

# **MEMORANDUM OF ASSOCIATION AND RULES AND REGULATIONS**

**(As revised vide MHRD's letters F. No. 3-14/2003-TS-II  
Dated 17 Sep 2009, 13 Oct 2009 and 16 Dec 2009 and adopted by  
Executive Board in its 148 Meeting held on 26 Feb 2010)**



**INDIAN SCHOOL OF MINES  
DHANBAD – 826 004**

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## MEMORANDUM OF ASSOCIATION

1. The name of the Society shall be the “**Indian School of Mines, Dhanbad**”.
2. The registered office of the Society shall be at Dhanbad (Jharkhand).
3. The Objects for which the Society is set up are : to establish and to carry on the administration and management of the Indian School of Mines, Dhanbad hereinafter called the ‘School’ whose functions shall be :
  - i. to provide for instruction and research in such branches of engineering and technology, applied sciences and applied arts as the School may think fit, and for the advancement of learning and dissemination of knowledge in such branches according to the provision thereof in the rules and regulations of the society;
  - ii. to hold examinations and grant academic awards by virtue of powers derived under Section 3 of the University Grants Commission Act, 1956, and distinctions or titles to persons;
  - iii. to confer honorary awards or other distinctions;
  - iv. to fix and demand such fees and other charges as may be laid down in the bye-laws;
  - v. to establish, maintain and manage halls and hostels for the residence of students;
  - vi. to supervise and control the residence, to regulate the discipline of students of the School and to make arrangements for promoting their health welfare and cultural and corporate life;
  - vii. to provide for the maintenance of units of the National Cadet Corps for the students of the School;
  - viii. to co-operate with educational or other institutions in any part of the world having objects wholly or partly similar to those of the Society by exchange of teachers, scholars and generally in such manner as may be conducive to their common objects;
  - ix. to institute and award fellowships, scholarships, prizes and medals in accordance with the rules and by-laws;
  - x. to accept grants of money, securities or property of any kind on such terms as may seem expedient;

- x. to acquire by gift, purchase, exchange, lease, hire or otherwise howsoever any property movable or immovable which may be necessary or convenient for the purpose of the Society and to build, construct, improve, alter, demolish and repair such buildings, works and constructions as may be necessary for carrying out the objects of the Society;
  - xi. to sell, lease, exchange, hire or otherwise transfer all or any portion of the property movable and immovable of the Society, provided that prior approval in writing of the Central Government is obtained for the transfer or disposal of immovable property;
  - xii. to invest and deal with any moneys and securities of the School not immediately required for any of its activities in such a manner as may be provided by the rules and regulations of the Society as may from time to time be determined;
  - xiii. to draw, make, accept, endorse and discount cheques, notes or other negotiable instruments;
  - xiv. to issue appeals for funds in furtherance of the objects of the School and undertake management of any endowments, trusts, funds or donations not inconsistent with the objects of the School;
  - xv. to create any Reserve Fund, Sinking Fund, Insurance Fund or any other Special Fund whether for depreciation or for repairs, improving, extending or maintaining any of the properties or rights of the School and /or for recoupment of wasting assets and for any other purposes for which the School deems it expedient or proper to create or maintain any such Fund or Funds;
  - xvi. to take over from the Central Govt. all the assets and liabilities of the Indian School of Mines, Dhanbad which was established by Government of India in December, 1926;
  - xvii. to borrow and raise moneys with or without security or on the security of a mortgage, charge, or hypothecation or pledge of all or any of the movable or immovable property of the School or in any other manner whatsoever provided that prior approval in writing of the Central Government is obtained in that behalf;
  - xviii. to create teaching, administrative, technical, ministerial and other posts under the School and to make appointments thereto in accordance with the Rules and Regulations of the School;
  - xix. to make Rules and Regulations and Bye-laws for the conduct of the affairs of the School and to add to, amend, vary or rescind them from time to time with the approval of the Central Government;
  - xx. to do all such other acts and things either alone or in conjunction with other organizations or persons as the School may consider necessary, incidental or conducive to the attainment of the above said objectives.
4. The names, addresses and occupations of the first members of the Executive Board of the School to whom, by the rules of the School, the management of affairs is entrusted are as follows;

Sl. No.	Name	Address	Occupation
1.	Sri G. K. Chandiramani	Ministry of Education, New Delhi	Additional Secretary to the Government of India
2.	Sri D. P. Antia	1 Middleton Street Calcutta - 16	Deputy Managing Director, Union Carbide India Ltd.
3.	Sri R. N. Vasudeva	Ministry of Steel, Mines & Metals (Deptt. of Mines & Metals), New Delhi	Joint Secretary to the Government of India
4.	Dr. (Miss) Kaumudi	Ministry of Finance, New Delhi	Deputy Financial Advisor (Education)
5.	Sri G. S. Jabbi	Directorate General of Mines Safety, Dhanbad	Director General of Mines Safety.
6.	Prof. D. N. Prasad	Indian School of Mines, Dhanbad	Director, Indian School of Mines.
7.	Sri G. N. Vaswani	Ministry of Education, New Delhi	Deputy Educational Advisor (Tech).

Notwithstanding anything contained in this paragraph, the Governing Council of the School functioning as such immediately before registration of the Society shall continue to so function and shall function as the Executive Board of the Society until an Executive Board is constituted for the School under the Rules and Regulations of the Society. But on the constitution of an Executive Board under the rules, the members of the governing council holding office before such constitution shall cease to hold office.

5. All property of the School, movable and immovable shall vest in the Executive Board.
6. The income and property of the School, however, derived shall be applied towards the promotion of the objects as set forth in this Memorandum of Association subject nevertheless, in respect of the expenditure of grants made by the Government of India to such limitations as the Government of India may from time to time impose. No portion of the income and property of the School shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise howsoever by way of profit to persons who at any time are or have been members of the School, or to any of them, or to any persons claiming through them or any of them, provided that nothing herein shall prevent the payment in good faith of remuneration to any member or other person in return for service rendered to the School or for traveling allowance, halting allowance and other similar charges.
7. The School shall be deemed to have been entrusted with the functions of the Indian School of Mines, Dhanbad, established by Government of India in

December, 1926 with effect from the first of July, 1967, after it is registered under the Societies' Registration Act, 1860.

8. If on the winding up or dissolution of the Society there shall remain after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the society or any of them, but shall be dealt with in the manner provided by sections 13 and 14 of Act XXI of 1860.
9. A copy of the Rules and Regulations of the School certified as to be correct by three members of the Executive Board is filed with the Inspector General of Registration, Government of Bihar, Patna, along with the Memorandum of Association.
10. We the several persons whose names and addresses given below having associated ourselves for the purpose described in this Memorandum of Association do hereby subscribed our names to this Memorandum of Association and set our several and respective hands hereinto and form ourselves into a Society under the Societies Registration (Act XXI of 1860) this 27<sup>th</sup> day of June 1967, 6<sup>th</sup> day of Ashadha 1889 S.E.

<i>Sl. No.</i>	<i>Name, occupation and address of members</i>	<i>Signature of members</i>	<i>Name, occupation and Address of witnesses</i>	<i>Signature of witnesses</i>
1.	Shri G. K. Chandramani Additional Secretary and Educational Advisor (Tech) to the Govt. of India, Ministry of Education, New Delhi	Sd/- G. K. Chandramani	1. D.D. Mathur Section Officer Ministry of Education New Delhi. 2. V. Sundareswaran Assistant, Ministry of Education, New Delhi	Sd/- D.D. Mathur  Sd/- V. Sundareswaran
2.	Dr. D. P. Antia Deputy Managing Director, Union Carbide India Ltd., I Middleton Street, Calcutta – 16.	Sd/- D. P. Antia	1. A Crizzle, Union carbide India Ltd. Calcutta 2. A.C. Sarkar Assistant, Ministry of Education, New Delhi	Sd/- A. Crozzle  Sd/- A.C. Sarkar
3.	Sri R.N. Vasuideva Joint Secretary, Ministry Of steel, Mines & Metals, (Deptt. of Mines & Metals), New Delhi	Sd/- R. N. Vasudeva	1. D.D. Mathur, Section Officer, Ministry of Education, New Delhi. 2. V. Sundareswaran Assistant, Ministry of Education, New Delhi	Sd/- D.D. Mathur  Sd/- V. Sundareswaran
4.	Dr.(Miss) Kaumudi Deputy Financial Adviser (Education) Ministry of Finance, New Delhi.	Sd/- Kaumudi	1. D.D. Mathur, Section Officer, Ministry of Education, New Delhi. 2. V. Sundareswaran Assistant, Ministry of Education, New Delhi	Sd/- D.D. Mathur  Sd/- V. Sundareswaran
5.	Shri G. S. Jabbi Director General of Mines Safety, Dhanbad	Sd/- G.S. Jabbi	1. A. C. Sarkar, Assistant, Ministry of Education, New Delhi 2. L. Choudhury Supdt., Indian School of Mines, Dhanbad	Sd/- A.C. Sarkar  Sd/- L. Choudhury
6.	Prof. D. N. Prasad, Director, Indian School of Mines, Dhanbad.	Sd/- D. N. Prasad	1. A. C. Sarkar, Assistant, Ministry of Education, New Delhi 2. L. Choudhury Supdt., Indian School of Mines, Dhanbad	Sd/- A.C. Sarkar  Sd/- L. Choudhury
7.	Shri G. N. Vaswani Deputy Educational Advisor (Tech), Ministry of Education, New Delhi	Sd/- G. N. Vaswani	1. Sri M.V.D. Nair Asstt. Educational Adviser (T), Ministry of Education, New Delhi  2. D.D. Mathur, Section Officer, Ministry of Education, New Delhi.	Sd/- M.V.D. Nair  Sd/- D.D. Mathur

**RULES AND REGULATIONS**  
(as amended by the Govt. of India vide letter  
No. F.7-23/74.T.6 dated 29.11.77)

1. **Short Title**

These Rules and Regulations may be called “Rules and Regulations of the Indian School of Mines, Dhanbad”.

2. **Definitions**

In these Rules and Regulations unless the context otherwise requires.

- (i) the ‘School’ shall mean the Indian School of Mines, Dhanbad
- (ii) the ‘General Council’ shall mean the entire body of members constituting the Indian School of Mines, Dhanbad.
- (iii) the ‘Board’ shall mean the Executive Board constituted as such under these Rules- Words importing the singular number only include the plural number and vice-versa, Words importing the masculine gender also include the feminine gender.

3. **Authorities of the School**

The following shall be authorities of the School, namely :

- (i) The General Council
- (ii) The Executive Board
- (iii) The Academic Council
- (iv) The Finance Committee
- (v) Any other Standing Committee or Committees or Sub-Committees which the Chairman of the General Council or the Executive Board may set up for discharging any one or more of their functions.

4. **General Council of the School**

The General Council of the School shall consist of the following members (hereinafter collectively referred to as the General Council).

- (i) The Chairman to be nominated by the Central Government.
- (ii) Three Representatives of Parliament to one from the Rajya Sabha and two from the
- (iv) Lok Sabha elected by members thereof.



- (v)  
to Five non-officials to be nominated by the Central Government
- (ix)
- (x) One Representative of the All India Council for Technical Education.
- (xi) One Representative of the University Grants Commission.
- (xii) One Representative of the Council of Scientific and Industrial Research.
- (xiii) One Representative of the Ministry of Coal, GOI**
- (xiv) One Representative of the Ministry of Mines, GOI**
- (xv) Director General of Mines Safety, Dhanbad.
- (xvi) One Representative of Geological Survey of India.
- (xvii) One Representative of Oil & Natural Gas Corporation Ltd.
- (xviii) One Representative of National Mineral Development Corporation.
- (xix) Chairman-cum-Managing Director, Central Mine Planning and Design Institute.
- (xx) Controller General, Indian Bureau of Mines.
- (xxi) One Representative of Hindusthan Copper Ltd.
- (xxii) One Representative of Central Ground Water Board.
- (xxiii) One Representative of Indian Mine Managers' Association.
- (xxiv) One Representative of Mining, Geological and Metallurgical Institute of India.
- Or
- Geological Mining and Metallurgical Society of India (by rotation)
- (xxv) One Representative of the Industry body such as CII, FICCI, ASSOCHAM, etc.**
- (xxvi) One Representative of the Ministry of Finance, Government of India.
- (xxvii) One Representative of Ministry of Steel.
- (xxviii) One Representative of Ministry of Human Resource Development. (Deptt. of Higher Education).

- (xxix) One Representative of the Ministry of Labour and Employment.
- (xxx) One Representative of the Ministry of Petroleum and Natural Gas.
- (xxxii) Heads of all Faculty Departments (i.e. Departments awarding degrees ex-officio)
- (xxxiii) One Associate Professor nominated from amongst the Associate Professors of the School (by rotation on the basis of seniority for a period of one year).
- (xxxiiii) One Assistant Professor elected in the manner prescribed in the revised Schedule-A for a period of one year.
- (xxxv) Director of the School (ex-officio).

Provided that the Central Government may at any time appoint any other person or persons to be the member or members of the General Council.

## 5. **Roll of Members**

The School shall keep a roll of members of General Council giving their addresses and occupations and every member shall sign the same. If a member of the School changes his address he shall notify his new address to the Director, who shall thereupon enter his new address in the roll of members. If the member fails to notify his new address the address in the roll of members shall be deemed to be his address.

## 6. **Powers and Functions of General Council**

- (a) The General Council shall have following powers and functions, namely :
  - (i) to nominate a member of the Executive Board in accordance with Rule 7b. (iv).
  - (ii) to elect members of the Finance Committee in accordance with Rule 9 (iii).
  - (iii) to approve the annual budget of the School drawn up by the Executive Board.
  - (iv) to consider and approve programmes and specific projects proposed by the Executive Board.
  - (v) to frame its regulations, bye-laws and rules of procedure;
  - (vi) subject to the provisions of these rules, to do any and such other acts as may be necessary for the maintenance of the organization and performance of the functions of the School.

- b. In the discharge of its functions the General Council shall be guided by such directions on questions of policy as may be given to it by the Central Government. The decision of the Central Government as to whether a question is or is not one of policy shall be final.

## 7. **Executive Board**

- (a) The General Superintendence, direction and control of the affairs of the School shall be vested in the Executive Board of the School which shall be the governing Body of the School.
- (b) The Executive Board of the School for the purposes of Act 21 of 1860 shall at the date of registration of the Society consist of the members whose names are set out in clause 4 of the Memorandum of Association and thereafter as soon as the necessary appointment and nominations have taken place shall consist of the following, namely
- (i) Chairman – to be nominated by the Central Government Ex-officio Chairman of the Council.
  - (ii) A Representative of the University Grants Commission.
  - (iii) A Representative of the All India Council for Technical Education.
  - (iv) One non-official member to be nominated by the General Council of the School.
  - (v) One Representative of the Ministry of Finance.
  - (vi) Director General of Mines Safety.
  - (vii) One Representative of Ministry of Human Resource Development (Deptt. of Higher Education).
  - (viii) One Representative of Ministry of Coal, GOI.**
  - (ix) One Representative of Ministry of Mines, GOI**
  - (ix) Chairman-cum-Managing Director, Central Mine Planning and Design Institute Ltd.
  - (x) One Professor from amongst the Professors of School (by rotation by seniority for a period of one year ex-officio).
  - (xi) One Associate Professor nominated from amongst the Associate Professors of the School (by rotation on the basis of seniority for a period of one year).
  - (xii) One Assistant Professor elected in the manner prescribed in the revised Schedule-A for a period of one year.
  - (xiii) Director of the School – Ex-officio member.

Provided that the Central Government may at any time appoint any other person or persons to be member or members of the Executive Board.

## 8. **Powers and Functions of the Executive Board**

The Executive Board shall have the following powers and functions namely,

- (i) to exercise the executive authority of the School subject to policy directives of the General Council and /or the Central Government;
- (ii) to be responsible for the supervision and control of the work of the School and to its office;
- (iii) to consider and prepare programme of the School and specific projects for the consideration and approval of the General Council;
- (iv) to draw up the annual budget of the School subject to the financial limits prescribed by the Finance Committee, to be submitted for approval of the General Council;
- (v) to prepare the annual report and accounts of the School for the consideration of the General Council;
- (vi) subject to the approval of the General Council to incur expenditure on the establishment as a whole, to create such posts as it may consider necessary for the carrying on the work of the School and to prescribe the terms and conditions of appointment to these posts;
- (vii) to incur all expenditure subject to the provision of the approved budget, the rules prescribed from time to time and policy directives of General Council and/or Central Government;
- (viii) to nominate a person or persons to represent the School in international conferences and organizations;
- (ix) the Board shall frame, with the approval of the Central Government, bye-laws which may provide inter-alia for all or any of the following matters, viz.
  - a) The formation of Departments of teaching and Centres of studies and research;

- b) the fees to be charged for courses of study in the School and for admission to the examination for conferments of the School;
  - c) the institution of fellowships, scholarships, exhibitions, prizes and medals;
  - d) the classification and method of appointment and the determination of the terms and conditions of service in respect of all posts under the control of the School;
  - e) the constitution of pension and provident funds for the benefit of the officers, teachers and other staff of the School;
  - f) the establishment and maintenance of halls and hostels;
  - g) the conditions of residence of students of the School and the levying of fees for residence in the halls and hostels and of other charges;
- (x) to elect one representative to the Finance Committee;
- (xi) subject to the provisions of these Rules and Regulations, to do any and all such other acts as may in its opinion be necessary for the proper management of the affairs of the School of which may be assigned to it by the General Council and/or the Central Government.

9. **Academic Council**

- (1) The Academic Council of the School shall consist of the following members, namely;
- (i) The Director, who shall be ex-officio Chairman of the Academic Council;
  - (ii) All Professors of the School;
  - (iii) Heads of Departments and Centers of the School, other than Professors, if any;
  - (iv) One other teacher from each of the Departments and Centers of the School as have a teacher-strength of at least 8, appointed by rotation in order of seniority within the Department/Center so however that the representation from each department/centre shall alternate between Associate Professors and Assistant Professors.
  - (v) The Librarian, and

- (vi) Eight persons, not being employees of the School to be co-opted by the Academic Council on the recommendation of the Director from among educationists, scientists or engineers of repute in relation to social sciences, mineral sciences and technology;  
The Registrar shall be the Secretary of the Academic Council.

(2) The members co-opted/appointed under clauses (iv) and (vi) of sub-rule (1) above shall hold office for a period of three years from the date of nomination/appointment so however that a teacher appointed under clause (iv) shall cease to hold office as members of the Academic Council as soon as he ceases to be a teacher at the School.

9A. **Powers and Duties of the Academic Council.**

- (1) The Academic Council shall be the main academic body of the School and, subject to the provisions of the Memorandum of Association, and to any directives of the Executive Board, General Council and /or the Central Government, shall
  - (a) exercise general supervision over the academic policies of the School and to give directions regarding methods of instruction co-operative teaching among Departments and Centers, evaluation of research or improvements in academic standards;
  - (b) bring about interdisciplinary and inter-departmental co-ordination, and establish or appoint Committees or Boards, for taking up inter-disciplinary projects;
  - (c) consider matters of general academic interest either on its own initiative or on a reference by a Department or Centre or the Executive Board, and to take appropriate action thereon;
  - (d) frame such regulations and rules regarding the academic functioning of the School (including discipline, residence, admission, award of fellowships and student ships, fee concessions, corporate life and attendance) as it may consider fit or necessary.
- (2) For the performance of the functions aforesaid, the Academic Council shall;
  - (i) regulate the admission of students, the organisation of instruction, the examination and appraisal of students, and the conditions for the award of degrees, diplomas and certificates of the School.

- (ii) frame and revise the curricula and syllabi for various course of studies, and appoint Board of Courses and Studies (or Advisory Committee) for various departments or centre for the purpose of making recommendations in the matter, the concerned Head of the Departments or Centre, as the case may be, acting as Convener of the Board or Committee.
- (iii) made arrangements for the conduct of examinations (including appointment of examiners, moderators, tabulators and the like) by appointing an Examination Board and Boards of Moderators for the purpose;
- (iv) declare results of the examinations (or authorize the Examination Board or any Committee or Officer to do so) and make recommendations to the Executive Board regarding conferment or grant of degrees, diplomas, certificates and other academic distinctions or titles;
- (v) have the power to appoint Committees or Sub-Committees from amongst members of the Academic Council, other teachers of the School and /or experts from outside, to advise on such specific academic matters as may be referred to them by it;
- (vi) consider the recommendations of various Boards, Committees or Sub – Committees appointed by it and take such action (including the making of recommendations to the Executive Board) as circumstances of each case may require;
- (vii) make periodical review of the activities of the Library and the various departments and centres of the School and take appropriate action (including the making of recommendations to the Executive Board) in the matter;
- (viii) provide for the inspection of the School classes and hostels in respect of the instructions and discipline therein, and submit a report thereon to the Executive Board;
- (ix) make arrangements for award of stipends, scholarships, medals, prizes and other academic awards (on such condition as may be attached to the respective awards), by appointing a Scholarship and Awards Committee for the purpose; and
- (x) decide about and review the constitution and powers of various Boards, Committees and Sub-Committees, appointed by it.

- (3) The work of the Academic Council shall be normally conducted through its meetings, so however that proposals relating to matters requiring urgent action may, with the approval of the Chairman of the Academic Council, be circulated to the members of the Academic Council by post/hand; a report on all proposals so circulated and decisions taken thereon, shall be made to the Academic Council at its next meeting.
- (4) In all matters having administrative or financial implications, the decisions of the Academic Council shall be recommendatory and subject to approval by the Executive Board.

**9B. Meetings of Academic Council**

- (1) The Academic Council (referred to hereafter in this rule 'The Council') shall meet as often as is necessary but not less than twice during a calendar year;
- (2) A meeting of the Council shall be convened by the Chairman of the Council (referred to hereafter in this rule as 'the Chairman') either on his initiative or on a requisition signed by not less than eleven members of the Council;
- (3) At least one week's notice shall be given for every meeting of the Council (referred to hereafter in this rule as the 'meeting'), so however that the Chairman may call an emergency meeting at a shorter notice to consider any urgent special issue or issues;
- (4) For every meeting, the written notice as above, together with its agenda, shall be circulated to all members by the Secretary; the Chairman may however permit inclusion of any other item also for discussion at the meeting.
- (5) One half of the total number of members of the Council shall form the quorum for a meeting.
- (6) Every meeting shall be presided at by the Chairman and in his absence, by the senior most Professor (present and willing);
- (7) The ruling of the Chairman in regard to all questions of procedure at a meeting shall be final;
- (8) The minutes of the proceeding of every meeting shall be drawn up by the Secretary and circulated to all the members of the Council present in India, so however that such minute shall not be circulated if the Council considers such circulation are prejudicial to the interests of the School;



- (9) The minutes aforesaid, along with amendments suggested, if any, shall be placed for confirmation at the next meeting, so however that action on the decisions taken at a meeting may be taken even before such confirmation.
- (10) After the minutes have been signed by the Chairman, they shall be open for inspection by members of the Academic Council, the Executive Board and the General Council at all times during office hours.

10. **Finance Committee**

The Finance Committee shall consist of the following members, namely;

- (i) The Chairman of the General Council, who shall be the Chairman of the Committee.
- (i-a) The Representative of the Ministry of Finance on the General Council.
- (ii) One Representative of the Central Government from among their Representatives on the General Council.
- (iii) One Representative of the General Council who shall be elected by the Council from among its members, and
- (iv) One Representative of the Executive Board who shall be elected by the Board among its members.
- (v) Director, ISM (*Incorporated vide Resolution No. 27.5/1 of General Council meeting dated 31.3.1997*).

The Finance Committee shall consider the budget estimates of the School, make recommendations thereon to the Executive Board and prescribe the limit for total expenditure within a financial year.

10A. **Standing Committee or Committees or Sub-Committees**

Such Committees may be appointed by the Chairman, General Council or the Executive Board for discharging any one or more of their functions in accordance with their terms of reference.

11. **Officers of the School**

The following shall be the officers of the School namely,

- a) Chairman
- b) Director
- c) Registrar

(1) **Chairman of the Executive Board**

- (i) The Chairman shall be appointed by the Government of India and shall hold office for a term of five years.
- (ii) The Executive Board may by a Resolution delegate to the Chairman such of its powers for the conduct of the business of the School as it may deem fit, subject to the condition that the action taken by the Chairman under the powers so delegated shall be reported at the next meeting of the Executive Board;
- (iii) The Chairman may delegate such of his powers as he may consider necessary to the Director and/or the Registrar.

(2) **Director**

- (i) The Director shall be appointed by the Central government in accordance with Recruitment rules notified in this regard.
- (ii) The Director shall be the principal academic and Executive Officer of the School and shall be responsible for the proper administration of the School and for the imparting of instructions and maintenance of the discipline therein. All other staff of the School shall be subordinate to him.
- (iii) It shall also be the duty of the Director :-
  - (a) Subject to the powers of the Executive Board, to be responsible for seeing that all money is expended on the purposes for which they are granted or allotted.
  - (b) To sign all contracts and assurances of property made on behalf of the School after the same have been approved by the Executive Board.
  - (c) To exercise such other powers as may be assigned to him by the Executive Board or its Chairman or the General Council.
- (iv) The Director shall have the power to redelegate some of his powers to any of his subordinates with the approval of Board or its Chairman as the case may be.
- (v) In the event of the post of the Director remaining vacant for any reason, it shall be open to the Board to authorise any officer or officers in the service of the School to exercise such powers, functions and duties of the Director as the Board may deem fit.

3. **Registrar**

- (i) The Registrar shall be appointed by the Board.

- (ii) The Registrar shall be the ex-officio Secretary of the General Council, the Executive Board, the Finance Committee and all other Committees which may be set up by the Chairman, the General Council or the Executive Board; but shall not be deemed to be a Member of any of those authorities.
- (iii) It shall be the duty of the Registrar--
  - (a) to be custodian of records, the funds of the School and such other property of the School as the Board may commit to his charge;
  - (b) to conduct the official correspondence on behalf of the authorities of the School;
  - (c) to issue all notices convening meetings of the authorities of the School and of all committees appointed by any of these authorities;
  - (d) to keep the minutes of all meetings of the authorities of the School and of all committees appointed by any of these authorities;
  - (e) to maintain accounts of the School;
  - (f) subject to the control of the Executive Board, to manage the property and investments of the School and be responsible for the preparation of the annual estimates and statement of accounts and for their presentation to the Executive Board and the General Council;
  - (g) to register all deeds on behalf of the Indian School of Mines before the appropriate registering authorities, to admit execution thereof and to do all other acts necessary for the due registration of any such deed.
- (iv) The receipt of the Registrar or the person duly authorized in this behalf by the Executive Board for any moneys paid into the School shall be sufficient discharge for the same.
- (v) The Registrar shall be directly responsible to the Director of the School for the proper discharge of his duties and functions;
- (vi) The Registrar shall perform such other duties and exercise such other powers as may be assigned to him by the Board or the Director.

## 12. Meetings of the General Council

- (1) The General Council of the School shall ordinarily meet once in every calendar year at a place and on a date to be fixed by the Chairman. A special meeting of the General Council may be called at any other time by the Executive

Board or by the Chairman, either on his own initiative or at the request of not less than two-thirds of the members of the General Council.

(2) Ten members of the General Council shall constitute a quorum at its any meeting :

Provided that if a meeting is adjourned for want of a quorum it shall be held on the same day in the next week, at the same time and place, or such other day and such other time and place as the Chairman may determine, and if at such a meeting, a quorum is not present within half-an-hour from the time appointed for holding a meeting, the members present shall be a quorum.

(3) In case of difference of opinion among the members, the opinion of the majority shall prevail.

(4) Each member of the General Council including the Chairman, shall have one vote and if there be equality of votes on any question to be determined by the General Council, the Chairman shall in addition have and exercise a casting vote.

(5) Every meeting of the General Council of the School shall be presided over by the Chairman and in his absence, by a member chosen by the members present on the occasion.

### 13. **Meetings of the Executive Board**

(1) The Executive Board shall meet on a date and place fixed by the Chairman, ordinarily at least once in every three months and fifteen days notice shall be given of each such meeting and a copy of the proceedings of each such meeting shall be furnished to the Central Government as soon as possible after the meeting; provided that the Chairman may, whenever he thinks fit or on written request of not less than two-thirds of the members of the Board, call a special meeting. A special meeting could be held at shorter notice.

(2) Four members of the Board present shall constitute a quorum at any meeting of the Board. In case of difference of opinion among the members of the Board, the opinion of the majority shall prevail:

Provided that if a meeting is adjourned for want of a quorum it shall be held on the same day in the next week, at the same time and place , or such other day and such other time and place as the Chairman may determine, and if at such a meeting, a quorum is not present within half-an-hour from the time appointed for holding a meeting, the members present shall be a quorum.

(3) Each member of the Board, including the Chairman shall have one vote and if there be equality of votes on any question to be determined by the Board, the Chairman shall in addition have and exercise a casting vote.

(4) Every meeting of the Board shall be presided over by the Chairman, in his absence by a member chosen by the members present on the occasion.

14. **Authorised Representative**

Should any member of the General Council/Board who has been nominated by the Central Government ex-officio be prevented from attending a meeting of the General Council or the Executive Board, he shall be a liberty to appoint and authorize a representative to take his place at that meeting of the General Council or the Board, as the case may be, and such representative shall have all the rights and privileges of a member of the General Council or of the Board for that meeting only.

15. **Tenure of Membership of General Council/Executive Board and Vacancies**

(1) Where a member of the General Council/Board becomes a member by reason of the office he holds, his membership shall terminate when he ceases to hold that office.

(2) A member of the General Council/Board representing or nominated by the Central Government shall continue to be a member during the pleasure of the Central Government.

(2-a) The term of the Chairman of the General Council shall be for a period of five years from the date of appointment.

(3) Every other member of the General Council/Board not covered by rules 15(1), 15(2), 15(2-a) shall cease to be a member on the expiry of three years from the date of his appointment or nomination but shall be eligible for reappointment or re-nomination, as the case may be, provided that the term of office of a member elected by Parliament shall come to an end as soon as he ceases to be a member of the House from which he was elected.

(4) A member of the General Council/Board shall cease to be a member if he shall die, resign, become of unsound mind, has been adjudged insolvent or be convicted of a criminal offence involving moral turpitude or accepts a full-time appointment on the staff of the School or fails to attend three consecutive meetings of the General Council/Board without leave of the Chairman.

(5) The Chairman may resign his office by a letter addressed to the Central Government and his resignation shall take effect from the date it is accepted by the said Government.

(6) Any member of the General Council/Board including the ex-officio members, may resign his office by a letter addressed to the Chairman and such resignation shall take effect from the date it is accepted by the Chairman.

(7) Any vacancy in the General Council/Board shall be filled up by appointment, nomination, election or co-option by the respective authority entitled to make such appointment, nomination, election or co-option and the term and office of a member so appointed, nominated, elected or co-opted shall continue only for the remainder of the term of the member in whose place he has been appointed, nominated, elected or co-opted.

(8) Any vacancy in the Executive Board shall be filled up by appointment or nomination by the respective authority entitled to make such appointment or nomination.

**16. Defective Constitution**

The General Council or the Executive Board shall function notwithstanding any vacancy therein and notwithstanding any defect in the appointment, nomination, co-option or election of any member and no act or proceeding of the General Council or of the Executive Board shall be invalidated or nullified merely by reason only of the existence of any vacancy therein or of any defect in the appointment, nomination, co-option or election of any member.

**17. Miscellaneous**

Any business which may be necessary for the General Council or the Executive Board to perform may be carried out by circulation among all its members and any resolution so circulated and approved by a majority of the members in circulation shall be effectual and binding as if such a resolution had been passed by a meeting of the General Council or the Board.

18. The General Council/Board may by resolution delegate to a Committee or the Chairman such of its powers for the conduct of the business of the School as it may deem fit subject to the condition that action taken by any Committee or the Chairman under the powers delegated to them by this rule shall be placed for confirmation at the next meeting of the General Council/Board.

19. (1) The School shall prepare and maintain accounts and other relevant records and shall prepare annual statement of accounts including the balance sheet and income and expenditure account in such form and manner as may be prescribed by the Central Government in consultation with the Audit Officer.

(2) The accounts of the School including balance sheet and income and expenditure accounts shall be audited annually by such person or persons as may

be decided by the Central Government and all costs and expenses incurred in connection therewith shall be payable by the School.

(3) The Auditors shall have the right to demand the production of books, accounts, vouchers and other connected papers.

(4) The results of audit shall be communicated by the Auditor to the School who shall forward a certified true copy of the Audit Report along with the certified accounts and its observations, duly approved by the Executive Board to the Central Government. The Auditor shall also forward simultaneously a copy of the Audit Report along with certified accounts direct to the Central Government.

(5) The School shall forward to the Central Government the budget estimates, duly approved by the General Council for every financial year by such date as may be fixed by the Central Government in this behalf.

(6) The School shall maintain proper accounts and submit annually within six months of the close of the previous financial year to the Central Government a report on the working of the School in the year to which it relates together with an audited statement of accounts, showing the receipts and expenditure.

20. Any rule made or decision taken by the Executive Board or by any other authority of the School may be amended or set aside by the General Council.
21. The Executive Board shall have the power to make bye-laws for the regulations of the procedure of the meetings of the General Council, of the Executive Board, of the Finance Committee and of the several committees appointed in accordance with the rules above mentioned.
22. Subject to the provisions of the Societies Registration Act 1860 and subject to the prior approval of the Government of India the General Council may alter, extend or abridge any purpose or purposes for which the School is established.
23. Subject to the provisions of the Society's Registration Act, 1860 and the approval of the Government of India, General Council may alter the Rules and Regulations of the Society at any time by a resolution passed by a majority of three-fourths of the members present and voting at any meeting of the General Council which shall have been convened for the purpose after giving due notice of such resolution to the members of the General Council.
24. The Executive Board shall provide a seal, also provide its safe custody and the seal shall never be used except by the authority of the Executive Board previously given and one member of the Executive Board shall sign every instrument to which the seal is affixed and every such instrument shall be countersigned by the Director and/or by some other person appointed by the Executive Board.

25. The School 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, workers or in any other connection whatsoever.
26. No benefaction shall be accepted by the School which in its opinion, involves condition or obligations opposed to the spirit and object of this Section.
27. On direction from the Central Government and in such manner as the Central Government may stipulate, the work and progress of the School shall be reviewed and enquiries held into its affairs. The report on such review or enquiry shall be submitted to the Central Government. The Central Government may take such action thereon and issue such directions as it may consider necessary in respect of any of the matters dealt within the report and the Society or School as the case may be, shall be bound to comply with such directions.
28. For the purpose of section 6 of the Societies Registration Act, 1860 the person in whose name the School may sue or be sued shall be the Director of the School.
29. The members of the General Council or the Board and of any Committees appointed by the General Council or the Board other than the full time officials of the School shall not be entitled to any remuneration from the School but non-official members of the General Council or the Board or of any Committee appointed by either of them will be reimbursed by the School, their travelling allowance and daily allowance in respect of the journeys undertaken to attend the meetings of the General Council or of the Board or of the Committees or in connection with business of the School, as may be provided in the by-laws to be made in this behalf by the General Council or the Board, as the case may be. For the purpose the employees of the Government undertakings shall not be treated as non-officials.
30. (1) (a) Subject to Sub-rule (2) the existing permanent employees of the Central Government serving in the School shall, on the registration thereof under the Societies Registration Act (21 of 1860) become the employees of the School if they have already exercised the option to that effect, given to them by the Central Government. The Central Government employees so exercising the option as aforesaid shall have further option to serve the School on the same tenure, the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, gratuity, provident fund and other matters as they were enjoying as the Central Government employees before the registration of the School as a Society or to serve the School on the terms and conditions as may be prescribed from time to time by the School.
  - (b) Quasi-permanent and temporary employees of the Central Government serving in the School shall, on the registration thereof as a Society under the Societies Registration Act (21 of 1860), become the employees of the School if



they have already exercised the option to that effect given to them by the Central Government, on such terms and conditions as may be laid down by the School from time to time and after the confirmation thereof will have the option laid down in sub-rule (2).

(c) In respect of rights and privileges as to leave, such of the permanent, Quasi-permanent and temporary employees of the Central Government serving in the Indian School of Mines, Dhanbad who opt to serve the said School after the registration thereof will be treated as if they had continued to be Government servants and allowed to carry forward the leave to their credit on the date of the permanent transfer thereof to the School. The Govt. shall be liable for the leave salary in respect of the leave so carried forward, which will be discharged by the payment of a lump sum amount by the Government to the School, determined by keeping in view the number of employees, their salary and the amount and kind of leave carried forward. The School would be free to meet future commitments in respect of the leave so carried forward when the employees may avail of the same. The procedure for working out the lump sum will be settled by the Government with the School.

(d) The persons who were taken on deputation by the Central Government for serving in the Indian School of Mines, Dhanbad prior to the registration thereof as a Society shall thereafter continue to serve the School on the same terms of deputation to which they were entitled or to such terms of deputation as may be laid down by the School from time to time after obtaining the concurrence of the parent organisations of the said employees.

(2) The pensionary terms in respect of the Central Govt. Employees who are transferred on exercising the option as aforesaid to serve the School after the registration thereof as a Society, shall be settled in following manner :

- (i) Permanent Central Government employees so transferred shall have the option to either retain the pensionary benefits available to them under the Government rules or be governed by the rules of the School and in the event of exercising the former option the said employees will be entitled to the benefits of the liberalisations, if any, in pension rules introduced by the Government subsequent to the transfer. The above mentioned option will also be available to quasi-permanent and temporary employees after the confirmation in the School.
- (ii) The Central Government shall pay thereof to the employees who have opted to retain the service conditions as under the Government which provide for pensionary benefits and where the School has no pension scheme, pension but will recover from the School the capitalised value (commuted value of pension plus the proportionate death-cum-retirement gratuity) of the School's share of the pension on the retirement of the employees concerned determined on the basis of service rendered to the School.
- (iii) In the event of death of employee who has opted for Central Government rules, family pension/DCR gratuity to the family of the deceased will be

admissible under Central Government rules and liability thereof apportioned as in sub para (ii) above.

- iv) In cases where the Government employees transferred to the School after the registration thereof as a Society elect to be governed by the rules thereof and the said rules provide for Contributory Provident Fund benefits, the Government shall pay to the School CPF contributions and interest thereon for the period of service under them in terms of Govt. of India in the Ministry of Finance Office Memorandum No. 2(33)-EV (A/60) dated the 10<sup>th</sup> November, 1960. If the rules of the School provide for pension the pension on retirement from the School shall be payable by the School, the liability in respect whereof will however be allocated between the Government and the School on service share basis but the Government may liquidate its share by paying the capitalised value thereof to the School.

(3) Besides the option already given by the Central Govt. and exercised by the employees to serve the Society, the other options under sub-rules (1) and (2) shall be exercised only once and within a period of six months from the date of notification of Society's Rules. The options once exercised shall be final. The option in respect of pensionary terms shall be exercised by the Quasi-permanent and temporary employees only once and within a period of six months from the date of their confirmation in the School or within a period of six months from the notification of Society's Rules as the case may be.

(4) Persons who fail to exercise within the stipulated period the option given to them by the Central Govt. to become employees of the School on the registration thereof as a Society will be deemed to have elected not to serve the School.

31. Where ISM Rules are silent on a subject, Central Govt. Rules on the subject shall be followed. (*Incorporated vide Resolution No. 11.8 of General Council meeting dated 13.11.1981*)

### **REVISED SCHEDULE – ‘A’**

One Assistant Professor shall be elected to represent the teachers on the General Council and on the Executive Board from amongst Assistant Professor cadre for a period of one year from the date of notification under Rules 4(xxxii) and 7(b)(xii) of the MoA and Rules & Regulations respectively.

- (1) One Assistant Professor shall be elected by an electorate consisting of all members of the teaching staff of the School.

Provided that,

An Assistant Professor against whom a penalty has been imposed at any time under the ISM Bye-laws in the matter of classification and method of appointments and terms and conditions of service for academic staff or under any corresponding clause in the Central Civil Service Rules, as the case may be, shall not be eligible to be elected as such. Candidates for being eligible to be so elected should also not be teachers on probation, or on extended period or promotion and no enquiry should have been ordered against them or be pending, as on date. Provided also that a teacher shall be eligible to seek election for not more than three terms consecutively.

- (2) The election for the above seat shall be held by a secret ballot by means of a single non transferable vote. Voting by proxy or by means of postal ballot shall not be permissible.
- (3) In the event of any Assistant Professor resigning or otherwise becoming disqualified after becoming a member, a fresh election shall be held for electing a fresh teachers' representative amongst the Assistant Professors for the remaining part of the period.

## संस्थाओं के निबन्धन का प्रमाणपत्र

( ऐक्ट २१, १८६० )

संख्या २४, वर्ष १९६७-१९६८

मैं इसके द्वारा प्रमाणित करता हूँ कि इन्डियन स्कूल आफ माइन्स, धनबाद सोसाइटीज रजिस्ट्रेशन ऐक्ट, २१, १८६० के अधीन आज यथावत् निबन्धित हुआ।

आज तारीख पहली, मास जुलाई, वर्ष उन्नीस सौ सड़सठ को पटना में मेरे हस्ताक्षर के साथ दिया गया।

महानिरीक्षक, निबन्धन, बिहार



No. F.11-4/67-U3

*Government of India*  
*Ministry of Education*

New Delhi, the 18 September, 1967

### NOTIFICATION

In exercise of the powers conferred by Section 3 of the University Grants Commission Act 1956 (3 of 1956), the Central Government, on the advice of the Commission, hereby declare that the Indian School of Mines, Dhanbad, shall be deemed to be a University with effect from 1-7-1967, for the purpose of the aforesaid Act.

Sd/- G P Pandey

Joint Secretary

## MINISTRY OF EDUCATION

New Delhi, the 21<sup>st</sup> June 1967

### RESOLUTION

No.F.25-114/60-T.6 – Whereas it is considered expedient to provide for the administration of the Indian School of Mines, Dhanbad, a Central Government organisation at present, and for its academic freedom through a Society to be formed under the Societies Registration Act 1860 (Act XXI of 1860) and by deeming it to be a University under Section 3 of the University Grants Commission Act, 1956, it is hereby resolved as follows:

1. For the purpose of carrying on the administration of the Indian School of Mines, Dhanbad, the Governing Council of the said School functioning as such immediately before registration of the Society shall continue to so function and shall function as the Executive Board of the Society until an Executive Board is constituted for the School under the Rules and Regulations of the Society. But on the constitution of an Executive Board under the Rules the members of the Governing Council holding office before such constitution shall cease to hold office. The undermentioned seven members out of 18 members of the said Council shall associate and form themselves into a Society to be called 'Indian School of Mines, Dhanbad' under Act XXI of 1860 by subscribing their names to a Memorandum of Association and filing the same with the Inspector of General of Registration, Bihar Patna:

- (1) Shri G K Chandiramani, Educational Adviser (Technical) and *Ex-officio* Additional Secretary to the Government of India, Ministry of Education, New Delhi.
- (2) Dr D P Antia, Deputy Managing Director, Union Carbide India Ltd., Calcutta-1.
- (3) Shri R N Vasudeva, Joint Secretary, Ministry of Steel, Mines and Metals, (Dept of Mines and Metals), New Delhi.
- (4) Dr (Miss) Kaumudi, Deputy Financial Adviser (Education), *Ministry of Finance*, New Delhi.
- (5) Shri G S Jabbi, Director General of Mines Safety, Dhanbad.
- (6) Prof D N Prasad, Director, Indian School of Mines, Dhanbad.
- (7) Shri G N Vaswani, Deputy Educational Adviser (Technical), Ministry of Education, New Delhi.

2. The Memorandum of Association and the Rules and Regulations of the said Society as approved by the Government of India, shall be filed with the Inspector General of Registration, Bihar, Patna.

3. On the Registration of the Indian School of Mines, Dhanbad as a Society under the Societies Registration Act, 1860 (Act XXI of 1860, from the 1<sup>st</sup> July 1967) there will be a change in the proprietorship of the School in as much as it will become an autonomous body registered under the said Act, from its present status of a Government organisation and the administration of the Indian School of Mines, Dhanbad shall vest in that Society. Necessary declaration deeming the Indian School of Mines, Dhanbad to be a University under Section 3 of the University Grants Commission Act, 1956 shall be notified in the Official Gazette at the appropriate time.

4. Resolved that a copy of the Resolution be published in the Gazette of India.

G.K.CHANDIRAMANI, Addl.Secy.