

AMENDED
MEMORANDUM OF ASSOCIATION,
SOCIETY RULES
And
SOCIETY BYELAWS
of

GOVIND BALLABH PANT
ENGINEERING COLLEGE
GHURDAURI (PAURI GARHWAL)
SOCIETY

As Approved By

Government of Uttar Pradesh

Vide G.O. Nos.

1. 3794/90 – Pra. Shi. – 1 – 271/90 Dated 20-8-1990
2. 3794/90 – Pra. Shi. – 1 – 271/90 Dated 29-8-1990

**MEMORANDUM OF ASSOCIATION OF THE GOVIND BALLABH PANT
ENGINEERING COLLEGE, GHURDAURI, PAURI GARHWAL**

In the matter of Govind Ballabh Pant Engineering College, Ghurdauri, Pauri (Garhwal) Society (hereinafter referred to as 'Society') under Societies Registration Act, 1860 (Act XXI of 1860).

MEMORANDUM OF ASSOCIATION

Name:

1. The name of the Society is 'Govind Ballabh Pant Engineering College, Ghurdauri, Pauri Garhwal Society'.

Office:

2. The registered office of the society shall be at Garhwal.

Objects and Functions:

3. The object and functions of the Society shall be,
 - (i) To establish and carry on the administration and management of the 'Govind Ballabh Pant Engineering College, Ghurdauri, Pauri Garhwal (hereinafter referred to as the College).
 - (ii) To provide for instructions and research in different branches of Engineering/Technology and such other branches as the College may think fit, and to conduct courses for degree and post-graduate degree, in Engineering/Technology and for the advancement of learning and dissemination of knowledge in all such branches.
 - (iii) To hold examination and make rules and regulations therefor, declare results and give awards for courses other than that for University degree and make arrangements for examination conducted by the University in accordance with the statute and regulation of the University, to which the College is affiliated.
 - (iv) To fulfil the conditions of affiliation laid down by the affiliating University.
 - (v) To fix and demand such fees and other charges as may be laid down in the bye-laws or the rules of the Society.
 - (vi) To establish, maintain and manage halls and hostels for the residence of students.
 - (vii) To establish, maintain and manage residential quarters for the staff of the College.
 - (viii) To supervise and control the halls of residence and hostels, to regulate discipline among the students of the College and to make arrangements for promoting their health, general welfare and cultural and corporate life.
 - (ix) To provide facilities for units of National Cadet Corps in the College.
 - (x) To create teaching, research, administrative, technical and ministerial posts and to make appointments thereto in accordance with the approved scheme and the rules and bye-laws of the Society that may be approved by the Government of Uttar Pradesh (hereinafter referred to as the State Government).
 - (xi) To cooperate with educational or other institutions in any part of the world having objects wholly or partly similar to those of the society by exchange of the teachers and scholars and generally in such manner as may be conducive to their common object.

- (xii) To help students and staff of the College in special and higher studies in the Country or abroad.
- (xiii) To organise seminars and addresses by eminent engineers, scientists and educationists.
- (xiv) To prepare and publish periodicals and papers on the scientific and engineering subjects, and to encourage original and applied research work and writings.
- (xv) To institute and award fellowships, scholarships, prizes and medals in accordance with the rules and bye-laws of the society.
- (xvi) To frame the first rules and bye-laws of the College with the approval of the State Government. The Society may from time to time make new or additional rules or may amend or repeal the rules with the concurrence of the State Government.
- (xvii) To acquire or hold property, subject to prior approval of the State Government in the case of acquisition of immovable property.
- (xviii) To manage any property belonging to or vested in the Society in such manner as the Society may deem fit for advancing the functions of the College.
- (xix) To maintain a fund which shall include
 - (a) all money provided by the States and Central Governments.
 - (b) all fees and other charges received by the Society.
 - (c) all moneys received by the Society by way of grants, gifts, donations, benefactions, bequests or transfers, provided that no benefaction shall be accepted by the Society, which in its opinion involves conditions or obligations opposed to the spirit and objects of the Society.
 - (d) all moneys received by the Society in any other manner or from any other source.
- (xx) To deposit all money credited to the fund in such a bank or invest them in such a manner as the Society may, with the approval of the State Government, decide.
- (xxi) To meet the expenses of the Society including expenses incurred in the exercise of its power and discharge of its functions out of the fund.
- (xxii) To maintain proper accounts and other relevant records and prepare annual statements of accounts including the balance sheet in such form as may be prescribed by the State Government.
- (xxiii) To have accounts of the Society audited in such manner as the State Government may direct and to forward annually to the State Government the accounts duly certified by the auditors together with Audit Report thereon.
- (xxiv) To do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Society.
- (xxv) To constitute such committee or committees as the Society may deem fit for disposal of or advice on any business of the College.

Delegation of Powers:

4. The Society may delegate all or any of its powers in the Board of Governors of the College or to any of the committee or committees constituted by it or to any officer or officers of the Society.
5. The College shall be open to persons of either sex and of whatever race, creed, caste or class and no test or condition shall be imposed as to religious belief or profession in

admitting students or in appointing members, teachers and workers or in any other connection whatsoever.

Limitations:

6. No immovable or movable property of the Society shall be disposed of in any manner whatsoever without the approval of the State Government.
7. The State Government may appoint one or more persons to review the work and progress of the Society or College and to hold enquiries into the affairs thereof and to report thereon in such manner as the State Government may stipulate. Upon receipt of any such report, the State Government may take such action and issue such directions as it may consider necessary in respect of any of matters dealt with in the report and the Society or College, as the case may be, shall be bound to comply with such directions.
8. In case the Society or the College is not functioning properly, the State Government will have the power to take over the assets of the Society, including the administration of the College.
9. If on the winding up or distribution of the Society, there shall remain, after the satisfaction of its debts and liabilities, any money or property, the same shall not be paid or delivered to any member of the Society but shall be disposed of in such manner as the State Government may determine in this behalf.
10. (a) The Government of Uttar Pradesh may from time to time issue directives to the Society as to the exercise and performance of the functions in the matters involving the security of the State or substantial public interest and such other directives as it may consider necessary in regard to the finances and conduct of business and affairs of the Society and in the like manner may vary and annul any such directive(s). The Society shall give immediate effect to the directive(s) so issued.
- (b) The Government of Uttar Pradesh may call for such returns, accounts and such other information with respect to the properties and activities of the Society as may be required by it from time to time.

Constitution of the Governing Body:

11. The names, addresses and occupations of the first members of the Governing Body of the Society to which, by rules and bye-laws of the Society, the management of its affairs is entrusted are:

(i) Principal Secretary to Government, Hill Development Department, U.P.	Chairman
(ii) Secretary to Government, Technical Education Department, Uttar Pradesh	Vice-Chairman
(iii) Secretary to Government, Finance Department, U.P. or his nominee	Member
(iv) Commissioner, Garhwal Division, Pauri.	Member
(v) A nominee of the Ministry of Education, Government of India	Member
(vi) Vice Chancellor, Roorkee University, Roorkee or his nominee not below the rank of a Professor	Member

(vii)	One member nominate by Department of Electronics, Government of India	Member
(viii)	Director of Technical Education, Uttar Pradesh, Kanpur	Member
(ix)	Vice Chancellor of the University to which the College is affiliated	Member
(x)	One Head of the Department of the College to be nominated by the Board for one year by rotation in order of seniority	Member
(xi)	Three eminent persons in field of concerned discipline to being taught in the College, to be nominated by the	Member
(xiii)	State Government	
(xiv)	Principal of the College	Member- Secretary

A copy of the Rules of the Society, certified to be a correct copy by three members of the Governing Body, is filed with the memorandum of Association.

We, the several persons whose names and addresses are given below, having associated ourselves for the purpose described in this Memorandum of Association, do hereby subscribe our names to the Memorandum of Association and set our several respective hands hereinto and form ourselves into a Society under Act XXI of 1860, this day of one thousand nine hundred and eighty nine.

Sd/-

1. (R.K. Dar)
Principal Secretary to Government,
Hill Development Department,
Uttar Pradesh

Sd/-

2. (Brijesh Kumar)
Secretary to Government,
Technical Education Department,
Uttar Pradesh

3. Sd/-

- (Dilip Kumar)
Secretary to Government,
Finance Department,
Uttar Pradesh

4. Sd/-

- (J.B. Gupta)
Director
Technical Education,
Uttar Pradesh
Kanpur

5. Sd/-

- (Surendra Singh Pangtey)
Commissioner,

Garhwal Mandal
Pauri

6. Sd/-
(N.C. Mathur)
Vice Chancellor,
University of Roorkee,
Roorkee
7. Sd/-
(S.P. Nautiyal)
Vice Chancellor,
Garhwal University
Srinagar-Garhwal

**RULES OF THE GOVIND BALLABH PANT ENGINEERING
COLLEGE SOCIETY (PAURI GARHWAL) SOCIETY**

1. (a) 'Board' MEANS Board of Governors of the College;
 (b) 'Chairman' means the Chairman of the Board;
 (c) 'Principal' means the principal of the College;
 (d) 'Finance Committee' means the Finance Committee of the College;
 (e) 'College' means the Govind Ballabh Pant Engineering College, Pauri Garhwal;
 (f) 'Registrar' means the Registrar of the College;
 (g) 'Society' means the Govind Ballabh Pant Engineering College (Pauri Garhwal) Society;
 (h) 'State' means the State of Uttar Pradesh;
 (i) 'State Government' means the Government of Uttar Pradesh;
 (j) 'University' means the University to which the College is affiliated; and
 (k) 'Competent Authority' means Principal of the College for all employees and Chairman in case of Principal.
2. The registered office of the Society shall be at Pauri Garhwal.
3. The Society shall consist of all the members of the Board of Governors.
4. The Society shall keep a roll of members and every member of the society shall sign the roll and state therein his occupation and address. No person shall be deemed to be a member unless he has signed the roll as aforesaid.
5. If a member of the Society shall change his address, he may notify his new address in the roll of members, but if he fails to notify his new address, the address in the roll of members shall be deemed to be his correct address.
6. The Board shall be the governing body of the Society and the general superintendence, direction and control of the affairs of the Society and its income and property, movable as well as immovable shall be vested in it.
7. The Board shall be composed of:

(i) Chief Secretary, Government of U.P.	Chairman
(ii) Secretary, Technical Education Department, U.P.	Vice-Chairman
(iii) Secretary, Hill Development Department, U.P., or his nominee not below the rank of Joint Secretary	Member
(iv) Secretary, Finance Department, U.P. or his nominee not below the rank of Joint Secretary	Member
(v) Director, Indian Institute of Technology, Kanpur	Member
(vi) Vice-Chancellor, Roorkee University, Roorkee	Member
(vii) Director, Technical Education, Uttar Pradesh, Kanpur	Member
(viii) A nominee of the All India Council of Technical Education	Member
(ix) One eminent technologist/engineer having specialisation in the field advent to the College to be nominated by the Board	Member
(x) Vice-Chancellor of the University to which the College is affiliated	Member
(xi) One Head of Department of the College not below the rank of Professor to be nominated by the Board for one year	Member

by rotation in order of seniority

(xii) Three eminent persons in the field of Technical Education, Member
to (xiv) to be nominated by the State Government

(xv) Principal of the College

Member-Secretary

8. The term of office of the non-official members in the Board shall be three years, and of the member at Sl. No. (xi) above shall be one year.
9. A member of the Board, other than the ex-officio members, shall cease to be a member if he dies, resigns, becomes of unsound mind, becomes insolvent or is convicted for a criminal offence involving moral turpitude or if he is removed by the State Government from the membership of the Board or if he (other than the Principal) accept a full-time appointment in the College or if he does not attend three consecutive meetings of the board without leave of the Chairman.

Resignation:

10. A member other than ex-officio member may resign office by a letter addressed to the Chairman and such resignation shall take effect from the date it is accepted by the Chairman.
11. Any vacancy in the Board shall be filled in by appointment or nomination, as the case may be, and the term of office of office of a member appointed or nominated to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he is appointed or nominated.
12. No act or proceedings of the board shall be invalid merely by reason of the existence of any vacancy therein or of any irregularity in appointment or nomination of any of its members.
13. The Society shall meet whenever the Chairman thinks fit:
Provided that the Chairman shall call a meeting of the Society upon a written requisition of not less than six members.
14. (i) The Board shall ordinarily meet once in every four months.
(ii) The meeting of the Board shall be convened by the Chairman either on his own initiative or at the request of the principal or on a requisition signed by not less than four members of the Board.
15. For every meeting of the Society or the Board, fifteen days notice shall be given, provided that in case of emergency, the Chairman may reduce the period of notice to such periods as he deems fit.
16. Five members of the Society or Board, as the case may be, shall constitute quorum for any meeting:
Provided that if a meeting is adjourned for want of quorum, no quorum shall be necessary for adjourned meeting.
17. The Chairman, if present, shall preside at every meeting of the Society or the Board. In the absence of the Chairman, the Vice-Chairman shall preside. In the absence of both Chairman and Vice-Chairman, the members present shall elect one of them as Chairman for the meeting.

18. Each member of the Society or the Board shall have one vote and all the matters shall be decided by the majority of votes. In case of equality of votes, the Chairman shall have a casting vote.

Resolution:

19. Agenda of the meeting of the Society or Board shall be circulated to the members at least seven days before the meeting:
Provided that a member of the Society or the board may move a resolution at a meeting of the Society or the Board after giving a notice of one clear week or with the permission of the Chairman or the person presiding over the meeting.
20. Ruling of the Chairman in regard to all questions of procedure shall be final.
21. The minutes of the proceedings of a meeting of the Society or the Board shall be drawn up and circulated amongst the members of the Society or the Board present in India. The minutes along with any amendments suggested shall be placed for confirmation at the next meeting of the Society or the Board.
22. All orders and decisions of the Board shall be authenticated by the signature of the Principal or any other person nominated by the Board in this behalf.
23. Apart from the matters requiring approval of the State government under these rules which shall be submitted to them separately giving full exposition thereof, a copy of the proceedings of each of the meetings of the society or the board shall be furnished to the State Government.
24. A member of the Board or the Society and of any committee appointed by the Society or the Board shall be entitled to such travelling and daily allowances in respect of the journeys undertaken in connection with the business of the Society or the Board as may be fixed by the Board from time to time:
Provided that employees of the Central or State Government shall be governed by the respective Government rules for travelling and daily allowances in respect of journey undertaken to attend the meetings of the Society or the Board of the Committee appointed by the Board in connection with the business of the Society or the Board.
25. The powers and functions of the board shall be:
- (i) to take decision on the question of policy relating to the administration and working of the College.
 - (ii) to prepare and execute detailed plans and programs for the establishment of the College and carry on its administration, development and management.
 - (iii) to frame, with the approval of the State Government, bye-laws which may provide for all or any of the following matters:
 - (a) the formation of departments of teaching.
 - (b) the fees to be charged for courses of study in the College with the approval of the State Government.
 - (c) the creation of fellowships, scholarships, exhibitions, prizes and medals.
 - (d) the holding of seminars and scientific meets.
 - (e) the classifications and methods of appointment and the determination of the terms and conditions of teachers and other staff of College as laid down in the service rules.

- (f) the constitution of provident funds for the benefit of the officers, teachers and other staff of the College.
- (g) the establishment and maintenance of halls, hostels and residential quarters for teachers and other staff of the College.
- (h) the conditions of residence of students of the College and the levying of fees for residence in the halls and hostels and of other charges.
- (iv) to receive, hold in custody and spend the funds of the Society and manage the properties thereof.
- (v) to purchase, take on loan or in exchange, hire or otherwise acquire or dispose off any property, whether movable or immovable or take gift of any property for the purpose of College:
Provided that the prior approval of the State Government shall be obtained before acquiring or disposing off immovable property or accepting any gift or any property, whether movable or immovable.
- (vi) to create academic as well as other posts in the College with the approval of the State Government and to appoint persons thereon.
- (vii) to consider and pass resolutions on annual report, the annual accounts and the budget estimates of the College for the next financial year as it thinks fit and sanction expenditure within the limits of the Budget as approved by the State Government.
- (viii) to appoint Finance Committee, Academic Committee, Administrative Committee, Committee on sponsored and industrial research (whose functions are defined hereinafter) and such other committee for such purpose and with such powers as the Board may deem fit. The Board may co-opt such persons in such committees as it may deem suitable.
- (ix) to delegate by resolution to a committee or the Chairman, such of its powers for the conduct of its business as it may deem fit subject to the condition that action taken by any committee or the Chairman under the power delegated to them under this clause shall be reported for confirmation at the next meeting of the Board.
- (x) To appoint such of the sanctioned staff as may be required for the efficient management of the affairs of the College and regulate their recruitment:
Provided that in the exercise of its power and discharge of its function, the Board shall be guided by such directions on question of policy as may be given to it by the State Government.

26. Finance Committee

1. The Finance Committee (hereinafter in this rule referred to as Committee) shall consist of:

(a) Secretary, Technical Education Department	Chairman
(b) Secretary, Hill Development Department, U.P., or his nominee not below the rank of Joint Secretary	Member
(c) Secretary, Finance Department or his nominee not below the rank of Joint Secretary	Member
(d) Two persons to be nominated by the Chairman, Board of Governors	Member
(e) The Principal	Member- Secretary
2. The Committee shall,

- (a) examine and scrutinise the actual budget of the College prepared by the Principal and make recommendations to the Board.
- (b) give its view and make its recommendations to the Board either on the initiative of the Board or of the Principal or on its own initiative on any financial question affecting the College.
3. The Committee shall meet at least once a year.
4. Three members of the Committee shall form a quorum for a meeting of the Committee.
5. The Chairman, if present, shall preside over the meeting of the Committee; in his absence, the members present shall elect one from amongst themselves to preside over the meeting.
6. The provisions of rules regarding notices of the meeting, inclusion of items in the agenda and confirmation of the minutes applicable to the meetings of the Board shall, as far as may be, followed in the meetings of the Committee.
7. A copy of the minutes of every meeting of the Committee shall be sent to the Board.

27. Administrative Committee

1. Administrative Committee (hereinafter in this rule referred to as Committee) shall consist of:
 - (1) Secretary, Technical Education Department Chairman
 - (2) A representative of Finance Department of the State Government Member
not below the rank of Joint Secretary
 - (3) Director of Technical Education, Uttar Pradesh Member
 - (4) One other member of the Board to be nominated by Member
the Chairman of the Board of Governors Member
 - (5) Principal Member-
Secretary

All administrative matters of the College shall be considered by the Administrative Committee. The decisions taken by the Administrative Committee on routine matters will be implemented by the Principal whereas the policy matters shall be placed before the Board of Governors for their consideration and approval before being implemented.

28. Building & Works Committee

1. The Building & Works Committee (hereinafter in this rule referred to as Committee) shall consist of:
 1. Principal of the College Chairman
 2. RITES Member
 3. General Manager, Construction Agency of the zone Member
in which the College situated
 4. Chief Engineer, Hydel Member
 5. Chief Engineer, Jal Nigam Member
 6. Professor of Structural engineering in a sister Member
Engineering Institute
 7. One Senior Engineer & one Architect to be nominated by Member
& 8. Chairman, Board of Governors
 9. Head of Civil Engineering Department of the College Member

The Committee will make a comprehensive and exhaustive review of the proposal for building and structures and make recommendation in its report to the Board of Governors.

29. Personnel Committee

1. Personnel Committee (hereinafter in this rule referred to as Committee) shall consist of:
 - (i) Secretary, Technical Education Department Chairman
 - (ii) One other member of the board to be nominated by the Chairman of the Board of Governors Member
 - (iii) Principal Secretary
Member- Secretary
2. This committee will go into the cases of representations against the adverse character roll entries and make recommendations to the Board, dispose of the cases of confirmations of the employees whose appointing authority is the Board of Governors in accordance with the cases of the efficiency bar wherever applicable.

30. Purchase Committee

There shall be a Central Purchase Committee (hereinafter in this rule referred to as Committee) which will consist of:

- (a) The Principal Chairman
- (b) Two senior members of the faculty to be nominated by the Board of Governors Member
- (c) Head of the indenting department Member
- (d) One member to be nominated by the Government Member
- (e) Finance Officer Member
- (f) Registrar Member-
Secretary

There shall also be Departmental Purchase Committees consisting of the following:

- (a) Head of the Concerned Department Chairman
 - (b) One senior member of concerned department to be nominated by the Head Member
 - (c) One member from other faculty to be nominated by Principal Member
- Purchase up to Rs. 5000=00 pertaining to a particular department would be made on the recommendation of the Departmental Purchase Committee.

All purchases above Rs. 5000=00 would be made on the recommendation of the Central Purchase Committee.

The Government nominee's presence would be essential in the meetings of the Committee finalising purchases amounting to Rs. 10=00 lacs. All purchases above Rs. 10=00 lacs would be done on the recommendation of a committee consisting of:

- (a) Secretary, Technical Education Department Chairman
- (b) Head of the Concerned Department Member
- (c) Two senior faculty members Member
- (d) Nominee of the Finance Department Member
- (e) Nominee of the Hill Development Department Member
- (f) Principal Member-
Secretary

Purchase procedures would be as per Government rules, and directives of Government in this regard issued from time to time.

31. Academic Committee

- (1) The Academic Committee (hereinafter in this rule referred to as Committee) shall consist of:
- | | |
|---|----------|
| (a) The Principal | Chairman |
| (b) All the Heads of teaching Departments | Members |
| (c) Dean (Academic) or in his absence Registrar | Member |
- (2) The committee shall perform the following functions:
- (a) Frame and revise curricula and syllabi for the courses of studies for the various departments and send necessary recommendations through the College to the University to which the College is affiliated.
 - (b) Make arrangements for the conduct of all internal examinations and work associated with the same, as well as the work associated with the University examination, as and when assigned by the University to the College.
 - (c) Appoint advisory Committee or Expert Committee or both for the department of the College to make recommendations on academic matters connected with the working of the department. The Head of the Department concerned shall act as the convenor of such committee.
 - (d) Appoint sub-committees from amongst the members of the Academic Committee, other teachers of the College and expert from outside on such specific matters as may be referred to such sub-committee by the Academic Committee.
 - (e) Consider the recommendation of the Advisory Committee, Expert Committee or other sub-committees and take such action as circumstances of each case may require including making of suitable recommendations to the Board.
 - (f) Make periodical review of the activities of the departments and, if necessary, make suitable recommendations to the Board.
 - (g) Advise on the working of library and the workshop.
 - (h) Promote research within the College and require reports on such research from the persons engaged thereon.
 - (i) Advise on general policy to be followed in respect of consultation work to be done by academic staff.
 - (j) Provide for the inspection of classes, laboratories, library, and halls of residence in respect of the instructions, discipline therein and submit reports thereon to the Board.
 - (k) Award stipends, scholarships, free-ships, medals and prizes etc. according to the conditions attached to the awards.
- (3) The committee shall meet as often as necessary but not less two times during the calendar year.
- (4) Meetings of the Committee shall be convened by the Chairman of the Committee either on his own initiative or on the advice of the Principal or on a requisition signed by not less than five members of the committee.
- (5) Half of the total number of the Committee shall form the quorum for the meeting of the Committee.
- (6) A written notice of every meeting together with the agenda shall be circulated by the Registrar to the members of the Committee at least two weeks before the meeting. The Chairman of the Committee may permit inclusion of any item on the agenda for which due notice could not be given.
- (7) Notwithstanding anything contained in sub-rule (6), the Chairman may call an emergent meeting of the Committee at short notice to consider urgent or special issues.

- (8) The ruling of the Chairman of the Committee in regard to all questions of procedure shall be final.
- (9) The minutes of the proceedings of the Committee shall be drawn up by the Dean (Academic) or in his absence the Registrar and circulated amongst all members present in India:
 Provided that any such minutes shall not be circulated, if the Committee considers such circulation prejudicial to the interest of the College.
 The minutes along with the amendments, if any, shall be placed for confirmation at the next meeting. If the minutes are confirmed and signed by the Chairman of the Committee, they shall be recorded in the Minutes Books.

32. Powers and Duties of Chairman

- (1) The Chairman shall ordinarily preside at the meeting of the Board. It shall be the duty of the Chairman to assure that the decisions taken by the Board are implemented.
- (2) Notwithstanding anything contained in the bye-laws, the Chairman, with the prior approval of the State Government, shall have power to fix on the recommendations of the Selection Committee set up by or under the bye-laws, the initial pay of an incumbent at a stage higher than the minimum of scale in respect of posts to which appointments are to be made by the Board.
- (3) The Chairman shall have the power to send members of the staff of the College for training or for a course of instruction outside India subject to such terms and conditions as may be laid down in the study leave Rules.
- (4) The Chairman shall exercise such powers as may be delegated to him by the Board.
- (5) In emergent cases, the Chairman may exercise the powers of the board and inform the Board of the action taken by him for its approval.
- (6) The Chairman shall have the power to review all the decisions taken by the Sub-committee.

33. Power and Duties of Vice-Chairman

The Vice-Chairman shall exercise such powers and perform such duties as may be assigned or delegated to him by the Board or the Chairman.

34. Principal

- (1) The Principal of the College shall be appointed by the Board with the approval of the State Government:
 Provided that the first Principal shall be appointed by the State Government.
- (2) The Principal shall be the Chief academic and administrative officer of the College and shall be responsible for the proper administration of the College and for the imparting of instructions and maintenance of the discipline therein and shall perform such other duties as may be delegated to him by the Board.
- (3) The Principal shall submit annual reports and accounts to the Board.
- (4) Subject to the budgetary provisions made for the specific purpose, the Principal shall have the power to incur expenditure in accordance with the procedure as may be laid down by the Board from time to time.
- (5) The Principal shall have the power:
- (i) to fix, subject to the provisions of sub-rule 2 of the rule 29, on the recommendation of the Selection Committee set up by or under the bye-laws the initial pay of an incumbent at a stage higher than the minimum of the scale

but not involving more than five increments in respect of posts to which appointments can be made by him under the power vested in him by the Board.

- (ii) The Principal shall also have such other powers as may be delegated to him by the Board for effective discharge of his duties.
- (6) Without prejudice to anything contained in sub-rule (5), the Principal shall exercise all powers similar to those exercised by the head of a Government Department.

35. Head of a Department

- (1) Each teaching department or section of the College shall be placed in the charge of the senior-most teacher who shall act as Head of the Department without any additional remuneration:
Provided that in the best interest of the College, the Board may nominate any person other than the senior-most to act as such;
Provided further that the term and manner of the selection of the Head of the Department would be reviewed by the Board from time to time.
- (2) The Head of a Department shall be responsible for the entire working of the Department subject to the overall control of the Principal.
- (3) It shall be the duty of the Head of a Department to see that the decisions of the authorities of the College and the Principal are faithfully carried out. He shall perform such other duties as may be assigned to him by the Principal.

36. Registrar

- (1) The Registrar shall be a whole time officer of the College and be appointed by the Board on such terms and conditions as may be laid down in the bye-laws.
- (2) The Registrar shall:
 - (a) be the custodian of the records and funds of the College as the Board may assign to him.
 - (b) act as the secretary of such committees as may be appointed by the Board for which he is required by the Board to act as such;
 - (c) be directly responsible to the Principal of the College for the proper discharge of his duties and functions; and
 - (d) assign such other powers and perform such other duties as may be assigned to him by the Principal.

37. Funds

- (1) The College shall maintain a fund to which shall be credited:
 - (a) All money provided by the State and Central Government;
 - (b) All fees and other charges received by the College;
 - (c) All money received by the College by way of grants, gifts, donations, benefactions, bequests or transfers;
- (2) All money credited to the Fund of the College shall be deposited in such banks or invested in such manner as the Board may, with the approval of the State Government, decide.
- (3) The fund of the College shall be applied towards meeting the expenses of the College including expenses incurred in the exercise of its powers and discharge of its duties.
- (4) The College shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as may

be prescribed by the State Government in consultation with the Examiner Local Fund Account and the Accountant General Uttar Pradesh.

- (5) The Accounts shall be audited by the Examiner Local Fund Account, or by any person authorised by him in this behalf and any expenditure incurred in connection with such audit at such rates, as may be determined by the Examiner, Local Fund Account, shall be payable to the Examiner, Local Fund Account, provided that the accounts shall always be open to audit by Comptroller and Auditor General of India or his representative on such terms and conditions as the latter may authorise.

38. Common Seal

The society shall have a common seal and shall sue and be sued in the name of the Secretary of the Society.

39. Modification of the Purpose of Society

Subject to prior approval of the State Government, the Society may amend any purpose or purposes for which it is established.

Provided it carries out the procedure prescribed therefor by the Societies Registration Act, 1860 (Act No. XXI of 1860).

40. Modification of the Rules

These rules may be altered with the prior approval of the State Government at any time by a resolution passed by a majority of two third of the members present at any meeting of the Society duly convened for the purpose.

41. All Contracts for And On Behalf of the Society

- (1) shall be expressed to be made in the name of the Society and shall, except where the contract related to his own employment, be executed by the Principal of the College.
- (2) No contract for the sale, purchase or supply of any goods or material shall be made or financial agreement entered into for and on behalf of the Society with any member of the Society or the Board of Governors or his relative or a firm in which such member or his relative is a partner or share-holder or any other partner in such a firm or a private company of which the member is a member or Principal.

We the following members of the Board of Governors certify that the above Rules of the Society is an amended correct copy:

1. Sd/-
(A.P. Singh)
Principal Secretary to Government of U.P.,
Hill Development Department,
LUCKNOW.
2. Sd/-
Principal Secretary to Government of U.P.,
Technical Education Department,
LUCKNOW.
3. Sd/-
(B. Satyanarayana)
Principal.

BYE-LAWS
OF
GOVIND BALLABH PANT ENGINEERING COLLEGE
GHURDAURI, PAURI

(Garhwal)

(RUN BY REGISTERED SOCIETY FULLY FINANCED BY GOVERNMENT)

1. **DEFINITIONS:**

- (a) "Authorities", "Professors", and "Officers" respectively mean the Authorities, Professors and Officers of the College.
- (b) "Board" means the Board of Governors of the College.
- (c) "Bye-Laws" mean the Bye-Laws of the Engineering College.
- (d) "Chairman" means the Chairman of the Board.
- (e) "Principal" means the Principal of the College.
- (f) "College" means the concerned College.
- (g) "Registrar" means the Registrar of the College.
- (h) "Rules" mean the Rules of the concerned College.
- (i) "Society" means the concerned Engineering College Society.
- (j) "State Government" means the Government of Uttar Pradesh.
- (k) "Warden" means the Warden of a Hall of Residence of the College.
- (l) "University" means the University to which the College is affiliated.

2. **CLASSIFICATION OF MEMBERS OF THE STAFF OF THE COLLEGE**

Except in case of employees paid from emergencies, the members of the staff of the College shall be classified as follows:

- (a) Academic and Administrative
 - (i) Principal
- (b) Academic
 - (i) Professor including Professor, Training & Placement.
 - (ii) Associate Professor, if any.
 - (iii) Reader/Assistant Professor.
 - (iv) Lecturer.
 - (v) Workshop Superintendent.
 - (vi) Assistant Workshop Superintendent.
 - (vii) Physical Training Instructor, if any.
 - (viii) Teaching/Research Assistant.
 - (ix) Such other academic staff as may be decided by the Board.
- (c) Teaching Supporting.
 - (i) Computer Systems Manager.
 - (ii) Computer Programmer.
 - (iii) Technical Assistants.
 - (iv) Demonstrators.
 - (v) Workshop Instructors/Instructors.
 - (vi) Computer Operators.
 - (vii) Computer Data Operators.
- (d) Technical
 - (i) Foreman.
 - (ii) Supervisor (Workshop).
 - (iii) Mechanics.
 - (iv) Horticultural Assistant, if any.

- (v) Draftsman, and
- (vi) Such other technical staff as may be decided by the Board.
- (e) Administrative (Non-Teaching)
 - (i) Registrar.
 - (ii) Deputy Registrar.
 - (iii) Assistant Registrar/Head Assistant.
 - (iv) Finance Officer.
 - (v) Audit Officer, if any.
 - (vi) Stores or Purchase Officer, if any.
 - (vii) Estate Officer, if any.
 - (viii) Medical Officer, if any.
 - (ix) Engineer (Executive/Assistant).
 - (x) Librarian.
 - (xi) Deputy Librarian, if any.
 - (xii) Assistant Librarian, if any.
 - (xiii) Such other administrative staff as may be decided by the Board.

3. APPOINTMENTS:

- (1) All appointments to posts under the College shall be made:
 - (a) by the Principal if the maximum of the scale does not exceed Rs. 2900/- (Except Class II) and
 - (b) by the Board in other cases.

Provided that

- (1) At least 50% of the vacancies other than those of teachers and 25% of the vacancies in the administrative posts of the College, excluding the post of Principal, Registrar and single post not falling under the line of promotion of any category shall be filled by promotion in order of seniority-cum-merit provided the employees of the College fully possess the requisite qualification and experience as prescribed for individual posts, without exception.
- (2) The first vacancy shall be filled by direct recruitment and the second vacancy will be filled up by promotion and so on.
- (3) While making appointment to the non-academic posts, the appointing authority shall take into consideration the claims of the members of the Scheduled Castes and Scheduled Tribes and also provide reservation to Backward Class, Fighters of Freedom, Disabled, Ex-Servicemen as per orders of the Government of Uttar Pradesh as amended from time to time.
- (4) Preference shall be given to Hill area candidates keeping qualifications and experience at par.

4. SELECTION COMMITTEE

Selection Committee for filling the various posts, other than Principal on which appointments are made on contract basis in the College, including the post of Professor, Associate Professor, Reader/Assistant Professor and Lecturer, shall be constituted in the manner laid down below namely:

(A) Selection Committee for the Post of Professor, Associate Professor, Reader/Assistant Professor, Workshop Superintendent & Librarian:

- (i) Vice-Chancellor of the University to which the College is affiliated or an eminent academician nominated by the Government Chairman
- (ii) Principal Vice-Chairman

- (iii) An Officer of the Technical Education Department to be nominated by the Chairman, Board of Governors for a period of three years Member
- (iv) Head of the Department concerned, Provided that the Head of the Department shall not sit in the Selection Committee when he himself is a candidate for appointment or the post concerned is of the same or a higher rank. Member
- (v), Three experts to be selected by the Principal of the College
(vi) from the panel of experts constituted under rule 5
& (vii) Provided that the Selection Committee shall not be deemed to be duly constituted unless all the experts have been given due notice after confirmation thereof of the meeting, but in any Selection Committee the number of experts shall not be more than two. Members
- (viii) A person to be nominated by the All India Council for Technical Education for a period of three years Member

NOTE:

- (1) The Selection Committee shall not consider any person for appointment as Associate Professor and/or Reader/Assistant Professor unless he had applied for the post.
- (2) No selection for the post of Professor would be held unless the Chairman is himself present.
- (3) The presence of the Government nominee shall be essential for all selections under this category.

(B) Selection Committee for the post of Lecturer, Medical Officer, Deputy Librarian, Workshop Superintendent:-

- (i) Vice-Chancellor of the University to which the College is affiliated or an eminent academician nominated by the Government Chairman
- (ii) Principal Vice-Chairman
- (iii) Head of the concerned Department, Provided that he holds a post higher than the post concerned Member
- (iv) A person to be nominated by the Chairman, Board of Governors for a period of three years Member
- (v) & Two experts to be selected by the Principal
(vi) from the panel of experts constituted under rule 5, Provided that the Selection Committee shall not be deemed to be duly constituted unless all the experts who are members of the Selection Committee have been given due notice after confirmation thereof of the meeting and at least one of them is present, but in any Selection Committee, the number of experts shall not be more than two. Members
- (vii) A person to be nominated by the All India Council for Technical Education for a period of three years. Member

NOTE: The Selection Committee shall not consider any person for appointment as Professor, Associate Professor and/or Reader/Associate Professor unless he had applied for the post.

(C) Selection Committee for non-teaching posts in the Grade of Rs. 2200-4000 and above but below the rank of Principal.

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|-------|--|---------------|
| (i) | Vice-Chancellor of the University to which the College is affiliated or an eminent academician nominated by the Government | Chairman |
| (ii) | Principal | Vice-Chairman |
| (iii) | A person to be nominated by the Chairman, Board of Governors for a period of three years | Member |
| (iv) | One member of Board of Governors nominated by the Board for three years | Member |
| (v) | One expert from Industry/other Engineering College/ University | Member |

(D) In the case of all other posts, the principal shall at his discretion, constitute such Selection Committee as shall be considered appropriate by him. For posts having pay scale between 2900 and 3500 the Selection Committee is as under:

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|-------|---|----------|
| (i) | Principal | Chairman |
| (ii) | Registrar | Member |
| (iii) | Finance Officer | Member |
| (iv) | Nominee from other Engineering College nominated by Principal with the approval of Technical Education Department | Member |

5. (a) Screening Committee consisting of the following shall examine the credentials of all persons who have applied for a particular post(s) in the light of the requirements for the post(s) as given in the relevant advertisement and shall forward names of qualified candidates for interview. The following will be the membership of the Screening Committee:

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|-------|----------------------------------|----------|
| (i) | Principal | Chairman |
| (ii) | One expert | Member |
| (iii) | Head of the Department concerned | Member |
- (b) A panel of experts in each field of specialisation shall be approved by the Board from which the experts will be invited for the Selection Committee.
- (c) The Selection Committee shall interview all the candidates called for interview on recommendation of the Screening Committee.
- (d) The Selection Committee shall *inter alia* consider the bio-data of any person suggested by any member of Selection Committee or brought otherwise to its notice for the post of Professor only
- (e) The Selection Committee shall then recommend suitable candidates (Not more than three) for each post and shall arrange their names in order of preference.

6. Subject to the proviso to clause (A) to bye-law 4 of these Bye-laws, no act or proceedings of the Selection Committee shall be called in question on the ground merely of the absence of any member or member of the Selection Committee: Provided that at least half the number of members of the Selection Committee are present at the time of selection of candidates.

7. (a) Qualification required for the various academic and administrative posts shall be such as may, from time to time be laid down by the All India Council for technical Education or the University to which the College is affiliated.

(b) The scales of pay and allowances for every post will be determined by the Board with the approval of the State Government.

8. SENIORITY OF STAFF:

(i) Seniority of staff in the College service will be determined by the date of joining the appointment in the particular grade.

Provided that the relative seniority given to candidates by a Selection Committee and approved by the Board of Governors will remain undisturbed.

(ii) If two or more persons have equal length of service in a particular grade, the relative seniority among such persons shall be determined by age if both are new entrants, otherwise by seniority in the previous appointment in the College.

(iii) Seniority as determined above will be applicable only for the period a person holds an appointment in a particular grade and will start afresh in case of re-appointment after a break.

9. TERMS AND CONDITIONS OF SERVICE OF PERMANENT EMPLOYEE:

Permanent employees of the College shall be governed by the following terms and conditions:

(1) Every appointment shall be subject to the conditions that the appointee is certified as being in sound health and physically fit for service by medical authority nominated by the Board:

Provided that the Board may, for sufficient reasons to be recorded, relax the Medical Requirements in any particular case or cases or dispense with such medical examination in any case or class of cases, subject to such conditions, if any, as may be laid down by the Board.

Provided further that once a person is asked to produce a medical certificate of fitness for entry into the service of the College, and has actually been examined and declared unfit, it is not open to the appointing authority to use its discretion to ignore the certificate that has been produced.

(2) Subject to the provisions of the Rules and the Bye-laws, all appointments to posts under the College shall ordinarily be made on probation for a period of one year in case of the Principal and Professors, and two years in case of all other teaching, non-teaching and administrative staff after which period the appointee if confirmed, shall continue to hold his office subject to the provisions of the Rules and Bye-laws, till he attains the age of superannuation.

(3) The employees of the College shall be entitled to the benefit of Provident Fund, Pension and other benefits maintained for persons in the service of the College in accordance with the provisions of these Bye-laws and the Rules framed by the Board for the purpose from time to time.

(4) The employees of the College shall be required to subscribe to the Provident Fund of the Society as per provisions made in the Rules of the College.

(5) The appointing authority shall have the power to extend the period of probation of any employee of the College for such period not exceeding a period of two years as may be found necessary. If after the period of probation, the appointee is not confirmed and his probation is also not formally extended, he shall be deemed to have continued on a temporary basis and his services may then be terminable on a month's notice.

(6) An employee of the College shall devote his whole time to the service of the College and shall not engage directly or indirectly in any trade or business or in private tuition or any other work which may interfere with the proper discharge of his duties, but the prohibition herein contained shall not apply to academic work and consultative practice undertaken with specific prior

permission of the Principal which may be given subject to such condition regarding acceptance of remuneration, etc. as may be laid down by the Board.

- (7) The employees of the College shall be governed by the College Employees Conduct Rules.
- (8) The appointing authority shall have the power to terminate the services of any member of the staff without notice and without any cause assigned during the period of probation or the extended period of probation, as the case may be.
- (9) The appointing authority shall have the power to terminate the service of a member of staff by giving him three months notice or pay in lieu thereof in case he is found, on the report of a medical authority nominated by the Board, to be physically or mentally unfit for service in the College.
- (10) The Board shall have the power to terminate the services of any permanent member of the staff on ground of retrenchment or economy by giving to the person concerned six months notice or pay in lieu thereof.
- (11) The appointing authority shall have the power to terminate the services of any permanent member of the staff by giving him three months notice or three months pay in lieu thereof, if his services are found to be no longer required by the College.
- (12) Save as otherwise provided in agreement bonds executed between the employer and the College, a member of staff may terminate his engagement by giving to the appointing authority three months notice in writing. The appointing authority may, for sufficient reasons to be recorded, reduce this period.
- (13) (a) The appointing authority may place any member of the staff appointed at the College, under suspension;
 - (i) Where a disciplinary proceeding against him is contemplated or is pending; or
 - (ii) Where case against him in respect of any criminal offence is under investigation or trial.
 (b) A member of the staff under suspension is entitled to a subsistence grant of such amount not less than one fourth of his pay and not more than one half of his pay as the suspending authority may direct, provided that in no case shall the amount of the subsistence grant exceed the maximum limits of leave salary on half average pay or half average substantive pay.
- (14) The following penalties may, for good and sufficient reasons, and as hereinafter provided, be imposed on any member of the staff:-
 - (i) Censure.
 - (ii) Withholding of increment or promotion.
 - (iii) Recovery of the whole or part of the pecuniary loss caused to the College by negligence or breach of orders.
 - (iv) Reduction to a lower service, grade or post or to a lower time scale or to a lower stage in a time scale.
 - (v) Compulsory retirement.
 - (vi) Removal from service which shall not be a disqualification for future employment under the College.
 - (vii) Dismissal from service which shall be disqualification for the future employment under the College:

Provided that no order imposing on any member of the staff, penalties specified at (i), (ii) and (iii) above shall be passed by any authority subordinate to that by which he was appointed and unless he member of the staff

concerned has been given an opportunity to make representation to the appointing authority:

Provided further that no order imposing on any member of the staff, penalties specified at (iv) to (vii) above shall be passed by any authority subordinate to that by which he was appointed and except after an enquiry has been held and the member of the staff has been given reasonable opportunity of showing cause of the action proposed to be taken in regard to him.

- (15) Notwithstanding the provisions made hereinbefore, it shall not be necessary to follow the procedure mentioned above in the following cases:-
- (a) Where an employee is dismissed or removed or reduced in rank on the ground which has led to his conviction on a criminal charge.
 - (b) Where the authority empowered to dismiss or remove the person or to reduce him in rank is satisfied that for some reason, to be recorded by the authority in writing, it is not reasonably practicable to give it to that person an opportunity of showing cause.
NOTE: If any question arises whether it is reasonably practicable to give to any person opportunity of showing cause under this clause, the decision thereon of the authority empowered to dismiss or remove such person or to reduce him in rank, as the case may be, shall be final.
 - (c) Where the Chairman is satisfied that in the interest of the security of the State, it is not expedient to give the person such an opportunity.
- (16) A member of the staff aggrieved by any order imposing penalty passed by the principal against him, shall be entitled to prefer an appeal to the Chairman, Board of Governors, against the order, within six months, and decision of the Chairman shall be final.
- (17) (i) When an employee of the College, who has been dismissed, removed, or suspended, is reinstated, the authority competent to order the reinstatement shall consider and make a specific order:-
- (a) regarding the pay and allowances to be paid to the employee for the period of absence from duty, and
 - (b) whether or not the said period shall be treated as period spent on duty.
- (ii) Where the authority mentioned in clause (i) is of the opinion that the employee has been fully exonerated or, in the case of suspension, that it was wholly unjustified, the employee shall be given the full pay and allowances to which he would have been entitled had he not been dismissed, removed or suspended as the case may be.
- (iii) In other cases, the employee shall be given such proportion of such pay and allowances as such competent authority may prescribe:
Provided that the payment of allowances under clause (i) and (ii) above shall be subject to all other conditions under which such allowances are admissible.
- (iv) In a case falling under clause (ii), the period of absence from duty shall be treated as a period spent on duty for all purposes.
- (v) In a case falling under clause (iii), the period of absence from duty shall not be treated as period spent on duty unless such competent authority specifically directs that it shall be so treated for any specified purpose.
- (18) LEAVE: The employees of the College shall be entitled to leave in accordance with provisions laid down by the Board in the leave regulations.
- (19) It shall be for the Board to decide as to which class of employees of the College shall be entitled to vacation.

(20) The employees of the College will receive such medical facilities for themselves and their families as provided by the Medical Rules.

10. TRIBUNAL OF ARBITRATION

Any dispute arising out of a contract between the College and its officers or teachers, shall, on the request of the officers or teachers concerned, be referred to a tribunal of arbitration consisting of one member nominated by the Board of Governors, one member nominated by the officer or teacher concerned and an umpire appointed by the Chairman. The decision of the Tribunal thereon shall be final and no suit shall lie in any court in respect of the matter decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration within the meaning of the Arbitration Act, 1940, and all the provisions of the Act shall apply accordingly.

11. APPOINTMENT ON CONTRACT:

Subject to the provisions contained in the Memorandum of Association, the Board may, in special circumstances, appoint an eminent person on the teaching staff on contract for a period not exceeding five years, with a provision of renewal for further period, provided that every such appointment and the terms thereof shall be subject to the prior approval of the State Government.

12. TEMPORARY EMPLOYEES:

The service of a member of staff appointed temporarily can be terminated by the appointing authority by giving one calendar month's notice or by paying a sum equivalent to one month's salary in lieu of notice without assigning any reason.

A member of staff can also terminate his engagement by giving to the appointing authority one month's notice in writing or by paying to College one month's pay in lieu thereof. The appointing authority may, for sufficient reasons to be recorded, reduce this period.

13. GENERAL PROVIDENT FUND & PENSION:

All the benefits of General Provident Fund & Pension shall be provided to the employees of the College as approved by Board of Governors in accordance with government orders applicable from time to time.

14. TRAVELLING ALLOWANCE:

The College will observe the same rules in regard to travelling and daily allowances as are enforced by the State Government from time to time.

15. RESIDENTIAL ACCOMMODATION FOR STAFF:

An employee of the College may be provided with unfurnished house as licensed, if available situated within the campus of the College in which he shall be required to reside, subject to the conditions laid in regulation regarding allotment of Residential Accommodation to employees of the College.

16. APPOINTMENT ON DEPUTATION:

A member of the staff of the College can be sent to deputation as per the norms of Government of Uttar Pradesh.

17. GENERAL:

Any matter not covered by the above rules and Bye-laws will be governed by the relevant rules applicable to the employees of the State Government for time being in force till the Board frames its rules and Bye-laws.