

GHANI KHAN CHOUDHURY INSTITUTE OF ENGINEERING & TECHNOLOGY

(Centrally funded Institute and Established by Ministry
of Human Resource Development, Govt. Of India.)

OFFICE:

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MEMORANDUM OF ASSOCIATION & RULES & REGULATION


F. No. 25-1/2009- TS.IV
Government of India
Ministry of Human Resource Development
Department of Higher Education

Shastri Bhavan, New Delhi,
The 31st May, 2010.

ORDER

In pursuance of its decision contained in Order No. F. No. 25-1/2009-TS.IV dated 18.2.2010, to establish Ghani Khan Choudhury Institute of Engineering and Technology at Malda, the Government of India is pleased to constitute the Ghani Khan Choudhury Institute of Engineering and Technology Society at Malda with the following, as its members:-

S.No.	Name and Address	Description
1.	Secretary, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi.	Chairman (Ex-officio)
2.	Director, the Ghani Khan Choudhury Institute of Engineering and Technology, Malda	Member (Ex-officio)
3.	Secretary, Department of Technical Education, Government of West Bengal.	Member (Ex-officio)
4.	Additional Secretary / Joint Secretary and Financial Advisor, Ministry of Human Resource Development, Shastri Bhawan, New Delhi.	Member (Ex-officio)
5.	Additional Secretary / Joint Secretary, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi.	Member (Ex-officio)
6.	Deputy Secretary, Department of Higher Education, MHRD, Shastri Bhawan, New Delhi	Member (Ex-officio)
7.	Chairman, All India Council of Technical Education, New Delhi	Member (Ex-officio)
8.	Director / Deputy Secretary (NITs)/ Deputy Educational Adviser, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi.	Member (Ex-officio)
9.	Chairman, University Grants Commission, New Delhi	Member (Ex-officio)


(N. K. Sinha)
Joint Secretary to the Govt. of India.
Tel : 23387718

Copy to:

1. Registrar of Societies, West Bengal, Kolkata.
2. Principal Secretary, Department of Higher Education, Govt. of West Bengal, Kolkata.
3. President, Ghani Khan Choudhury Institute of Engineering and Technology Society, Kaliachak, Malda, West Bengal.
4. P.S. to Hon'ble HRM.


(N. K. Sinha)

Joint Secretary to the Govt. of India.

Tel : 23387718

Enclosure: Copy of MoA.

**THE GHANI KHAN CHOUDHURY INSTITUTE OF ENGINEERING AND TECHNOLOGY
SOCIETY AT MALDA**

MEMORANDUM OF ASSOCIATION

1. PREAMBLE

WHEREAS the Government of India is desirous of setting up an autonomous centrally funded Institution in the State of West Bengal by the name of the Ghani Khan Choudhury Institute of Engineering and Technology at Malda in order to integrate education in engineering and technology and to create a cadre of highly competent and trained manpower.

AND WHEREAS it is considered expedient in public interest to provide it a legal entity by getting it registered under the West Bengal Societies Registration Act, 1961 in order to achieve the aforesaid objects.

2. The name of the Society is The Ghani Khan Choudhury Institute of Engineering and Technology Society

3. The registered office of the Society shall be situated at Kaliachak, Malda, West Bengal.

4. DEFINITIONS:- In these Rules, unless the context otherwise requires,-

- (a) 'Society' means The Ghani Khan Choudhury Institute of Engineering and Technology Society;
- (b) 'Institute' means the Ghani Khan Choudhury Institute of Engineering and Technology, Malda;
- (c) 'Chairman' means the Chairman of the Society;
- (d) 'Member-Secretary' means the Member-Secretary of the Ghani Khan Choudhury Institute of Engineering and Technology Society, Malda;
- (e) 'Rules and Regulations' means the rules and regulations of the Institute;
- (f) 'Board of Governors' means the Board of Governors of the Institute;
- (g) 'Central Government' means the Government of India.

5. OBJECTS OF THE SOCIETY

The objects for which the Society is established are:

- (i) To establish and to carry on the administration and management of the Ghani Khan Choudhury Institute of Engineering and Technology at Malda hereinafter called the 'Institute' in order to integrate education in engineering and technology; and
- (ii) To create a cadre of highly competent and trained manpower.

6. GENERAL BODY:



- (i) All members of the Society shall form the General Body of the Society.
- (ii) The General Body shall meet whenever the Chairman thinks fit, provided that the Chairman shall call a meeting of the General Body upon a written requisition of not less than four members.
- (iii) For every meeting of the General Body, fifteen days notice shall be given.
- (iv) The Chairman shall have the power to call meeting(s) on a short notice to deal with an urgent and emergent business of the Society.
- (v) Four members of the Society shall constitute a quorum at a meeting of the General Body.
- (vi) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.
- (vii) Each member of the General Body, including the Chairman, shall have one vote and if there shall be an equality of votes on any question to be determined by the General Body, the Chairman shall have one casting vote in addition to his vote as a member.
- (viii) Every meeting of the General Body shall be presided over by the Chairman and in his absence, by a member elected by the members present to preside over the meeting.
- (ix) Any business which may be necessary for the General Body to perform, except such as may be placed before meetings, may be carried out by circulation, among all its members and any resolution, so circulated and approved by a majority of the members signing, shall be as effectual and binding as if such resolution had been passed at a meeting of the General Body; provided that at least four members of the Society have recorded their views on the resolution but the resolution must be circulated to all the members.

MEMBERSHIP OF THE SOCIETY:

- (i) The Society shall consist of the following members:-

S. No.	Name and Address	Description
1.	Secretary, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi.	Chairman (Ex-officio)
2.	Director, the Ghani Khan Choudhury Institute of Engineering and Technology, Malda	Member (Ex-officio)
3.	Secretary, Department of Technical Education, Government of West Bengal.	Member (Ex-officio)
4.	Additional Secretary / Joint Secretary and Financial Advisor, Ministry of Human Resource Development, Shastri Bhawan, New Delhi.	Member (Ex-officio)
5.	Additional Secretary / Joint Secretary, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi.	Member (Ex-officio)
6.	Deputy Secretary, Department of Higher Education, MHRD, Shastri Bhawan, New Delhi	Member (Ex-officio)
7.	Chairman, All India Council of Technical Education,	Member (Ex-officio)

	New Delhi	
8.	Director / Deputy Secretary (NITs)/ Deputy Educational Adviser, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi.	Member (Ex-officio)
9.	Chairman, University Grants Commission, New Delhi	Member (Ex-officio)

(ii) The Central Government may at any time appoint any other person or persons to be member or members of the Society.

8. BOARD OF GOVERNORS (BoGs):

The administration of the Society shall be entrusted to a Board of Governors.

9. Savings and Repeals:

Society's MoA registered on 30.5.2008 is hereby repealed. Provided that any action taken, order issued, bye-laws made under the provisions of the MoA registered on 30.5.2008, if the same are not contrary to this MoA, be deemed to have been taken, issued or made under the provisions of this MoA.

**THE GHANI KHAN CHOUDHURY INSTITUTE OF ENGINEERING AND TECHNOLOGY
SOCIETY AT MALDA**

RULES AND REGULATIONS

In the matter of the West Bengal Societies Registration Act, 1961 (Act XXVI of 1961) for the registration of literary, scientific and charitable societies, and

In the matter of the Ghani Khan Choudhury Institute of Engineering and Technology Society, hereinafter referred to as the 'Society'. -

1. DEFINITIONS: - In these Rules, unless the context otherwise requires, -

- (a) 'Society' means The Ghani Khan Choudhury Institute of Engineering and Technology Society;
- (b) 'Institute' means the Ghani Khan Choudhury Institute of Engineering and Technology, Malda;
- (c) 'Chairman' means the Chairman/chairperson of the Society and the Board of Governors;
- (d) 'Member-Secretary' means the Member-Secretary of the Ghani Khan Choudhury Institute of Engineering and Technology, Malda and its Board of Governors;
- (e) 'Board' means the Board of Governors of the Ghani Khan Choudhury Institute of Engineering and Technology, Malda;
- (f) 'Director' means the Director, the Ghani Khan Choudhury Institute of Engineering and Technology, Malda;
- (g) 'Registrar' means the Registrar, the Ghani Khan Choudhury Institute of Engineering and Technology, Malda;
- (h) 'Finance Committee' means the Finance Committee of the Board;
- (i) 'Building and Works Committee' means Building and Works Committee of the Board;
- (j) 'Committees' means Committees of the Board;
- (k) 'Central Government' means the Government of India;
- (l) 'Academic Council' means the Academic Council of the Institute;
- (m) 'Dean' means the Head of a Department or Centre, by whatever name called, appointed to head the Department or Centre / Dean of the Institute; and
- (n) 'Rules' means rules of the Institute.

2. AUTHORITIES OF THE INSTITUTE:

The following shall be the authorities of the Institute:

- a) The Board of Governors
- b) The Chairman
- c) The Director

[Signature]

- d) The Registrar
- e) Finance Committee
- f) Building & Works Committee
- g) Academic Council
- h) Such other Authorities as may be appointed or nominated by the Board.

3. Functions of the Society shall include-

- a) to create centre of excellence for imparting quality certificate, diploma, undergraduate, postgraduate and doctoral education in engineering and technology and such other fields as the BoG may deem fit and proper from time to time and to provide for instruction and research in such branches of engineering, technology, and applied sciences, as the Institute may think fit, and for the advancement of learning and dissemination of knowledge in such branches;
- b) to hold examinations and grant academic awards and distinctions or degrees, diploma and titles to persons;
- c) to confer honorary awards or other distinctions;
- d) to fix and demand such fees and other charges as may be laid down in the rules and bye-laws;
- e) to establish, maintain and manage Halls and Hostels for the residence of students;
- f) to supervise and control the residence, to regulate the discipline of students of the Institute and to make arrangements for promoting their health; general welfare and cultural and corporate life;
- g) to provide for the maintenance of units of the National Cadet Corps for the students of the Institute;
- h) to create a cadre of high caliber faculty members along with a posts of administrative, technical and ministerial personnel and to make appointments thereto in accordance with rules and bye-laws;
- i) to co-operate with educational and/or other institutions in any part of India or the world by exchange of teachers, scholars and generally in such manner as may be conducive to their common objects;
- j) to institute and award fellowships, scholarships, prizes and medals in accordance with the rules and bye-laws;
- k) to create nodal centre for mentioning other engineering, technology, management and social sciences institutions in the respective regions;
- m) establish, equip and maintain any laboratory, research centre, data bank, library, museum, workshop, centre, organisation, and such other facilities as are necessary for carrying out the objects of the Institute;
- n) to levy fees or other charges for training and/or other services / facilities

provided by the Institute at such nominal or other rates as specified by the Board;

- o) to prepare, print, publish, issue, acquire and circulate books, papers, periodicals, exhibits, films, slides, video tapes, circulars, and engage in other literary activities connected with or having a bearing on the objects of the Institute;
- p) to proactively forge and evolve strong symbiotic relationships with colleges, universities, research and development laboratories and Institutions, science research agencies and industries in India or abroad, with a view to networking and complementing infrastructural facilities and human resources;
- q) to generate, protect and exploit significant intellectual properties through its core and sponsored research programmes in areas of basic and applied science that have potential in evolving cutting edge technology; and
- r) to develop and establish campus / campuses in pursuance to the above objects, at other place in India with the prior approval of the Central Government.
- s) to make rules and bye-laws for the conduct of the affairs of the Society and to add to amend, vary or rescind them from time to time with the approval of the Central Government.
- t) to obtain or accept grants, subscriptions, donations, gifts, bequests from Governments, Corporations, Trusts or any persons for the purposes of attaining the objects of the Society.
- u) to maintain a fund or funds to which shall be credited :-
 - a) all moneys provided by the Central Government;
 - 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; and
 - d) all moneys received by the Society in any other manner from any other sources.
- v) to deposit all moneys credited to the Fund in such Banks or to invest them in such manner as the Society may with the approval of the Central Government, decide.
- w) to meet the expenses of the Society including expenses incurred in the exercise of its powers and discharge of its functions, out of the Fund.
- x) to prepare and maintain proper accounts and other relevant records and to prepare an annual statement of accounts including the balance sheet of the Society in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor General of India.
- (aa) The Society shall submit annually, within six months the closing of the previous financial year, to the Central Government in the Ministry of Human Resource Development (Department of Higher Education), a report, duly approved by the Board, on the working of the Institute in the previous year.

- (bb) to forward annually to the Central Government the accounts of the Society as certified by the Comptroller and Auditor General of India or any other person appointed by him in this behalf together with the Audit Report thereon duly approved by the Board.
- (cc) to acquire and hold property provided that prior approval of the Central Government is obtained in the case of acquisition of immovable property.
- (dd) to deal with any property belonging to or vested in the Society in such manner as the Society may deem fit for advancing its objects provided that prior approval of the Central Government is obtained for transfer of any immovable property.
- (ee) to constitute such committee or committees as it may deem fit.
- (f f) to delegate all or any of its powers to the Board of Governors of the Institute or to any of the committee or committees constituted by it.
- (gg) to do all such things as may be necessary, ancillary, incidental or conducive to the attainment of all or any of the objects of the Society.
- (hh) to establish consultancy and know-how transfer cells for effective linkages with the uses;
- (i i) to allow branches of nationalized banks in the campus of the Institute for the aforesaid purpose.

4. Responsibilities of Members of the Society:

- (i) The Society shall keep a roll of members and a member of the Society shall sign the roll and state therein his post/occupation and address. No person shall be deemed to be a member, or be entitled to exercise the rights and privileges of a member unless he has signed the roll as aforesaid.
- (ii) 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 address.
- (iii) Where a member of the Society becomes a member by virtue of the office he holds, his membership shall terminate when he ceases to hold that office.
- (iv) A member of the Society representing a Ministry shall continue to be a member during the pleasure of the Central Government.
- (v) A member of the Society shall cease to be a member of the Society, if he dies, resigns, becomes of unsound mind, becomes insolvent or be convicted for a criminal offence involving moral turpitude or if he is removed by the Central Government from the membership of the Society or if he (other than the Director) accepts a full-time appointment in the Institute, or if he is not an ex-officio members and does not attend three consecutive meetings of the Society without leave of the Chairman.
- (vii) Should any member of the Society (other than the Chairman) not be able to attend meeting of the Society or the Board, he shall be at liberty to appoint and authorize a representative to take his place at that meeting of the society or the Board and such representative shall have all the rights and privileges of a member of the Society or of the Board for that meeting only.

5. INSTITUTE OPEN TO ALL:

- (i) The Institute shall be open to persons of either sex, and of whatever race, creed, colour, caste or class, and no test or condition shall be imposed as to religious belief or profession in admitting or appointing members, students, teachers, workers or in any other connection whatsoever.
- (ii) No benefaction shall be accepted by the Society which, in its opinion, involves conditions or obligations opposed to the spirit and object of this section.

6. ALL INCOMES / EARNINGS FROM MOVEABLE OR IMMOVABLE ASSETS:

All incomes of the Society shall be solely utilised and applied towards the promotion of its aims and objects of the Society only as set forth in the Memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profits or in any manner whatsoever, to the present or past members of the Society or to any person claiming through anyone or more of the present or past members. No member of the Society shall have any personal claim on any movable or immovable assets of the Society or can make any profits whatsoever by virtue of his membership. Notwithstanding anything contained herein above, the Society shall not be debarred from making payment of remuneration to any member thereof or any other person in return for any service rendered to the Society or for Traveling Allowance, halting or other similar charges.

7. BOARD OF GOVERNORS:

- (i) The general superintendence, direction and control of the affairs of the Society and its income and property shall be entrusted to a Board of Governors of the Ghani Khan Choudhury Institute of Engineering and Technology, Malda, hereinafter called 'The Board'.
- (ii) The Board shall consist of: -
 - (a) Chairman, to be nominated by the Central Government;
 - (b) Director, ex-officio; Member Secretary;
 - (c) A representative of State Technical Education Department.
 - (d) One nominee from the State Board of Technical Education or the Director of Technical Education/Affiliating University.
 - (e) Two persons having special knowledge or practical experience in respect of education, engineering or science, to be nominated by the Government of India;
 - (f) One Faculty Member of the Institute, to be nominated by the Academic Council;
 - (g) Director of one of the Indian Institutes of Technology to be nominated by the Central Government.

- (h) Additional/Joint Secretary & Financial Advisor, Ministry of Human Resource Development, Shastri Bhawan, New Delhi.
- (i) Joint Secretary, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi.
- (iii) Should any member of the Board (other than the Chairman) not able to attend meetings of the Board, he shall be at liberty to appoint and authorize a representative to take his place at that meeting of the Board and such representative shall have all the rights and privileges of a member of the Society or of the Board for that meeting only.
- (iv) The Board of Governors as mentioned in para 7 (ii) above, shall stand constituted, as soon as the Chairman as mentioned in sub-clauses (a) of para 7 (ii) above, is nominated by the Central Government.
- (v) The members of the Board except the ex-officio members shall be so nominated by the concerned Government/authority for a maximum period of three years. They will be eligible for re-nomination.
- (vi) The term of an ex-officio member terminates as and when he demits office and his successor automatically, on resuming duty, becomes a member of the Governing Body.
- (vii) Ordinarily, the Board shall meet once in every three months and fifteen days' notice shall be given for each such meeting and a copy of the proceedings of each meeting shall be furnished to the Central Government in the Ministry of Human Resource Development (Department of Higher Education), as soon as possible after the meeting; provided that the Chairman may, whenever he thinks fit, and shall, on the written requisition of not less than two members, call a special meeting.
- (viii) Six members of the Board, present in person, shall constitute a quorum at any meeting of the Board.
- (ix) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.
- (x) Each member of the Board, including the Chairman, shall have one vote and, if there shall be an equality of votes on any question to be determined by the Board, the Chairman shall, in addition, have and exercise a casting vote,
- (xi) Every meeting of the Board shall be presided over by the Chairman and, in his absence, by a member elected by the members present to preside on the occasion;
- (xii) Any business which may be necessary for the Board to perform, except such as may be placed before its meetings, may be carried out by circulation among all its members and any resolution so circulated and approved by a majority of the

members signing shall be as effective and binding as if such resolution had been passed at a meeting of the Board:

- (xiii) The Director shall be the ex-officio Secretary to the Board.

Provided that at least six members of the Board have recorded their views on the resolution out of which not less than three members shall be from the Government of India in the Ministry of Human Resource Development or AICTE/ Secretary (Technical Education) from the West Bengal/ eminent scientist or technologist or educationalist..

8. RESIGNATIONS:

- (i) The Chairman may resign his office by a letter addressed to the Central Government and his resignation shall take effect from the date on which it is accepted by the Central Government.
- (ii) A member (other than ex-officio members or a member representing the Ministry) may resign office by a letter addressed to the Chairman and such resignation shall take effect from the date on which it is accepted by the Chairman.

9. VACANCY OF THE BOARD:

Any vacancy in the Board shall be filled either by appointment or by nomination by the respective authority entitled to make such appointment or nomination and the term 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 has been appointed or nominated.

10. EFFECTS OF VACANCY:

The Society or the Board shall function, notwithstanding any vacancy therein and notwithstanding any defect in the appointment or nomination of any of its members; and no act or proceedings of the Society or the Board shall be invalid merely by reason of the existence of any vacancy therein or of any defect in the appointment or nomination of any of its members.

11. POWERS OF THE BOARD:

- (i) The Board shall frame, with the approval of the Central Government, bye-laws which may provide for all or any of the following matters, viz.: -
- (a) the general superintendence, direction and control of the affairs of the Institute and shall exercise all the powers of the Institute not otherwise provided for by this Memorandum of Association, the Rules and the Bye-laws.
 - (b) the formation of Departments of teaching;

- (c) the fees to be charged for courses of study in the Institute and for admission to the examinations for conferments of the Institute;
- (d) the institution of fellowships, scholarships, exhibitions, prizes and medals;
- (e) the creation and classification of posts, the method of appointment thereto and the determination of the terms and conditions of service of teachers and other staff of the Institute provided that proposals relating to emoluments structure, i.e., adoption of pay scales and allowances and revision thereof subject to instructions issued from Central Government from time to time and creation of posts carrying a scale of pay with a maximum exceeding Rs.15,200/- p.m. (pre-revised) would need the prior approval of the Government of India.

Provided further that the power to create posts is subject to the observance of the ban orders issued by the Govt. of India from time to time.

Provided also, that a reference to the Central Govt. would not be necessary in regard to adoption of the scales of pay and allowances identical to those adopted for corresponding other posts as per orders of the Central Government issued from time to time.

- (f) the establishment and maintenance of Halls and Hostels;
- (g) the conditions of residence of students of the Institute and the levying of fees for residence in the Halls and Hostels and of other charges;
- (h) considering and modifying or repealing bye-laws with the prior approval of Central Government;
- (i) imposing penalties on members of the staff in accordance with the rules and bye-laws, provided that the Director shall not be placed under suspension or dismissed or discharged or punished in any way without the previous sanction of the Central Government; and
- (j) conferring Honorary Professorship, Fellowship and Honorary distinguished Professorship of the Institute.
- (k) take decision with the prior approval of Central Government to disseminate knowledge through distance learning mode to various parts of the State of West Bengal, the Country or abroad.
- (l) frame rules for the condition of service and the discipline and appeal regulations of the teaching and non teaching staff of the Institute.

(ii) The Board may, by resolution, appoint such committees for such purposes and with such powers as the Board may think fit. The Board may co-opt such persons to these committees as it considers suitable.

(iii) Subject to the provisions of these rules and bye laws, the Board shall have the powers to create teaching, administrative, technical, ministerial and other posts under the Institute other than the post of Director and to make appointment thereto. The appointment to the post of Director shall be made by the Board according to such procedures and on such terms and conditions as may be decided by the Central Government.

(iv) The Board may, by resolution, delegate to a committee or the Chairman such of its powers for conducting its business as it may deem fit, subject to the condition that the action taken by any committee or the Chairman under the powers delegated to them under this rule shall be reported for ratification at the next meeting of the Board.

(v) The Board may pass such resolution or resolutions as it may deem fit on the Annual Report, the Annual Accounts and the financial estimates.

12. CHAIRMAN OF THE BOARD:

(i) It shall be the duty of the Chairman to see that the decisions taken by the Board are implemented.

(ii) The Chairman shall exercise such other powers as may be delegated to him by the Board.

13. DIRECTOR AND HIS POWERS:

- a) The Director of the Institute shall be appointed by the Central Government on contract basis on the recommendation of a Selection Committee constituted by the Central Government consisting of at least five members including the Chairman who are experts in the field of technical education with experience at national and international level.
- b) The Director shall be appointed for a period of not exceeding five years and shall be governed by the terms and conditions of the Contract of Service entered into between the Institute and the Director. The Central Government may, however, grant extension beyond five years if the circumstances so warrant.
- c) Subject to the budget provisions made for the specific purpose, the Director shall have the power to incur expenditure in accordance with the procedure as may be laid down.
- d) The Director shall have the power to appropriate/re-appropriate funds with respect to different items constituting the recurring budget up to a limit specified for the Head of Department in the Central Government for each item:

Provided that such appropriate/re-appropriate shall not involve any increase in the budget and any liability in future years:

Provided further that every such appropriate/re-appropriate shall, as soon as possible, be reported to the Board for ratification.

- e) The Director shall have the power to write off irrecoverable losses up to a limit of ten thousand rupees and of irrecoverable value of store items lost or rendered unserviceable due to normal wear and tear or obsolete, up to a limit of twenty five thousand rupees subject to such stipulations as may be made by the Board from time to time.



- f) The Director shall have the power to donate obsolete equipment or other obsolete store items, as may be identified by a Committee constituted for this purpose by the Director, to any educational institution in the vicinity of the Institute up to such limits as may be decided by the Board from time to time.
- g) The Director, where he is the appointing authority, shall have the power to fix, on the recommendations of the Selection Committee, 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 appointment can be made by him under the powers vested in him by the provision of the MoA.
- h) The Director shall have the power to employ Teaching Supporting Staff in the Laboratories, Technicians or Technical Instructors and Skilled Workmen, paid from contingencies from time to time, for not more than one year on such remuneration as may be decided by the Board.
- i) The Director shall have the power to depute members of the staff for training or to attend course of instruction within India subject to such terms and conditions as may be specified by the Board.
- j) The Director shall have the power to sanction temporary allocation of any building for any purpose other than that for which it was constructed.
- k) If for any reason the Registrar is temporarily absent for a period not exceeding one month, the Director may take over or assign to any faculty member or member of staff of the Institute, any of the functions of the Registrar, as he deems fit:

Provided that if at any time the temporary absence of the Registrar exceeds one month, the Board may, if it thinks fit, authorise the Director to take over or assign the function of the Registrar, for a period exceeding one month.

- l) All contracts for and on behalf of the Institute except the one between the Institute and the Director, shall when authorised by a resolution of the Board passed in that behalf, be in writing and be expressed to be made in the name of the Institute and every such contract shall be executed for and on behalf of the Institute by the Director, but the Director shall not be personally liable in respect of anything under such contract.
- m) The Director may, during his absence from headquarters, specifically authorise in writing the senior most Professor present to sanction advances for travelling allowance, contingencies and medical treatment of the staff and sign and counter-sign bills on his behalf.
- n) The Director may, at his discretion, constitute such committees, as he may consider appropriate for smooth functioning of the Institute.
- o) In the event of the occurrence of any vacancy in the office of the Chairperson by reason of his death, resignation or otherwise or in the event of the Chairperson being unable to discharge his functions owing to absence, illness or any other cause, the Director may discharge the functions assigned to the Chairperson under the MoA.
- p) The Director may, with the approval of the Board delegate any of his powers, authorities or responsibilities vested in him under the MoA to one or more members of Academic or Administrative Staff of the Institute.

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- q) The Director shall have such other powers and shall perform such other duties as may be delegated to him by the Board.
- r) In case of exigency, Director may take necessary action with the approval of Chairperson, Board of Governors, which is to be ratified later on by the BoG of the Institute.

14. FINANCE COMMITTEE:

- (i) The Board shall have a Finance Committee consisting of the following persons, namely:-
 - (a) The Chairman, ex-officio, who shall be the Chairman of the Committee,
 - (b) Two persons nominated by the Central Government one of whom will be the Financial Advisor and other officer from the concerned Bureau in the Department of Higher Education,
 - (c) Two persons nominated by the Board; and
 - (d) Director (to be represented by the Director of the Mentoring NIT, Durgapur, West Bengal till such time the Director is named and formally accepts the assignment) to act as Member-Secretary.
- (ii) The Finance Committee shall perform the following functions: -
 - (a) To examine and scrutinise the annual budget of the Institute prepared by the Director and make recommendations to the Board;
 - (b) To examine all matters having financial implications and make recommendations to the Board;
 - (c) To examine all cases involving deviation from normal financial or service rules and make recommendations to the Board; and
 - (d) Shall perform such other functions and duties as may be assigned to it by the Board.
- (iii) The Finance Committee shall meet at least thrice in a year.
- (iv) Three members of the Finance Committee shall constitute a quorum for a meeting of the Finance Committee.
- (v) The Chairman, if present, shall preside over the meeting of the Finance Committee. In his absence, the members present shall elect one from amongst themselves to preside over the meeting.
- (vi) In the event of a disagreement between the representative of the Central Government and Chairman of the Finance Committee on financial matters, the matter shall be referred to the administrative Ministry for a decision, whose decision will be final.

All the members of the Finance Committee other than ex-officio members shall hold the office for a term of 3 years.



15. BUILDING AND WORKS COMMITTEE:

- (i) There shall be a Building and Works Committee for each of the Institute, consisting of following members, namely:-
 - (a) the Director, ex-officio Chairman;
 - (b) one member nominated by the Central Government in the Department of Higher Education;
 - (c) one member nominated by the Board of Governors;
 - (d) Registrar to be the ex-officio, Member Secretary;
 - (e) Dean, Planning and Development or similar position; and
 - (f) one expert each from Civil and Electrical Engineering Wing of Central or State Government or any autonomous body of repute.
- (ii) The Building and Works Committee shall meet as often as necessary, but ordinarily not less than three times a year.
- (iii) Three members shall form a quorum for a meeting of the Building and Works Committee.
- (iv) The provisions regarding notice of meeting, inclusion of items in the agenda and confirmation of the minutes applicable to the meeting of the Board shall, mutatis mutandis be followed in connection with meetings of the Building and Works Committee also.
- (v) The Building and Works Committee shall perform such other functions and duties as may be assigned to it by the Board or the Finance Committee.
- (vi) All the members of the Building and Works Committee other than ex-officio members shall hold the office for a term of 3 years.
- (vii) The minutes of every meeting of the Building and Works Committee shall be placed before the Board through the Finance Committee.

16. REGISTRAR:

- (i) The Registrar shall be a whole-time officer of the Institute and shall be appointed by the Board on such terms and conditions as may be laid down in the bye-laws. He shall be the custodian of records, the funds of the Institute and such other property of the Institute as the Board may commit to his charge.
- (ii) The Registrar shall act as Secretary of the various Committees of the Society. However, till such time a Registrar is appointed and assumes office, the Director (or in his place the Director of the Mentoring NIT, Durgapur, West Bengal) shall act as the Secretary of the above bodies.
- (iii) The Registrar shall be directly responsible to the Director of the Institute for the proper discharge of his duties and functions.
- (iv) The Registrar shall perform such other duties and exercise such other powers as may be assigned to him by the Board or Director.

17. ACADEMIC COUNCIL:

The Academic Council of Institute shall consist of the following persons, namely:-

- (a) the Director, ex officio, who shall be the Chairman of the Academic Council;
- (b) the Professors appointed or recognized as such by the Institute for the purpose of imparting instructions in the Institute;
- (c) three persons, one of whom shall be a woman, not being employees of the Institute, to be nominated by the Chairperson in consultation with the Director, from amongst educationists of repute, one each from the field of science and engineering;
- (d) the Registrar, ex-officio Secretary;
- (e) the Librarian of the Institute; and
- (f) the term of members other than ex-officio members shall be 2 years.

18. FUNCTION OF THE ACADEMIC COUNCIL:

- a) The Academic Council shall meet as often as necessary as but ordinarily not less than four times during a calendar year.
- b) Meetings of the Academic Council shall be convened by the Chairman of the Academic Council either on his own motion or on a requisition signed by not less than one fifth of the members of the Academic Council.
- c) Requisitioned meeting shall be a special meeting to discuss only those items of agenda for which requisition is given and shall necessarily be chaired by the Director and the requisitioned meeting shall be convened by the Chairman of the Academic Council on convenient date and time.
- d) One third of the total number of members of the Academic Council shall form a quorum for a meeting of the Academic Council.

- e) The Director shall preside over every meeting of the Academic Council:

Provided that in absence of the Director, Deputy Director shall preside and in the absence of both the Director and the Deputy Director, the senior most professor present shall preside over the meeting.

- f) A written notice of every meeting together with the agenda shall be circulated by the Registrar to the members of the Academic Council at least a week before the meeting:

Provided that the Chairman of the Academic Council may permit inclusion of any item for which due notice has not been given.

- g) Notwithstanding any provisions in force for the time being, the Director may call an emergency meeting of the Academic Council at short notice to consider urgent special issues.



- h) The ruling of the Chairman of the Academic Council with regard to all questions of procedure shall be final.
- i) The minutes of the proceedings of a meeting of the Academic Council shall be drawn up by the Registrar in consultation with Dean Academics and circulated to all the members of Academic Council present.

Provided that any such minutes shall not be circulated if the Academic Council considers such circulation prejudicial to the interests of the Institute or the Government of India.

- (j) The minutes, along with amendments, if any, suggested shall be placed for confirmation at the next meeting of the Academic Council and after the minutes are confirmed and signed by the Chairman of the Academic Council, they shall be recorded in a minute book which shall be kept open for inspection of the members of the Academic Council, the Board and the Council at all times during office hours.

19. POWERS OF THE ACADEMIC COUNCIL:

Subject to the provisions of the Rules, the Academic Council shall have the power to:-

- (i) frame and revise curricula and syllabi for the courses of studies for the various Departments and Centres;
- (ii) make arrangements for the conduct of examinations; appointment of examiners, moderators, tabulators and other matters relating to the examinations;
- (iii) declare the results of the examinations or to appoint Committees or Officers to do so and to make recommendations to the Board regarding conferment or grant of degrees, diplomas and other academic distinctions or titles;
- (iv) appoint Advisory Committees or Expert Committees or both for the Departments or Centres of the institute to make recommendations on academic matters connected with the working of the Departments or Centres;
- (v) appoint Committees from amongst the members of the Academic Council, other teachers of the Institute and experts from outside to advise on such specific and important academic matters as may be referred to any such Committee by the Academic Council;
- (vi) consider the recommendations of the Advisory Committees attached to various Departments or Centres and that of Expert and other Committees and take such action (including the making of recommendations to the Board) as warranted by each case;
- (vii) make periodical review of the activities of the Departments or Centres and take appropriate action (including the making of recommendations to the Board);
- (viii) supervise the working of the Library of the Institute;
- (ix) promote research and academic development or activity within the Institute and seek reports on such research or academic development or activity from the persons engaged therein;
- (x) provide for the inspection of the class rooms, Laboratories, Library and the Halls and Residential Hostels;



- (i) plan co-curricular and extra-curricular activities of the students of the Institute;
- (ii) award stipends, scholarships, medals and prizes and make other awards in accordance with such conditions as may be attached to the awards;
- (iii) make recommendations to the Board with regard to the creation or restructuring of Departments or Programmes or Centres and the abolition of existing Departments or centres thereof;
- (iv) make recommendations to the Board to disseminate knowledge through distance learning mode to various parts of the State or country or abroad; and
- (v) invite up to two student representatives during discussion of general nature not involving policy or disciplinary matters in the Academic Council meetings.

0. DEAN:

- (1) The Institute shall establish not more than four Deanships.
- (2) The Director shall appoint the Deans with intimation to the Chairperson, Board of Governors.
- (3) The Dean shall hold his post for two years extendable by one more year.
- (4) Only Professors or Associate Professors shall be eligible for becoming Deans.
- (5) There may be following Deanships in Institute with the approval of the Board of Governors:

Dean Academic, Planning and Development
 Dean Student Welfare
 Dean Faculty Welfare
 Dean (Research and Consultancy)

Deanship is of functional position and not administrative one and as such be discharged in its right spirit. Dean must be nominated by the Director only from amongst the Professors/Associate Professors, but should not be Head of the Department.

The Tenure of Deanship shall ordinarily be two years extendable by one more year, but Director with the approval of the Chairperson; Board of Governors may relieve any or all Dean before such period.

21. REMUNERATION AND ALLOWANCES:

The members of the Society or the Board and of any Committee appointed by the Society or the Board shall not be entitled to any remuneration from the Society or the Board; but non-official members of the Society or the Board or of any committee will be reimbursed by the Society their traveling allowance and daily allowance in respect of the journeys undertaken to attend the meetings of the Society or of the Board or of the Committees or in connection with the business of the Society or the Board, as may be provided in the bye-laws to be made in this behalf by the Society or the Board, as the case may be.

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22. ANNUAL REPORTS AND ANNUAL ACCOUNTS:

- (i) The Society shall submit annually, within six months the closing of the previous financial year, to the Central Government in the Ministry of Human Resource Development (Department of Higher Education), a report on the working of the Institute in the previous year together with an audited statement of accounts showing the income and expenditure for the previous year and the budget estimates for the ensuing year.
- (ii) The annual accounts of the Society shall be audited by the Comptroller and Auditor General of India or any other authority as may be decided by the Central Government and any expense incurred in connection therewith shall be payable by the Society.
- (iii) The report on the working of the Institute and Annual Accounts and Audited Report should be duly approved by the Board.

23. LEGAL PROCEEDINGS:

The society can sue and can be sued in the name of the Director of the Institute.

24. CONTRACTS ON BEHALF OF THE SOCIETY:

All contracts for and on behalf of the Society or the Institute shall be expressed to be made in the name of the Society or the Institute as the case may be and shall be executed by the Chairman, the Director of the Institute and one other member of the Board.

25. BYE LAWS:

The Board shall with the previous approval of the Central Government frame, amend or repeal bye-laws not inconsistent with these rules for the administration and management of the affairs of the Institute and in particular to provide for the following matters:

- a) the preparation of budget estimates, the sanctioning of expenditure, making and execution of contracts, maintenance of accounts;
- b) the classification and procedure for appointment of officers and staff of the Institute;
- c) the terms and tenure of appointment, terms of deputation and contractual service, rules of discipline and other conditions of service of the officers and staff of the Institute;
- d) the terms and conditions governing deputation of officers and staff into and out side the Institute;
- e) conduct of business by the Board and the committees constituted by it, the powers and functions of such committees and the terms of office of their membership;
- f) the constitution of insurance, provident fund and other schemes for the benefit of the employees of the Institute;
- g) fixation of fees and other charges for courses, training and other facilities provided by the Institute;
- h) the terms and conditions governing fellowships, scholarships, stipends, medals and prizes etc. ;

- i) the qualifications of teachers of the Institute;
- j) the authentication of the orders and decisions of the Board and various other authorities of the Institute;
- k) matters relating to Hostels and Halls of residence including disciplinary control therein;
- l) conditions for service and appeal regulations of the teaching and non teaching staff of the Institute.

26. REVIEW BY THE CENTRAL GOVERNMENT:

The Central Government may at any time appoint one or more persons to review the work and progress of the Society or Institute and to hold enquiries into the affairs thereof and to report thereon, in such manner as the Central Government may stipulate. Upon receipt of any such report, the Central Government may take such action and issue such directions as it may consider necessary in respect of any of the matters dealt with in the report regarding the Society or Institute, as the case may be and the Society and the Institute shall be bound to comply with such directions.

27. TAKEOVER BY THE CENTRAL GOVERNMENT:

In case the Central Government is satisfied that the Society or the Institute is not functioning properly, the Central Government shall have the power to take over the administration, control, functioning and assets of the Institute.

28. ALTERATION OF MEMORANDUM OF ASSOCIATION, RULES AND REGULATIONS:

a. Whenever it shall appear of the Board of Governors of the Institute that it is advisable to alter, extend or abrogate the MoA, Rules and Regulations, for a purpose or for other purpose as specified in the West Bengal Societies Registration Act, 1961 (Act XXVI of 1961), the Board of Governors, with the approval of Central Government, may submit the proposal to the members of the Institute in a written or printed report, and may convene special general meeting for the consideration thereof according to the rules and regulations. No such proposal shall be deemed to have been approved unless such report has been delivered or sent by registered post to every member of the Institute 21 days in advance to the date of the Special General Meeting convened by Board of Governors for the consideration thereof, and unless such proposal shall have been agreed to as per the procedure laid down in the West Bengal Societies Registration Act, 1961 (Act XXVI of 1961).

b. Whenever it shall appear to the Board of Governors of the Institute to amend the name of the Institute, the Board of Governors, with the approval of the Central Government may submit the proposal to a special general meeting convened for the purpose of which notice shall have been delivered or sent by registered post to every members of the Institute 21 days in advance to the date of the special general meeting and the resolution proposing the amendment is passed by the members entitled so to do as per the procedure laid down in West Bengal Societies Registration Act, 1961 (Act XXVI of 1961).

[Signature]

c. All actions taken by the members of the Board of Governors and the Society shall be deemed to be taken in good faith and in discharge of their official function.