



## **RASHTRASANT TUKADOJI MAHARAJ NAGPUR UNIVERSITY**

(Established by Government of Central Provinces Education Department by Notification No. 513 dated the 1<sup>st</sup> of August, 1923 & presently a State University governed by Maharashtra Universities Act, 1994)

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### **\* ORDINANCE NO. 1 OF 2007**

#### **AN ORDINANCE PERTAINING TO THE CHARGEABLE FEES FROM STUDENTS, TOWARDS CREATION OF FUND FOR DISASTER MANAGEMENT**

Whereas it is expedient to provide for an Ordinance pertaining to chargeable fees from the students, towards creation of fund for Disaster Management cell, the Management Council is hereby pleased to make the following ordinance. :

1. This Ordinance may be called "Chargeable fees from students, towards creation of Fund for Disaster Management Cell Ordinance - 2007".
2. This Ordinance shall come into force with effect from the date of its approval by the Management Council.
3. In this Ordinance, unless the context requires :
  - i) "Act" means the Maharashtra Universities Act, 1994.
  - ii) "Conducted College" means a college maintained and managed by the University.
  - iii) "Affiliated College" means a college affiliated to the University.
  - iv) "Principal/Director of a conducted/affiliated College" means a head of a conducted/affiliated College, and recognized to be so by the University.
  - v) "Academic Year" means an year commencing on such date in June/July and ending with such date in March/April of the year following as may be decided by the Academic Council.
4. Every conducted / affiliated college shall charge a fee of Rs. 10/- from each student per Academic year right at the time of his/her admission to any of the courses of study in the Rashtrasant Tukadoji Maharaj Nagpur University, towards the "Disaster Management Fund" to be deposited in the University Account on or before 30 September, each year by a demand draft drawn in favour of the Registrar, Rashtrasant Tukadoji Maharaj Nagpur University.

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\* Accepted by the Management Council on dt. 6<sup>th</sup> March, 2007, vide item No. 7, under the draft Ordinance No. 4 of 2007 & Hon'ble Chancellor vide letter No. CS/NU/ORD/42/07/2071, dt. 3 July, 2007.

5. The university shall deposit the said collected amount in a fixed term deposit, through an Independent Bank Account.
6. Out of the interest so accrued from the fixed term deposit, the university shall establish a Disaster Management Cell and organize workshop of Teachers & Students for their appropriate orientation towards Disaster Management and also purchase relevant material for effective handling of the same.
7. The seed money shall be utilized and when the contingent situation arises in the State, as per the decision of all Vice-chancellors of the universities of the State.
8. The fees for the said purpose be collected from the students for the academic year 2007-08 & onwards.

### **STATEMENT OF OBJECT AND REASONS**

In order to tide over and mitigate effectively the contingent disastrous situation that occur, the Department of Higher & Technical Education, through its letter No. गुभूनि/(५६/२००१)/विशि-३, dated 31st July, 2001 have proposed that each University should create a fund towards effective management of the same. The said proposal required to be regulated through issuance of appropriate Ordinance.

This Ordinance strictly adheres to present policy and orders of the State Government. While implementing the provisions of this Ordinance, no financial implications are involved at the Government as well as university level as of now or in future.

Hence this Ordinance.

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### **\* ORDINANCE NO. 2 OF 2007**

#### **AN ORDINANCE TO AMEND THE ORDINANCE NO. 143, EXAMINATION LEADING TO THE DEGREE of विज्ञान स्नातक (BACHELOR OF SCIENCE)**

Whereas it is expedient to amend ordinance no. 143, Examination leading to the degree of विज्ञान स्नातक (Bachelor of Science), for the purposes hereinafter appearing; the Management Council is hereby pleased to make the following ordinance;

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\* Accepted by the Management Council dated 4<sup>th</sup> June, 2007, vide item No. 40, under the draft Ordinance No. 6 of 2002 & Hon'ble Chancellor vide letter No. CS/NU/ORD/42/07/2519, dt. 8 August, 2007.

1. This ordinance may be called 'Examination leading to the degree of विज्ञान स्नातक (Bachelor of Science) (amendment) Ordinance, 2007.
2. This ordinance shall come in to force with effect from the date of its approval by the Management Council.
3. in sub para (iii) of para 7 of the main ordinance no. 143, examination leading to the degree of fokku lukrd (bachelor of science) after serial no. (42) the following group of subject be added :

(43) Electronics, Computer science and Mathematics.

(44) Physics, Chemistry and Computer science.

(45) Mathematics, Chemistry and Computer science.

#### STATEMENT OF OBJECT AND REASONS

It was imperative to broaden the scope of the eligibility so as to facilitate the desirous and deserving applicant students to avail the opportunity in terms of their admission to the course the Management Council 4<sup>th</sup> June, 2007 vide item No. 40 considered & approved this amendment Ordinance.

While implementing the provisions of this Ordinance, no financial implications are involved at the Government as well as university level as of now or in future and is in consonance with the orders of the State Government and guidelines of the University Grants Commission.

Hence the amendment.

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#### **\* ORDINANCE NO 3 OF 2007**

#### **ORDINANCE TO PROVIDE FOR AWARD OF GRACE MARKS FOR PASSING AN EXAMINATION, SECURING HIGHER DIVISION/CLASS AND FOR SECURING DISTINCTION IN SUBJECT(S)**

Whereas it is expedient to provide for the Award of grace marks for passing an examination, securing higher division/class and for securing distinction in subject(s), the Management Council is hereby pleased to make the following ordinance. :

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\* Accepted by the Management Council on dt. 5<sup>th</sup> October, 2007, vide item No. 104, under the draft Ordinance No. 15 of 2007.

1. This Ordinance may be called “Ordinance to provide for award of Grace Marks for passing an examination, securing higher division/class and for securing distinction in subject(s), 2007”.
2. This Ordinance shall come into force with effect from the date of its approval by the Management Council.
3. In this Ordinance, unless the context otherwise requires :
  - (a) “Act” means the Maharashtra Universities Act, 1994;
  - (b) “Board of Examinations” means the Board of Examinations duly constituted in accordance with Section 31(3) of the Act and is hereafter referred to as the “Board”.
  - (c) “Examination” means an examination prescribed by the University under an Ordinance or Statute.
  - (d) “Student” means and includes person who is enrolled as such by the University or receiving instructions qualifying for any Degree, Diploma or Certificate awarded by the University. It includes ex-students, external students and students registered as candidates (examinees) for any of the Degree, Diploma or Certificate examination.
  - (e) “Marks” means the marks that have been awarded to the examinee/student by an examiner upon valuation of his/her performance at theory/ practical/ oral / sessional examination conducted by the University or on its behalf.
  - (f) “Grace Marks” means the additional marks, which are awardable to an examinee under this Ordinance.
  - (g) “Head of passing” means a head under which minimum marks are prescribed for passing in an examination.
 

Explanation: 1. For the purposes of this definition “Head of passing” includes theory, practical and sessional wherever prescribed.

2. The minimum aggregate marks wherever prescribed for passing an examination shall also form a Head of passing.
  - (h) “Prescribed” means prescribed by relevant ordinance/statute for the concerned examination.

4. The grace marks shall be awarded for enabling an examinee for passing an examination or securing higher division/ class or securing distinction in subject(s), as the case may be, except Examinations in the faculty of Ayurvedic Medicine and faculty of Medicine but including examinations in Pharmaceutical Sciences.
5. In an examination an examinee/ student shall be eligible for award of maximum Grace marks not exceeding 10 or 1% of the total aggregate marks prescribed for that examination; whichever is less. The award of grace marks shall be according to Clause 6.
6. (i) When an examinee fails to secure minimum passing marks in more than one head of passing then the maximum Grace marks permissible in one head of passing, shall be as given below :

Maximum marks in a Head of passing	Permissible Grace Marks
000-050	2
051-100	3
101-150	4
151-200	5
201-250	6
251-300	7
301-350	8
351-400	9
401 and above	10

This distribution of grace marks shall be subject to maximum permissible grace marks as per clause (5) above.

- (ii) Where an examinee fails to secure minimum passing marks in only one head of passing but not being the head of aggregate marks, wherever prescribed, he/she shall be eligible for award of grace marks in that head of passing over and above the marks permissible under para 6 (I) above. However, in such case the total grace marks shall not exceed 10 or 1% of the total aggregate marks of the examination whichever is less. The award of additional grace marks over and above the marks permissible under clause 6 (I) shall be on the basis of 1 grace mark for every 10 marks secured by an examinee over and above the minimum passing aggregate marks. The component of less than ten at any stage of counting over and above the prescribed minimum aggregate shall not be taken into account. Where no minimum passing aggregate marks are prescribed, the award of additional grace marks shall be on the basis of the total marks obtained by adding minimum passing marks under different heads of passing for that examination.

7. Subject to maximum permissible grace marks under Clause 5, in an examination in which distinction in a paper(s)/subject(s) is prescribed, an examinee shall be eligible to get grace marks, if his /her score in a paper(s)/subject(s) falls short by not more than 3 marks for getting distinction in the paper(s)/subject(s). Such grace marks can be awarded in maximum of two papers/ subjects.

Provided, however, that an examinee shall not be eligible for the benefit of this provision if he has availed benefit under clause (6) above.

8. Where a division/ class is prescribed in an examination, an examinee shall be eligible for grace marks not exceeding 1% of the total aggregate marks of all the examination of the Degree/Diploma/Certificate course or 10 marks whichever is less, to secure a higher Division/Class.

Provided that an examinee shall not be eligible to claim benefit under this rule if he has been granted benefit of grace marks under clause 6 or 7 above.

9. If the total grace marks awardable result in a fraction, it shall be converted to next higher integer.
10. Wherever grace marks are awarded either under clause 6, 7 or 8, such grace marks shall be added to the aggregate marks/ grand total secured by an examinee in the examination.
11. Notwithstanding anything contained herein or in any other Ordinance or Statute in force, the benefit of grace marks shall not accrue to an examinee merely on the basis of marks obtained by way of sessional where the sessional marks do not form a separate head of passing.
12. The award of grace marks shall be reflected in the statement of marks with indication that Grace marks are only for passing the examination or for securing division, or distinction in subject(s) as the case may be.
13. The grace marks shall be shown by one asterik with added mark(s) above the head or right side of the original marks in the Tabulation Register. However, in the statement of marks grace marks so awarded will be included in marks scored by the examinee and shall be indicated in terms of one asterik (Viz\*,) above the head or right side of the consolidated marks and to be carried forward to the grand total.

The following sign with a note shall be printed at the bottom of the statement of marks.

“NOTE : (\*) Passes by grace marks vide ordinance No. 3 of 2007.”

14. Provision of grace marks under this ordinance shall not be applicable to the examinee who remains absent for theory examination or part of it and/or practical/sessional/internal assessment if they are separate heads of passing.
15. The provision of this ordinance regarding award of grace marks shall not be available for seeking exemption(s) in one or more paper(s)/subject(s).
16. The examinee passing the examination with grace marks shall not be eligible to be placed in the merit list and also shall not be eligible for any University Scholarship, medal(s), prize(s) or any other University awards pertaining to that examination.
17. For the Post Graduate examinee/student giving a declaration under Ordinance Nos. 36 (M.A.), 68 (M.Com.) and 49 (M.Sc.) for securing higher division and Ordinance No. 4/96, for the improvement of division, the facility of awarding grace marks as per provisions of this Ordinance shall not be applicable.
18. Upon promulgation of this Ordinance, the Direction No. 9 of 2002 shall stand repealed.

#### STATEMENT OF OBJECT & REASONS

Prof. Arun Nigwekar Committee prepared a report and draft Ordinances and the same were considered and accepted by the Joint Board of Vice-Chancellors in its meeting held on 5<sup>th</sup> August, 2000 providing for Award of Grace Marks towards passing an University examination, securing higher division/class and for securing distinction in subject(s). The same was for the time being regulated through issuance of Direction No. 9 of 2002. However, the matter needs to be governed by a Ordinance prescribed for the said purpose.

While implementing the provisions of this Ordinance, no financial implications are involved at the Government as well as university level as of now or in future and the same is in consonance with the orders of the State Government and guidelines of the University Grants Commission.

Hence this Ordinance.

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**\* ORDINANCE NO 4 OF 2007****ORDINANCE TO PROVIDE POLICY FOR CONSTITUTING A PERMANENT CELL AGAINST SEXUAL HARASSMENT AND GENDER VIOLATION.**

Whereas it is expedient to provide policy for constituting a Permanent cell against Sexual Harassment and gender violation, the Management Council is hereby pleased to make the following ordinance. :

1. This Ordinance may be called "Ordinance to provide policy for constituting a permanent cell against sexual harassment and gender violation, 2007".
2. This Ordinance shall come into force with effect from the date of its approval by the Management Council.
3. For the purpose of this Ordinance :
  - (i) 'Gender Violence' as an inclusive category involves sexual harassment, rape and also covers all forms of discriminatory behavior/conduct based on the gender identity of a person.
  - (ii) 'Employee' means any person on the staff of the University or any of the colleges or institutions to which this policy is applicable including any teaching or non teaching staff, temporary, part time, honorary employee by whatever name called and would include employees employed on a casual or adhoc basis and also employed through a contractor.
  - (iii) 'Student' includes any person who is enrolled for any course, whether by attendance or distance education with the University or with any of its affiliated colleges or institutions and includes a post-graduate student, a research scholar and a repeater. It also includes student of another University or another college who has been placed or has opted for placement with the University or any college to which the present policy applies.
  - (iv) 'College' shall mean and include all colleges and other institutions affiliated to the Rashtrasant Tukadoji Maharaj Nagpur University.
4. The Cell against sexual harassment and gender violation for their resolution, settlement and prosecution of the guilty shall be constituted by the university which shall be autonomous in character.

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\* Accepted by the Management Council on dt. 5<sup>th</sup> October, 2007, vide item No. 105, under the draft Ordinance No. 16 of 2007.



5. The Cell shall have following members to be headed by a woman and 2/3<sup>rd</sup> of its members shall also be women.

i)	Vice-Chancellor/ Pro-Vice-Chancellor	Patron	
ii)	Chairperson/Co-ordinator	Female	Nominated by Vice-Chancellor
iii)	Police Officer	1 Member	Nominated by the Commissioner of police, Nagpur
iv)	State Government Nominee	1 Member	Nominated by the Secretary, Higher & Technical Education, Govt. of Maharashtra
v)	Management Councilor	1 member	} Nominated by the Vice- Chancellor
vi)	Human Rights Activist	1 member	
vii)	Head, P.G.T.D.	1 member	
viii)	N.G.O. Representative	1 member	
ix)	Psychiatrist/Counselor	1 member	
x)	President & Secretary of University Students Council	Ex-officio	
xi)	Administrative Officer, Rashtrasant Member Tukadoji Maharaj Nagpur University (not below the rank of Asstt. Registrar.)	Member Secretary	

6. The term of the members other than Ex-officio members shall be five years from the date of their Notification.

7. The scope and jurisdiction of the cell shall extend to all the members of the teaching and non-teaching staff who are employed by the University and to all the registered and enrolled students of the University.

Provided that in case of third party harassment the Cell will actively assess and provide all its resources to the complainant in pursuing the complaint and ensure her/his safety at least at the University premises.

## 8. College Committee :

The College Committee will consist of the following :

- i) Three representatives from teaching staff nominated by the Principal.
- ii) Two representatives from the non teaching staff, which will include the office, library and laboratory staff nominated by the Principal.
- iii) President & Secretary of the College Students Council – Ex-officio.
- iv) A non-teaching employee of the college not below the rank of upper division clerk – Member Secretary, nominated by the Principal.

Provided that minimum 2/3<sup>rd</sup> members of the Committee shall be women. The Principal shall be the ex-officio Chairman and co-ordinator of the Committee.

## 9. Post Graduate Teaching Department Committee :

The post Graduate Teaching Department Committee will consist of :

- i) Two representatives from the teaching staff nominated by HOD.
- ii) One representative from the non teaching staff nominated by the HOD
- iii) Three representatives from the students nominated by HOD.
- iv) A non teaching employee not below the rank of upper division clerk – Member Secretary nominated by the HOD.

In the above committee 2/3<sup>rd</sup> members will be women and Head of the Department will act as Chairperson/Co-ordinator.

## 10. Investigative Committee :

Investigative Committee shall be formed by the College/Department consisting of two to three members from the parent committee ensuring that the 2/3<sup>rd</sup> members of it shall be women.

## 11) Complaint procedure :

- i) The complaint be addressed to the Secretary of the University Cell, Department Committee or College Committee as the case may be, who will then call for convening of the committee meeting.
- ii) If the Department/College Committee feels the need to refer the matter to the Cell of the University, it may do so with the approval of the complainant.

12. The department/college committee shall constitute an investigative committee, if it so desires, as soon as possible and not later than 7 days of the receiving of the complaint.
13. The Investigative committee will seek full statement from both the parties and a copy of the statement will be made available to both the complainant and the person charged and the complainant will be asked to respond to the statement of the person charged. Investigation will be done as per the provisions of natural justice.
14. In addition, the committee will take due steps to ensure the confidentiality of the complainant, if the complainant so desires.
15. The complainant should preferably complain to the committee before making the matter public. However, this should not be held against her/him, if she/he fails to do so.
16. The complainant and the person charged will not be called to depose at the same time by the Investigative committee during the proceedings.
17. The Investigative committee will submit its findings not later than 15 working days, as far as possible.

The Department/College committee will act on the findings of the Investigative Committees not later than 7 working days from the date of submission of the report.

18. The Cell will act on the findings not later than 15 working days.
19. The complainant will have the right to lodge a fresh complaint with the Cell, if she/he so desires.
20. Guidelines for punitive action :

The punitive action will be commensurate with the nature of offence. It could range from official reprimand, charges being recorded in the confidential report, stopping withdrawn of increment's, suspension, dismissal, expulsion or termination. If the person charged holds an administrative post or any such position then she/he will step down or go on leave until the completion of the inquiry, if the situation so warrants.

21. In an extreme case of physical assault or rape, the person charged will be immediately suspended until the completion of the inquiry and police complaint also be lodged.
22. The decision taken by the college/department committee based on investigative committee will be referred to the Cell of the R.T.M. Nagpur University, Nagpur who in turn shall take a final decision.

23. The quorum of the meeting shall be 1/3<sup>rd</sup> of its effective membership including the chairperson/co-ordinator.
24. Upon promulgation of this Ordinance, the Direction No. 10 of 2002 shall stand repealed.

### **STATEMENT OF OBJECT & REASONS**

The Chairman of University Grants Commission in his letter dated May 18, 2001 advised the university to constitute a permanent cell against sexual harassment and gender violation. The policy for constitution of the cell was for the time being regulated through issuance of Direction No. 10 of 2002. However, the matter needs to be governed by a Ordinance prescribed for the said purpose.

While implementing the provisions of this Ordinance, no financial implications are involved at the Government as well as university level as of now or in future and the same is in consonance with the orders of the State Government and guidelines of the University Grants Commission.

Hence this Ordinance.

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