

CONSTITUTION

OF

St Stephen's College, Delhi

As adopted by the S.P.G. Standing Committee on November 6, 1913, and by the Cambridge Committee, and revised in 1919, 1929, 1933, 1942, 1944, 1947, 1958, 1963 and 1975.

CONSTITUTION

OF

St Stephen's College, Delhi

(A Society registered pursuant to the provisions of Act XXI of 1860)

MEMORANDUM OF THE SOCIETY

1. The name of the Society is St Stephen's College, Delhi.
2. The object of the Society is, through St Stephen's College, a constituent college of Delhi University, to prepare students of the College for University degrees and examinations and to offer instruction in doctrines of Christianity, which instruction must be in accordance with the teaching of the Church of North India.
3. When the College ceases to exist with the consent of the University, the disposal of its assets shall be settled by the Governing Body, the University and the Government of India in consultation. Should these bodies fail to reach an agreement, the Government of India shall appoint an arbitrator acceptable to the other two.
4. List of the original Members of the Society known as St Stephen's College, Delhi :—
 - (a) The Bishop of Lahore Diocese for the time being—The Rt Rev. Dr. Durrant, Bishop of Lahore.
 - (b) The Head of the Cambridge Brotherhood—The Rev. Canon Allnutt
 - (c) The Ven'ble Archdeacon Warlow
 - (d) The Hon'ble Lieut. Genl. Sir Percy Lake
 - (e) M.F. Gauntlett, Esq., I.C.S.
 - (f) The Principal of the College -S.K. Rudra, Esq.
 - (g) The Vice-Principal of the College—F.F. Monk, Esq.
 - (h) The Bursar of the College— Raghubar Dayal, Esq.
 - (i) N.K. Sen, Esq., Professor, St Stephen's College, Delhi
 - (j) Rev. S.A.C. Ghosh, Professor, St Stephen's College, Delhi

- (k) S.N. Mukarji, Esq., Professor, St Stephen's College, Delhi
- (l) Khwaja Abdul Majid, Professor, St Stephen's College, Delhi
- (m) Rev. N.C. Marsh, Cambridge Mission, Delhi
- (n) F.J. Western, Esq.
- (o) Kanwar Maharaj Singh, Assistant Secretary to the Government of India, Education Department
- (p) Bickley Row, Esq., Manager, Punjab Banking Company, Delhi

RULES OF THE SOCIETY

Composition of the Society

1. The Society shall consist of the following members :
 - (a) The Bishop of the Diocese of Delhi, who shall be the Chairman
 - (b) Two persons appointed by the Bishop of the Diocese of Delhi one of whom shall be a senior Presbyter of the Diocese
 - (c) The Principal of the College
 - (d) The Vice-Principal of the College
 - (e) The Bursar of the College
 - (f) One person to be appointed by the Principal
 - (g) One person to be appointed by the Church of North India Synodical Board of Higher Education
 - (h) One person to be appointed by the Diocesan Board of Education
 - (i) Two persons to be appointed by the Executive Committee of the Diocese, one of whom shall be a Presbyter
 - (j) Two members of the permanent teaching staff of the College to be elected by the teaching staff, one from among those with more than ten years' service and one from among those with less than ten years' service
 - (k) Two members of the permanent teaching staff of the College who shall become members of the Governing Body by rotation on the basis of seniority. One of the representatives shall be from among those with more than ten years' service and one from among those with less than ten years' service; if, however, eligible candidates are not available in one of those categories, both the representatives may be taken from the other
 - (l) Two members appointed by the University of Delhi, not necessarily members of the University
 - (m) One person appointed by the Governing Body, who shall be an old student of the College but not a member of the staff of the College

2. All elected or appointed members of the Society shall be elected or appointed to serve for a period of three years, and shall be eligible for

re-election or re-appointment, save that the teacher representatives (1-j & k) shall be members for a period of one year and the term of University nominees (rule 1-1) shall be as laid down by the University of Delhi. Casual vacancies shall be filled up by the authority which elected or appointed the member whose place has become vacant. The person so elected or appointed shall be a member for the residue of the term for which the person whose place he fills would have been member, provided that in the case of the absence of a member on leave not exceeding twelve months, the vacancy shall be filled for the period of the leave only.

MANAGEMENT

The Supreme Council

3. The religious and moral instruction of the students of the College and all matters affecting its religious character as a Christian College of the Church of North India shall be under the control of the Supreme Council of the College, consisting of the following members of the Society, all of whom must be members of the Church of North India, or of some other Church in communion therewith, or of any other duly constituted Christian Church, viz :
 - (a) The Bishop of the Diocese of Delhi, CNI, who shall be the Chairman
 - (b) Two persons appointed by the Bishop of the Diocese (under Rule 1-b)
 - (c) The person appointed by the Church of North India Synodical Board of Higher Education (under Rule 1-g)
 - (d) The person appointed by the Diocesan Board of Education (under Rule 1-h)
 - (e) The Principal of the College (Member-Secretary).
4. The Supreme Council of the College shall have the control of the religious and moral instruction of students of the College and of all matters affecting its religious character as a Christian College of the Church of North India; and, in addition, shall appoint, after proper advertisement, the Principal of the College who shall be a member of the Church of North India or of a Church that is in communion with the Church of North India.
5. The Supreme Council of the College shall have no jurisdiction over the administration of the College.

The Supreme Council of the College shall meet at such times not being less than once annually, and either at the College or elsewhere, as the Bishop of the Diocese or the Chairman of the Governing Body shall appoint, notice thereof being given in such manner as shall be deemed sufficient. At the annual meeting of the Supreme Council, the Principal of the College shall submit a report of all matters affecting the religious and moral instruction of the students of the College and of matters affecting its religious character as a Christian College of the Church of North India and shall state for consideration any changes which may be contemplated.

The Governing Body

6. The Governing Body of the College shall normally consist of 18 persons. These shall be members of the Society as mentioned in subparagraphs a, b, c, d, e, f, g, h, i, j, k, l, m of rule 1. The procedure of their appointment or election and the duration of their term as members of the Governing Body shall be the same as laid down for their membership of the Society.

The Chairman of the Society (Bishop of the Diocese of Delhi) shall be the Chairman of the Governing Body. The Governing Body may also from among its own members elect a Vice-Chairman if it deems necessary. The Governing Body shall appoint a Recording Secretary on the recommendation of the Principal, who shall issue notices of the meetings, maintain proper records of the proceedings and perform such other secretarial functions as the Governing Body may direct. The Principal shall be the Member-Secretary of the Governing Body.

The Chairman and the Vice-Chairman shall be members of the Church of North India.

7. In case of the absence on leave or owing to illness of any of the ex-officio members of the Governing Body, his place shall be taken for all purposes by his deputy in office.
8. Subject to compliance by the Society with the terms and conditions laid down by Government for grant-in-aid to the constituent Colleges of the University and with the relevant statutes, ordinances and regulations thereof in so far as they do not affect the Christian character of the College and the constitutional rights emanating therefrom, and subject further to the control of the Supreme Council in matters hereinbefore set out, and to the powers conferred in this Constitution upon such Council, the College shall be a self-contained and autonomous institution. It shall have, and exercise, complete control over its own affairs, its own property, funds and finances.

The Governing Body, in particular,

- (a) shall sanction the annual Budget of the College, and pass the Annual Accounts and Balance Sheet,
 - (b) shall decide all questions of capital expenditure and loans,
 - (c) shall pay salaries to the Principal and to Lecturers in accordance with scales approved by the University of Delhi,
 - (d) shall, on the recommendation of the Principal, grant increments to Lecturers, it being understood that increments shall not be withheld without the consent of the University,
 - (e) shall have the power to make bye-laws for leave to the Principal and to all the members of the Staff.
9. The Governing Body shall meet at least three times in each year. The Chairman of the Governing Body may at any time summon a meeting; and he shall summon a meeting at any time if required to do so by the Principal of the College, or by not less than three members of the Governing Body. It shall maintain its own records and proceedings which will be open to inspection by the University.

10. When any proposal is brought forward before the Governing Body relating to the emoluments of any individual member of the Staff of the College, he shall not be permitted to exercise his vote if he is a member of the Governing Body.
11. All matters pertaining to religious instruction or the religious character of the College shall be the sole concern of the Supreme Council and any decision of the Supreme Council on these matters shall be binding on the Governing Body.
12. The Principal of the College shall be a member of the Church of North India or of some other Church in communion therewith. He shall have and exercise complete control of the discipline and general regulation of the College and of the courses of study in it, but he shall not take action in matters relating to religious instruction without previous consultation with the Chairman of the Supreme Council.
13. The Principal shall not be eligible for membership of the Governing Body of any other college of the University.
14. A Vice-Principal shall be appointed annually by the Principal. He shall be a member of the Church of North India or of some other Church in communion therewith.
15. The Principal and, in his absence, the Vice-Principal, shall sign and execute all documents at the order of the Governing Body and shall represent the Society in and for all kinds of legal business.
16. The Governing Body shall appoint a Treasurer from among its own members to supervise the receipts and expenditure of the Governing Body. He will be responsible for the proper keeping of its accounts.

He shall appoint a Bursar who shall be a member of the teaching staff and who shall, subject to the directions of the Governing Body and the Treasurer, manage domestic and internal finances of the College.

The Treasurer and the Bursar shall hold office for such period as the Governing Body may determine.

17. The accounts of the College shall be kept in such form as the Government of India may prescribe, and shall be audited by an Auditor chosen by the Government of India from a panel of three furnished by the Governing Body from the list of Registered Auditors of the Commerce Department of the Government of India. The Audit Certificate shall be appended to the application for grant. Subject to this normal procedure, the Government shall have the right in special cases to have the accounts of the College audited by Auditors appointed by themselves.

The accounts of the College shall be presented by the Bursar to the Principal for his inspection monthly.

All trust funds belonging to the College or under the control of the Governing Body shall be shown separately in the accounts of the College.

Investment of funds belonging to the College or under the control of the Governing Body shall be made in property and securities authorised by law for the investment of trust funds or such other classes of security as may from time to time be approved by the Government of India.

18. Appointments to Lectureships, whether permanent or temporary, shall be made by the Governing Body after proper advertisement and on the recommendation of a Committee of the Governing Body consisting of the Principal, one of the two members of the Governing Body appointed by the University and at least one other member of the Governing Body, together with the senior member of the teaching staff responsible for the teaching of the particular subject concerned. For the purpose of Government grant, promotion of a college teacher from the junior to the senior lecturers' grade will be made in consultation with the University. In a case of emergency, when the Principal is of opinion that an appointment must be made before a meeting of the Governing Body can be held, he may make an interim appointment with the sanction of the Chairman of the Governing Body, subject to its subsequent confirmation by the Governing Body. The Governing Body, before advertising an appointment on the teaching staff, shall give notice to the University of their intention to do so and shall take into consideration any representation which the University may make thereon within ten days.
19. Members of the teaching staff of the College (other than a member appointed temporarily in case of emergency, or leave, or on contractual basis) shall be appointed on probation for not more than two years, and if confirmed after the probationary period, shall be appointed to the post on a permanent basis.

In the case of members of the teaching staff appointed on probation or on a temporary basis, the engagement may be terminated by one month's notice on either side or by the payment of a sum equivalent to one month's salary by the party choosing to terminate such engagement. Provided that where the engagement is for a period less than one month, neither notice nor payment of salary in lieu of notice shall be necessary.

Not more than one-third of the total number of teaching staff shall be on a temporary or contract basis at any time.

20. After confirmation, the services of the Principal shall be terminable by the Supreme Council and that of any other member of the staff by the Governing Body on the following grounds;
- (a) wilful neglect of duty
 - (b) misconduct or insubordination
 - (c) physical or mental unfitness
 - (d) incompetence provided that the charge of incompetence will not be made without due warning to the person concerned;
 - (e) any other good cause, which will include adequate cause for abolition of the post and adequate cause for the improvement of the teaching staff.

N.B. In taking action under this clause, the competent authority, the Supreme Council or the Governing Body as the case may be, shall give a reasonable notice in writing to the person concerned against whom the action is proposed to be taken setting out the grounds for their proposed action and calling upon him to state his case in writing. Before arriving at a final decision, the Supreme Council/Governing Body shall duly consider the written statement and give him a personal hearing.

Except when the termination of service has taken place under Clauses (a), (b), or (c) of the grounds stated in the Government of India document, the services of any member of the teaching staff including the Principal shall be terminable by the Supreme Council/Governing Body only on giving three calendar months' notice in writing, or by paying a sum equivalent to three months' salary of the person concerned. In the event of a Lecturer who has served for not less than one academic year on the staff of the College, the notice given under this condition shall take account of any period by which the vacation already taken with a salary falls short of three months.

A member of the teaching staff, including the Principal, may at any time terminate his agreement with the College by giving three months' notice in writing to the Governing Body, and if three months' notice in writing is not given, such member of the teaching staff shall become liable to pay to the Governing Body a sum equivalent to three times of his monthly salary unless the Governing Body decides in any particular case not to realise such sum from such member.

Provided that in the case of a member of the teaching staff on a contractual basis, the contract may provide for a lesser period of notice than three months but not less than one month and the provisions of this para shall be construed accordingly.

Any dispute arising in connection with the termination of the services of the Principal or of any members of the teaching staff shall be referred to an Appeal Committee of three independent persons appointed by the Chancellor.

The Appeal Committee shall have power to enquire into facts and to interpret the terms of the agreement of appointment, if any. The decision of the Appeal Committee shall be final and binding on both the parties. Necessary provisions shall be made in this behalf in the contracts of appointment.

21. The immovable property of the College shall be vested in the Indian Church Trustees, who shall merely act as Trustees, and shall have no power of management whatsoever; all other property connected with the College shall be vested in the Society.
22. The Supreme Council and the Governing Body of the College shall have authority to cancel, vary or amend the rules affecting their respective functions, provided this is done at two special meetings of these bodies, called for the purpose, at which at least two-thirds of the members will be present, and a two-thirds majority is obtained. These special meetings must be separated by at least three months.
23. The Governing Body may make bye-laws for the conduct of its business and affairs.