to time, if such employees submit technical resignation on or after 1-1-2004, to take up new appointment in another Ministry or Department of the Government of India or an Autonomous Body set up by the Central Government, in which the pension scheme under Central Civil Services (Pension) Rules, 1972 already exists for the employees who entered into service on or before 31-12-2003.

(ii) The employees who entered into service on or before 31-12-2003 and who were governed by CPF scheme or any pension scheme of Central or State Government, other than the pension scheme under Central Civil Services (Pension) Rules, 1972, on submission of technical resignation to take up new appointment on or after 1-1-2004, cannot be allowed to join the old pension scheme under Central Civil Services (Pension) Rules, 1972 because entry to the said scheme ceased w.e.f. 31-12-2003 and no new entry can be allowed in the pension scheme under above Rules. However, such employees can seek pensionary/terminal benefits, from the previous organisation/ Department, if admissible under the rules of that organisation/ Department, for the period of service rendered under that organisation/Department.

(iii) All the Central Government employees who entered Central Government service or the service of an Autonomous Body set up by Central Government, on or before 31-12-2003 and who were governed by old pension scheme under the Central Civil Services (Pension) Rules, 1972 and who submit technical resignation on or after 1-1-2004, to take up new appointment under State Government, will be eligible for grant of pro-rata pensionary benefits for the period of Central Government or Central Autonomous Body service, on the lines as provided in the Rules 37 of Central Civil Services (Pension) Rules, 1972 and related orders.

Para 3(a) (ii) & 3(b) (ii) of the DP&AR's O.M. No. 28/10/84-PU dated 29.8.1984 may be treated as deleted w.e.f. 1-1-2004. Further, the provisions of the DP&AR's O.M. No. 28/10/84-PU dated 29-8-1984 or any other related order shall, in so far as it provides for any of the matters contained in this Office Memorandum, cease to operate.

APPENDIX 'A'**STATUTE 61****General Provident Fund-cum-Pension-cum-Gratuity Scheme****SECTION - I****GENERAL PROVIDENT FUND**

1. Nomination- A subscriber shall, at the time of joining the Fund, send to the Finance Officer a nomination in such forms and in such manner as may be laid down in the Ordinances 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 the 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. 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 rules on subscription.

4. Conditions 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

privilege leave of less than thirty day's duration, as the case may be. Such option shall be exercised in the manner prescribed in the Ordinances:

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

5. Rate 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, the 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 Ordinances.

"Emoluments" for the purpose of this clause means pay, personal pay, special pay and any wages paid by the University to employees not remunerated by fixed monthly pay and shall be determined with reference to a specified date in the manner prescribed in the Ordinance.

6. Interest- The University shall pay to the credit of the amount 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 there on 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.

Clause 8, Withdrawal from the Funds

1. Subject to conditions specified here-in, withdrawals, may be sanctioned by the Vice-Chancellor at any time after completion of twenty years of service (including broken periods of service, if any) of a subscriber or within 10 years before the date of his retirement on superannuation which ever 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 any child of the subscriber actually dependent on him in the following cases:-
 - (i) for education outside India or academic, technical, professional or vocational courses beyond the High School stage and.
 - (ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage, provided that the course of study is for not less than three years;
 - (b) meeting the expenditure in connection with marriage of sons or daughters of the subscriber and of any other female relation dependent upon him;
 - (c) meeting the expenses in connection with the illness, including where necessary, the travelling expenses of the subscriber or any person actually dependent on him.
 - (d) building or acquiring suitable house for his residence including the cost of site or for repaying any out-standing amount of loan expressly taken for this purpose before the date of receipt of application for withdrawal but not earlier than twelve months from the date of reconstructing or for making additions and alterations to a house already owned or acquired by a subscriber;
 - (e) purchasing a house site or repaying any outstanding amount on account of loan expressly taken for this purpose before the date of receipt of application for withdrawal but not earlier than 12 months of that date.

- (f) for constructing a house on a site purchased utilizing the sum withdrawn under sub-clause (e);
- *(g) purchasing consumer durable like T.V./V.C.R./V.C.P. Washing machines, cooking range, geysers and computers.
- *(h) extensive repairs/overhauling of Motor Car.
- *(i) purchase of motor car / motor cycle/scooter etc. or for repaying Govt. loan already taken for the purpose.
- ** (j) to meet the expenses for Haj pilgrimages.

2. Any sum withdrawn by a subscriber at any one 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 upto three-fourth 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 clauses 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 and if he fails to do so, the whole of the sums 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.

* Govt. of India letter adopted by the University vide O.M.No. (C) / 164 dated 10.02.2003.

** Office Memo No. C-II- Court (104)-3/1200 dated 15.9.2004.

*** Ministry of Education & S.W. letter No. F-3-11/79 Desk (U) dated 16.5.79

† Ministry of Education & S.W. letter No. F-3-14/79 Desk (U) dated 29.10.79.

*4. A subscriber who has been permitted under sub-clause (d), (e) or (f) of clause 8 (1) above to withdraw money from the amount standing to his credit in the Fund shall not part with the possession of the house so built or acquired or house site so purchased by way of sale, mortgage, gift, exchange or lease for a term exceeding 3 years without the previous permission of the Vice-Chancellor. He shall submit a declaration not later than 31st day of December of every year to the effect that house or, as the case may be, the house site continues to be in his possession and shall, if so required produce before the Finance Officer on or before the date specified by that officer in that behalf, the original sale deed and other documents on which his title to property is based.

If at any time before retirement, he parts with the possession of the house or house site without obtaining the previous permission of the Vice-Chancellor the sum withdrawn by him shall forthwith be repaid in one lump sum together with interest thereon at such rate as is levied on advances from the Fund, and in default of such repayment 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.

*5. Nothing in sub-clause (3) or (4) above shall be deemed to require a subscriber whose deposits in the Fund carry no interest to any interest on any sum repayable by him under that sub-clause.

9. Final withdrawal from the Fund - (1) When a subscriber quits the service of the University, the amount standing to his credit in the Fund shall become payable to him :

Provided that a subscriber who has been dismissed from the service of the University and is subsequently re-instated 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 such rate as is levied on advances from the Fund, 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 on the expiry of an extension of service.

* Ministry of Education letter. No. F-3-38/69 (U) 2. dated 23/30/10/71.

10. Retirement of a Subscriber- When a subscriber (a) has proceeded on leave preparatory to retirement or if he is entitled to vacation, on leave preparatory combined with Vacation or (b) while on leave, has been permitted to retire or has been declared by a competent medical authority that may be prescribed by the Executive Council in his 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 Finance Officer 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 such rate as is levied on advances from the Fund by instalments or otherwise by recovery from his emoluments or otherwise as the Vice-Chancellor may direct.

11. 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.

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 sums paid into the fund shall be credited in the books of the University to an account named "General Provident Fund Account of the Aligarh Muslim University". A deposit account shall be opened in the State Bank of India AMU Branch, Aligarh 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, at the discretion of the Executive Council in long term deposits in Public Sector undertaking or in Nationalised Banks or in the Post Office or in the National Saving Certificates and/or other investments covered by Section 20 of the Indian Trust Act of 1882 as soon as possible after monthly accounts are closed.

* Ref Ministry of HRD (Wyh of Education) letter No. F-3-17/66 Desk (U) dated 1.9.1986.

SECTION II

Pension

14. Subject to such conditions 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 the minimum age after which service counts for pension shall be eighteen (18) years. In case the qualifying service falls below ten years, a service gratuity as contained under Rule 49 (1) of C.C.S. Pension Rules 1972, reproduced below, shall be admissible.

*(a) In the case of Government servant retiring in accordance with the provisions of these rules before completing qualifying service of ten years, the amount of service gratuity shall be calculated at the rate of half month's emoluments for every completed six monthly period of qualifying service.

(b) In the case of a Government servant retiring in accordance with the provisions of these rules after completing qualifying service of not less than thirty-three years, the amount of pension shall be calculated at fifty percent of average emoluments of last ten months of his retirement.

** (i) Linkage of full pension with 33 years of qualifying service shall be dispensed with. Once a Government servant has rendered the minimum qualifying service of twenty years, pension shall be paid at 50% of the emoluments or average emoluments received during the last 10 months, whichever is more beneficial to Govt. servant.

(c) In the case of a Government servant retiring in accordance with provisions of these rules before completing qualifying service of thirty-three years, but after completing qualifying service of ten years, the amount of pension shall be proportionate to the amount of pension admissible under Clause (b) and in no case the amount of pension shall be less than Rs 1913/- Per mensem wef the date Dearness Pay come into existence w.e.f. 1.4.2004.

* G.I. Dept. of P.P.W. notification No. 2/18/87-P&P.W. (PIC) dated 20.7.88 and takes effect from January 1986.

** G.I. Dept. of P&PW, O.M. No. F.No. 38/37/08-P&PW(A) dated 10.12.2009, effective from 1.1.2006.

*(i) In cases where Government servant becomes entitled to pension on completion of 10 years of qualifying service in accordance with Rule 49(2) of the CCS (Pension) Rules, 1972, pension in those cases shall also be paid at 50% of the emoluments or average emoluments, whichever is more beneficial to the Government servant.

** (d) In calculating the length of qualifying service, fraction of a year equal to three months and above shall be treated as a complete one half-year and reckoned as qualifying service. The period of nine months would, therefore, be two half years.

Note-1: Minimum and maximum amount of pension enhanced from 1-1-1996.

*** Pension shall continue to be calculated at 50% of the average emoluments in all cases and shall be, subject to a minimum of Rs. 1913/- per month and a maximum of upto 50% of the highest pay applicable in the Central Government, which is Rs. 30,000 per month since 1st January, 1996, but the full pension in no case shall be less than 50% of the minimum of the revised scale of pay introduced with effect from 1st January, 1996 for the post last held by the employee at the time of his retirement. However, such pension will be suitably reduced *pro rata*, where the pensioner has less than the maximum required service for full pension as per the rule (Rule 49 of CCS (Pension) Rules, 1972) applicable to the pensioner as on the date of his/her superannuation/retirement and in no case it will be less than Rs. 1913/- p.m.

The revised provisions as per these orders shall apply to Government servants who retire on or after 1-1-1996.

+Note-2: The amount of pension shall be subject to a minimum of Rs.3500/- and maximum upto 50% of highest pay in the

* G.I. Dept. of P&PW, O.M. No. F.No. 38/37/08-P&PW(A) dated 10.12.2009, effective from 1.1.2006.

** Ministry of Home Affairs DO Letter No. 28 (15)/83-PU dated 13.10.1983.

*** G.I. Dept of P & PW, O.M. No. F. 45/86/97 - P.P.W (A) Part I dated. 27th October 1997, and O.M. No. 45/10/98 P & PW (A) dated 17 December 1981.

+ G.I. Dept. of P&PW, O.M.F.No. 38/37/08-P&PW(A) dated 2.9.2008 duly adopted by the AMU, OM D.No. (C)/1420 dated 7.3.2009

Government (The highest pay in the Govt. is Rs. 90,000 since 1.1.2006).

***Emoluments**

(i) The term 'Emoluments' for purposes of calculating various pensionary benefits other than Retirement/ Death Gratuity shall mean basic pay as defined in FR 9 (21) (a) (i) which the Government servant was receiving immediately before his retirement or on the date of his death.

(ii) The term 'Pay' in these orders meant the pay in the revised scales promulgated under the CCS (Revised Pay) Rules, 1997.

(iii) In the case of retirement/Death Gratuity, DA admissible on the date of retirement/ death shall also be treated as emoluments alongwith the emoluments as defined in Paragraph (i) above. Accordingly, Rule 50 (5) of Pension Rules, shall stand modified to the effect that the emolument for the purpose of gratuity admissible under this Rule shall be reckoned in accordance with Rule 33 of Pension Rules and in addition DA admissible on the date of retirement/death of the Government employee shall also be treated as emoluments.

**** (iv) Emoluments effective from 1.1.2006 under 6th CPC.**

(a) The term 'Emoluments' for purposes of calculating various pensionary benefits other than various kinds of Gratuity shall have the same meaning as in Rule 33 of the Central Civil Services (Pension) Rules, 1972.

(b) Basic pay in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay, etc.

(c) In the case of all kinds of Gratuity, DA admissible on the date of retirement/death shall continue to be treated as emoluments along with the emoluments as defined in paragraph (a) above.

* G.I. Dept of P & PW, O.M. No. F. 45/86/97 - P.PW (A) Part I dated. 27th October 1997, and O.M. No. 45/10/98 P & PW (A) dated 17 December 1981.

** G.I. Dept. of P&PW, O.M.F.No. 38/37/08-P&PW(A) dated 2.9.2008 duly adopted by the AMU, OM D.No. (C)/1420 dated 7.3.2009

The revised provisions as per these orders shall apply to Government servants who retire / die in harness on or after 1.1.1996.

Note: 50% of basic pay will be treated as 'Dearness Pay' and will count as emoluments' for determining pension from 1.4.2004.

15. Subject to the minimum qualifying service, an employee shall be eligible for one or other of the following clauses 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 14, Section II of Statute 61.

***(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 competent medical authority as may be prescribed by the Executive Council and as per revised rules in the scale prescribed in clause 14 Section II of Statute 61 takes effect from 1.1.1986.

"In respect of an employee who retired on invalid pension on or after 1st January, 1973 or who may retire as such hereafter, the amount of invalid pension shall not be less than the amount of the contributory family pension mentioned at Clause 23 of Section IV of Statute 61".

(c) Superannuation Pension : A superannuation pension shall be granted to an employee who may retire from service on completion of the age of retirement.

(d) Retiring Pension : A retiring pension shall be granted to an employee who is permitted to retire after completing thirty years of qualifying service.

Provided that in the event of retirement after thirty years of qualifying service but before the completion of age of superannuation, the employee concerned shall give in this behalf a

* Ref. Ministry of Education and Social Welfare, letter No. F. 3-57/77-Desk (U), dated 22.02.1979 & G.I. Dept. of P & P.W. Notification No. 2/18/87-P. & P. W. (PIC) dated 20th July 1988.

notice in writing to the Registrar at least three months before the date on which he wishes to retire.

***e. Voluntary Retirement Pension :** University employees may be allowed to retire voluntarily after 20 years of qualifying service on proportionate pension and gratuity with a weightage of upto 5 years towards qualifying service subject to the following conditions:

- (i) A University employee, who has put in not less than 20 years of qualifying service may by giving notice of three months in writing to the Vice-Chancellor through the Registrar to retire from service voluntarily.
- (ii) A notice of less than 3 months may also be accepted by the Vice-Chancellor given through the Registrar in deserving cases with the concurrence of Finance Committee.
- (iii) If an employee retires under this sub-clause while he is on leave not due without returning to duty, the retirement shall take effect, from the date of commencement of the leave not due and the leave salary paid in respect of such leave shall be recovered.
- (iv) Before a University employee gives notice of voluntary retirement under the this -clause he should satisfy himself by means of a reference to the Registrar that he has infact, completed 20 years service qualifying for pension.
- (v) A notice of voluntary retirement may be withdrawn subsequently with the approval of the Vice-Chancellor provided the request for such withdrawal is made before expiry of the notice period.
- (vi) A notice of voluntary retirement given after completion of 20 years qualifying service will require acceptance by the Executive Council or by the Vice-Chancellor on behalf of Executive Council. Such acceptance may generally be given in all cases except those:-
 - (a) In which disciplinary proceedings are pending or contemplated against the employee concerned for the imposition of major penalty and the disciplinary authority,

* Ref. Ministry of HRD (Dept. of Education letter No. F-3-20/85 Desk (U) dt. 17.6.1987.

having regard to the circumstances of the case, is of the view that the penalty of removal or dismissal from service would be warranted in the case; or

- (b) In which prosecution is contemplated or may have been launched in court of law against the employee concerned.

If it is proposed to accept the notice of voluntary retirement even in above cases approval of the Excecutive Council should be obtained except in case of group 'C' and 'D' employees in whose cases approval of the Vice-Chancellor may be obtained subject to report to Executive Council.

Even where the notice of voluntary retirement given by a University employee requires acceptance by the Executive Council or by the Vice-Chancellor on behalf of Executive Council, the University employee giving notice may presume acceptance and the retirement be effective in terms of the notice unless the competent authority issues an order to the contrary before the expiry of the period of notice.

- (vii) While granting proportionate pension to a University employee under this scheme, weightage of upto five years would be given as an addition to the qualifying service actually rendered by him subject to the following conditions:-
 - (a) The total qualifying service after allowing the weightage should not, in any event, exceed 33 years of qualifying service; and
 - (b) The total qualifying service after giving the weightage should not exceed the qualifying service which he would have put in, had he retired on attaining the age of superannuation.
- 1. If an employee who has put in 23 years service and has attained the age of 57 years the weightage will be restricted to five and three years only for teaching & non- teaching staff respectively.
- 2. If an employee who has put in 20 years of service and applies for voluntary retirement at the age of 55 years, he will be given weightage of five years.

- (viii) The weightage given under this sub-clause will be only an addition to qualifying service for purposes of pension and gratuity. It will not entitle the University employee retiring voluntarily to any notional fixation of pay for purposes of calculating the pension and gratuity which will be based on the actual emoluments calculated with reference to the date of retirement.
- (ix) The amount of pension to be granted after giving the weightage will be subject to clauses 1, 2, & 8 of the Regulations governing the sanction and the payment of pension framed by the Executive Council under clause (7) of Statute 61.
- (x) Provisions of voluntary retirement pension will not apply to the University employees on deputation to other University, Central or a State Government, autonomous organization and reputed institutions to which the retirement benefits in respect of such an employee for his service in the University can be transferred in terms of Clause (6) Statute 61.
- (xi) A University 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, will however, neither extend beyond the date of retirement on expiry of notice nor the date on which the University employee should have retired on attaining the age of superannuation.

***Note1:** The teachers of the University shall be eligible for seeking voluntary retirement after 20 years of qualifying service on proportionate pension and gratuity with a weightage of upto 5 years towards qualifying service subject to the conditions as specified in Clause 15 (e) to Statute 61 of these Statutes. A University employee may also be allowed to retire voluntarily from service after he has attained the age of 50 years if he is in Group 'A' or Group 'B' service or post (and has entered University service before attaining the age of 35 years, and in all other cases after he has attained the age of 55 years on proportionate pension & Gratuity.

* Ref. Circular C-II-Court (104)-3/1581 dated 10.12.2004.

***Note2: Addition to Qualifying Service**

In view of revised provisions for computation of pension under 6th CPC, the extant benefit of adding years of qualifying service for the purpose of computation of pension shall stand withdrawn with effect from 1.1.2006, Rules 29, 29-A, 30, 48-B and 48-C of the CCS (Pension) Rules, 1972 as incorporated under sub clause (e) of clause 15 of Appendix-A, Statute 61, section II.

****f . INTRODUCTION OF NEW PENSION SCHEME**

Government of India have introduced a New Defined Contribution Pension Scheme replacing the existing system of Defined Benefit Pension System vide Government of India, ministry of Finance, Department of Economic Affairs Notification, dated 22.12.2003. The New Pension Scheme comes into operation with effect from 1.1.2004 and is applicable to all new entrants to Central Government service, except to Armed Forces, joining Government service on or after 1.1.2004.

The salient features of the New Pension Scheme are as follows-

1. The New Pension Scheme will work on defined contribution basis and will have two tiers - Tier-I and II. Contribution to Tier-I is mandatory for all Government servants joining Government service on or after 1.1.2004, whereas Tier-II will be optional and at the discretion of Government servants.
2. In Tier-I, Government servants will have to make a contribution of 10% of his Basic Pay Plus DA, which will be deducted from his salary bill every month by the PAO concerned. The Government will make an equal matching contribution.
3. Tier-I contributions (and the investment returns) will be kept in a non-withdrawable. Pension Tier-I Account, Tier-II contributions will be kept in a separate account that will be withdrawable at the option of the Government servant. Government will not make any contribution to Tier-II account.
4. The existing provisions of Defined Benefit Pension and GPF would not be available to new Government servants joining Government service on or after 1.1.2004.
5. In order to implement the Scheme, there will be a Central Record Keeping Agency and several Pension Fund Managers to offer three categories of Schemes to Government servants, viz.,

* G.I. Deptt. of P.&PW O.M.No. 38/37/08 P&PW (A) dated 10.12.2009.

** E.C. dated 21.11.2009

options A, B and C based on the ratio of investment in fixed income instrument and equities. An independent Pension Fund Regulatory and Development Authority (PFRDA) will regulate and develop the pension market.

6. As an interim arrangement, till such time the Statutory PFRDA is set up, an interim PFRDA has been appointed by issuing an executive order by M/o Finance (DEA).

7. Till the regular Central Record Keeping Agency and Pension Fund Managers are appointed and the accumulated balances under each individual account are transferred to them, it has been decided that such amounts representing the contributions made by the Government servants and the matching contribution made by the Government will be kept in the Public Account of India. This will be purely a temporary arrangement as announced by the Government.

8. It has also been decided that Tier-II will not be made operative during the interim period.

9. A Government servant can exit at or after the age of 60 years from the Tier-I of the Scheme. At exit, it would be mandatory for him to invest 40 per cent of pension wealth to purchase an annuity (from an IRDA, regulated Life Insurance Company), which will provide for pension for the lifetime of the employee and his dependent parents/spouse. In the case of Government servants who leave the Scheme before attaining the age of 60, the mandatory annuitization would be 80% of the pension wealth.

10. The following guidelines are issued for the implementation of the New Pension Scheme during the interim arrangement for the guidance of the PAOs/DDOs:

- (a) The new pension scheme becomes operational with effect from 1.1.2004.
- (b) Contributions payable by the Government servants towards the Scheme under Tier-I, i.e. 10% of the (Basic Pay plus DA), will be recovered from the salary bills every month.
- (c) The scheme of voluntary contributions under Tier-II will not be made operative during the period Interim arrangement and therefore no recoveries will be made

from the salaries of the employees on this account.

- (d) Recoveries towards Tier-I contribution will start from the salary of the month following the month in which the Government servant has joined service. Therefore, no recovery will be effected for the month of joining.

For example, for employees joining service in the month of January, 2004, deductions towards Tier-I contribution will start from the salary bill of February, 2004. No deduction will be made for his salary earned in January, 2004. Similarly, deductions for those joining service in the month of February, 2004 will start from the salary bill of March, 2004 and so on.

- (e) No deductions will be made towards GPF contribution from the Government servants joining the service on or after 1.1.2004 as the GPF scheme is not applicable to them.
- (f) It has been decided that pending formation of a regular Central Record Keeping Agency, Central Pension Accounting Office will function as the Central Record Keeping Agency for the above scheme.
- (g) Immediately on joining Government service, the Government servant will be required to provide particulars such as his name, designation, scale of pay, date of birth, nominee(s) for the fund, relationship of the nominee, etc., in the prescribed form (Annexure-I). The DDO concerned will be responsible for obtaining this information from all Government servants covered under the new Pension Scheme. Consolidated information for all those who have joined service during the month shall be submitted by the DDO concerned in the prescribed format (Annexure-II) to this Pay and Accounts Officer by 7th of the following month. Annexure-I will be retained by DDOs.
- (h) On receipt of Annexure-II from the DDOs, PAO will allot a unique 15 digit Permanent Pension Account Number (PPAN). The first four digits of this number

will indicate the calendar year of joining Government service, the next digit indicate whether it is a Civil or a Non-Civil Ministry (for all Civil Ministries this digit will be “1”), the next six digits would represent the PAO code (which is used for the purpose of compiling monthly accounts), the last five digits will be the running serial number of the individual Government servant which will be allotted by the PAO concerned, PAO will allot the serial number pertaining to individual Government servant from ‘0001’ running from January to December of a calendar year. The following illustration may be followed:-

The first Government servant joining service under Ministry of Civil Aviation under the accounting control of PAO (Sectt.), New Delhi in 2004, shall be allotted the following PPAN:-

Calendar Year	Civil Min.	PAO Code	Serial Number
2 0 0 4	1	0 4 0 8 6 6	0 0 0 0 1

- (i) The Pay and Accounts Officer will maintain an Index Register for the purpose of allotment of PPAN to new entrants to Government service. Format of the Index register is given in Annexure-VII.
- (j) The PAO will return to the DDO concerned a copy of the statement duly indicating therein the Account numbers allotted to each individual by 10th instant. DDO in turn will intimate the account number to the individuals concerned and also note in the Pay Bill Register.
- (k) The particulars of the Government servants received from the various DDOs will be consolidated by the PAO in the format (Annexure-II-A) and sent to the Principal Accounts Office by the 12th of every month.
- (l) The Principal Accounts Office in turn will consolidate the particulars in the prescribed format (Annexure-II-B) and forward the same to Central Pension Accounting Office by 15th instant. The CPAO will feed this information in their computer database.
- (m) The DDOs/CDDOs will prepare separate Pay Bill Registers in respect of the Government servants joining Government service on or after 1.1.2004. The DDOs/CDDOs will have to prepare separate pay bills in respect of these Government

servants and will send the same with all the schedules to the PAO on or before 20th of the month to which the bills relate.

Cheque Drawing DDOs may note that hereafter in respect of Government servants joining service on or 1.1.2004, they will only prepare pay bills and not make payment. Such bills will be sent by them to the Pay and Accounts Offices for pre-check and payment.

- (n) The DDO/CDDO will prepare a recovery schedule in duplicate in the prescribed form (Annexure-III) for the contributions under Tier-I and attach them with the pay bills. The amount of the Contributions under Tier-I should tally with the total amount of recoveries shown under the corresponding column in the pay bill.
- (o) The accounting procedure for these deductions is being finalized and shall be notified shortly.
- (p) It may be noted that along with the salary bill for the Government servants who join service on or after 1.1.2004, the DDO/CDDO shall also prepare a separate bill for drawal of matching contributions to be paid by the Government and creditable to Pension account.
- (q) The bill for drawal of matching contribution should also be supported by schedules of recoveries in form (Annexure-IV).
- (r) On receipt of the salary bills in respect of Government servants joining service after 1.1.2004, PAO will exercise usual checks and pass the bill and make the payments. After the payment is made and posting done in the Detailed Posting Register, one set of schedules relating to Pension contributions will be detached from the bills as done in the case of other schedule such as GPF, Long-term advances. The schedules will then be utilized for posting the credits of contributions in the Detailed Ledger Account of the individual.
- (s) The employee's contributions under Tier-I and Tier-II and Government's contribution should be posted in different columns of the individual ledger account (to be maintained in the format in Annexure-V) and Brousheet and tallied with the accounts figures as being done in the case of GPF.
- (t) These accounts should not be mixed with GPF accounts and these records/ledger accounts should be independent of GPF accounts maintained in the case of pre-1.1.2004 entrants.
- (u) The PAO will consolidate the information available in the New Scheme schedules received from the various DDOs and

forward the same in a floppy in the prescribed form (Annexure-VI) to Principal Accounts Office by 12th of the month following the month to which the credit pertains. Principal Accounts Office in turn will consolidate the information and send the same in electronic form to the Central Pension Accounting Office by 15th.

- (v) CPAO on receipt of this information from all the Pr. AOs (including the Non-Civil Ministries) will update its database and generate exception reports for missing credits, mismatches, etc., which will be sent back to the PAOs concerned through the Pr. AOs for further action.
- (w) Whenever any Government servant is transferred from one office to another either within the same accounting circle or to another accounting circle, balances will not be transferred by the PAO to the other Accounts Office. However, the Drawing and Disbursing Officer should clearly indicate in the LPC of the individual the unique account number, the month up to which Government servant's contribution and Government's contribution have been transferred to the Pension Fund.
- (x) No withdrawal of any amount will be allowed during the Interim arrangement. Provisions regarding terminal payments in the event of untimely death of an employee or in the event of his leaving the Government service during the interim period shall be notified in due course.
- (y) Detailed instructions on the interest payable on Tier-I balances shall be issued in due course.
- (z) At the end of each financial year, the CPAO will prepare annual account statements for each employee showing the opening balance, details of monthly deductions and Government's matching contributions, interest earned, if any, and the closing balance. CPAO will send these statements to the Pr. AO for onward transmission to the DDO through the PAO.
- (aa) After the close of each financial year, CPAO will have to report the details of the balances (PAO-wise) to each Principal Accounts Office, who will forward the information to each PAO for the purpose of reconciliation. The PAO will reconcile the figures of contributions posted in the ledger account of the individuals as per their ledger with figures as per the books of CPAO.

- (bb) After the appointment of CRA and Fund Managers, this office will issue detailed instructions on transfer of balances to CRA.

All Chief Controller of Accounts/Controller of Accounts are requested to circulate the above guidelines to all the PAO/DDOs/CDDOs of their Ministry.

G.I., M.F., O.M. No. 5/7/2003-ECB & PR,
dated the 22nd December, 2003

NOTIFICATION

The Government approved on 23.8.2003 the proposal to implement the budget announcement of 2003-04 relating to introducing a new restructured defined contributor pension system for new entrants to Central Government service, except to Armed Forces, in the first stage, replacing the existing system of defined benefit pension system.

1. The system would be mandatory for all new recruits to the Central Government service from 1.1.2004 (except the Armed Forces in the first stage). The monthly contribution would be 10 per cent of the salary and DA to be paid by the employee and matched by the Central Government. However there will be no contribution from the Government in respect of individuals who are not Government employees. The contributions and investment returns would be deposited in a non-withdrawable pension Tier-I account. The existing provisions of defined benefit pension and GPF would not be available to the new recruits in the Central Government service.
2. In addition to the above pension account, each individual may also have a voluntary Tier-II withdrawable account at his option. This option is given as GPF will be withdrawn for new recruits in Central Government service. Government will make no contribution into this account. These assets would be managed through exactly the above procedures. However, the employee would be free to withdraw part or all of the 'second tier' of his money anytime. This withdrawable account does not constitute pension investment and would attract no special tax treatment.
3. Individuals can normally exit at or after age 60 years for Tier-I of the pension system. At exit, the individual would be mandatorily required to invest 40 per cent of pension wealth

to purchase an annuity (from an IRDA-regulated life insurance company). In case of Government employees, the annuity should provide for pension for the lifetime of the employee and his dependant parents and his spouse at the time of retirement. The individual would receive a lump-sum of the remaining pension wealth, which he would be free to utilize in any manner. Individuals would have the flexibility to leave the pension system prior to age 60.

However, in this case, the mandatory annuitization would be 80% of the pension wealth.

Architecture of the New Pension System:-

1. It will have a Central Record Keeping and Accounting (CRA) infrastructure, several Pension Fund Managers (PFMs) to offer three categories of schemes viz., options A, B and C.
2. The Participating entities (PFMs and CRA) would give out easily understood information about past performance so that the individual would be able to make informed choices about which scheme to choose.

The effective date for operationalization of the new pension system shall be from 1st of January, 2004.

INTRODUCTION OF NEW PENSION SCHEME

- ❖ Comes into operation with effect from 1.1.2004.
- ❖ Applicable to all new entrants to Central Government service except Armed Forces.
- ❖ Will have two tiers-Tier-I and Tier-II.
- ❖ In Tier-I, Government servants have to make mandatory contribution of 10% of (Basic Pay plus D.A), and Government will make an equal matching contribution.
- ❖ Tier-I is non-withdrawable.
- ❖ Separate Account for Tier-II – Withdrawable – No matching contribution by Government.
- ❖ There will be Central Record keeping Agency. Several Pension Fund Managers to offer 3 categories of Schemes A, B and C.
- ❖ Statutory Pension Fund Regulatory and Development (PFRDA) to regulate and develop the pension market.
- ❖ Government servant can exit at or after 60 years of age from Tier-I.
- ❖ 40% of pension wealth mandatory for investment at exit.
- ❖ This will provide for pension for lifetime and his/her dependant.
- ❖ To leave the scheme before 60 years of age, 80% of pension wealth mandatory for investment.

INTERIM ARRANGEMENT

- ◆ Contribution by Government servants and matching contribution by Government will be kept in Public Account (Account Code list attached).
- ◆ Tier-II not operational during interim period.

GUIDELINES FOR DDOs/CDDOs

- o Ensure whether any new appointment is made every month with effect from 1.1.2004.
- o CDDO/DDO is responsible to get the particulars from new appointed Government servant in Annexure-I.
- o Annexure-I will be retained by the DDO/CDDO.
- o Monthly Consolidated Information in Annexure-II be furnished to PAO office by 7th of the following month.
- o On receipt back of Annexure-II after issue of 16 digit Permanent Pension Accounts Number (PPAN) by PAO office, DDO/CDDO will open a separate Pay Bill Register (PBR) for those who joined service on or after 1.1.2004.
- o DDO/CDDO will note the unique 16 digit PPAN in the PBR.
- o Prepare separate Pay Bills.
- o Tier-I contribution is 10% of (Basic Pay plus D.A.).
- o Contribution starts from the salary of the month following the month in which the Government servant has joined service. No recovery will be made for the month of joining.
- o No deduction of GPF contribution for new entrants with effect from 1.1.2004 (GPF scheme is not applicable)
- o CDDOs should also prepare and send pay bills of new entrants to PAO office for pre-check and payment (CDDOs should not issue cheque at their end)
- o DDOs/CDDOs should prepare separate schedules in duplicate for contribution by Government servant in Annexure-III.
- o Prepare separate schedules for Government matching contribution in Annexure-IV.
- o Attach schedule Annexure-III with pay bills and send to PAO office on or before 20th of the month.
- o The amount of contributions under Tier-I in Annexure-III should tally with the total amount of recoveries shown under the corresponding column in the pay bills.
- o Prepare a separate bill for drawal of matching contribution to be paid by Government and creditable to pension account. Attach the schedules Annexure-IV to this bill and not with pay bill.
- o No withdrawal is allowed from Tier-I contribution.

TRANSFER CASES

The CDDO/DDO should clearly indicate in the LPC of the individual, the unique Permanent Pension Account Number (PPAN), the month upto which Government servant's contribution and Government's matching contribution have been transferred to the Pension Fund.

ANNUAL STATEMENT

CDDOs/DDOs will get the annual account statement through PAO office showing opening balance details of monthly deductions and Government's matching contributions, interest earned, if any, and the closing balance for onward transmission to the individual Central Pension Accounts Office (CPAO) will be responsible for preparation of these statements.

GUIDELINES FOR PAO

- ❖ Send back a copy of the Annexure-II to DDOs/CDDOs after issue of Permanent Pension Account Number (PPAN).
- ❖ Send the consolidated particulars of the Government servants received from various DDOs in the format Annexure-II-A to Pr. Accounts Office by 12th of the following month to which the credit pertains along with a floppy generated from software (CPFM).

Maintaining the Record

1. Index Register (ANNEXURE-VII)

For allotment of 16 digit unique code, i.e., PPAN,

On receipt of Annexure-II from DDO on 7th, PAO will allot 16 digits PPAN and return the Annexure-II to DDO by 10th instant.

Formation/Structure of 16 Digit Code (PPAN)

First four Digit - Calendar Year of the joining Government servant.

Next One digit - 1
for Civil
Ministries

Next six digits - PAO Code.
Last five digits - running serial number of the individual Government servant.

2. Ledger Folio (ANNEXURE-V)

- After payment of pay bills and posting in the Detailed Posting Register (DPR), one set of schedules relating to pension contributions (Annexure-III) will be detached from the pay bill and used for posting the credits in the Detailed Ledger Account of the individual.
- Contribution under Tier-I and Tier-II and Government's matching contributions should be posted in different columns of the individual ledger account (Annexure-V).

3. Broadsheet:

Posting of contributions done in ledger should also be done in Broadsheet and tallied with accounts figures as being done in the case of GPF for pre- 1.1.2004.

4. Consolidated Information in a Floppy to PR. A. O. (Annexure-VI)

PAO will consolidate the information received from DDOs/CDDOs in Annexure-III and IV and forward the same in a floppy in the prescribed form Annexure-VI to Pr. Accounts Office by 12th of the month following the month to which the credit pertains.

5. Transfer Case

PAO will not transfer any balance to any PAO.

6. Reconciliation after close of each Financial Year.

After close of each financial year CPAO will have to report the details of balance PAO wise to each Pr. A.O., who will forward the information to each PAO for the purpose of reconciliation. The PAO will reconcile the figures of contributions posted in the ledger account of the individuals as per their ledger with figures as per the books of CPAO.

7. Accounting Heads in the books of PAO

- (a) The recoveries of contribution from the individual and the Government matching contributions are classifiable as credits under the following head in the books of PAO:-
- | | | |
|---------------|-------|--|
| Major Head | 8342 | - Other Deposits |
| Minor Head | 120 | - Misc. Deposits |
| Sub-Head | 20 | - Defined Contribution Pension Scheme |
| Detailed Head | 20.01 | - Employee's Contribution under Tier-I |
| | 20.02 | - Government Contributions under Tier-I |
| | 20.03 | - Interest on Contribution under Tier-I. |
- (b) On receipt of Government's instructions for allowing interest on the accumulation of the fund, the amount of the interest may be debited to the following head.
- | | | |
|----------------|-----------|---|
| Major Head | 2049 | - Interest Payments |
| Sub-Major Head | 60 | - Interest on other obligations |
| Minor Head | 101 | - Interest on Deposits |
| Sub-Head | 29 | - Interest on Defined Contribution Pension Scheme |
| Detailed Head | 29.01- | Interest on Contributions under Tier-I |
| Object Head | 29.01.45- | Interest |
- (c) The expenditure on matching contribution by Government is, for time being till further instructions, to be debited under the Minor Head '502-Expenditure Awaiting Transfer to other heads/departments' to be opened below the relevant functional Major Head of Ministry/Department.
- (d) The numeric codes, serial codes and SCCD codes relating to the heads have been given in the Annexure-Codes for D.I. Sheet.

GUIDELINES FOR PR. ACCOUNTS OFFICE

- ❖ After receiving the floppy in the prescribed form (Annexure-VI) from the PAOs by 12th of the month following the month to which the credit pertains, the Pr. A.O. will consolidate the information and send the same in electronic form (through software CPFM) to CPAO by 15th.
- ❖ At the end of each financial year, PR. A.O. will get the annual accounts statement (PAO wise) for each employee from CPAO and the same be forwarded to each PAO for the purpose of reconciliation with their ledger/broadsheet and supply the annual statements to individuals.

DATES TO BE ADHERED BY DDOs / CDDOs / PAO / PR.A.O.

By DDOs/CDDOs

- o Annexure-II to PAO on 7th of the following month.
- o Pay Bill to PAO on or before 20th of the paid month for pre-check and payment along with schedule (Annexure-III)
- o Preparation of another Bill towards Government's matching contribution of Tier-I supporting Schedule (Annexure-IV) and submission to PAO along with Pay Bills, i.e., on or before 20th.

By PAO

- o On receipt of Annexure-II from DDOs/CDDOs, allot the PPAN and return a copy of Annexure-II to DDOs/CDDOs on 10th.
- o Consolidated particulars to Pr. A.O. in Annexure-II-A, and Annexure-VI by 12th in an Electronic Media, i.e., Floppy generated through software CPFM.

By Pr. A.O.

- o On receipt of Annexure-II-A and Annexure-VI from PAO in floppy media, consolidate the data and forward to CPAO in Annexure-II-B and Annexure-VI by 15th in Electronic Media, i.e., floppy generated through software CPFM.

ANNEXURE — CODES FOR D.I. SHEET			
Numeric Code	Description	Serial Code	SCFD
8342	Other Deposits		
120	Miscellaneous Deposits		
20	Defined Contribution Pension Scheme	83420048	
20.01	Employee's Contribution under Tier-I	83420049	312
20.02	Government's Contribution under Tier-I	83420050	314
20.03	Interest on Contribution under Tier-I	83420051	313
2049	Interest Payments		
60	Interest on Other Obligations		
101	Interest on Deposits		
29	Interest on Defined Contribution Pension Scheme	20490438	
29.01	Interest on Contribution under Tier-I	20490439	
29.01.45	Interest	20490440	126

(Details to be furnished by the Government servant)

Nominee for accumulations under the
 Pension Account

S. No.	Name of nominee(s)	Age (Date of Birth)	Percentage of share payable	Relationship with the Government servant
1				
2				
3				

Signature of the Government servant

DDO

ANNEXURE -- II

FORMAT IN WHICH INFORMATION IS REQUIRED TO BE SENT BY DDO TO PAO

Name of DDO/Code No :

Name of Office and Address :

[illegible]

Name of IDDO :

Office seal

ANNEXURE - II-A
FORMAT IN WHICH INFORMATION IS REQUIRED TO BE SENT
BY PAY AND ACCOUNTS OFFICE TO PRINCIPAL ACCOUNTS OFFICE
Name of Pay and Accounts Office and Code No. of Pay and Accounts Office :

Sl. No.	Name of the Government servant	Designation	Name of Office and Address	Basic Pay	Date of Birth	Unique Pension A/c No. in 16 digits (allotted by PAO)	Date of joining service	Details of nominee(s) for the accumulations under Pension Account				Remarks
								Name of nominee(s)	Age	Relationship with Government servant	% age of share of share	

[120]

Signature of PAO with seal

ANNEXURE - II-B
FORMAT IN WHICH INFORMATION IS REQUIRED TO BE SENT BY
PRINCIPAL ACCOUNTS OFFICE TO CENTRAL PENSION ACCOUNTING OFFICE

Name of Principal Accounts Office and Code No. of Principal Accounts Office

Sl. No.	Name of the Government servant	Designation	Name of Office and Address	Basic Pay	Date of Birth	Unique Pension A/c No. in 16 digits (allotted by PAO)	Date of joining service	Details of nominee(s) for the accumulations under Pension Account				Remarks
								Name of nominee(s)	Age	Relationship with Government servant	% age of share of share	

ANNEXURE - III

FORMAT OF SCHEDULE OF GOVERNMENT SERVANT'S CONTRIBUTIONS TOWARDS
TIER-I AND TIER-II OF THE NEW PENSION SCHEME
(to be attached with the Pay Bill)

Name of DDO/Code No.

Unique Pension Account No. in 16 digits allotted by PAO	Name of the Government servant	Designation	Basic Pay	DA	Contributed on under Tier-I	Contribution under Tier-II*	Total	Remarks
			Rs.	Rs.	Rs.	Rs.	Rs.	

(Rupees _____)

* This column is not to be used during the interim period.

Date and Signature of Drawing Officer

Designation

[121]

ANNEXURE - VI

FORMAT IN WHICH INFORMATION ON CONTRIBUTIONS IS REQUIRED TO BE SENT BY
PAO TO CENTRAL PENSION ACCOUNTING OFFICE THROUGH PRINCIPAL ACCOUNTS OFFICE
DEDUCTIONS FOR THE MONTH OF

M. No	PAO Code	Name of the Government servant	Unique Account No. in 16 digits allotted by PAO	Basic Pay	Amount of Contribution under Tier-I	Government's Contribution under Tier-I	Government servant's Contribution under Tier-II	Total	Remarks
				Rs	Rs	Rs	Rs	Rs	

* This column is not to be used during the interim period.

ANNEXURE - VII
INDEX REGISTER

Unique Pension Account No	Name of Government servant	Designation	Name of Office in which joined service	Date of birth	Date of joining Government service	Signature of JAO/PAO

16. Not exist, Deleted.

17. Commutaion of Pension :

- An employee shall, subject to the conditions specified below, be allowed to commute for lump sum payment of any portion or portions of his pension not exceeding 40% of the pension granted to him.
- No commutation shall be sanctioned unless the competent medical authority as may be prescribed by the Executive Council certifies that the pensioner's health and prospects of duration of life are such as to justify commutation.
- The lump sum payable on commutation shall be calculated in accordance with the table appended (Schedule A) as may be amended by the Executive Council from time to time.
- Commutation, when sanctioned, shall take effect on the date to be specified in the order. Such date shall be the first of a month and ordinarily about one month later than the date of the order and all calculation shall be made with reference to the date specified.

**** (e) Rules for commutation of pension w.e.f. 1.1.2006**

- A Government servant shall continue to be entitled to commute for a lumpsum payment upto 40% of his pension.
- The existing Table of Commutation Value for Pension Annexed to the CCS (Commutation of Pension) Rules, 1981 shall be substituted by a new Table at Annexure-1.
- The revised Table of Commutation Value for Pension will be used for all commutations of pension which become absolute after the date of issue of this O.M. In the case of those pensioners, in whose case commutation of pension became absolute on or after 1.1.2006 but before the issue of this OM, the

** G.I. Deptt. of P.&PW O.M.No. 38/37/08 P&PW (A) dated 2.9.2008.

pre-revised Table of Commutation Value for Pension will be used for payment of commutation of pension based on pre-revised pay/pension. Such pensioners shall have an option to commute the amount of pension that has become additionally commutable on account of retrospective revision of pay/pension on implementation of the recommendations of the Sixth Central Pay Commission. On exercising such an option by the pensioner, the revised Table of Commutation Value for Pension will be used for the commutation of the additional amount of pension that has become commutable on account of retrospective revision of pay/pension. In all cases where the date of retirement/commutation of pension is on or after the date of issue of this OM, the revised Table of Commutation Value for Pension will be used for commutation of entire pension.

- (iv) Provisions of CCS (Commutation of Pension) Rules, 1981 shall stand modified in accordance with para (ii) and (iii) above.

SECTION – III GRATUITY

18. An employee who has completed not less than five years of qualifying service at the University shall be granted a gratuity as distinct from the gratuity referred to in clause 14, of Section II as contained under rule 50 (1) (a) of CCS Pension Rules 1972. It shall be applicable on the retirement, [retirement gratuity] equal to *one-fourth of his emoluments for each completed six monthly period of qualifying service subject to a maximum of 16½ times of the emoluments. 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 by the ordinances.***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. In the event of the death of an employee while in service, the Death Gratuity shall be paid to his/her family in the manner indicated in sub-rule (1) of Rule 51 of CCS Pension Rules 1972 at the rates given in the Table below namely:-

Length of qualifying service	Rate of death gratuity
i. Less than 1 year...	2 times of emoluments
ii. One year or more but less than 5 years... ..	6 times of emoluments
iii. 5 years or more but less than 20 years.. ...	12 times of emoluments
iv. 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

* G.I. OM No. 45/86/97-P-P & S (A) Part I dated 27.10.1997.

** Ministry of Education & SW letter No. 3-57/77 Desk(U) dated 22.2.1997.

*** Ministry of Education letter No. F3-38/69-U-2 dated 23-10-1971.

+ G.I. Dept. of Pension & PW notification No. 18/87- P & PW (PIC) dated 20.7.88 and takes effect from 1-1-1986.

+Provided that the amount of retirement gratuity or death gratuity payable under this rule shall in no case exceed (Rs. Three Lakhs and Fifty Thousand Only), shall apply to Government Servant, who retire/die in harness on or after 1.1.1996.

++Provided that the maximum limit of all kinds of gratuity shall be Rs. 10 lakh. Accordingly, first provisio under Rule 50(1)(b) of Pension Rules shall stand modified to the effect that the amount of retirement gratuity or death gratuity payable under this Rule shall in no case exceed Rs. 10 lakh, shall apply to Govt. servant, who retired/died in harness on or after 1.1.2006.

+++**Note1:** Emoluments for Gratuity mean, (Basic Pay Last drawn + D.P.@ 50% of Pay) + D.A. [the benefit of D.A. is applicable w.e.f. 1.1.1996 & D.P. w.e.f. 1.4.2004].

++**Note2: Emoluments effective from 1.1.2006 under 6th CPC.**

Basic pay in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay, etc.

In the case of all kinds of Gratuity, DA admissible on the date of retirement/death shall continue to be treated as emoluments alongwith the emoluments as defined in above paragraph.

20. If a Government servant, who has become eligible for a service gratuity or pension, dies within five years from the date of his retirement from service including compulsory retirement as a penalty and the sums actually received by him at the time of his death on account of such gratuity or pension including *ad hoc* increase, if any, together with the++++ [.....] retirement gratuity admissible under clause 18 and the commuted value of any portion

+ G.I. Dept. of Pension & PW, O.M. No. 45/86/97- P & PW(A)- Part-I dated 27.10.1997.

++ G.I. OM No. 38/37/08-P&PW(A) dated 2.9.2008, adopted by the university vide O.M. D.No. (C)/1420 dt. 7.3.2009.

+++ G.I. OM No. 42/2/2004 - P & PW (G) dated 15-3-2004 adopted by the University vide OM No. LD(C) / 782 dated 15-6-2004.

++++ G.I. Dept. of P.W., Notification No. 7/3/95- P & P.W. (F) dated 17th March 1997. This takes effect from 18-4-1995.

of pension commuted by him are less than the amount equal to 12 times of his emoluments, a residuary gratuity equal to the deficiency may be granted to his family in the manner indicated in sub-rule (1) of Rule 51 of CCS Pension rules.

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 inveiglement.

SECTION - IV

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 proviso of clause 83.
24. It will be administered as below.
- A. For those who were in service on the 1st April, 1964, but retired before the 1st January, 1996, 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.
 - (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.
 - (e) Dependent parents and widowed / divorced daughter.

Note :

- (i) (c) and (d) will include children adopted legally before retirement.
- *(ii) Marriage after retirement i.e. Post retiral spouses will be recognized for the purpose of the Scheme as per conditions given under rule 54 of CCS Pension rules 1972.
- (iii) The pension will be admissible :-

* G.I. Deptt. of P.&PW O.M.No. 1(23)-P&PW/91E dated 4.11.1992.

- ** (a) In the case of widow/widower upto the date of death or marriage whichever is earlier;
 - ** (b) In the case of minor sons until he attains the age of 25 years with effect from 1.1.1996.
 - ** (c) In the case of unmarried daughters including widowed/divorced daughter until she attains the age of 25 years or marriage/ re-marriage whichever is earlier, with effect from 1.1.1996.
 - ** (d) Parents who were wholly dependent on the Government servant when he/she was alive, provided the deceased employee had left behind neither a widow nor a child.
- +(iv) For the purpose grant of Family Pension, the 'Family' shall be categorised as under:**

Category-I

- (a) Widow or widower, upto the date of death or re-marriage, whichever is earlier;
- (b) Son/daughter(including widowed daughter), upto the date of his/her marriage/re-marriage or till the date he/she starts earning or till the age of 25 years, whichever is the earliest.

Category-II

- (c) Unmarried/Widowed/Divorced daughter, not covered by Category I above, upto the date of marriage/re-marriage or till the date she starts earning or upto the date of death, whichever is earliest.
- (d) Parents who were wholly dependent on the Government servant when he/she was alive provided the deceased employee had left behind neither a widow nor a child.

** G.I. Deptt. of P&PW O.M.No. F 45/86/97- P & PW (A) Part-I dated 27.10.1997.

+ G.I. Deptt. of P& PW, O.M. F.No. 38/37/08-P&PW(A) dated 2.9.2008, under 6th CPC implemented w.e.f. 1.1.2006

Family Pension to dependent parents unmarried/divorced/widowed daughter will continue till the date of death.

Family pension to Unmarried/widowed/divorced daughters in Category II and dependent parents shall be payable only after the other eligible family members in Category I have ceased to be eligible to receive family pension and there is no disabled child to receive the family pension. Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.

The dependency criteria for the purpose of family pension shall be the minimum family pension alongwith dearness relief thereon.

The childless widow of a deceased Government employee shall continue to be paid family pension even after her remarriage subject to the condition that the family pension shall cease once her independent income from all other sources becomes equal to or higher than the minimum prescribed family pension in the Central Government. The family pensioner in such cases would be required to give a declaration regarding her income from other sources to the pension disbursing authority every six months.

Note :

- (i) Where an employee is survived by more than one widow the pension will be paid to them in equal shares. On the death or re-marriage of widow, her share of pension will become payable to her eligible minor child. (If at the time of her death/remarriage a widow leaves no eligible minor child, the payment of her share of pension shall be payable to the other widows in equal shares, or if there is only one such other widow, in full, to her.)

- (ii) Where an employee 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 employee.

***Provided that on the share or shares of family pension payable to such a child or children or to a widow or widows ceasing to be payable, such share or shares shall not lapse, but shall be payable to the other widow or widows and/or to the other child or children otherwise eligible, in equal shares, or if there is only one widow or child, in full to such widow or child.

- +(iii) Where the deceased Government servant or pensioner is survived by a widow but has left behind eligible child or children from a divorced wife or wives the eligible child or children shall be entitled to the share of family pension which the mother would have received at the time of the death of the Government servant or pensioner had she not been so divorced.]

++Provided that on the share or shares of family pension payable to such a child or children or to a widow or widows ceasing to be payable, such share or shares shall not lapse, but shall be payable to the other widow or widows and/or to the other child or children otherwise eligible, in equal shares, or if there is only one widow or child, in full, to such widow or child.'

- *(iv) Except as provided in the note below sub-clause 'A' (iii) above pension awarded under this scheme will not be payable to more than one member of an employee's family at the same time. It will first be admissible to the

*** G.I.Deptt. of P& PW Notification No. 1/17/90- P&PW (C) dated 29.1.1991.

+ G.I. Deptt. of P.&PW Notification No. 1/40/88-P & PW (C) dated 14.9.1989.

++ G.I.Deptt. of P& PW Notification No. 1/17/90- P&PW (C) dated 29.1.1991.

* Ministry of Education letter No. F-3-38/69-U-2 Dated 23/30.10.1971.

widow/widower and thereafter to the eligible minor children.

- (v) In the event of re-marriage or death of the widow/widower the family pension will be granted to the minor children through their natural guardian. In disputed case, however, payments will be made through a legal guardian.

Provided that if the son or daughter of a Government servant is suffering from any disorder or disability of mind ******[including mentally retarded] or is physically crippled or disabled so as to render him or her unable to earn a living, even after attaining the age of †[twenty-five years], the family pension shall be payable to such son or daughter for life subject to the conditions, as given under Rule 54 of CCS Pension rules 1972.

- (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. 3,600. ⁺However 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 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 month's pay, the same will be resumed by the University against the family pension benefit admissible under the Scheme.

****** G.I.Deptt. of P& PW Natification No. 1/9/96- P&PW (E) dated 21.1.1999.

† G.I.Deptt. of P& PW Natification No. 1/10/92- P&PW (E) dated 31.12.1992.

⁺ Ref. Ministry of Education and Social Welfare, latter No. 3-57/77-Desk (U) dated 22.2. 1979.

***Note: (1)** In the case of employees retiring without wife / husband or minor children including adopted children the deduction of two months 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:- Family pension shall be calculated at a uniform rate of 30% of basic pay in all cases instead of slab system and shall be, subject to a minimum of Rs. 1275/- p.m. and Rs. 1913/- p.m. will be effective from 1.4.2004 and a maximum of 30% of the highest pay in the Government.

The revised provisions as per these orders shall apply to Government servants who retire / die in harness on or after 1. 1. 1996.

*******(viii) **Family Pension 1964 at revised rate w.e.f. 1.1.2006 under 6th Central Pay Commission.**

Family pension shall be calculated at a uniform rate of 30% of basic pay in all cases and shall be subject to a minimum of Rs. 3500/- p.m. and maximum of 30% of the highest pay in the Government. (The highest pay in the Govt. is Rs.90,000 since 1.1.2006). Rule 54(2) relating to Family Pension, 1964 under Pension Rules shall stand modified to this extent.

- 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 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 attained the age of 65 years had he remained alive, whichever period is shorter, the family 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.

****** G. I. Deptt. of P. & P.W., O. M. No. F. 45/86/97-P. & PW (A), Part I, dated the 27th October, 1997.

***** Ref. Ministry of H.R.D. (Deptt. of Education) letter No.F.3-9/84-Desk (U), dated 4.3.1986.

******* G.I. Deptt. of P.&P.W., O.M. No. F.No. 38/37/08-P&PW(A) dated 2.9.008, adopted by the university vide O.M. D.No. (C)/1420 dated 7.3.2009

- (ii) If the employee has not put in 7 years of service prior to death or after 7 years of payments as in (i) above, the rate of the family pension will be as @ 30% of basic pay last drawn.

Note:"Pay" for the 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.

- (iii) *The amount of family pension at enhanced rate 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 upto the date on which he would have attained the age of 65 years had he survived, whichever period is less.

- ** (i) The enhanced family pension under Rule 54(3)(a)(i) shall be payable to the family of a Government servant **who dies in service** from the date of death of the Government servant for a period of ten years, without any upper age limit. Rule 54(3)(a)(i) shall stand modified to this extent. There will be no change in the period for payment of enhanced family pension to the family in the case of death of a pensioner.

- (b) In the event of the death after retirement the family pension at enhanced rate 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

* Ref. Ministry of Education Social Welfare letter No. F.3-57/77-Desk(U) dated 22.2.1979.

** G.I. Deptt. of P.&P.W., O.M. F.No. 38/37/08-P&PW (A) dated 2.9.2008 effective from 1.1.2006.

admissible as per this clause (C) exceed 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.

C. Not exist, Deleted.

Note:*Second wife not entitled to the family pension as a legally wedded wife under the Hindu Marriage Act.

— The Department of Pension and Pensioners' Welfare have since clarified that the second wife will not be entitled to family pension as a legally wedded wife.

25. All employees entitled to the benefit of family pension shall be required to furnish details of their 'family' as defined in sub-clause (ii) of clause 24(A) above, i.e., the date of birth of each member with his/her relationship with employee. This statement shall be 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 his statement will be made by the Registrar from time to time on receipt of information from the employee concerned.
26. In case where death occurs while in service the Finance Officer on receiving information of death of an employee while in service shall send a letter as prescribed in the Ordinance to the family of the deceased and ask for necessary documents mentioned therein. On receiving documents the Finance Officer shall take necessary action to sanction the pension to the eligible members of the family.

* C. & A. G., New Delhi, Letter No. 211-Audit 1/13-86, dated 4th March, 1987.

SECTION - V EXTRAORDINARY PENSION AND GRATUITY

27. Extraordinary pension and gratuity may be sanctioned by the Executive Council of the University on the advice of an adhoc 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 the 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.

28. For the purpose of the provisions for Extraordinary Pension and Gratuity, injury shall be classified as follow :-

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

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

- (a) A gratuity of the applicable amount specified 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 specified 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 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 that amount and thereafter ;
 - (ii) A pension within the limit specified in sub-clause (i) if the competent medical authority as may be prescribed by the Executive Council 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 competent medical authority as may be prescribed by the Executive Council certifies that the employee is likely to be unfit for service for a year, or a proportionate amount subject to a minimum of / fourth the amount so specified if he is certified 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 subclause (b) of clause 30.

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

- (a) When the employee is rendered invalid out of service on account of injury in respect of which the temporary pension was awarded.

- (b) When the temporary pension has been drawn for not less than five years, or;
- (c) at any time if the competent medical authority as may be prescribed by the Executive Council certifies that he sees no reason to believe that there will ever be a perceptible decrease in the degree of disablement.

33. The award 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 shcedule'E'

Note:- The rates in Schedule 'E' are subject to the conditions 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 (Section IV) been applied.

Provided that if the pay of the deceased **employee was less than Rs. 200**, the monthly pension or the sum of pensions that may be granted under this section 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 limits of one-half of his pay such a prorata reduction shall be made in the amount of each 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 24, if the employee has rendered continuous service for not less than 7 years.

Note: This provision is not applicable to those employees who retired before the 1st January, 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 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 34 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 Extraordinary Family Pension this Scheme 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 Extraordinary Family Pension under will ordinarily be tenable-

- (a) in the case of a widow or mother until death or re-marriage, whichever occurs earlier :
- (b) in the case of a minor son or minor brother, until the age of 18 :
- (c) in the case of an unmarried daughter or minor sister, until marriage or until she gains the age of 21, whichever occurs earlier;
- (d) In the case of a father, if alive.

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 of 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 Finance Officer 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 or as the case may be the application for family pension in the form prescribed by the Ordinance.
- (c) in the case of an injured member of the staff or one who has contracted a disease, a medical report in form prescribed in the Ordinance. 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 medical report cannot be secured.

* 39-A. The quantum of pension/family pension available to the old pensioners/family pensioners shall be increased as follows:

Age of Pensioner/family pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension/family pension
From 85 years to less than 90 years	30% of revised basic pension/family pension
From 90 years to less than 95 years	40% of revised basic pension/family pension
From 95 years to less than 100 years	50% of revised basic pension/family pension
100 years or more	100% of revised basic pension/family pension

The amount of additional pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his/her consolidated pension is Rs.10,000 pm, the pension will be shown as (i) Basic pension = Rs. 10,000 and (ii) Additional pension = Rs. 2,000 pm. The pension on his/her attaining the age of 85 years will be shown as (i). Basic Pension = Rs. 10,000 and (ii) additional pension = Rs. 3,000 pm.

* G.I.Dept. of P.&P.W., O.M. F.No. 38/37/08-P&PW(A) dated 1.9.2008 duly adopted by the AMU vide O.M. D.No. (C)/1420 dated 7.3.2009.

OLD COMMUTATION TABLE FOR PENSION- Scheduled "B"
(See Clause 17 of Appendix A)

***Commutation Value for a Pension of Rupee one per Annum**

Age next birth day	Commutation Value expressed as number of years purchase	Age next birth day	Commutation Value expressed as number of years purchase	Age next birth day	Commutation Value expressed as number of years purchase
17	19.28	44	14.90	71	6.60
18	19.20	45	14.64	72	6.30
19	19.11	46	14.37	73	6.01
20	19.10	47	14.10	74	5.72
21	18.91	48	13.82	75	5.44
22	18.81	49	13.54	76	5.17
23	18.70	50	13.25	77	4.90
24	18.59	51	12.95	78	4.65
25	18.47	52	12.66	79	4.40
26	18.34	53	12.35	80	4.17
27	18.21	54	12.05	81	3.94
28	18.07	55	11.73	82	3.72
29	17.93	56	11.42	83	3.52
30	17.78	57	11.10	84	3.32
31	17.62	58	10.78	85	3.13
32	17.46	59	10.46		
33	17.29	60	10.13		
34	17.11	61	9.81		
35	16.92	62	9.48		
36	16.72	63	9.15		
37	16.52	64	8.82		
38	16.31	65	8.50		
39	16.09	66	8.17		
40	15.64	67	7.85		
41	15.87	68	7.53		
42	15.40	69	7.22		
43	15.15	70	6.91		

Note: This table is based on a rate of interest of 4.75 per cent and take effect from 1-3-1971.

* Ministry of Education letter No. F.3-38/69 U. 2, dated 23/30.10.1971.

ANNEXURE-I
***NEW TABLE EFFECTIVE FROM 1.1.2006**

COMMUTATION VALUE FOR A PENSION OF RE.1 PER ANNUM

Age next birth day	Commutation Value expressed as number of year's purchase	Age next birth day	Commutation Value expressed as number of year's purchase	Age next birth day	Commutation Value expressed as number of year's purchase
20	9.188	41	9.075	62	8.093
21	9.187	42	9.059	63	7.982
22	9.186	43	9.040	64	7.862
23	9.185	44	9.019	65	7.731
24	9.184	45	8.996	66	7.591
25	9.183	46	8.971	67	7.431
26	9.182	47	8.943	68	7.262
27	9.180	48	8.913	69	7.083
28	9.178	49	8.881	70	6.897
29	9.176	50	8.846	71	6.703
30	9.173	51	8.808	72	6.502
31	9.169	52	8.768	73	6.296
32	9.164	53	8.724	74	6.085
33	9.159	54	8.678	75	5.872
34	9.152	55	8.627	76	5.657
35	9.145	56	8.572	77	5.443
36	9.136	57	8.512	78	5.229
37	9.126	58	8.446	79	5.018
38	9.116	59	8.371	80	4.812
39	9.103	60	8.287	81	4.611
40	9.090	61	8.194		

[Basis: LIC (94-96) Ultimate Tables and 8.00% interest]

CLASSIFICATION OF INJURIES
(See Note below Clause 3 (m) of Statute of 61)

Equal to loss of limb :

Hemiplegia without aphasia ,
 Permanent use of tra-cheotomy
 Artificial anus,
 Total deafness of both ears.

Very Severe :

Complete unilateral facial paralysis, likely to be permanent
 Lesion of kidney, ureter 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 rigidity of the dorsolumbar or cervical sections of the spine.
 Partial loss of vision of one eye.
 Destruction or loss of one testicle
 Retention of foreign bodies not causing permanent or serious symptoms.

* G.I. Deptt. of P.&P.W., O.M. No. F.No. 38/37/08-P&PW(A) dated 2.9.2008, adopted by the university vide O.M. D.No. (C)/1420 dated 7.3.2009

Appendix 'B'

Statute - 61

Contributory provident Fund-cum-Gratuity Scheme

Section - 1

CONTRIBUTORY PROVIDENT FUND

1. The provisions of the Contributory Provident Fund Rules in the Statutes 45 to 60, modified as below with regard to the rate of contribution will be applicable to those employees who opt for Contributory Provident Fund-Cum-Gratuity Schemes :-

- (i) The University's contribution to the Fund shall be restricted to 8% of the employee's pay; and
- (ii) The employees shall have to subscribe monthly to the Fund not less than 8- 1/3 % and not exceeding the total emoluments

Note:- For pre 1-4-1964 entrants restriction to 80% will apply from the date the University's contribution was raised to 1/3%

SECTION - II
GRATUITY

2. An employee who has completed minimum service by which he becomes entitled to University's share of contribution to the C.P. Fund, shall be granted gratuity in accordance with the scale of gratuity indicated in Schedule 'C'. The 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 the nominees of the deceased in the manner prescribed by the Ordinance. †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.

3. (i) The amount of gratuity shall be subject to a maximum of fifteen times of his emoluments. In the event of the death of an employee while in service, the gratuity shall be subject to minimum of twelve times the emoluments of the employee at the time of his death, provided that in no case shall it exceed Rs. 24,000.

† Ministry of Education letter No. F. 3-38/69-U.2, dated 23-10-1971.

* Ministry of Education & SW letter No. F. 3-57/77 Desk(U), dated 22-2.1979.

*(ii) In respect to 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 the existing maximum limit of fifteen times of emoluments as prescribed in clause (i) above shall be raised to 16½ times the emoluments provided that in no case shall it exceed Rs. 3,50,000.

4. If an employee who has become eligible for payment of University's share of contribution to the C.P. Fund under the Rules of the University dies within a period of 5 years after he retires from the service of the University and the sums actually received by him at the time of death on account of University's share of contribution to the C.P. Fund, together with the gratuity under the above rules is less than the amount equal to 12 times the emoluments, a gratuity equal to the deficiency shall be granted to the person or persons nominated by him.

5. If a permanent employee dies before becoming eligible for the University's share of the contribution to the C.P. Fund of the University 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 the gratuity admissible shall be equal to two months emoluments.

6. **Temporary employees** - (1) *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 ratio 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 ineligibility.

* Ref. Ministry of Education Social Welfare. letter No. F. 3-57/77-Desk (U), dated 22.2.1979.

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

- | | | | |
|-----|--|---|--|
| (a) | 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 |
| (b) | 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 |
| (c) | On death after completion of five years of service or more | } | A gratuity equal to two month's pay or the amount terminal gratuity mentioned in Clause 6 (1) above which ever is more |

Note: For the purpose of determining the amount of terminal or death gratuity, pay will mean only basic and also dearness pay (if any) at the time of relinquishing service or 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, involvement or death pay for this purpose will be pay which he would have drawn had he not proceeded on such leave.
