

Memorandum of Association

And

Rules of

**Indian Institute of
Information Technology,
(Name of place)**

Memorandum of Association of the Society

Name of the Society

The name of the Society shall be the *Indian Institute of Information Technology Society* hereinafter referred to as "the Society".

2. Registered Office

The registered office of the Society shall be located at -----

3. Objectives of the Society

- (a) to provide for education and training in such branches of learning as it may deem fit.
- (b) to provide for research, consultancy and advancement of and dissemination of knowledge.
- (c) to undertake extra mural studies, extension programmes and field outreach activities to contribute to the development of society.
- (d) to promote the cause of Information Technology (IT) education and research in an integrated manner.
- (e) to do all such other acts and things as may be necessary or desirable to further the objects of the Institute.

4. Powers and Functions of the Society

- (1) For attainment of its objectives, the Society may carry out amongst other, the following functions:
 - a. To establish, administer and manage the Institute and to provide facilities for the efficient functioning of the Institute, having due regard to the policies and guidelines given by the Central Govt. from time to time.
 - b. To prescribe rules and regulations for the management and administration of the institute.
 - c. To establish, administer and create infrastructure facilities as may be required by the institute.
 - d. To select, educate and train young talents for careers, research and development in Information Technology Design and Manufacturing.
 - e. To conduct examinations for the award of degrees, diplomas, certificates and other distinctions to the candidates so trained and having attained set standards of proficiency before the award of such degrees, diplomas, certificates and other distinctions.
 - f. To institute and award fellowships, scholarships, prizes and medals in accordance with the rules and bye-laws drawn thereof.

- g. To confer honorary awards and other distinctions.
- h. To fix such fees and other charges as may be laid down in the Bye-laws made under the rules of the Society.
- i. To establish, maintain and manage the land and buildings and the other assets of the Institute.
- j. To create administrative, technical, ministerial and other posts under the Society and to make appointments thereof, and to provide that the posts so created are in the cadre and scales of pay as approved by the Central Government from time to time and to provide statutory reservation as directed by the Central Government.
- k. To appoint the Director of the Institute on such terms and conditions as may be decided by the Central Government, provided that the First Director will be appointed by the Central Government.
- l. To create patronship, affiliation and other classes of professional, honorary or technical membership as the Society may consider necessary.
- m. To establish research and consultancy cells for effective linkages with the user system.
- n. To establish library and resource centres for support function to the learning process and dissemination of information.
- o. To network with other institutions, authorities and Governments for exchange of information, documentation and publications.
- p. To develop and operate continuing education programmes, distance education, multi-media, internet-based and other technology-based education programmes.
- q. To receive grants, gifts and donations, in cash or otherwise of movable or immovable property of all descriptions for the promotion of the objectives of the Society.
- r. To construct, maintain, alter any structure, building or works owned by it, deemed necessary or desirable to the Society in furtherance of its objectives.
- s. With permission of the Central Government, to dispose of immovable properties or demolish any structure, building or works owned by the Society deemed necessary or desirable.

- t. To raise loans and advances whether secured or unsecured, with the concurrence of Central Government.
- u. To print, publish and sell, circulate or distribute gratuitously or otherwise, journals, periodicals, books or leaflets that the Society may consider desirable and necessary for the promotion of its objectives.

5. Power to Review and Hold Enquiries

- (1) The Central Government may appoint one or more persons to review the work and progress of the Society and to hold enquiries into the affairs thereof and to report thereon in such manner as it may direct.
 - (2) Upon receipt of any such report, the Central Government may take such action and issue such directions as it may consider necessary in respect of any of the matters dealt within the report and the Institute shall be bound to comply with such directions.
6. To make Rules and Bye-laws for the conduct of the affairs of the Society and to add, to amend, to vary or rescind them from time to time with the approval of the Central Government.
7. The Central Government shall have the powers to issue such directions as it may consider necessary in respect of any of the matters of the Society or the Institute as the case may be and the Society and the Institute shall be bound to comply with such directions.
8. In case, the Central Government is satisfied that the Society or the Institute is not functioning properly, the Central Government shall have the power to take over the administration and the assets of the Institute.
9. If on winding up or dissolution of the Society, there shall remain after satisfaction of all its debts and liabilities, any assets and property whatsoever, the same shall not be paid to or distributed among members of the Society or any of them but shall be dealt with in such manner as the Central Government may determine.
10. **Adjustment of Income and Property on Dissolution of the Institute**
Any income or property that shall remain after the satisfaction of all debts and liabilities on the winding up or dissolution of the Institute shall be entirely transferred to the Central Government.
11. **Transition Provisions**
- (i) The Society shall be constituted and shall function as per the Rules and Regulations framed for this purpose. However, the first Society shall be constituted by the Central Government.

- (ii) The Management of the Institute shall be vested in Board of Governors constituted under the Rules and Regulations of the Society and the first members of this Board shall be constituted by the Central Government. This Society shall function till such a time as the Board is constituted in accordance with the provisions in the Rules and Regulations.
- (iii) We, the several persons, whose names, address and occupations are hereunder subscribed, are desirous of being formed into a Society in pursuance of this Memorandum of Association.

[illegible]

RULES AND REGULATIONS OF THE INSTITUTE

1. Short Title

These Rules shall be called the Rules of the *Indian Institute of Information Technology*,.....

2. Address of the Institute

The registered office of the Institute shall be situated at _____.

3. Definitions

In these Rules unless the context otherwise requires:-

- a) "Board", in relation to any Institute, means the Board of Governors thereof;
- b) (i) "Chairperson" means the Chairperson of the Board.
(ii) "Chairperson of Council" means Chairperson of the Council.
- c) "Council" means the Council hereinafter established
- d) "Director", in relation to any Institute, means the Director thereof.
- e) "Deputy Director", in relation to any Institute, means the Deputy Director thereof
- f) "Institute" means *Indian Institute of Information Technology*,..... ;
- g) "Notification" means a notification published in the official Gazette;
- h) "Registrar", in relation to any Institute, means the Registrar thereof;
- i) "Dean (A)" in relation to any institute means the Dean (Academics) thereof
"Dean (R&D) in relation to any institute means the Dean (Research and Development) thereof
- j) "Senate", in relation to any Institute, means the Senate thereof;
- k) "Society" means any of the societies registered under the Societies Registration Act, 1860 and mentioned in column (2) of the Schedule;
- l) Institute means the Institute which by virtue of participation of private partner is declared to be Institutes under not-for-profit public private partnership, and that these institutes do not receive govt. grants to cover substantial part of their operating or recurring expenses.
- m) "Private Partner" in relation to Institute means an individual, or trust or company or society which invests substantially in the corpus of the institute and is so notified
- n) "Year" means the Financial Year unless for particular purpose it has been defined otherwise.

4. Authorities of the Institute

The following shall be the authorities of an Institute namely:

- (a) The Chairperson
- (b) The Board of Governors
- (c) The Senate
- (d) The Finance Committee
- (e) The Building and Works Committee

- (f) Such other authorities as may be declared by Rules to be the authorities of the Institute

5. The Board of Governors

- (a) Composition of the Board of Governors

- (1) The Board of Governors shall consist of the following persons, namely:-

- (i) the Chairperson, to be elected by the Board.
- (ii) the Director, ex-officio,
- (iii) One person to be nominated by the Government of the State in which the Institute is situated;
- (iv) four persons having special knowledge or practical experience in respect of education, engineering or science including the IT Industry, to be nominated by the Council.
- (v) one professor of the Institute, to be nominated by the Senate.
- (vi) Dean (A) and Dean (R&D), ex officio
- (vii) One nominee of the Ministry in the Central Government dealing with Technical Education.
- (viii) One nominee of the Ministry in the Central Government dealing with Information Technology.
- (ix) two persons to be nominated by the private partners of the Institute
- (x) One eminent person having knowledge and experience from civil society to be nominated by the Board.

- (2) Save as otherwise provided in this section, the term of office of the Chairman or any other member of the Board shall be three years from the date of his nomination.

- (3) The term of office of an *ex-officio* member shall continue so long as he holds the office by virtue of which he is a member.

- (4) The term of office of teaching staff nominated on the Board shall be two years from the 1st day of January of the year in which he is nominated.

- (5) The term of office of a member nominated to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he has been nominated.

- (5) Notwithstanding anything contained in this section, an outgoing member shall, unless the Board otherwise directs, continue in office until another person is nominated as a member in his place.

- (6) The members of the Board shall be entitled to such allowances, if any, from the Institute as may be provided for in the Rules but no member other than the persons referred to in clauses (b) and (g) of section 11 shall be entitled to any salary by reason of this sub-section.

9. (1) Subject to the provisions of these Rules, the Board of any institute shall be responsible for the general superintendence, direction and control of the affairs of the Institute and shall exercise all the powers of the Institute not otherwise provided for by these Rules, the Rules and the Ordinances and shall have the power to review the acts of the Senate, the Finance Committee and the Building and Works Committee.

(2) Without prejudice to the provisions of sub-section (1), the Board of any Institute shall -

- (a) take decisions on questions of policy relating to the administration and working of the Institute;
 - (b) institute courses of study at the Institute;
 - (c) make Rules;
 - (d) institute and appoint persons to academic as well as other posts in the Institute;
 - (e) consider and modify or cancel Ordinances;
 - (f) consider and pass resolutions on the annual report, the annual accounts and the budget estimates of the Institute.
 - (g) Exercise such other powers and perform such other duties as may be conferred or imposed upon it by these Rules.
- (3) The Board shall have the power to appoint such committees as it considers necessary for the exercise of its powers and the performance of its duties under these Rules.

10. The Senate of each Institute shall consist of the following persons, namely :-

- (a) the Director, *ex-officio*, who shall be the Chairman of the Senate;
- (b) the Deputy Director, *ex-officio*;
- (c) Dean (A), *ex-officio* as member-secretary
- (d) the Professors appointed or recognized as such by the Institute for the purpose of imparting instruction in the Institute;
- (e) three persons, not being employees of the Institutes, to be nominated by the Board in consultation with the Director, from among educationists of repute, one each from the fields of science, engineering and humanities; and
- (f) such other members of the staff as may be laid down in the bye laws.

11. Subject to the provisions of these Rules, and Bye laws, the Senate shall be the principal academic body of the Institute and shall have control over and be responsible for maintenance of standards of education, teaching and training, inter-departmental coordination, research, examinations and tests within the Institute and shall exercise such other powers and such other duties and functions as may be prescribed or conferred upon it by the Bye laws.
12. The Finance Committee shall consist of the following :
 - (a) The Chairperson, ex-officio, who will be the Chairperson of the Committee,
 - (b) One nominee of private partner,
 - (c) One person nominated by the Board,
 - (d) The Director, ex-officio
 - (e) Officer in-charge of Finance & Accounts of the Institute as ex-officio secretary.
13. (1) The Finance Committee will examine the accounts and scrutinize proposals for expenditure;

(2) The Finance Committee will examine annual accounts for financial estimates of the Institute and submit the same to the Board together with its comments for the approval of the Board;

(3) Subject to such powers as may be delegated by the Rules, may sanction expenditure up to the prescribed limits.
14. The Buildings and Works Committee will consist of:-
 - (1) The Director ex-officio as Chairman of the Committee.
 - (2) One person nominated by the Board.
 - (3) An engineer not below the rank of Chief Engineer, serving or retired, in the Central or State Governments or an equivalent agency or public sector undertaking, nominated by the Board.
 - (4) One person from a centrally funded institution/ university in same city/area.
 - (5) The Registrar, ex-officio.
 - (6) The Officer incharge of the estate of the Institute as ex-officio Secretary.
15. The Committee will discharge the following functions and enjoy the following powers:-

- (1) It will be responsible, subject to the directions of the Board, for all major capital works and to obtain the necessary administrative and financial approval thereof from the Board.
 - (2) It will undertake all minor original works and maintenance of estate and will give financial and administrative approval thereof within the sanctioned budget allotted for the purpose.
 - (3) It will give technical approval for all works.
 - (4) It will exercise the power of enlistment of contractors, floating and acceptance of tenders, issuance of work orders, undertaking of works departmentally and supervising works in progress.
 - (5) It will determine all cases of claims and settlement of unscheduled rates
 - (6) Subject to ratification by the Finance Committee the Building and Works Committee will decide, from the time, the schedule of rates applicable to the Institute.
 - (7) The Board can call upon the Buildings and Works Committee to perform such other functions in the matter of construction of buildings and development of land as it deems fit.
 - (8) The Chairman of the Buildings and Works Committee may exercise all or any of the powers of the Committee as the situation may demand. Every such order will be reported to the Committee and the Board at the next meeting of the Committee or the Board.
16. (1) The Chairperson shall preside at the meetings of the Board, the Finance Committee and at convocations of the Institute.
- (2) It shall be the duty of the Chairperson to ensure that decisions taken by the Board are implemented.
 - (3) The Chairperson will determine whether, if the Board has not met, any business which it may be necessary for the Board to perform may be carried out by circulation an appropriate resolution thereon among its members and any resolution so circulated and approved by a simple majority shall be as effective and binding if such resolutions had been passed at a meeting of the Board.
 - (4) Where in the opinion of the Director or the Chairperson the situation so demands that an immediate decision needs to be taken in the interest of the Institute the Chairperson, on the recommendation of the Director may issue such orders as may be necessary, provided that such orders will be submitted for ratification of the Board either through circulation or at the next meeting.

(5) The Chairperson shall exercise such powers and perform such other duties as may be assigned to him by these Rules, Rules, or by resolution of the Board of Governors.

17. (1) The Director of Institute will be appointed by the Board with the prior approval of the Central Government thereof;

(2) The Deputy Director Dean (A) and Dean (R&D) will be appointed by the Board of Governors on recommendations of the Director and on such terms and conditions as may be laid down by the Rules. They will exercise such powers and perform such duties as may be assigned to them by the Rules and Regulations or the Director, with the approval of the Chairperson.

(3) The Director shall be the principal academic and executive officer of the Institute and shall be responsible for proper administration of the Institute and for imparting of instruction and maintenance of discipline therein.

(4) The Director shall submit annual reports and accounts to the Board, provided that the Chairperson may require him to submit such special or periodical reports as may be deemed fit.

(5) The Director shall exercise such powers and perform such other duties as may be assigned to him by the Rules and Regulations or the Board of Governors by resolution

(6) If, in the opinion of the Director, the situation is of an emergent nature and it is necessary to take immediate action thereon he may, for reasons to be recorded in writing, exercise any power conferred upon any authority of the Institute, other than the Chairperson and to take necessary action, provided that he shall, as soon as may be possible, report the entire matter to the Chairperson, whose decision thereon will be final.

18. (1) The appointment of the Registrar of each Institute shall be on such terms and conditions as laid down by the Rules and Regulations. He will be the custodian of records, the common seal, the funds of the Institute and the property of the Institute, as the Board shall commit to his charge.

(2) Subject to general direction and control of the Director, the Registrar will be responsible for and accountable to the Director for the proper administration of the Institute and will exercise powers therefor as may be assigned to him by the Rules and Regulations or the Director by general or special order

(3) The Registrar shall be ex-officio Secretary of the Board, such committee as may be prescribed by Rules.

(4) The Registrar shall exercise such other powers and perform such other duties as may be assigned to him by the Rules and Regulations, the Board of Governors or the Director

and in performing such duties and exercising such powers he shall be responsible to the Director for the proper discharge of his functions.

19. The Powers and duties of officers other than those herein before mentioned shall be determined by the Rules.
20. For the purpose of enabling the Institutes to discharge its functions efficiently under the Rules, the Central Government may after due appropriation made by Parliament by law in this behalf, pay to each Institute in each financial year such sums of money and in such manner as it may think fit.
21. (1) Every Institute shall maintain a fund to which shall be credited :
 - (a) all money provided by the Central Government or State Govt
 - (b) all fees and other charges received by the Institute
 - (c) all money received by the Institute by way of grants, gifts, donations, benefactions, bequests or transfers and from the Private Partner, if any.
 - (d) all money received by the Institute in any other manner or from any other source.
 - (2) All money credited to the Fund of any Institute shall be deposited in such banks or invested in such manner as the Director may decide.
 - (3) The Fund of any Institute shall be applied towards meeting the expenses of the Institute, including expenses incurred in the exercise of its powers and discharge of its duties under this Act.
22. (1) Every Institute shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the balance sheet, in such form as may be prescribed by the Central Government.
 - (2) The accounts of Institute shall be audited by a chartered accountant as specified in societies act.
23. (1) Every Institute shall constitute for the benefit of its employees, including the Director in such manner and subject to such conditions as may be prescribed by the Rules, such pension, insurance and Provident Funds as it may deem fit, provided that the Central Government may declare that the provisions of the Provident Fund Act, 1925 shall apply to such Provident Fund as if it were a government Provident Fund.
24. All appointments on the staff of any Institute, except that of the Director, shall be made in accordance with the procedure laid down in the Rules, by –
 - (a) The Board, if the appointment is made on the academic staff in the post of Associate Professor or above or if the appointment is made on the non-academic staff in any cadre the maximum of the pay scale for which shall be as prescribed in Rules and Regulations from time to time.
 - (b) By the Director, in other cases.

25. Subject to the provisions of the Rules, the Regulations and Bye-laws may provide for all or any of the following matters namely : -

- (a) the conferment of honorary degrees;
- (b) the formation of departments / divisions of teaching;
- (c) the fees to be charged for courses of study in the Institute and for admission to the examinations of degrees and diplomas of the Institute;
- (d) the institution of fellowships, scholarships, exhibitions, medals and prizes ;
- (e) the term of office and the method of appointment of officers of the Institute;
- (f) the qualifications of teachers of the Institute;
- (g) the classifications, the method of appointment and the determination of the terms and conditions of service of teachers and other staff of the Institute,
- (h) the constitution of pension, insurance and provident funds, for the benefit of the officers, teachers and other staff of the Institute;
- (i) the constitution, powers and duties of the authorities of the Institute;
- (j) the establishment and maintenance of halls and hostels;
- (k) the conditions of residence of students of the Institute and the levying of fees for residence in the halls and hostels and of other charges ;
- (l) the manner of filling vacancies among members of the Board;
- (m) the allowances to be paid to the Chairman and members of the Board;
- (n) the authentication of the orders and decisions of the Board;
- (o) the meetings of the Board, the Senate, or any Committee, the quorum at such meetings and the procedure to be followed in the conduct of their business;
- (p) any other matter which by these Rules as to be or may be prescribed by the Rules.

26. (1) The first Rules and Regulations of Institute shall be framed by the Central Government.

(2) The Board may, from time to time, make new or additional Rules and Regulations or may amend or repeal the Rules and Regulations in the manner hereafter in this section provided.

27. Subject to the provisions of Rules and Regulations, the Ordinances of each Institute may provide for all or any of the following matters, namely :-

- (a) the admission of the students to the Institute;
- (b) the courses of study to be laid down for all degrees and diplomas of the Institute;
- (c) the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the Institute, and shall be eligible for degrees and diplomas;
- (d) the conditions of award of the fellowships, scholarships, exhibitions, medals and prizes;
- (e) the conditions and mode of appointment and duties of examining bodies, examiners and moderators;
- (f) the conduct of examinations;
- (g) the maintenance of discipline among the students of the Institute; and

(h) any other matter which by Rules and Regulations is to be or may be provided for by the Ordinances.

28. (1) Save as otherwise provided in this section, Ordinances shall be made by the Senate.
- (2) All Ordinances made by the Senate shall have effect from such date as it may direct, but every Ordinance so made shall be submitted, as soon as may be, to the Board and shall be considered by the Board at its next succeeding meeting.
- (3) The Board shall have power by resolution to modify or cancel any such Ordinance and such Ordinance shall from the date of such resolution stand modified accordingly or cancelled, as the case may be.
29. In order that there may be better coordination between the Institutes the Central Government may, by notification in the Official Gazette, establish a central body to be called the Council of IIITs. The Institute shall be the member of the Council of Institutes of Information Technology as and when set up by the Central Government.