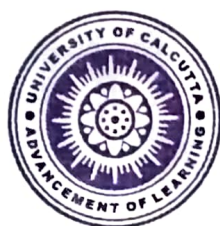


THE CALCUTTA UNIVERSITY FIRST STATUTES, 1979



(with upto-date amendments)

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CHAPTER VIII

Appointment of teachers and Principals of a affiliated colleges, their hours of work, minimum emoluments, outside activities and 'supplemenary employment, etc.

PART - I

GENERAL

Appointment of Teachers of Colleges.

101A. Appiintrnent of teachers, whole-time or part-time, including Principals, of affiliated colleges other than Government Colleges shall be made in accordance with the provisions of the West Bengal College Service Commission Act, 1978 (West Bengal Act LXII of 1978) and the rules made thereunder.

101B. In the event, the Principal of a college retires or is on leave for a long period, the Governing Body of the college shall appoint a teacher-in-charge from among the whole time teachers of the college. The senior- most teacher of the college shall be so appointed provided there is no serious charge against him/her and he/she is not mentally or physically unfit. If the seniormost teacher refuses on any ground considered to be reasonable by the Governing Body to take up the responsibility, the teacher next in the seniority list shall be appointed and so on. The term of appointment of the teacher-in-charge shall not ordinarily be more than six months at a stretch during which the Governing Body shall make all effort to have a person recommended by the West Bengal College Service Commission to be appointed as Principal of the College. If no name of a Principal is received within this time, the tenure of the service of the teacher-in-charge may be extended for a further period. To avoid difficulty in this regard, requisition to the Service Commission must be sent well in advance before the date of retirement of the Principal.

102. Omitted.

Commencement of Period of Service.

102A. In calculating the period of service a teacher of a college in any post for any purpose including the operation for a time scale of pay, service shall be counted from the date of' his joining the post on his first appointment as a probationer ; provided that if the teacher began his service as a temporary appointee who was afterwards appointed for the same or any other post, service shall be counted from the date of his joining the appointment as a temporary appointee, if there is no break in service during the period preceding his permanent appointment.

Explanation :— The following shall be treated as 'break' in service :—

- (a) unauthorised leave of absence ;
- (b) unauthorised absence in continuation of authorise leave of absence.

Hours of Work.

103. (1) There will be 36 weeks of direct teaching for a college which has to maintain a 6-day week so that there are at least 180 days of direct teaching for each teacher in each academic year.

However, a college remaining open for all the 6 days in a week, an individual teacher can stay away from the college for one day for doing academic work like preparing lessons, doing library work or research work or evaluating answer scripts. But every teacher shall ensure that he has at least 180 days of direct teaching per academic year.

Direct teaching hours shall be for a minimum of 16 hours per week for all teachers. Two hours of relaxation can be given for those who are actively engaged in research and/or administrative work.

'Direct teaching' means (a) delivering lectures and holding tutorial classes for effective teaching; (b) conducting practical classes and field work as required for the coverage of the syllabus; (c) holding of class tests; (d) any other activity within the class-room directly related with academic uplift of the students.

Explanation :— (a) For the purpose of this Statute one period of Honours theoretical work shall be considered equivalent to 1.5 period of pass theoretical class and (b) two periods of practical/tutorials/seminars, whether Honours or Pass shall be treated as equivalent to 1.5 periods of Pass theoretical class, if one teacher takes the class, but if such practicals/tutorials/seminars are taken by two teachers jointly, two periods of such practical/tutorial/seminar classes shall be considered to be equivalent to one period of Pass theoretical class for each teacher.

(2). A teacher must be available in the college for at least 5 hours on each working day. The administration will make an effective programming of the time of a teacher by taking among others, steps like increasing the number of teaching hours, introducing tutorials, arranging counselling programmes and group discussion with students, holding Departmental meetings etc. Such programming will be essential particularly during the slack session of the college.

It will be obligatory for a teacher to co-operate and assist in carrying out functions relating to educational responsibilities of the college, such as, assisting the Principal in processing the applications for admission, advising or counselling the students and assisting in University and college examinations including invigilation and supervision thereof as and when required by the Principal.

The stipulations regarding the number of working hours will not be applicable when a teacher is engaged in conducting field work, excursions and supervisions of practice teaching approved by the college authority. For Morning Colleges as well as for Evening Colleges housed in the same building it may be difficult to ensure minimum attendance of 5 hours for each teacher. These colleges shall enhance the number of working hours as far as possible by adjustment with the day-time colleges.

Explanation :- The expression "to co-operate and assist", in relation to University examinations, shall, for the purposes of this Statute, mean to include compulsory and effective participation of teachers, including Principals, of affiliated colleges in all matters relating to such examinations if and when the services of such teachers, including Principals, are requisitioned by the University for any purpose relating to such examinations.

(3) "(a) Every teacher, including the Principal of a college, shall daily sign an attendance register maintained for the purpose, recording the time of arrival and departure, the number of classes allotted and the number of classes taken as well as other duties performed. The Principal may authorise the senior most teacher to check and countersign the register daily, however, he will personally check the register at least once a week.

(b) Every teacher has to fill up an annual self-appraisal report mentioning the number of classes allotted and classes taken throughout the year and other details as prescribed in the approved proforma of such report. These reports shall be part of the Service Book of the teacher. The self-appraisal report and the Service Book shall be kept in the custody of the Principal of the College.

(4). In particular and without prejudice to the foregoing provision, a teacher shall perform the following duties :-

(a) to perform invigilation work in any examination for any course of study taught in the college ;

(b) to draw routines ;

(c) to carry out assignment for such field work as may be necessary for the courses taught in the college ;

(d) to assist the Principal with regard to admission or students ;

(e) to participate in N.C.C., N.S.S. and Sports and Games for the well-being of the students ;

(f) to assist the Principal in the management of hostels and messes attached to the college or administered by the college ;

(g) to make the internal assessment of students ; and

(h) to evaluate answer scripts of students and undertake any other duty, related to any examination conducted by the college and the university, on being directed and appointed to do so.

(5). *Duties of a Principal :* (a) The Principal of a College shall be in overall charge of the administration of a college. Policy matters are to be decided upon by the Governing Body. But details of implementation and day to day administration are to be done by the Principal. The Principal shall be accountable to the Governing Body for his/her performance.

(b) The Principal, as the Secretary of the Governing Body, will call meetings of the Governing Body and place before the Governing Body all the facts and information for taking an appropriate decision.

(c) the principal shall be regular in his/her attendance in the college and shall be present as far as possible, in the college during working hours. He/she will sign the attendance register to record the time of arrival and departure.

(d) It is the duty of the Principal to be in overall charge of University examinations and admissions held in the college. The members of the Examination/Admission Committee will help the Principal in such matters. Under unavoidable circumstances, the Principal may depute a teacher in his/her place to carry on such duties.

(e) The Principal shall check or cause to be checked the attendance of the teaching as well as non-teaching staff of the college. He must also ensure that the attendance registers of the students are properly maintained. A student who does not meet the percentage requirement for being treated as a regular student cannot be allowed to sit for the university examination.

(f) Departmental meeting shall be regularly arranged by the Principal to review the progress of course coverage by the teachers concerned.

(g) The Principal shall ensure that at least six meetings of the Teachers' Council are held in an academic year.

(h) The Principal, with the help of the burser, must see that accounts of the college are regularly maintained and audited. Financial irregularities, if any, must be brought to the notice of the Finance Committee for taking proper action. At least four meetings of the Finance Committee shall be held during a year.

(i) The Principal must submit each year the list of the teachers in the college (subject-wise) along with their residential addresses to the Controller of Examinations for appointment of examiners in order to facilitate the publication of results of university examinations.

(j) The Principal shall see that the vacant posts are filled up without delay and due financial assistance is obtained and utilised. Papers related to promotion, fixation to pay, claim for retirement benefits, etc. of the members of the staff are to be sent by the Principal to the appropriate authorities in time.

(k) The Principal shall ordinarily take not less than four periods of class work in a week in his subject.

(l) Any other duty which may be assigned to the Principal by the Governing Body.

104. (1) A whole time teacher of a college enjoying University Grants Commission scale of pay, shall retire from service with effect from the afternoon of the last day of the month in which he attains the age of Superannuation, that is, 60 years.

(2) Omitted

(3) Omitted

Minimum Emoluments.

105. (1) Omitted

(2) Omitted

Fixation of Initial Salary in Certain Cases.

106. Omitted

107. Omitted

Temporary Teachers not to be deprived of Vacation Salary in Certain Cases.

108. Omitted

Service Book

109. Omitted

Other Employment.

110. No teacher (including the Principal and the Vice-Principal) of a colleges shall be permitted to engage himself either in private tuition or in any other remunerative assignment not authorised by the University :

Provided that—

(a) no whole-time teacher (including the Principal and the Vice-Principal) of an affiliated college shall be permitted to do part-time teaching work without the approval of the University ; but this provision shall not apply in the case of whole-time teachers of affiliated colleges who are part-time teachers of the University

(b) the whole-time teachers of affiliated colleges who are offered part-time lectureship in any other University shall have to obtain prior permission from the Vice-Chancellor before accepting such offer;

(c) any teacher contravening the provisions of this Statute shall be liable to such disciplinary action as the University may deem fit.

111. Omitted.

Resignation.

112. (1) Subject to the terms and conditions of any existing contract, no permanent teacher of a college shall be entitled to terminate his service by voluntary resignation without filing in writing with the Principal notice of his intention to resign and such notice shall be so filed —

(a) in the case of a resignation at the end of an academic year, at least one month in advance, or

(b) in the case of a resignation at any other time at least two months in advance :

Temporary or probationary teachers may terminate their service by voluntary resignation by filing with the Principal similar notice in writing at least one month in advance

Provided that in special circumstances the Governing Body on the recommendation of the Principal, may accept a notice of intention to resign for a shorter period.

(2) Any contravention of the provisions of Paragraph (1) shall, at the discretion of the Governing Body, entail forfeiture of salary for the period by which the notice falls short of the requirement of Clause (a) or Clause (b) of Paragraph (1) in addition to such disciplinary action as may be taken for such contravention.

Disciplinary Action

113. The teachers of a college including the Principal, for reasons stated below and in the manner prescribed, shall be subject to the following disciplinary actions and measures to be imposed by the Governing Body of the College.

Reasons for disciplinary measures :-

- (a) Neglect of duty ;
- (b) Want of due diligence in the performance of duties ;
- (c) Engaging in any unauthorised work, gainful or otherwise;
- (d) Violation of orders regarding attendance and discipline ;
- (e) Misappropriation and defalcation or college fund ;
- (f) Insubordination or disregard of violation of the orders of the superior authority ;
- (g) Commission of any offence involving moral turpitude ;
- (h) Conviction by a Criminal Court ;
- (i) Taking of illegal gratification ;
- (j) Tampering with official records ;
- (k) Unauthorised absence.

Apart from the above reasons, the university may direct the Governing Body to initiate disciplinary proceedings against a teacher or Principal if the University decides that the concerned person is guilty of dereliction of duty connected with any work related to University Examination or other matters.

Disciplinary Measures :

- (i) Censure ;
- (ii) Recovery of pay, of the whole or part of any pensionary loss caused to the college by negligence or breach of any lawful order of the Governing Body or otherwise ;
- (iii) Withholding of increments or withholding of career advancement or both ;
- (iv) Suspension ;
- (v) Compulsory retirement ;

(vi) Removal from service which shall not be disqualification for future employment ;

(vii) Dismissal from service which shall ordinarily be a disqualification for future employment as a teacher ;

No order imposing any of the aforesaid measures shall be issued without informing the teacher concerned of the charges against him and giving him an opportunity of being heard and except after an enquiry held as per the principles of natural justice and in a manner prescribed by the Governing Body of the College.

An order of the Governing Body of the college imposing any of the penalties mentioned above shall be communicated to the teacher concerned and shall be reported to the concerned university.

A teacher, against whom an order imposing any of the penalties mentioned above has been passed, may prefer an appeal within thirty days from the date of receipt of such order to the Governing Body for penalties at (i), (ii) and (iii) above and to the concerned affiliating university in respect of (v), (vi) and (vii). In the latter case, the university shall, after giving the teacher and the Governing Body of the college an opportunity of being heard, pass such order as it thinks fit. The university may, by order of the Vice-Chancellor, delegate the power to some officer not below the rank of a Deputy Inspector of College.

However, before initiating such disciplinary measures against an erring teacher or Principal, the Governing Body shall try to initiate corrective measures. If the injury caused by the offending act is minor, then the offender may be let off with a written caution. The particulars of the offending act, however, shall be recorded in his/her Service Book for future reference.

Along with disciplinary measures, the Governing Body may also record its appreciation for teachers and Principals for outstanding performance.

PART - II

LEAVE

Leave not to be Claimed as of Right.

114. (1) Leave of absence from duty cannot be claimed as a matter of right and may, on application by a teacher of a college, be granted only when satisfactory grounds have been shown. When the exigencies of service so require, the authority competent to grant leave may refuse leave of any description or when any such leave is granted, revoke such leave or part thereof.

(2) No teacher who is under suspension shall be granted any leave.

(3) Absence without leave shall render a teacher subject to such disciplinary action as may be provided in the "Disciplinary Rules" prescribed by Statutes.

Application for Leave.

115. All applications for leave or for extension of leave shall be made in writing and addressed to the Principal and sanction for the leave or extension of leave, as the case may be, applied for shall be obtained before it is availed of :

Provided that if the authority, competent to grant the leave, is satisfied that it was not possible to apply for or obtain the sanction for leave of absence beforehand, leave may be granted with retrospective effect; but all applications for leave with retrospective effect shall be filed at the earliest possible opportunity.

Duration of Leave.

116. (1) Leave shall ordinarily commence on the date with effect from which it is actually availed of and terminate on the day preceding the date of resumption of duty :

Provided that Sundays or holidays may be prefixed or suffixed to leave, so, however, that for the purpose of prefixing or suffixing to leave holidays exceeding three days or a college vacation, previous sanction of the authority competent to grant the leave shall be obtained.

(2) Except with the previous permission of the authority granting the leave no teacher on leave may return to duty before the expiry of the period of leave granted to him.

Computation of Absence in Certain Cases.

117. If a teacher of a college is absent from duty on all the days of a week on which he has been assigned duties, whether such days are consecutive or not, he shall be deemed to be absent from duty for the whole of the week.

Leave not to Extend Beyond the date of Retirement.

118. No teacher of a college shall be granted leave beyond the date on which his service terminates by retirement

Provided that where for exigencies of service a teacher has been denied any leave, wholly or in part, leave so denied, may be granted to him although it may extend beyond the date of such termination of his service subject to the condition that no leave so granted shall extend beyond three months after such termination of his service.

Explanation : For the purpose of this Statute, a teacher shall be deemed to have been denied leave only if sufficiently in advance of the date of termination of his service he has either formally applied for leave extending up to the date of such termination of his service and the same has been refused to him on the ground of emergencies of service, or ascertained in writing from the authority competent to grant the leave that such leave, if applied for, would have been refused on the aforesaid ground.

Recalling from Leave.

119. The Principal of a college may, in his discretion, recall to duty, at any time, any teacher of the college who may be on leave, except on medical grounds, or on vacation, and when a teacher is so recalled to duty he shall be granted such travelling allowances as the Principal may consider reasonable.

Overstay.

120. If a teacher of a college has been granted leave to which holidays or a vacation has been suffixed and such teacher absents himself from duty beyond the expiration of such holidays or vacation, the whole period of his absence from duty after the expiration of such holidays or vacation shall be treated as absence from duty without leave and he shall not be entitled to his salary or allowances for such period unless and until the Governing Body otherwise directs.

Casual Leave.

121. (1) Casual leave on full pay may be allowed to a teacher of a college up to a maximum of fifteen days in any one academic year but not more than five days at a time.

(2) Casual leave may be prefixed or suffixed to Sundays but not to any other holidays or to vacations or to any other kind of leave.

(3) All casual leave to which any teacher of a college may be entitled during any academic year shall cease to be due to him at the end of such academic year and can not be accumulated or taken over or brought forward to any other academic year.

Explanation : For the purpose of this Statute "Casual Leave" means leave to which a teacher may be entitled in any academic year by virtue of his being a teacher and may be availed of by him for short period on account of illness or urgent private affairs.

Earned Leave.

122. (1) Every teacher of a college shall be entitled to leave on full pay, hereinafter referred to as earned leave, —

- (a) during the first seven academic years of service, to the extent of 15 days for every twelve months of active service, and
- (b) from the eighth Year of service onwards to the extent of thirty days for every additional twelve months of active service :

provided that when the earned leave accumulates to two hundred and forty days, the teacher shall cease to earn such leave.

(1A) Encashment of earned leave for a maximum of two hundred and forty days in respect of teachers of affiliated colleges, other than Government Colleges, at the time of their retirement on superannuation shall be allowed.

(2) Earned leave may be granted for such reasons as may be considered by the authority competent. to grant such leave which may include :—

- (a) illness of the teacher concerned,
- (b) illness of a member of the family of such teacher,
- (c) urgent private affairs, and
- (d) rest preparatory to retirement :

Provided that—

- (i) when earned leave is applied for on any of the grounds referred to in Clause (a) or Clause (b) the application shall be accompanied by a medical certificate signed by a registered medical practitioner;
- (ii) no teacher who has been granted earned leave under Clause (a) on a medical certificate may return to duty without producing a medical certificate of fitness signed by a registered medical practitioner.

Authority for Granting Leave.

123. Earned leave for any period not exceeding fifteen days at a time and casual leave may be granted to teachers of a college by the Principal

of the college. Earned leave for any longer period or any other kind of leave for any period may be granted by the Governing Body of the college.

Absence on Duty not to be counted as Casual Leave or Earned Leave.

✓ 124. Absence from duty of a teacher of a college on account of academic work elsewhere approved by the Governing Body of the college or on account of obligations in regard to the National Cadet Corps or the Social Service Camp or similar other obligations shall be deemed to be absence on duty and shall not be counted towards casual or earned leave.

Study Leave.

125. Leave of absence from duty with full pay for a period not exceeding eight weeks may be granted to a teacher of a college by the Governing Body of the college for the purpose of enabling the teacher to acquire any qualification which, in the opinion of the Governing Body, will enhance his efficiency as a teacher in the college and such leave shall be called Study Leave.

Special Study Leave.

126. A whole-time teacher of a college may be granted leave for pursuing studies in an institution considered by the Governing Body of the college as suitable for the purpose, for such period ordinarily not exceeding two years during the whole period of his service and on such terms and conditions, including conditions requiring the teacher to return to the college for a specified period of further service therein after the expiry of the leave as the Governing Body may deem fit. Such leave shall be called Special Study Leave.

Maternity Leave.

127. (1) Maternity leave may be granted to a female whole time teacher for a period not exceeding one hundred and thirty five days and the application shall be supported by a certificate from a Registered Medical Practitioner.

(2) Maternity leave, combined with any other kind of leave, may be granted only if the application is supported by a medical certificate signed by a registered medical practitioner.

(3) Maternity leave may be granted to a teacher of a college on full pay in cases of miscarriage, including abortion, subject to the condition that such leave shall not exceed six weeks and that the application for leave shall be supported by a medical certificate signed by a registered medical practitioner.

Quarantine Leave.

128. Leave of absence from duty may be granted to a teacher of a college on full pay when he is ordered by the Principal of the college not to attend his duties on account of the presence of any infectious disease in his family or household. Such leave may be granted, on a certificate signed by a registered medical practitioner, for a period not exceeding twenty-one days, or in exceptional circumstances, thirty days. Such leave shall be called Quarantine Leave and may be combined with any other kind of leave.

Medical Leave.

129. In case of illness, a teacher of a college may be granted leave on half pay for such period, not exceeding twenty days for each completed year of service as may be certified to be necessary by a registered medical practitioner, in addition to the earned leave to which he may be entitled.

Extra-ordinary Leave.

130. Extra-ordinary leave without pay may be granted to a teacher of a college in circumstances involving hardship for such period and on such terms and conditions as the Governing Body of the college may think fit and proper.

Compensatory Leave.

131. (1) Any teacher of a college who may be required, in the interests of the college, to work during a vacation shall be entitled to leave of absence from duty for an equal number of days for which he is so required to work during a vacation.

(2) Any leave granted under Paragraph (1) shall be on full pay and shall be called Compensatory Leave.

Conversion of Leave.

132. (1) At the request of a teacher of a college the Governing Body of the college may, by order, convert any kind of leave already granted into leave of a different kind, which may be admissible, with effect from such date as may be specified in the order; but a teacher shall not be entitled to claim such conversion of leave as a matter of right.

(2) If one kind of leave is converted into another, the amount of leave salary admissible shall be recalculated and the arrears of leave salary shall be paid to, or, as the case may be, amounts overdrawn shall be recovered from, the teacher concerned.

Combination of Different Kinds of Leave.

133. Except as otherwise specifically provided in these Statutes, any kind of leave may be granted in combination with or in continuation of any other kind of leave.

Application and Savings.

134. (1) Save as hereinafter provided, the provisions of these Statutes relating to leave shall apply to all whole-time teachers of colleges whether appointed before or after the commencement of these Statutes.

(2) If any such teacher of a college is, on the date of the commencement of these Statutes, in actual enjoyment of more liberal terms regarding leave, such a teacher shall not be deprived of such benefits but shall continue to enjoy the same.

Provided that, in such a case the teacher shall exercise, within a period of three months from the date of commencement of these Statutes, an option either to elect to come under these statutes or to remain under the old rules. The option so exercised shall be final and shall not be changed thereafter.

(3) Leave rules for part-time teachers of a college shall be framed by the Governing Body of the college with the approval of the Syndicate but no rules to be so framed shall contain more liberal provisions than those contained in these Statutes.

Leave Salary.

135. Leave salary shall be calculated on the basis of the rate of pay drawn by a teacher of a college on the day preceeding that on which the leave commences unless otherwise determined by the Governing Body of the college.

Leave Account.

136. A leave account shall be maintained by the Principal of the college for every teacher thereof but any leave granted under Statutes 125 to 128 shall not be debited to such account.

Working Days and Holidays.

136A. Every college shall abide by the pattern of holidays and recess as may be determined by the University from time to time. During the period of recess, only classes shall remain suspended. The number of working days in a college shall be at least 200 in an academic year. Academic Session of a college shall commence from the 1st day of July of every year and end on the 30th June of the following year. An academic session shall be divided into three different terms as follows :-

(1) FIRST TERM

The first term of a college shall commence from the first day of July of every year and shall close on the day from which the Puja holidays commence. Puja holidays shall be for 24 days commencing from Durga Sasthi and ending on the dew of Kali Puja.

(2) SECOND TERM

The second term shall commence from the date of re-opening of the college after the Puja vacation and shall continue till the 24th day of December of each year. Winter Recess shall be for a period of 8 days commencing on the 25th day of December of every year and ending on the first day of January of the year following.

(3) THIRD TERM

The third term shall commence from January 2 and shall continue till May 15 of every year. The Summer Recess shall commence on May 16 and shall end on the 30th day of June.

Festival Holidays

136 B. Every affiliated college shall enjoy the total number of Festival holidays as mentioned below

FESTIVAL HOLIDAYS FOR AFFILIATED COLLEGES

Sl. No	Occasion	No. of Days
(1)	New Year's Day (English)	1
(2)	Fateh Daul Doham	1
(3)	Birthday of Netaji	1
(4)	University Foundation Day	1
(5)	Republic Day	1
(6)	Saraswati Puja	2
(7)	Doijatra	1
(8)	Good Friday	1
(9)	Easter Saturday	1
(10)	Chaitra Sankranti	1
(11)	New Year's Day (Bengali)	1
(12)	May Day	1
(13)	Birthday of Rabiudranath	1
(14)	Buddha Purnima	1
(15)	Id-ul-Fitr	1
(16)	College Foundation Day	1
(17)	Janmastami	1