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GOVERNMENT OF KERALA

Higher Education (J) Department

NOTIFICATION

G. O. (Ms.) No. 120/91.

Dated, Thiruvananthapuram, 22nd June, 1991

S .R .O No. 954/91. –In exercise of the powers conferred by sub section (1) of section 39 of the Cochin University of Science and Technology Act, 1986 (31 of 1986), the Government of Kerala here by make the following First Statutes in respect of the appointment and other service conditions of the Teachers of the Cochin University of Science and Technology, namely: -

FIRST STATUTES

1. *Short title and commencement.* –(1) These Statutes may be called the Cochin University of Science and Technology First Statutes in respect of the appointment and other service conditions of Teachers of the University.

(2) These Statutes shall come in to force at once.
2. *Institution of posts.* –The Academic council shall be competent to institute Professorships, Readerships, Lecturerships and such other teaching posts required by the University in each department on the motion of the Syndicate or on the proposals of Academic Council.
3. *Abolition or suspension of posts.* –On the motion of the Syndicate. On report from the Academic Council the senate there on may abolish or suspend any Professorship, Readership, Lecturership or other teaching posts, provided, however, that no such suspension or abolition shall be made in the case of a post which is not permanently vacant at that time. No such suspension or abolition shall take effect until after six months, notice has been given to the permanent incumbent.
4. *Appointment of teachers.* –Teachers of the University shall be appointed by the Syndicate after advertisement in leading dailies in Malayalam and English, inviting applications. It shall however be competent for the Syndicate to appoint, in exceptional cases, Professors and Readers without advertisement, if it is satisfied that persons already in the service are suitable for the post. Teachers of the University shall be promoted by upgradation for their posts by applying the norms of up gradation as laid down by the Academic Council in accordance with the

guidelines issued by the University Grants Commission/All India Council for Technical Education.

5. *Qualification.* –No teacher shall be eligible for appointment as such in the University, unless he possesses such qualifications as may be prescribed by the Regulations made by the Academic Council.

6. (a) *Selection Committee for appointment of teachers.* –(1) The Vice-Chancellor shall, in consultation with the Syndicate constitute from time to time, separate selection committees for the purpose of selection of candidates for direct recruitment to the post of-

- (i) Professor, Reader.
- (ii) Lecturer and other post not being posts of non-teaching staff
- (iii) Non-teaching staff

(2) The Selection committee shall consist of- (a) in the case of the selection committee for selection of Professors and Readers, -

- (i) The Vice-Chancellor, Ex Officio Chairman;
- (ii) One member of the Syndicate nominated by the Vice-Chancellor;
- (iii) Three subject experts not being in the service of the University, chosen by the Syndicate; and
- (iv) The Dean of the Faculty concerned;

(b) In the case of the Selection Committee for selection of Lectures and other teaching staff, -

- (i) the Vice-Chancellor, Ex Officio Chairman;
- (ii) one member of the Syndicate nominated by the Vice-Chancellor;
- (iii) two subject experts, not being in the service of the University chosen by the Syndicate; and
- (iv) the Head of the concerned Department or Professor in-charge

(c) In the case of the selection Committee for selection of non-teaching staff,-

- (i) the Vice-Chancellor or Pro Vice-Chancellor, Ex Officio Chairman; and
- (ii) two members of the Syndicate nominated by the Vice-Chancellor, of whom one shall be a person belonging to the Scheduled Castes or Scheduled Tribes.

The Registrar shall be the Secretary of the committees.

7. *Mode of appointment of teachers.* – (1) Every teacher of the University shall be appointed by written order.

(2) A copy of the written order shall be lodged with the Registrar and the other delivered to the candidate concerned and his acknowledgement obtained.

(3) The teachers of the University may be assigned teaching/Research/examination work in their subject areas in any Department or institution in the University as and when required.

(4) The teacher of the University shall also undertake any other curricular or co-curricular activities assigned to him by the Vice-Chancellor.

8. *Certain lapses of University teachers to be punishable.* –The following lapses on the part of teachers in the University shall constitute improper conduct inviting disciplinary action; namely: -

(1) Failure to perform his academic duties such as, coming to the class without preparation for conducting lecture classes, demonstration, assessment, guidance, invigilation, etc.

(2) Gross partiality in the assessment of students such as over making/under making or attempt at victimisation on any ground whatsoever.

(3) Inciting students against other students colleagues, or against the University or the State Government or the Central Government, provided that a teacher may express his differences on principles in Seminars or other places, where students are present.

(4) Raising questions of politics, caste, creed, religion, race or sect in relationship his colleagues and trying to use the above consider actions for the improvement of his prospects.

(5) Refusal to carry out the decisions taken by appropriate administrative and academic bodies and/or functionaries of the University subject to the condition that they are not against the provisions of any law for the time being in force.

9. *Emoluments of the University teachers.* - The teachers of the University shall receive such emoluments as may be prescribed by the Ordinances.

10. *Disciplinary control of the Syndicate.* –All teachers of the University shall be subject to the disciplinary control of the Vice-Chancellor in the case of minor penalties and the Syndicate with one of major penalties.

11. *Applicability of certain Rules to University teachers.* – Subject to the provisions of the Act, and the Statutes issued thereunder, the Kerala Service Rules and the Kerala Government Servants' Conduct Rules for the time being in force as amended from time to time shall apply to the teachers of the University with such modifications, as any of the authorities of the University may make, and the expression 'Government in those rules shall be construed as a reference to the 'University' provided that the age of retirement of teachers of the University shall be 60. However they shall be allowed to continue till the last day of the month in which the academic year ends, if they complete the age of 60 on 2nd day of July or later during the course of an academic year. They shall not be eligible for promotion to another post during the period of such extension.

12. *Pension, Insurance & P F of University teachers.* -The teachers of the University shall be eligible for pension; insurance, provident fund and such other benefits as may be prescribed by the Ordinance under the Act.
13. *Initial pay of the University teachers.* -The Syndicate shall fix the starting pay of a teacher on appointment at any stage in the scale of pay applicable to that post on the recommendation of a selection committee/Board duly constituted for preparing a ranked list of applicants against the same post and subject to the guidelines issued by the Union Grant Commission on the matter from time to time.
14. *Honorary appointment.* -The Syndicate shall have the power to appoint competent person as Visiting Professors, Visiting Fellows or Honorary Professors on payment of such honorarium as it may fix for participating in University work in their respective subject and subject to such guidelines issued by the University Grants Commission on the Subject.
15. *Probation and confirmation.* -(1) Every teacher of the University shall in the first instance be appointed on probation. He shall, from the date on which he joins duty be on probation for a total period of one year on duty within a continuous period of 2 years.

Provided that it shall be competent for the Syndicate to extend the period of probation for a period not exceeding one year.

- (2) On satisfactory completion of probation a teacher holding a substantive post shall be confirmed in service by a written orders.
 - (3) If, on the expiry of the prescribed period or extended period of probation, the Syndicate decides that the teacher is not suitable for continuance in the post to which he has been appointed, it shall discharge him from the post after giving him a reasonable opportunity of being heard.
16. *Leave.* -(1) Subject to the modification hereinafter contained, the provisions relating to various kinds of leave in the Kerala Service Rules shall apply to teachers of the University.
 - (2) The Authority competent to sanction casual leave to the Head of the Department shall be the Vice-Chancellor and to other teachers the Head of the concerned department. The Head of the Department may avail himself of the casual leave after getting the prior approval of the Registrar .If the casual leave taken by a Head of the Department involves or is expected to involve absence from headquarters, he shall make arrangements for the satisfactory discharge of his work during the absence and also report that fact to the Registrar. He shall leave the headquarters only after ensuring himself that his report has reached the registrar.

- (3) Leave other than casual leave for a period not exceeding 30 days shall be sanctioned to the teachers of the grade of Lecturer and above, by the Vice-chancellor and to the teachers below the rank of lectures, by the Head of the department concerned and leave for longer period shall be sanctioned by the Syndicate.
- (4) No leave shall be sanctioned without ascertaining the eligibility of the applicant from the leave account maintained for the purpose.
- (5) In case where the University has granted leave without allowances to a teacher for enabling him to accept assignments in India and foreign assignments of visiting Professorships and the like, such leave without allowances shall count for increments in the Time-scale applicable to the post in which such teacher was officiating at the time he proceeded on leave and would have continued to officiate but for his proceeding on leave.

Explanation: -For the purpose of this Statute foreign assignment means an offer of a teaching-cum-research post outside India, which the University permits its teacher to accept in case it is of the opinion that the acceptance of such a teaching –cum-research post would enhance the usefulness of the teacher to the University on his return from abroad.

Disciplinary Procedure -The provisions relating to disciplinary procedure contained in part III of chapter IV shall mutates mutandis apply in the case of disciplinary action against the teachers of the University:

Provided that the disciplinary authority for imposing minor penalties on teachers of the University shall be the Vice-Chancellor and for imposing major penalties in the Syndicate

17. *Duties of a teacher of the University.* -It shall be the duty of a teacher of the University, as the Syndicate may direct-

- (i) To deliver Lectures, conduct classes, engaged in research and do such other academic work relating his subject and departments;
- (ii) To direct and supervise the work of research students in branches of knowledge relating to his subject working under him; and
- (iii) To advise the Syndicate, the Academic Council and the Faculties with respect to any other matter relating to his subject if so required.

*18. *Head of the Department.* -The Professor in charge of a Department shall be the Head of the Department. The Syndicate shall nominate the senior most Professors as Professor-in-charge of a Department. It shall, however, be open to the senior most Professor who has been nominated as such to make a request that he shall be relieved of such a responsibility for academic reasons. In such a case the next senior most Professor shall be the Professor in-charge. The Readers, Lecturers and other members of the teaching staff shall work under the direction of the professor. If there are more than one Professor, they shall work under the senior most Professor and assist him in the performance of his duties. In Department which have

*Amended

no Professor, the Reader or the Senior most Reader if there are more Readers than one, shall be the Head of the Department and other members of the teaching staff, if any, shall work under his direction and assist him in the performance of his duties. In Departments which have no Professor or Reader, the Lecturer or the Seniormost Lecturer, if there are more Lecturers than one, shall be the Head of the Department and the other members of the teaching staff, if any, shall work under his direction and assist him in the performance of his duties.

19. *Confidential reports of the Head of the Department.* –The Vice-Chancellor shall write the confidential report of the Head of the Department in the prescribed form before the 31st January of each year and keep them in his personal custody. The confidential report should be shown to the Officer concerned and his acknowledgement obtained on the report itself. The officer concerned shall have a right to make representation against the adverse remarks, if any.
20. *Powers of the Head of Departments.* -The Head of Departments shall exercise the following powers, namely: -
- (1) Administrative powers:
 - (i) to sanction tours within the radius of 20 Kilometer from the Headquarters of all employees of the Department for authorized Official purpose;
 - (ii) to grant leave of all kinds not exceeding 30 days according to the service Rules (except leave for higher studies special disability leave and leave on loss of pay for taking employment etc. as otherwise provided to all officers of non-gazetted status in the Department and casual leave to officers of non-gazetted status in the Department and casual leave to offices of gazetted status in the Department.
 - (2) Financial powers:
 - (i) To operate on the funds provided in the budget under their respective departments and to draw non-countersigned contingent and establishment bills.
 - (ii) To sanction write off of unserviceable stores and other articles like worn out office furniture, dismantled materials, appliances, apparatus etc; up to a maximum book value of Rs.100 (Rupees one Hundred only) in each case and the disposal of such stores and articles as per the laws of the University;

- (iii) To sanction temporary withdrawals from the Provident Fund deposits of subordinates of the non-gazetted status, subject to the Provident Fund laws and the availability of funds being ascertained from the University office;
- (iv) To sanction investigation of arrear claims unless time-barred as per the provisions of the Kerala Financial Code Vol - I.

(3) (a) *Ordinary contingencies*.-to accord sanction for all ordinary recurring supplies and contingent expenditure required for the normal running of their Department/Office for which funds are provided in the University budget after following the usual rules and procedures laid down by the Syndicate.

Note:-Ordinary recurring contingencies comprise such items as are incidental to the management of any office such as purchase of reference books and periodicals, stationery, postal charges, conveyance of records sweeping and cleaning charges and petty charge for engagement of workmen on casual basis.

(b) *Special contingencies*. -(i) to sanction expenditure on non-recurring supplies or special contingency expenditure up to Rs.2000 (Rupees two thousand) at a time.

Note: -Special Contingencies comprise such items as exhibits for a museum, special or ordinary apparatus and equipments, and materials for Science Department. Articles like refrigerators, radios, electric fans, iron safes, etc., shall however be purchased under sanction of the Vice-Chancellor or other higher authority as required by the rules with reference to the monetary limits fixed.

Explanation: -These limits do not apply to books and journals, which may be purchased subject to Ordinances made by the Syndicate.

(ii) To sanction contingent expenditure for purchase not exceeding Rs.500 (Rupees five hundred only) in each case without calling for quotations.

21. *Vacation*. -The teachers of the University shall be entitled to a summer vacation of two months, during the months of May and June and all gazetted holidays in addition to those fixed by the Syndicate. The Vice-Chancellor may require any teacher to do such work as he may specify other than the normal work during the vacation, without any claim for compensation leave, unless the period of leave permitted to be availed of by a teacher is less than a month.

22. *Presence during working days*. -Teachers of the University shall be required to be present at their stations of duty throughout the working hours on all working days. They shall register their vacation address with the University.

23. *Permission to leave station.* -The teachers of the University shall not leave their stations of duty on holidays or during vacation or leave without giving prior intimation to the Head of the Department of their intention to do so, they shall also furnish to the Head of Department, their leave or vacation address. The Heads of Departments shall also give prior intimation to the Registrar before they leave their stations of duty and also furnish their leave or vacation address to him. The Registrar shall make arrangements for the discharge of duties of the Heads of Departments during their absence and shall notify the same.

By order of the Governor,

J.S. BADHAN ,
Commissioner and Secretary

Explanatory Note

This does not form part of the notification, but is intended to give its general purport.

Sub section (1) of section 39 of Cochin University of Science & Technology Act, (31 of 1986) provides that the First Statutes of the Cochin University of Science & Technology will have to be issued by the Government. But the same has not been issued so far. Now consequent on the introduction of University Grant Commission/All India Council for Technical Education Schemes in the Cochin University of Science & Technology it has become imperative to issue the First Statutes in respect of appointment and other service conditions of Teachers of Cochin University of Science & Technology. The present notification is intended to achieve this object.

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GOVERNMENT OF KERALA

Higher Education (J) Department

ERRATA

No. 36322/J1/93/H.Edn.

Dated, Thiruvananthapuram, 3rd March, 1994

In the Cochin University of Science and Technology First statutes in respect of the appointment and other service conditions of teachers of the University issued under subsection (1) of section 39 of the Cochin University of Science and Technology Act, 1986 (31 of 1986) issued as per G.O. (Ms) No. 120/91 dated the 22nd June, 1991 and published as S.R.O.No.954/91 in the Kerala Gazette Extraordinary No.880 dated the 17th July, 1991, -

1. in statute 3,-

(a) for "On report from the Academic Council". read "and on report from the Academic Council".;

(b) for "Six months," read "Six months,";

2. in statute 5, for "the Academic Council" read "by the Academic Council";

3. in sub-cause (ii) of clause (2) of statute 6 (a) for, "Vice-Chancellor" read "Vice-Chancellor";

4. in statute 8,-
 - (a) in clause (2) for “undermaking” read “under marking” ;
 - (b) in clause (4) for “his colleagues” read “with his colleagues”;

5. in statute 11 for “act” read “Act” ;

6. in statute 12, for “the teachers” read “The teachers”;

7. in statute 13, for “Union Grant Commission” read “University Grants Commission”;

8. in statute 14, for “University Grants Commission” read “University Grants Commission”;

9. in statute 20,-
 - (a) in sub-clause (ii) of clause (1) , the words “except leave for higher studies special disability leave and leave on loss of pay for taking employment etc. as otherwise provided” shall be included and read within the bracket;

 - (b) in the Note to clause (3) (a) , for “conveyance of records” read “conveyance of records”;

 - (c) in the Note to clause (3) (b), for “Articlesslike” read “Articles like”;

10. in statute 23, for “furnish to the Head of Department” read “furnish to the Head of the Department”;

11. in the Explanatory Note, for “University Grant Commission”. Read “University Grants Commission”.

By order of the Governor,

SUDHA PILLAI,
Secretary to Government,
Higher Education Department.