

# Punjab Engineering College

## MEMORANDUM OF ASSOCIATION

### 1. Name

The name of the Society shall be *Punjab Engineering College, Chandigarh*, hereinafter referred to as "Institute".

### 2. Office

The Registered Office of the Institute shall be situated at *Chandigarh*.

### 3. Objectives of the Institute

- (1) To provide for instruction and training in such branches of learning as it may deem fit.
- (2) To provide for research and for the advancement of and dissemination of knowledge.
- (3) To undertake extra mural studies, extension programmes and field outreach activities to contribute to the development of society.
- (4) To institute Centres of Excellence.
- (5) To provide education and consultancy with a view to improve the quality of learning.
- (6) To do all such other acts and things as may be necessary or desirable to further its objectives.

### 4. Powers and Functions of the Institute

- (a) To acquire, Punjab Engineering College, Chandigarh, from Chandigarh Administration, through a notification to be issued by the latter.
- (b) To realize its objectives and to carry on the administration and management of the Punjab Engineering College, Chandigarh, the Institute shall have the following powers :
  - (1) To provide for instruction and research in such branches of engineering and technology, science and arts, as the Institute may think fit, and for the advancement of learning and dissemination of knowledge in such branches.
  - (2) To hold examinations and grant degrees, diplomas, certificates and other academic distinctions or titles as may be required.
  - (3) To institute and award fellowships, scholarships, exhibitions, prizes and medals.
  - (4) To fix, demand and receive fees and other charges.
  - (5) To establish, maintain and manage halls and hostels for the residence of students.
  - (6) To regulate the discipline of students of the Institute and to make arrangements for promoting their general welfare and cultural corporate life.
  - (7) To create academic and other posts, with the prior approval of the Chandigarh Administration, and to make appointments thereto (except in the case of Director).
  - (8) To frame Bye-Laws of the Institute, including Bye-Laws for the terms and conditions of service of the existing employees of Punjab Engineering College, Chandigarh, for their transition to the Institute with the prior approval of the Chandigarh Administration.
  - (9) To frame, alter, modify or rescind Bye-Laws and Rules with the prior approval of the Chandigarh Administration <sup>1</sup>and Ministry of Human Resource Development (Government of India).
  - (10) To deal with any property belonging to or vested in the Institute in such manner as the Institute may deem fit for advancing the objectives of the Institute.
  - (11) To receive gifts, grants, donations or benefactions from the Government and to receive bequests, donations and transfers of movable or immovable properties from testators, donors or transferors, as the case may be.
  - (12) To cooperate with educational or other institutions in any part of the world having objectives wholly or partly similar to those of the Institute by exchange of teachers and scholars and generally in such manner as may be conducive to their common objectives.

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<sup>1</sup> Inserted as per decision of the 2<sup>nd</sup> meeting of the Board on December 9, 2004.

- (13) To create and maintain facilities and environment conducive for the pursuit of scholarship and advancement of knowledge in compliance with ISO-9001(2000) and ISO-14001 respectively.
  - (14) To become one of the foremost centers of teaching and research in art, science, engineering and technology; and
  - (15) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objectives of the Institute.
- (c) The executive powers of the Institute shall vest in the Board of Governors. The Board may in turn delegate, any of its powers, to any of the Committee or Committees constituted by it or to any officer or officers of the Institute.
  - (d) Notwithstanding anything contained in this Article, the Institute shall not dispose of, in any manner, any immovable property without prior approval of the Chandigarh Administration.
  - (e) In the discharge of its functions, the Institute shall abide by such directions, on questions of policy, as may be given to it by the Chandigarh Administration. In case of any doubt as to whether a question is or is not a question of policy, the decision of the Chandigarh Administration shall be final.
  - (f) Any dispute, regarding interpretation of any of the Articles of this MOA or Bye-Laws of the Institute, shall be referred to the Chandigarh Administration whose decision shall be final and binding.

#### **5. Institute Open to All**

- (1) The Institute shall be open to persons of either sex and of whatever race, creed, caste or class, and no test or condition shall be imposed as to religious belief or profession in admitting or appointing members, students, teachers or workers or in any other connection whatsoever.
- (2) No benefaction that involves conditions and obligations opposed to the letter and spirit of the objectives of the Institute shall be accepted by it.

#### **6. Admissions**

Admissions to all the undergraduate courses in the Institute shall be made on an all India basis through a common entrance test (wherever such test exists) and as per over all policy of the Chandigarh Administration, including reservation.

#### **7. Power to Review, Hold Enquiries and Issue Directions**

- (1) The Central Government/ UGC/ Chandigarh Administration may appoint one or more persons to review the work and progress of the Institute and to hold inquiries into the affairs thereof and to report thereon in such manner as it may direct.
- (2) During the pendency of an enquiry or otherwise, the Chandigarh Administration may, through a speaking order, suspend any resolution of the Board of Governors, Senate or any other Committee of the Institute.
- (3) Upon receipt of any such report, the Chandigarh Administration may take such action and issue such directions (including annulment of any resolutions) as it considers necessary in respect of any of the matters dealt with in the report and the Institute shall be bound to comply with such directions.

#### **8. Adjustment of Income and property on Dissolution of the Institute**

Any income or property, that shall remain after the satisfaction of all debts and liabilities on the winding up or dissolution of the Institute, shall be entirely transferred to the Chandigarh Administration.

#### **9. Transition Provisions**

Notwithstanding anything contained in this MOA,

- (1) Every person employed by Punjab Engineering College, Chandigarh immediately before this MOA comes into force, shall hold the corresponding office or service in the Institute for the same tenure, at the same remuneration and upon such terms and conditions and with same rights and privileges as to pension, leave, gratuity, provident fund and other related matters as he/ she would have held if the status of Punjab Engineering College, Chandigarh were not changed and shall continue so unless and until his/ her employment is terminated or until such tenure, remuneration and terms and conditions are altered by any change in the Bye-Laws and/ or Rules.

(2) Until the first Bye-Laws and Rules are made under this MOA, the Bye-Laws of the Chandigarh Administration, qua Punjab Engineering College, Chandigarh, as in force immediately before the commencement of this MOA shall continue to apply to the Institute, in so far as they are not inconsistent with the provisions of this MOA.

#### 10. Management of the Institute

The members, along with their addresses, who shall constitute the first Board of Governors of the Institute and to whom, under the Bye-Laws, the management of the Institute shall be entrusted till various authorities in accordance with the Bye-Laws are constituted, are given below as required under the Societies Registration Act, 1860 :

Sr. No.	Member	Address
1.	Advisor to the Administrator, UT Chandigarh (Chairperson)	UT Secretariat Sector-9, Chandigarh
2.	Home Secretary, UT Chandigarh -cum-Secretary Technical Education (Vice Chairman)	UT Secretariat Sector-9, Chandigarh
3.	Finance Secretary, UT Chandigarh	UT Secretariat Sector-9, Chandigarh
4.	Vice Chancellor, Panjab University, Chandigarh	Panjab University, Chandigarh
5.	Joint/Deputy Secretary Technical Education UT, Chandigarh	UT Secretariat Sector-9, Chandigarh
6.	Chairman, CII (Northern Region), Chandigarh	CII, Sector-31 <sup>2</sup> , Chandigarh
7.	Chairman, PHDCCI, Chandigarh	
8 <sup>3</sup> .	An eminent person from the field of Technical Education (to be nominated by the Chandigarh Administration)	
9 <sup>4</sup> .	An eminent person from the industry (to be nominated by the Chandigarh Administration)	

11. A copy of the Bye-Laws of the Institute certified to be a correct copy by three Founder Members of the Institute is filed with the Registrar of Firms and Societies, Chandigarh Administration, Chandigarh, along with this Memorandum of Association.

12. We the several persons, whose names and addresses are given below, having associated ourselves for the purpose described in this Memorandum of Association do hereby subscribe our names to this Memorandum of Association and set our several and respective hands hereinto and form ourselves into a society under the Societies Registrations Act, 1860 (Act XXI of 1860) as applicable to the Union Territory of Chandigarh, the ..... day of 2001 :

Sr. No.	Name Signature	Occupation and Address
1.	Shri R.S.Gujral, IAS	Advisor to the Administrator, UT Chandigarh-cum-Home Secretary & Secretary Technical Education Chandigarh Administration, UT Secretariat Sector-9, Chandigarh

<sup>2</sup> Sector 31 substituted instead of Sector 32 as per decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

<sup>3</sup> Serial number corrected as per decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

<sup>4</sup> Serial number corrected as per decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

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|------------------|---|---|-------|
| 2.               | Shri K A Singh, IAS   | Finance Secretary,<br>Chandigarh Administration,<br>UT Secretariat,<br>Sector-9, Chandigarh | _____ |
| 3.               | Prof. K N Pathak  | Vice Chancellor,<br>Panjab University,<br>Chandigarh  | _____ |
| 4.               | Shri Vivek Atray  | Joint Secretary Technical Education<br>UT, Chandigarh                                       | _____ |
| 5.               | Shri Krishan Goyal  | Chairman, CII, Chandigarh Region<br>Sector-31 <sup>5</sup> , Chandigarh                     | _____ |
| 6.               | Shri Vikram Sehgal  | Chairman, PHDCCI,<br>Chandigarh   | _____ |
| 7.               | Dr. Baljeet S. Kapoor   | Principal,<br>Punjab Engineering College,<br>Chandigarh                                     | _____ |
| 8 <sup>6</sup> . | An eminent person from the field<br>of Technical Education (to be<br>nominated by the Chandigarh<br>Administration) |   | _____ |
| 9 <sup>7</sup> . | An eminent person from the<br>industry (to be nominated by<br>the Chandigarh Administration)                        |   | _____ |
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**WITNESSES**

**1.**  
 Signature : \_\_\_\_\_  
 Date : \_\_\_\_\_  
 Place : Chandigarh  
 Name : \_\_\_\_\_  
 Address : \_\_\_\_\_  
 \_\_\_\_\_

**2.**  
 Signature : \_\_\_\_\_  
 Date : \_\_\_\_\_  
 Place : Chandigarh  
 Name : \_\_\_\_\_  
 Address : \_\_\_\_\_  
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<sup>5</sup> Sector 31 substituted instead of Sector 32 as per decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

<sup>6</sup> Serial number corrected as per decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

<sup>7</sup> Serial number corrected as per decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

**PUNJAB ENGINEERING COLLEGE, CHANDIGARH**  
**BYE-LAWS**

**1. Short Title**

These Bye-Laws may be called, Punjab Engineering College, Chandigarh Bye-Laws, 2001.

**2. Address of the Institute**

The registered office of the Institute shall be situated at Chandigarh (UT).

**3. Definitions**

- (1) "Government" means, Government of India (GOI).
- (2) "UGC" means, University Grants Commission.
- (3) "AICTE" means, All India Council of Technical Education.
- (4) "Society" means, Punjab Engineering College, Chandigarh.
- (5) "Institute" means, Punjab Engineering College, Chandigarh, incorporated under Societies Registration Act 1860 (Act XXI of 1860).
- (6) "MOA" means, Punjab Engineering College, Chandigarh Memorandum of Association, 2001
- (7) "Bye-Laws" means, Bye-Laws of the Institute.
- (8) "Rules" means, Rules of the Institute.
- (9) "Board" means, Board of Governors of the Institute (BOG).
- (10) "Senate" means, Senate of the Institute.
- (11) "Finance Committee" means, Finance Committee of the Institute.
- (12) "Authorities", "Officers" and "Professors" respectively mean authorities, officers and professors of the Institute.
- (13) "Chairman" means, Chairman of the Board.
- (14) "Director" means, Director of the Institute.
- (15) "Registrar" means, Registrar of the Institute.
- (16) "Warden" in relation to a hall of residence of the Institute means, a Warden thereof.

**4. Authorities of the Institute**

The following shall be the Authorities of the Institute, namely :

- (1) Board of Governors;
- (2) Senate;
- (3) Finance Committee;
- (4) Such other authorities as may be declared by the Bye-Laws and/ or Rules to be the authorities of the Institute.

**5. Board of Governors**

(A) *Composition of BOG*

- (1) The Board of Governors of the Institute shall consist of the following persons, namely :
  - (a) An eminent educationist/ industrialist to be selected by the Administration (Chairman).
  - (b) *Secretary, Technical Education*<sup>8</sup>, Chandigarh Administration, ex-officio Vice Chairman.
  - (c) Finance Secretary, Chandigarh Administration, ex-officio.
  - (d) Vice Chancellor, Panjab University, Chandigarh or his nominee.
  - (e) *Joint Secretary/ Deputy Secretary*<sup>9</sup>, Technical Education, UT, Chandigarh, ex-officio.

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<sup>8</sup> Secretary, Technical Education substituted for Home Secretary as per the decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

<sup>9</sup> Joint Secretary/ Deputy Secretary Technical Education substituted for Director Technical Education as per the decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

- (f) Nominee of the Department of Secondary Education and Higher Education, MHRD, Government of India, ex-officio.
  - (g) Nominee of the Ministry of Home Affairs, Government of India, ex-officio.
  - (h) Director, IIT, Delhi or his nominee;
  - (i) Nominee of the Chairman, UGC.
  - (j) Chairman, CII, Northern Region.
  - (k) Director, CSIO, Chandigarh.
  - (l) Two Technologists/ Engineers/ Educationists to be nominated by the Chandigarh Administration.
  - (m) Two eminent Industrialists to be nominated by the Chandigarh Administration.
  - (n) An eminent alumnus of the Institute to be nominated by the Chandigarh Administration.
  - (o) Two Professors of the Institute to be nominated by the Senate.
  - (p) Director of the Institute, ex-officio.
  - (q) Registrar of the Institute shall be ex-officio Member-Secretary.
- (2) All the members of the Board of Governors other than ex-officio members and the members of the teaching staff shall hold office for a term of three years and shall be eligible for re-nomination.
- (3) Members of teaching staff in the above body shall hold office for a period of 2 years or till such time as they continue to be members of the teaching staff, whichever is less.
- (4) The Chairman of the Board shall preside over the meetings of the Board, the Finance Committee and convocations of the Institute.
- (B) Powers of the BOG
- (1) The Board of the Institute shall be responsible for 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 Bye-Laws and Rules, and shall have the power to review the decisions of the Senate.
- (2) Without prejudice to the provisions of Sub-section (1), the Board of the Institute shall :
- (a) take decisions on questions of policy relating to the administration and working of the Institute;
  - (b) institute courses of study at the Institute;
  - (c) make the Bye-Laws with the prior approval of the Chandigarh Administration <sup>10</sup>and Ministry of Human Resource Development (Government of India);
  - (d) to create posts both, academic and non-academic, to determine their numbers, qualifications and cadres, with the prior approval of the Chandigarh Administration and to make appointments to such posts on the basis of the recommendations of the Selection Committee(s);
  - (e) to consider and modify or repeal Bye-Laws and Rules, subject to approval of the Chandigarh Administration <sup>11</sup>and Ministry of Human Resource Development (Government of India);
  - (f) to consider and pass resolutions on the annual report, annual accounts and the budget;
  - (g) to make estimates of the Institute for the next financial year and submit them to the Chandigarh Administration together with a statement of its development plans;
  - (h) to exercise such other powers and perform such other duties as may be assigned to it and conferred upon it by this Memorandum of Association or the Bye-Laws/Rules.
- (3) The Board shall have the power to appoint such committee(s) as it considers necessary for the exercise of its powers and performance of its duties as defined under this Memorandum of Association.
- (C) Meetings of the BOG

<sup>10</sup> Inserted as per the decision of the 2<sup>nd</sup> meeting of the Board on December 9, 2004.

<sup>11</sup> Inserted as per the decision of the 2<sup>nd</sup> meeting of the Board on December 9, 2004.

- (1) The Board of Governors shall meet at least four times a year. Not less than 15 days notice shall be given for a meeting. A copy of the proceedings of each meeting shall be furnished to the Chairman of the BOG as soon as possible after the meeting.
- (2) Six persons shall constitute the quorum for the meeting of the Board.
- (3) Each member of the Board of Governors, including its Chairman, shall have one vote and decisions at the meeting of the Board shall be taken by simple majority. In case of a tie the Chairman shall have a casting vote.
- (4) Every meeting of the BOG shall be presided over by its Chairman. <sup>12</sup>*In the absence of the Chairman, the Secretary Technical Education (Vice Chairman) may preside over the meetings of BOG. In case both, the Chairman and the Vice Chairman, are not present at a meeting of the BOG, the members present would elect a Chairman from amongst themselves.*
- (5) Any business, which may be necessary for the Board of Governors to conduct, may be carried out by circulating appropriate resolution thereon among its members and any resolution so circulated and approved by a simple majority shall be as effective and binding as if such resolution had been passed at a meeting of the Board.
- (6) If a member other than the Director or those representing the teachers accepts a full time appointment in the Institute or he does not attend three consecutive meetings of the Board of Governors without proper leave of absence, he shall cease to be a member of the Board.

## 6. Senate

### (A) *Composition of the Senate*

- (1) The Senate shall consist of the following persons, namely;
  - (a) Director of the Institute, *ex-officio* Chairman.
  - (b) Deputy Director (Administration), *ex-officio*.
  - (c) Dean of Faculties, if any, *ex-officio*.
  - (d) Heads of the Departments of the Institute, *ex-officio*.
  - (e) Two of the Professors, other than the Deans / Heads of the Departments, by rotation.
  - (f) Two Associate Professors/Assistant Professors, from the Departments, to be elected from amongst the Associate Professors/Assistant Professors.
  - (g) Two <sup>13</sup>Lecturers, from the Departments, to be elected from amongst the Lecturers.
  - (h) Two persons from amongst educationists of repute or persons from any other field related to the activities of the Institute who are not in the service of the Institute, nominated by the Chairman of the Board of Governors.
  - (i) Two persons who are not members of the teaching staff, co-opted by the Senate for their specialized knowledge.
- (2) The term of members other than *ex-officio* members shall be two years. The elected members shall be eligible for a maximum of two terms consecutively.

### (B) *Meeting of the Senate*

- (1) The Senate shall meet as often as may be necessary but not less than three times during the academic year.
- (2) One third of the total members of the Senate shall constitute the quorum for the meeting of the Senate.
- (3) The provisions in these Bye-Laws regarding notice of meeting, inclusion of items in the agenda and confirmation of the minutes applicable to the meeting of the Board shall, in so far as applicable, may be followed in connection with meeting of the Senate.
- (4) Any business which may be necessary for the Senate to conduct, except such as may be placed before its meeting, may be carried out by circulation through a resolution among all its members and the resolution so circulated and approved by a simple majority shall be effective and binding as if such resolution had been passed in the meeting of the Senate, provided that at

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<sup>12</sup> Inserted as per the decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

<sup>13</sup> Assistant Professor deleted from Clause 6(A) g as the same provision exists in Clause 6(A) f, as per the decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

least one half of the total number of the members of the Senate, have recorded their views on the resolution.

(C) *Powers and Functions of the Senate*

The Senate shall be the principal academic body of the Institute and shall have the control over and be responsible for the maintenance of standards of education, teaching and training, inter-departmental co-ordination, research, examinations and tests within the Institute and shall exercise such other powers and perform such other duties and functions as may be prescribed or conferred upon it by the Bye-Laws and Rules. It shall have the following specific powers and duties :

- (1) to exercise general supervision over the academic work of the Institute and to give direction regarding methods of instruction, evaluation or research or improvements in academic standards.
- (2) To promote research within the Institute, acquire reports on such research from time to time.
- (3) To consider matters of academic interest either on its own initiative or at the instance of the Board of Governors and to take proper action thereon.
- (4) To make arrangements for the conduct of examinations in conformity with the Rules.
- (5) To recognize diplomas and degrees of other University and institutes and to determine equivalence with the diplomas and degrees of the Institute.
- (6) To prescribe courses of study leading to degrees and diplomas of the Institute.
- (7) To appoint examiners, moderators, tabulators and such other personnel for different examinations.
- (8) To suggest measures for departmental co-ordination.
- (9) To make major recommendations to the Board of Governors on :
  - (a) Measures for improvement of standards of teaching, training and research.
  - (b) Institution of chairs, fellowships, scholarships, studentships, free-ships, medals and prizes etc.
  - (c) Establishment or abolition of departments / centres and
  - (d) Rules covering the academic functioning of the Institute, discipline, residence, admissions, examinations, award of fellowships and studentships, free-ships, concessions and attendance etc.
- (10) to appoint sub-committees to advise on such specific matters as may be referred to it by the Board of Governors .
- (11) to consider the recommendations of the sub-committees and to take such action (including making of recommendations to the Board of Governors ) as the circumstances in each case may require.
- (12) to take periodical review of the activities of the Departments/ Centres and to take appropriate action (including making of recommendations to the Board of Governors) with a view to maintaining and improving the standards of instruction.
- (13) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Bye-Laws and Rules.
- (14) to recommend creation of all academic posts to the Board of Governors.

**7. Finance Committee**

(A) *Composition of the Finance Committee*

The Finance Committee shall consist of the following members :

- (1) the Chairman, ex-officio, who shall be the Chairman of the Committee;
- (2) the Finance Secretary, Chandigarh Administration or his nominee;
- (3) one other officer of the Chandigarh Administration, to be nominated by the Chandigarh Administration;
- (4) two members of the Board, nominated by the Board;

(5)<sup>14</sup> one nominee of the Ministry of Human Resource Development, Govt. of India.

(6)<sup>15</sup> one nominee of the University Grants Commission.

(7) the Director, ex-officio; and

(8) the Registrar, ex-officio, Secretary.

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

(B) *Working of the Finance Committee*

(1) This Committee shall meet as often as necessary but at least twice a year.

(2) Four members shall form the quorum for a meeting of this Committee.

(3) The provisions in these Bye-Laws regarding notice of meeting, inclusion of items in the agenda and confirmation of the minutes applicable to the meeting of the Board shall, in so far as applicable, may be followed in connection with meeting of this Committee.

(4) A copy of the minutes of every meeting of this Committee shall be sent to the Board.

(C) *Powers and Functions of the Finance Committee*

(1) The Finance Committee shall examine the accounts and scrutinize proposals for expenditure.

(2) The annual accounts and financial estimates of the Institute shall be placed before the Finance Committee for consideration and thereafter submitted to the Board of Governors, together with the comments of the Finance Committee, for approval.

## 8. Selection Committee(s)

(A) *Composition of the Selection Committee(s)*

There shall be a Selection Committee for making recommendations to the Board of Governors for appointment to the posts of Professors, Associate Professors and Assistant Professors in the Institute and such other posts as may be prescribed by the Rules. Every selection Committee shall consist of the following members :

(1) In the case of all teaching / scientific staff in the scale of the post of Assistant Professor and above, the Selection Committee shall consist of :

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|---|----------|
| (a) Director  | Chairman |
| (b) One nominee of the Chandigarh Administration  | Member   |
| (c) Two subject experts to be nominated by the Director<br>(from outside the Institute) out of the panel approved<br>by the Chandigarh Administration | Members  |
| (d) Head of the Department concerned  | Member   |

(2) In the case of non-teaching posts and scientific staff below the scale of the post of Assistant Professor and other than Registrar, the Selection Committee shall consist of :

- |   |          |
|---|----------|
| (a) Director  | Chairman |
| (b) One nominee of the Chandigarh Administration  | Member   |
| (c) Two subject experts to be nominated by the Director<br>(from outside the Institute) out of the panel approved<br>by the Chandigarh Administration | Members  |
| (d) Registrar ( <i>For non-academic posts only</i> )  | Member   |
| (e) Head of the Department concerned  | Member   |

(*For posts within the Academic Departments*)

## 9. Director

(A)

(1) The Director shall be a whole time salaried officer of the Institute.

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<sup>14</sup> Inserted as per the decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

<sup>15</sup> Inserted as per the decision of the 1<sup>st</sup> meeting of the Board on August 4, 2004.

- (2) The Director shall be an eminent person from the field of Technical Education, preferably from the IIT system. He shall be appointed by the Chandigarh Administration on contractual basis on recommendation of a Search cum Selection Committee constituted for the purpose. The Search cum Selection Committee shall be headed by the Advisor to the Administrator and shall consist of the Secretary Technical Education, the Finance Secretary and shall have a representative each of the Central Government and the UGC. The Director shall hold office for a term of 5 years. His term shall be subject to renewal for further periods provided that every such appointment and terms thereof shall be subject to prior approval of the Chandigarh Administration.

*Provided that notwithstanding the expiry of the said period of 5 years, he can continue in office till his successor is appointed and assumes office, but not beyond six months.*

*Provided further that a person appointed as Director shall retire from office during the tenure of his office or of extension, if any, when he completes the age of 62 years.*

- (3) If the office of the Director becomes vacant due to death, resignation or otherwise and in his absence due to illness or any cause, the Deputy Director or if there is no Deputy Director, the senior most Dean shall perform the duties of Director until a new Director is appointed or the existing Director resumes duties, as the case may be.
- (4) The Deputy Director of the Institute shall be appointed on such terms and conditions as may be laid down by the Rules and shall exercise such powers and perform such duties as may be assigned to him under the Rules or by the Director.

(B) *Powers & Functions of the Director*

- (1) The Director shall be the Principal Executive Officer of the Institute and shall exercise general supervision and control over the affairs of the Institute and implement the decisions of all the authorities of the Institute.
- (2) The Director, unless otherwise provided, shall be the ex-officio Chairman of the Senate.
- (3) The Director shall have the power to employ technicians on short-term contract basis within the overall budgetary allocation of the Institute and with the approval of the Finance Committee.
- (4) The Director shall have the power to send members of the staff for training or for a course of instruction inside India, subject to such terms and conditions as may be laid down by the Board from time to time.
- (5) The Director shall have the power of a Head of Department for purposes of Bye-Laws in the Accounts Code, the Fundamental and Supplementary Bye-Laws and other Bye-Laws of the Government, in so far as they are applicable or may be made applicable to the conduct of the business of the Institute.
- (6) It shall be duty of the Director to ensure that the Memorandum of Association, the Bye-Laws and Rules of the Institute are duly observed and implemented and he shall have all the necessary powers in this regard.
- (7) The Director shall exercise general control over the affairs of the Institute and shall be mainly responsible for implementation of the decisions of various authorities of the Institute.
- (8) All powers relating to the proper maintenance and discipline of the Institute shall be vested in the Director.
- (9) The Director shall exercise such other powers and perform such other functions as may be prescribed by the Bye-Laws and Rules.
- (10) The Director shall exercise all other powers as may be delegated to him by the Board of Governors.
- (11) The Director shall have the power to re-delegate some of his powers to any of his subordinate officers with the concurrence and approval of the Board of Governors.
- (12) The Director shall have the power to convene or cause to be convened meetings of various bodies of the Institute.

## 10. Head of the Department

- (1) There shall be a Head of the Department for each of the Departments in the Institute who shall be appointed by the Director, by rotation, from amongst the Professors of the Department.  
*Provided that if there is no Professor in the Department the Director may appoint an Associate Professor/Assistant Professor as acting Head of the Department.*
- (2) The term of appointment of the Head of the Department shall normally be 3 years and he shall be eligible for reappointment for one more term, if there is no other eligible Professor/ Associate Professor/ Assistant Professor.
- (3) The powers and function of the Head of the Department shall be prescribed by the Rules of the Institute.

## 11. Registrar

### (A)

- (1) The Registrar shall be a whole-time salaried officer of the Institute.
- (2) The Registrar shall be appointed by the Board of Governors on contractual basis on the recommendation of the Selection Committee consisting of the following :
  - (a) Director Chairman
  - (b) One nominee of the Chandigarh Administration Member
  - (c) One nominee of the Board of Governors Member
- (3) The contractual appointment shall be for a period of 5 years. This term shall be subject to renewal for further periods provided that every such appointment and terms thereof shall be subject to prior approval of the Chandigarh Administration.  
*Provided that notwithstanding the expiry of the said period of 5 years, he can continue in office till his successor is appointed and assumes office, but not beyond six months.*  
*Provided further that a person appointed as Registrar shall retire from office during the tenure of his office or of extension, if any, when he completes the age of 62 years.*
- (4) The qualifications, emoluments and other terms and conditions of service of the Registrar shall be as may be determined by the Board of Governors with the approval of the Chandigarh Administration.
- (5) When the office of the Registrar is vacant or when the Registrar is absent by reason of illness or any other reason, the duties and functions of the Registrar shall be performed by such other person as the Director may appoint for the purpose.

### (B) Powers and Functions of the Registrar

The Registrar shall be ex-officio Secretary of the Board of Governors, the Senate and the Finance Committee but shall not be deemed to be a member of any of these authorities. The Registrar shall be directly responsible to the Director of the Institute. The following shall be the duties of the Registrar :

- (1) To be the custodian of records, funds and such other property of the Institute as the Board of Governors may commit to his charge.
- (2) To conduct the official correspondence on behalf of the authorities of the Institute.
- (3) To issue notices convening meetings of the authorities of the Institute and all Committees and Sub-Committees appointed by any of these authorities.
- (4) To keep the minutes of the meetings of all the authorities of the Institute and of all the committees and sub-committees appointed by any of these authorities.
- (5) To make arrangements for and supervise the examinations conducted by the Institute.
- (6) To represent the Institute in suits or proceedings by or against the Institute, sign powers of attorney and perform pleadings or depute his representatives for this purpose.
- (7) To enter into agreement, sign documents and authenticate records on behalf of the Institute.
- (8) To hold in special custody books and documents of the Institute.
- (9) To safeguard and maintain the buildings, gardens, office, canteen, cars and other vehicles, laboratories, libraries, rooms, equipment and other properties of the Institute.

(10) To perform such other duties as may be specified in the Bye-Laws and Rules or as may be specified by the Board or the Director from time to time.

## **12. Appointments**

- (1) All appointment of the staff of the Institute, except that of the Director and the Registrar, shall be made in accordance with the procedure as may be laid down in the Rules to be framed by the Board in this regard.
- (2) The appointing authority for different categories of employees shall be as follows :
  - (a) All Professors.....Board
  - (b) Lecturers, Assistant Professors, Associate Professors and other non-academic posts of the level of Group 'A' and 'B' .....Director
  - (c) All posts of the level of Group 'C' and 'D' .....Registrar

## **13. Departments**

The Institute shall have the following Departments :

- (1) Applied Sciences
- (2) Aeronautical Engineering
- (3) Civil Engineering
- (4) Computer Science and Engineering
- (5) Electrical Engineering
- (6) Electronics and Electrical Communication Engineering
- (7) Information Technology
- (8) Mechanical Engineering
- (9) Metallurgical Engineering
- (10) Production Engineering

Provided that in addition, the Board may establish or abolish one or more Departments/ Centres after considering the recommendations of the Senate.

## **14. Conferment of Honorary Degrees**

All proposals for the conferment of honorary degrees shall be made by the Senate and shall require the assent of the Board before submission to the Chandigarh Administration for confirmation. Provided that in case of urgency the Chairman may submit, on behalf of the Board, such proposals to the Chandigarh Administration.

## **15. Rules**

Subject to the provisions of the Memorandum of Association and the Bye-Laws, the Board of Governors shall, in addition to all other powers vested in it, have the power to frame Rules, with the approval of the Chandigarh Administration, which may provide for all or any of the following matters :

- (1) establishment of Departments / Centres / Cells;
- (2) the admission of students to the Institute and their enrolment as such;
- (3) the courses of study to be laid down for all degrees, diplomas and certificates of the Institute;
- (4) the grant of academic awards (such as degrees and diplomas) and distinctions;
- (5) the fees to be charged in the Institute and for admission to the examination, degrees, diplomas and certificates of the Institute;
- (6) the institution of and prescription of the conditions of the award of fellowships, scholarships, studentships, medals and prizes;
- (7) the conduct of examinations, appointment of examiners and approval and publication of results thereof;
- (8) the management of hostels, students facilities and support systems and maintenance of discipline amongst the students;
- (9) the maintenance of discipline among the employees of the Institute;

- (10) the classification, emoluments, methods of appointment and the determination of the terms and conditions of service of the teaching and non-teaching staff of the Institute and qualifications and recruitment Bye-Laws thereof with the prior approval of the Chandigarh Administration;
- (11) the constitution of pension, provident fund, insurance etc. for the benefit of the officers, teachers, academic staff and the other staff of the Institute with the prior approval of the Chandigarh Administration;
- (12) the delegation of financial powers to various authorities and officers of the Institute;
- (13) the creation, composition and functions of any committee or body, which is considered necessary for the working of the Institute;
- (14) the preparation and submission of budget estimates;
- (15) the procedure for convening and conducting of meetings of any authority or committee and determination of allowances in the form of sitting fees to be paid to the members and the chairman thereof;
- (16) procedure and conditions for taking up consultancy and sponsored research projects;
- (17) all other matters which, by this Memorandum of Association or the Bye-Laws or the Rules, may be provided for;

*Provided that no Rules shall be made, affecting the conditions of residence, health and disciplines of students, admission or enrolment of students, conditions and mode of appointment or duties of examiners or the conduct or standard of examinations or new courses of study without consulting the Senate.*

#### **16. Alteration, Amendments, and Additions in the Bye-Laws**

The Bye-Laws and Rules of the Institute may be altered, amended and added to by the Board of Governors in accordance with the provision of the Societies Registration Act, 1860, as for the time being in force, provided any such alterations, amendments and additions in the Bye-Laws of the Institute or Rules (if specified) shall become effective only after the receipt of concurrence of the Chandigarh Administration.

#### **17. Legal Proceedings**

- (1) For the purpose of Section 6 of the Societies Registration Act, 1860, the person in whose name the Institute may sue or be sued shall be the Registrar.
- (2) No suit or legal proceedings shall lie against the Chandigarh Administration, UGC, AICTE or the Institute or an Officer of the Institute or a member of the authority of the Institute in respect of anything done or purported or intended to be done in pursuance to any article of Memorandum of Association or the Bye-Laws and Rules made there under.

#### **18. Funds, Accounts, Audits and Annual Report**

- (1) The funds of the Institute shall be utilized solely for the purposes of the Institute.
- (2) The accounts of the Institute shall be maintained in the name of the Institute. The accounts of the Institute shall be kept in such form as may be laid down by the Chandigarh Administration. The accounts of the Institute will be open to examination by the Comptroller and Auditor General of India.
- (3) All funds belonging to the Institute or under the control of the Board of Governors, shall be shown separately in the accounts of the Institute.
- (4) Annual Reports and the Audit Reports shall be submitted to the Government of India within nine months of the closure of the accounting year for the purpose of being laid down on the table of the Parliament.
- (5) The accounts of income and expenditure as also the annual financial statement and annual accounts shall be audited by the Comptroller and Auditor General of India through the Accountant General of the Chandigarh Administration.

#### **19. Miscellaneous**

- (1) The income and property of the Institute, howsoever derived, shall be applied towards the promotion of its objectives as set forth in this Memorandum of Association.
- (2) Subject to the provisions of these Bye-Laws and Rules any officer(s) or authority of the Institute may delegate its powers to any other authority or person under their respective control

and subject to the conditions that the overall responsibility for the exercise of powers, so delegated, shall continue to rest in the officer or Authority delegating such powers.

- (3) Where no provision is made for a Chairman to preside over a meeting of an authority of the Institute or any Committee of such authority, or if the Chairman is absent, the members shall select one from amongst themselves to preside over at such a meeting.
- (4) For individual grievance and complaint, every Institution shall have a Grievance Redressal Machinery as may be prescribed in the Rules.
- (5) No act or proceedings of any authority or any Committee of the Institute shall become invalid merely by reasons of:
  - (a) any vacancy therein or any defect in the constitution thereof; or
  - (b) any defect in the nomination or appointment of a person acting as a member thereof; or
  - (c) any irregularity in its procedure not affecting the merits of the case.
- (6) Casual vacancies among the members (other than ex-officio members) of any authority or any other Committee of the Institute shall be filled as soon as it may be convenient to the person or the authority who appointed or co-opted the member whose place has become vacant; and the person appointed or co-opted to a casual vacancy shall be a member of such authority or committee for the residual term for which the person whose place he fills would have been a member.

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