



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. L] FRIDAY, JULY 31, 2009/SRAVANA 9, 1931

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 29th July, 2009, is hereby published for general information.

H. D. VYAS,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 15 OF 2009.

(First published, after having received the assent of the Governor, in the "*Gujarat Government Gazette*," on the 31st July, 2009).

AN ACT

to establish the Children's University for promoting children's education in the light of contemporary national and international needs of building up a new world that will harmonise the ideals of liberty, equality and fraternity, and to establish, conduct and promote progressive research and educational centres related to children's education as also to establish, conduct and promote, training and extension services mat will foster high level care, education and health of the children of today and tomorrow and for the matters connected therewith or incidental thereto.

It is hereby enacted in the Sixtieth Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Children's University Act, 2009.

**Short title, extend
and
Commencement.**

(2) It extends to the whole of the State of Gujarat.

(3) This section shall come into force at once and the remaining provisions shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Definitions. 2. In this Act, unless the context otherwise requires, —

“Academic Council” means the Academic Council of the University established under section 23.

(a) "Collaboration" means collaborative academic activity of the University with other Universities, academic institutions (local, regional, national or international) and other research, educational, teaching, training institutions and organizations;

(b) "Director-General" means the Director-General of the University appointed under section 15;

(c) "Executive Council" means the Executive Council of the University constituted under section 21;

(d) "Fee" means collection made by the University from the students for different purposes under different heads including tuition fee and development charges and the collection which is non-refundable;

(e) "Finance Committee" means the Finance Committee of the University constituted under section 26;

(f) "General Council" means the General Council of the University constituted under section 19;

(h) "Institution" means an institution which is a part of the University or it is associated with and admitted to the privileges of the University;

(i) "prescribed" means prescribed by Statutes or Ordinances or, as the case may be, Regulations made by or under this Act;

(j) "Regulations" means the Regulations made under sub-section (5) of section 36;

(k) "Research Council" means the Research Council of the University constituted under section 29;

(l) "*Saptadhara*" activities shall include the activities of quest of knowledge, fine arts, performing arts, debate skills, communication services, physical education, Scouts and Guides, NCC, NSS and oratory skills, craft, and appreciation of craft as art, creative writing, poetry, etc.;

(m) "School" means a school of learning and training maintained by or recognized, affiliated or approved as such by the University and includes *Vidya Niketan* School;

(n) "Standing Committee" means the Standing Committee constituted under section 39.

- (o) "University" means the Children's University established and incorporated under section 3.

CHAPTER II

ESTABLISHMENT AND INCORPORATION OF UNIVERSITY

3. (1) There shall be established and incorporated a University by the name of the "Children's University".

**Establishment
and
Incorporation
of University.**

(2) The Chancellor, the Vice-Chancellor, the Director General, and the members of the General Council, the Executive Council and the Academic Council, Assistant Director General, Registrar and all other persons who may hereafter become such officers so long as they continue to hold such office or membership, are hereby constitute a body corporate by the name of the "Children's University".

(3) The University shall be a body corporate by the name aforesaid, having perpetual succession and common seal with power, subject to the provisions of this Act, so acquire and hold property, to contract and shall, by the said name, sue and be sued.

(4) In all suites and other legal proceedings by or against the University, the pleading shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.

**Headquarters
Of
University.**

4. The headquarters of the University shall be at Gandhinagar or at such other place,

Such other place, as the State Government may, be notification in the *official Gazette*, Specify.

**Objects of
University.**

5.

The objects of the University shall be as follows:-

- (1) to study and undertake research in the works of pioneering educationists of Gujarat, India as also of other parts of the world, who have underlined the need for child-centered holistic education so as to derive guidance from the same; .
- (2) to promote the fundamental duties laid" down in article 51A of the Constitution of India;
- (3) to foster in the University highest purposes of education of the body, life and mind as also of the human spirit in its integrality;
- (4) to promote synthesis of scientific realism and artistic creativity;
- (5) to recover the lights from lessons of ancient wisdom in the context of modern developments;

- (6) to establish facilities, programmes and activities of research, education, training and extension services that promote all levels of child's development, including at the primary and secondary levels of education;
- (7) to introduce and nurture innovations in the education system so as to reflect India's spiritual knowledge, robust intellectuality and inexhaustible creativity;
- (8) to study and derive lessons from the ongoing experiments of education that are taking place in Gujarat as also elsewhere and to foster all the valuable innovative work and promote the same for larger expansion and utilization.

Powers and functions of University.

6. The powers and functions of the University shall be as follows:-
- (1) to administer and manage the University and ensure efficient working of the centres, schools and institutions related to research, education, training and extension services for the furtherance of the objects of the University;
 - (2) to regulate conduct and enforce discipline among the employees of the University and to take such measures as may be deemed necessary;
 - (3) to prepare guidelines manuals and methodology for assessing and accrediting educational institutes and to determine paradigms for quality assurance, processes and mechanisms;
 - (4) to establish, conduct and promote centres, such as-
 - (i) Centre of Research,
 - (ii) Centre of Education,
 - (iii) Centre of Training,
 - (iv) Centre of Extension Services, and
 - (v) such other centres and institutions as may be necessary and to provide for facilities, including those relating to a Centre of Paediatrics and pedagogy for scientific discoveries and inventions, pedagogy for fine arts, pedagogy for crafts, promotion of NSS and NCC, promotion of Scouts and Guides, multi-linguistic capacities (Gujarati, Sanskrit, French, English, Hindi, Tamil, Arabic, Spanish, etc.), development of curricular, co-curricular and extracurricular hobbies, puppetry, exhibitions, unending education, museum studies, library and film studios, etc.,
 - (5) to grant recognition, affiliation and approval to schools or institutions in the State of Gujarat;
 - (6) to confer and award degrees, diplomas, and certificates and provide for lectures, instruction and training for students including those of affiliated schools, recognized institutions and approved institutions as

- also for those under correspondence and continuing education courses;
- (7) to confer honorary degrees or other academic distinctions;
 - (8) to develop academic relationship with *shishu-vatikas*, *bal-mandirs*, and primary and secondary schools which satisfy the need and standards of the University and to empower them to receive the benefits of the results of the work of the University, and gradually to the entire education system of the State;
 - (9) to create in the University campus as also elsewhere, schools to be called *Vidya Niketan* Schools for various stages of education which will embody and crystallise the results of the research conducted by the University or elsewhere, and to spread benefits of the work of these schools to the entire system of education in the State, and to provide training to teachers and prepare teaching-learning materials for this purpose for the benefit of the schools in the campus and also other schools in the State;
 - (10) to set up, conduct and promote, under the responsibility of the Centre of Research, various councils for research in subjects, as the follows:-
 - (i) Synthesis of child-related knowledge-systems (Physical and medical);
 - (ii) Synthesis of child-related knowledge-systems (Psychological and Cultural);
 - (in) children's philosophy; children's psychology, children's science, children's technology;
 - (iv) children's rights, human rights, fundamental duties, ideal of human unity and futuristic visions;
 - (v) gifted children; physically and mentally challenged children;
 - (vi) national and international education;
 - (vii) multi-linguistic abilities in Indian and international languages;
 - (viii) children's literature and films; and
 - (ix) development of integral personality;
 - (11) to set up, promote and conduct under the control and management of Centre of Research, several departments of research, instruction and in regard to themes, not so generic as those for the councils of research, but more specific and special as those of as pre-natal education, toddlers' education; kindergarten education, primary education and secondary education and to relevant stimulation for admiration for uplifting visions, sublime music, sublime forest life and beauty of nature, as also relevant as the synthesis to powers of creativity with those of scientific realism, etc.;
 - (12) to set up, conduct and promote a Department of Research in testing and evaluation and to support the requirement of

creating a new system of testing services for the following purposes:-

- (i) removing from the students the fear of the examination so that tests are available by means of computer technology as and when the students are ready for the same, and even individually;
 - (ii) replacing the test of memory by the test of comprehension;
 - (iii) organising test for development of personality, sterling qualities of character, and value oriented and skill oriented development; and organising tests of physical fitness;
- (13) to establish, conduct and promote a centre of extension services;
 - (14) to establish, conduct and promote a centre for continuing education and of telecasting programmes of social education throughout the State, which will stimulate all-round care of the child and child education formal, non-formal and informal, including methods of education, through visits to museums and organization of exhibitions, and publications of brochures, pamphlets, occasional papers and other materials for the promotion of themes of children's care and education;
 - (15) to develop a programme of establishment and conduct of *Bal Bhavans* in cities, towns and even in groups of villages as also to develop an organization, such as "*Little Children's Theatre*" so as to promote dramatic activities for the Children of the State;
 - (16) to undertake, organise and conduct educational programmes for selected, recognised and affiliated *Shishu Vatikas*, *Bal-Mandirs*, and primary and secondary schools which shall be known as *Vidya Niketan* Schools;
 - (17) to undertake, organise and conduct programmes for the purposes of teacher's training who shall be engaged in the work of teaching in the *Vidya Niketan* Schools and in affiliated, recognised and approved schools, and to provide them, a general programme of introduction to the philosophy of children's University and to the philosophy of child-centred holistic education, as also elementary course related to the lessons of history, with special reference to Indian culture, its underlying spirituality, robust intellectuality and inexhaustible vitality as also to provide for the following:
 - (i) specialised courses in nutrition, physical health and development of tender faculties of early childhood;
 - (ii) new pathways in educational programmes, related to different stages of education such as infant,

- kindergarten, *anganwadis*, primary education, secondary education;
- (iii) new pathways in the pedagogy of fine arts, crafts, vocational courses, physical education, development of hobbies, puppetry, children's drama, children's poetry, children's stories, children's music, children's dance, emerging new avenues of children's development, etc.;
- (iv) in-service training programmes for candidates who wish to qualify to serve as *anganwadi* workers;
- (18) to undertake, organise and conduct, under the Centre of Education, educational programmes for the University students engaged in research for M.Phil., Ph.D. and doctoral programmes relating to child education;
- (19) to provide for instruction, extension, teaching and training in such branches or learning and course of study as the University may, from time to time, determine;
- (20) to create posts of Executive Officers, Director-General, Director, Assistant Director-General, Professors, Associate Professors and Assistant Professors, and other members of academic and non-academic staff of equivalent responsibility, teaching or non-teaching academic posts of the University with the prior approval of the Executive Council and to prescribe the qualifications in accordance with the guidelines of the University Grants Commission or All India Council for Technical Education and other national statutory bodies and make appointments thereto; as well as to create non-teaching skilled, administrative, ministerial and other posts and to prescribe the qualifications and pay-scales with prior approval of the State Government and to make appointments thereto;
- (21) to appoint or re-recognise persons working in any other University or organisation as adjunct professors, adjunct associate professors, adjunct assistant professors, visiting professors of the University for specified periods; and to facilitate mobility of academic members within the University and to other Universities;
- (22) to designate a University centre or institution, to monitor, periodically inspect and evaluate the academic performance of various centres, schools and institutions for ensuring proper standards of research, education, training, extension services, teaching and adequate library, laboratory, hostel and other academic facilities, in accordance with the guidelines, if any, laid down by the University Grants Commission or by the Executive Council;
- (23) To make special provisions for the benefit of the University education to be made available to socially and

- Educationally Backward Classes and communities particularly from rural and tribal areas;
- (24) to supervise, control and regulate the conduct and discipline and periodical assessment of the performance of the students and employees;
 - (25) to establish teachers' education and training institutions of innovative education and to provide for education and training for implementation of the educational innovations;
 - (26) to endeavour to enrich the present system of education so as to make it more responsive to the ideals of Indian Nationalism and Internationalism;
 - (27) to develop new system of education as supplementary or alternative to existing system of education;
 - (28) to cooperate or collaborate with any other University including foreign Universities, institution, authority or organisation for research and advisory services to borrow funds for the purposes of the University on the security of the property of the University, subject to the prior approval of the State Government;
 - (29) to borrow funds for the purposes of the University on the security of the property of the University, subject to the prior approval of the State Government;
 - (30) to receive funds for collaboration programmes from foreign agencies subject to rules and regulations of the Central Government and State Government in that behalf;
 - (31) to organise and undertake extra-mural teaching and extension services;
 - (32) to fix, demand and receive fees and other charges;
 - (33) to supervise, control and regulate admission of students;
 - (34) to establish, organize, maintain, manage and supervise and control the functioning of centres, departments, institutions, generally, and in particular, laboratories, libraries, museums, computer centers and equipments;
 - (35) to implement the national literacy and adult education programme through teachers and students on voluntary basis in the University system and to evolve measures to give due emphasis to the efforts and performance of the students in this area in addition to their normal academic performance, and also to evaluate the performance of the teachers in this area;
 - (36) to hold and manage trusts and endowments and institute and award fellowships, scholarships, studentship, medals and prizes for teacher and students of the University.
 - (37) to receive grants, subventions, subscriptions, donations and gifts, for the purpose of the University and consistent with the objects for which the University is established and to allocate and disburse grants out of the fund to institutions and courses recognized by it for the purpose of developing them so as to promote children's education;

- (38) to consult and obtain concurrence of the various bodies *m* respect of recognition and accreditation granted fey the statutory boards and Universities for the purpose of arriving at equivalence of the courses, programmes and evaluation system established by it with the existing standards of education; and
- (39) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or promotion of the objects of the University.

7. The University shall conduct its research programmes employing by various means as may be prescribed by the Statutes. **Modes of Research.**

8. The territorial jurisdiction of the University shall extend to the whole of the State of Gujarat. **Jurisdiction of University.**

9. (1) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma or other academic distinction or course of study on the grounds only of religion, race, caste, sex, place of birth or political or other opinion: **University open to ail irrespective of religion, race, caste, sex or opinion.**

Provided that the University may, subject to the previous sanction of the State Government, maintain, affiliate or recognize any college or institution exclusively for women either for education, instruction or residence, or reserve for women or members of classes and communities which are educationally backward, places for the purposes of admission as students in any college or institution maintained or controlled by the University.

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to religion, race, caste, sex or political or other opinion in order to entitle him to be admitted as a teacher or to hold any office in the University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any privileges of the University or benefaction thereof.

CHAPTER III

OFFICERS OF UNIVERSITY

10. The following shall be the officers of the University, namely:-

Officer of University

- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Director-General;
- (iv) The Registrar;
- (v) The Finance and Accounts Officer; and
- (vi) such other officers as may be declared by the Statutes to be the officers of the University.

Chancellor. 11 (1) The Governor of Gujarat shall be the Chancellor of the University. He shall, by virtue of his office, be the head of the University.

(2) The Chancellor shall have the following powers and functions:-

(a) The Chancellor, when present, shall preside at the Convocation of the University and may issue direction to the Vice-Chancellor to convene the meeting of any authority of the University for specific purposes.

(b) The Chancellor, in the interests of the University, may direct the Standing Committee to look into the matter of disqualification of any member of the University, authority, body or committee, the conduct of any nominated or appointed or co-opted member if he thinks it is against the smooth functioning of the University.

Vice-chancellor. 12. (1) The Vice-Chancellor shall be appointed by the State Government in consultation with the Chancellor in the manner stated hereunder:-

(2) (a) There shall be a Search Committee constituted by the State Government consisting of three members, to be nominated by the State Government to recommend suitable names, for appointment of Vice-Chancellor. The members of the Search Committee shall be from any one or more of the following categories, namely:-

- (i) an eminent educationist;
- (ii) a retired Judge of the High Court of Gujarat;
- (iii) a retired Chief Secretary/Additional Chief Secretary of the Government of Gujarat;
- (iv) former Vice-Chancellor of any University in the State of Gujarat;

The State Government shall nominate one of them as the Chairman of the Committee.

(b) The members nominated for the committee shall be the persons who are not connected with the University or any institution of the University.

(3) The committee appointed under sub-section (2) shall begin the process of recommending the panel of names for the appointment of the Vice-Chancellor, at least four months, before the probable date of occurrence of the vacancy of the post of the Vice-Chancellor and shall complete within the time limit as may be fixed by the Chancellor. The State Government may extend the time limit if in the exigency of the circumstances, it is necessary so to do:

Provided that the period so extended shall not exceed three months in the aggregate.

(4) The committee shall consider and recommend the names of persons who possess the following qualification for the post of Vice-Chancellor:

- (a) leadership in any field of children's education, care and development with the experience of having served in a University or children's institution for not less than ten years and is renowned for research or creative work as evidenced through publications or guidance provided to research students of a University or college or leadership provided to the field of humanities, science, fine-arts and crafts, technology, medicine, industry; or
- (b) leadership in the field of administration as evidenced through service of ten years' of experience as a Registrar in a University or as a Principal of a college or in a research academy or a Research Council under the State or the Central Government;

(5) The search committee shall recommend a panel of three suitable persons for the consideration of the Chancellor for being appointed as the Vice-Chancellor. The names shall be in alphabetical order without any preference being indicated. The report may be accompanied by a detailed write-up on suitability for each person included in the panel.

(6) The State Government shall, in consultation with the Chancellor, appoint one of the persons included in the panel referred to in subsection (5) as the Vice-Chancellor of the University.

13. (1) The Vice-Chancellor shall hold office for a term of five years from the date he enters upon his office or till attaining the age of sixty-five years, whichever is earlier and shall not be eligible for reappointment.

(2) (a) During the leave or absence of the Vice-Chancellor, or

(b) in the event of a permanent vacancy in the office of the Vice-Chancellor, until an appointment is made under sub-section (1) of section 12 to that office,

the Director General of the University shall carry on the current duty of the office of the Vice-Chancellor.

(3) The Vice-Chancellor shall be a whole-time salaried officer of the University and his pay, allowances, emoluments and other terms and conditions of service shall be such as may be prescribed.

(4) The Vice-Chancellor may, by writing under his signature addressed to the Chancellor, after giving one month's notice, resign his office and such resignation shall take effect from the date of acceptance of his resignation by the Chancellor.

Terms and conditions of appointment of Vice-Chancellor.

(5) The Vice-Chancellor may be removed from his office if the Chancellor in consultation with the State Government, is satisfied that the incumbent, -

- (a) has become insane and stands so declared by a competent court;
- (b) has been convicted by a court for any offence involving moral turpitude;
- (c) has become an undischarged insolvent and stands so declared by a competent court;
- (d) has been physically unfit and incapable of discharging functions due to protracted illness or physical disability;
- (e) has willfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service as prescribed by the State Government or has abused the powers vested in him or if the continuance of the Vice-Chancellor in the office is detrimental to the interests of the University;
- (f) is a member of, or be otherwise associated with, any political party or any organisation which takes part in politics, or is taking part in, or subscribing in aid of, any political movement or activity:

Provided that the Vice-Chancellor shall not be removed from his office unless an opportunity of being heard is given to him.

**Powers and
functions of
Vice
Chancellor.**

14. (1) The Vice-Chancellor shall be the principal academic and executive officer of the University responsible for the efficient functioning and development of academic programmes of the University. He shall oversee and monitor the administration of the academic programmes and general administration of the University to ensure efficiency and good order of the University.

(2) He shall be entitled to be present, with the right to speak, at any meeting of any authority or body of the University, but shall not be entitled to vote thereat, unless he is the Chairman or member of that authority or body.

(3) It shall be the duty of the Vice-Chancellor to ensure that the directives of the State Government, if any, and the provisions of the Act, the Statutes, the Ordinances and the Regulations are strictly observed and that the decisions of the authorities, bodies, and committees which are consistent with the Act, the Statutes, the Ordinances or the Regulations are properly implemented.

(4) The Vice-Chancellor may take suitable action in case of any emergency, in interests of the University:

Provided that, where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date which he receives notice of such action, an appeal to the Executive Council.

(5) The Vice-Chancellor shall be the appointing and disciplinary authority for Director General, Registrar, Assistant Director General Finance and Accounts Officer, members of the academic staff of the University and officers of the University of the rank of Assistant Registrar and of the rank equivalent thereto and above.

(6) The Vice-Chancellor shall place before the Executive Council a report of the work of the University periodically.

(7) The Vice-Chancellor shall have the right to cause an inspection to be made by such person or persons or body of persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipments, hostels maintained or recognised by the University, and of any institution of the examinations, teachings and other work conducted by or on behalf of the University, and to cause an inquiry to be made in a like manner regarding any matter connected with the administration finance, and academic of the University.

(8) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by or under the Act

15. (1) The Director General of the University shall be appointed by the Executive Council on the recommendation of the Standing Committee. The Director General shall be a person of eminence in academics, research, public service who shall have put in minimum twenty years of service in such areas.

**Director
General.**

(2) The salary, emoluments, other perks and allowances, the terms and conditions and the tenure of service of the Director General shall be such as may be prescribed by Statutes.

(3) The functions of the Director General shall be as follows, namely:-

- (a) to organise and conduct, subject to the approval of the Executive Council, a major national or international conference at the suitable interval, preferably every two years, on any important theme related to the tasks of the University;
- (b) shall assist the Vice-Chancellor in the task of coordination of the activities of the different centers and institutions of the University;
- (c) shall carry out the following tasks:
 - (i) publications of the University including the research journal of the University;
 - (ii) supervision and monitoring of the schools or institutions affiliated, recognized and approved by the University;

IV-Ex., 16-4

- (iii) submit the report to the Vice-Chancellor of the degree of the efficiency of the extension services of the University and in accordance with the standards laid down by the Academic Council;
 - (iv) organize and ensure smooth functioning of innovative testing service of the University which will free the present examination system and ensure that students are genuinely tested not merely on the basis of written work but also on the basis of interview, supported by specially organized progressive report submitted by the students so as to provide insights into the value-oriented and skill-oriented development of the student as also student's physical fitness.
- (4) (a) There shall be not more than four Assistant Director General to assist the Director General in discharge of his duties and functions.
- (b) The Assistant Director General shall be appointed by the Executive Council on the recommendation of the standing committee.
- (c) The qualifications, salary, other perks and allowances, terms and conditions and tenure of service shall be such as may be prescribed by Statutes.
- Registrar.** 16. (1) The Registrar shall be appointed by the Vice-Chancellor on the recommendations of the standing committee constituted for the purpose.
- (2) The qualification, salary, emoluments, other perks and allowances and the terms and conditions of service of the Registrar shall be such as may be prescribed by Statutes.
- (3) The Registrar shall be a full-time salaried officer of the University and shall work directly under the superintendence, direction and control of the Vice-Chancellor.
- (4) Appointment of the Registrar shall be for a term of five years and he shall be eligible for re-appointment for further term of five years.
- (5) When the post of Registrar remains vacant for any reason or when the Registrar is, by reason of illness or absence or any other cause, unable to perform the duties of his office, the Vice-Chancellor shall appoint a senior officer of the University to officiate as the Registrar until the Registrar resumes duty.
- (6) The Registrar shall be the *ex-officio* Secretary of the General Council, Executive Council and Academic Council.
- (7) The Registrar shall be the appointing and the disciplinary authority of the employees of the University other than the teachers,

non-vacation academic staff and officers of the rank of Assistant Registrar and other officers holding posts equivalent thereto or above.

(8) Subject to the decision of the authorities of the University, the Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University.

(9) The Registrar shall be the custodian of the records, the common seal and such other property of the University as the Executive Council may commit to his charge.

(10) The Registrar shall exercise such other powers and perform such other duties as prescribed by Statutes or assigned to him, from time to time, by the Vice-Chancellor.

17. (1) The Finance and Accounts Officer shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such duties, as may be prescribed by Statutes.

**Finance and
Accounts
Officer.**

(2) The qualification, salary, allowances, emoluments, other perks and facilities and terms and conditions of service, the tenure of the Finance and Accounts Officer shall be such as may be prescribed by Statutes

(3) When the office of the Finance and Accounts Officer is vacant or when the Finance and Accounts Officer is, by reasons of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) The Finance and Accounts Officer shall-

(a) exercise general supervision over the funds of the University and shall advise as regards its financial policy; and

(b) perform such other financial functions as may be assigned to him by the Executive Council.

CHAPTER IV

AUTHORITIES OF UNIVERSITY

18. The following shall be the authorities of the University, namely:-

**Authorities of
University.**

- (i) The General Council
- (ii) The Executive Council;
- (iii) The Academic Council;
- (iv) The Finance Committee; and
- (v) such other authorities of the University as may be declared by the Statutes, to be the authorities of the University.

19. (1) The General Council shall be the apex authority of the University.

**General
Council.**

(2) The General Council shall consist of the following members, namely:-

- (i) the Chancellor, who shall be the Chairperson of the General Council;
- (ii) the Vice-Chancellor;
- (iii) the Minister-in-charge of Education (Primary, Secondary, Adult), Higher and Technical Education, Gujarat State;
- (iv) the Minister-in-charge of Health and Family Welfare, Gujarat State;
- (v) the Minister-in-charge of Women and Child Welfare, Gujarat State;
- (vi) the Executive Chairperson, Gujarat Educational Innovations Commission;
- (vii) the Chairman, University Grants Commission or his nominee;
- (viii) the Chief Secretary, Government of Gujarat;
- (ix) the Secretary to the Government of Gujarat, Education Department or his nominee not below the rank of Deputy Secretary;
- (x) the members of Gujarat Educational Innovations Commission;
- (xi) the Secretary to the Government of Gujarat, Primary Education or his nominee not below the rank of Deputy Secretary;
- (xii) the Secretary to the Government of Gujarat, Women and Child Development Department or his nominee not below the rank of Deputy Secretary;
- (xiii) the Vice-Chancellor, Ayurved University, Jamnagar;
- (xiv) the Chairman, National Council for Teachers' Education or his nominee;
- (xv) the Commissioner of Higher Education, Gujarat State or his nominee not below the rank of Joint Director;
- (xvi) the Commissioner of Schools, Gujarat State or his nominee not below the rank of Joint Director;
- (xvii) the Commissioner of Health, Gujarat State or his nominee not below the rank of Joint Director;

- (xviii) the Director General;
- (xix) the Director, Gujarat Council of Educational Research and Training, Gandhinagar;
- (xx) the Chairman, Gujarat Secondary and Higher Secondary Education Board, Gandhinagar;
- (xxi) all directors of the University;
- (xxii) the Director-General, NCC Head Quarters, Ahmedabad;
- (xxiii) the Director of UNICEF, Office of Gujarat, Gandhinagar,
- (xxiv) the State Chief Commissioner, Gujarat State, Bharat Scouts and Guides;
- (xxv) the Professor and Head, Department of Human Development and Family Welfare, M.S. University of Baroda;
- (xxvi) the Professor and Head, Department of Pediatrics, Civil Hospital, Ahmedabad;
- (xxvii) two leaders of experimental or innovative Education to be nominated by the State Government;
- (xxviii) all members of Executive Council;
- (xxix) five persons to be nominated by the State Government, who shall include distinguished educationist, scholars, social workers or representatives of industry and professions;
- (xxx) the Registrar shall be the Member-Secretary of the General Council.

(3) The term of members other than the *ex-officio* members shall be five years.

(4) The General Council shall meet at least once during a calendar year.

(5) The quorum shall not be less than one-third of the total number of members of the General Council.

20. The General Council shall have the following powers and functions, namely:-

**Powers and
functions of
General
Council.**

- (1) to approve and endorse the University's; strategic plan, calendar, and monitor the University's performance periodically;
- (2) to prepare and submit annual report to the State Government on the affairs of the University generally, and in particular on management of the University's resources;

IV-Ex..16-5

- (3) to determine the academic awards, degrees, diplomas, certificates, concessions of fee, awards of Fellowships and Studentships to be offered by the University in consultation with the Academic Council; and
- (4) to exercise such other powers and perform such other functions as may be necessary for the efficient functioning of the University.

Executive Council.

21. The Executive Council shall be the chief executive body of the University and shall consist of the following members, namely:-

- (i) the Vice-Chancellor, *ex-officio* Chairperson;
- (ii) the Secretary to the Government of Gujarat, Higher Education or his nominee not below the rank of Deputy Secretary;
- (iii) the Secretary to the Government of Gujarat, Finance Department or his nominee not below the rank of Deputy Secretary;
- (iv) the Commissioner of Higher Education, Gujarat State or his nominee not below the rank of Joint Director;
- (v) the Director General;
- (vi) two members of the Academic Council to be nominated by the Vice-Chancellor;
- (vii) four members to be nominated by the State Government from amongst the members of the General Council;
- (viii) the Finance and Accounts Officer;
- (ix) the Registrar shall be the Member-Secretary.

Powers and functions of Executive Council.

22. (1) The Executive Council shall have the following powers and functions, namely :-

- (a) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (b) to determine the form of a common seal for the University and provide for its custody and use;
- (c) to accept trusts, bequests, donations and transfer of any movable or immovable property on behalf of the University;
- (d) to transfer by sale, or otherwise, any movable property on behalf of the University;
- (e) to borrow, lend or invest funds on behalf of the University on the recommendation of the Finance Committee;
- (f) to lay down policy for administering funds at the disposal of the University for specific purposes;

- (g) to make provisions for buildings, premises, furniture, apparatus and other means needed for the conduct of the work of the University;
- (h) to hold, control and arrange for administration of assets and properties of the University;
- (i) to approve the annual accounts and the budget estimates received from the Finance Committee;
- (j) to lay down terms and conditions of service and other guidelines approved by the State Government from time to time; and lay down the procedure for appointment of University/college teachers and non-vacation academic staff and fix their emoluments and norms of workload, conduct and discipline;
- (k) to create posts of University teachers, officers, non-vacation academic staff and other employees of the University, subject to prior approval of the State Government;
- (l) to exercise such other powers and perform such other functions as may be necessary for the efficient functioning of the University.

23. (1) The Academic Council shall consist of the following members,

namely:-

**Academic
Council.**

- (i) the Vice-Chancellor, *ex-officio* Chairperson;
- (ii) the Director General;
- (iii) all the Directors of the University;
- (iv) all the Professors of the University or Heads of Institutions of the rank of Professors;
- (v) all the Assistant Director Generals of the University;
- (vi) the Heads of affiliated, recognised and approved schools or institutions;
- (vii) all the Scholars nominated in the Councils of Research;
- (viii) all the Scholars registered in the University for M.Phil., Ph. D. and Doctoral Research work;
- (ix) all Fellows of the University;
- (x) three Students nominated by the Vice-Chancellor on the basis of their excellence in regard to their outstanding performance in any of the *saptadhara* activities in the immediate preceding year;
- (xi) the Registrar shall be the Member-Secretary.

24. The Academic Council shall have the following powers and functions, namely :-

**Powers and
functions of
Academic
Council.**

- (1) to recommend to the Executive Council for the institution of degrees, diplomas, certificates, as also their equivalence if required, with the degrees, diplomas, certificates of the other Universities, recognised Boards of

Studies and examination and also recommend other academic distinctions;

- (2) to make proposal to the Executive Council for the institution of fellowships, travelling fellowships, scholarships, studentships, medals and prizes and make regulations for their award;
- (3) to grant affiliation and recognition to schools or institutions;
- (4) to accord recognition to institutions of research or specialised studies on the recommendations of the committees appointed by the General Council;
- (5) to advise the University on all academic matters and submit to the Executive Council the details of the academic calendar and feasibility reports on academic programmes;
- (6) to determine research areas as well as promote research in the University;
- (7) to suggest academic appointments;
- (8) to recommend for me visiting professors;
- (9) to propose, organise special seminars, conferences and workshops;
- (10) to implement the resolutions adopted by the Executive Council in respect of academic and research programmes and other activities;
- (11) to constitute committees for specific purposes, in such manner as may be determined by it, and may designate one of its members as Chairperson of the committee;
- (12) to consider and adopt the annual report, annual accounts and audit report and forward them to the Executive Council for approval;
- (13) to delegate any of its powers, except the power to make, amend or repeal Ordinances, to such officer or authority of the University or a committee appointed by it, as it thinks fit;
- (14) to make recommendations to the Executive Council with regard to the creation, abolition or classification of teaching posts in the University and qualifications, emoluments and the duties attached thereto;

(15) to formulate, modify or revise schemes for the organization of the centers, council and departments of research, schools, or other organization and specialized institutes, and to assign to them their respective subjects and also to report to the Executive Council for its approval;

(16) to consider proposals submitted by the departments, centers, councils and other recognized schools;

(17) to make recommendations to the Executive Council in regard to the appointment of examiners and fixation of their fees, emoluments and travelling and other expenses;

(18) to make arrangements for the conduct of examinations and to fix dates for such examinations;

(19) to declare the results of examinations, or to appoint committees or officers, for declaration of such result, and to make recommendations regarding the conferment or grant of degrees, honours, diplomas, certificates, titles and marks of honour;

(20) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for carrying out the provisions Of this Act and the regulations.

25. (1) The Academic Council shall meet as many times as may be necessary, but at least once in six months. **Meetings of Academic Council.**

(2) The Vice-Chancellor, or in his absence, the Director General shall preside at the meeting of the Academic Council.

(3) The Academic Council shall meet at such time and at such place and with such period of notice and shall observe such rules of procedure in regard to transaction of its business at its meeting, including the quorum at such meeting as may be prescribed;

(4) When any urgent action is required, the Vice-chancellor may, with the approval of the majority of the members of the Academic Council, permit the business to be transacted by circulation among the members of the Academic Council. The action so taken as approved by circulation shall be placed before the next meeting of the Academic Council.

26. (1) The Finance Committee shall consist of the following members, namely:- **Finance Committee.**

- (i) The Vice-Chancellor,
- (ii) The Director General,
- (iii) The Registrar,
- (iv) The Finance and Accounts officer,

IV-Ex.,16-6

- (v) One member of the Executive Council, to be nominated by it,
- (vi) One member, to be nominated by the State Government.

(2) The term of members other than the *ex-officio* members shall be of three years.

(3) A member shall cease to be a member of the Finance Committee, if he ceases to be a member of the Executive Council.

Powers and functions of Finance Committee.

27. (1) The Finance Committee shall have the following powers and functions, namely:-

- (a) to examine and scrutinize the annual budget of the University and to make recommendations on financial matters to the Executive Council;
- (b) to consider all proposals for new expenditure and to make recommendations to the executive council;
- (c) to consider periodical statement of accounts and to review the finances of the University from time to time, to consider annual accounts and balance sheet of the University and audited statements and audit reports, and to make recommendations thereon to the Executive Council;
- (d) to advise and to make recommendations to the Executive Council on any financial matters affecting the University, either on its own motion or on reference from the Executive Council.

(2) The Finance Committee shall meet at least once in every six months. Three members of the Finance Committee shall form the quorum for a meeting.

(3) The Vice-Chancellor or in his absence, the Director General shall preside at the meetings of the Finance Committee.

(4) The annual report of the University shall be prepared under the direction of the Finance Committee and shall be submitted alongwith its comments to the Executive Council on or before such date as may be prescribed and shall be considered by the Executive Council at its annual meeting.

Disqualifications for membership of authorities of University.

28. (1) A person shall be disqualified for being appointed or for being a member of any of the authorities of the University, if he-

- (a) is of unsound mind and stands so declared by a competent court;
- (b) is an un discharged insolvent;
- (c) has been convicted of any offence involving moral turpitude;

- (d) is conducting or engaging himself in private tuitions or private coaching classes;
- (e) has been punished for indulging in or promoting unfair practices in the conduct of any examination in any form;
- (f) discloses or causes to disclose to the public,⁴ in any manner whatsoever, any confidential matter, in relation to examination, the knowledge of which he has come to be in possession, due to his official position.

CHAPTER V

RESEARCH COUNCIL AND DEPARTMENT OF RESEARCH

29. (1) There shall be set up under the control of the centre of research, various Councils for Research as may be necessary, for research in the various subjects on child related knowledge and children psychology, philosophy and the like nature. **Constitution and functions of Research council.**
- (2) Each Research Council shall consist of the Vice-Chancellor as its Chairman, the Director General as its Vice-Chairman and the Director who shall be of the rank of the professor and shall act as the Member-Secretary.
- (3) Each Research Council shall consist of four Scholars nominated by the Chairman, Vice-Chairman and Member-Secretary and -the Dean of the centre of research and approved by the Academic Council.
- (4) The Scholars shall be eminent educationists in the subject for which the council is constituted and their role shall be to bring to the council their expert advice so as to promote research work of the council.
- (5) the Scholars in each council shall not be entitled to any salary or emoluments but shall be entitled to a fee as may be prescribed by the regulations of the University for attending the meeting as also facilities for travel, transport and accommodation for each of their visits that they may be required to perform.
- (6) The Council shall meet at such time and place, and shall observe such rules of procedure with regard to transaction of its business at me meeting as may be deemed necessary by it.
- (7) For research in the research councils as also in the departments of research, there shall be a provision of fellowships which shall consist of not more than twenty-five fellows.
- (8) The Fellows shall be selected by a committee appointed by the Academic Council:

Provided that twelve of the fellowship shall be awarded for junior research Fellows enrolled in the University for M.Phil, and Ph.D. research work:

Provided further that one Fellow shall be awarded a national fellowship to the selected from among eminent educationists and the remaining twelve fellowships shall be awarded as senior fellowship to eminent educationists of the rank of Associate Professors and Assistant Professors of the University.

(9) Each Fellow shall carry out research in any subject related to the themes of councils of research and departments of research and deliver lectures in the University whenever so required.

(10) The term of Fellow shall be of two years within which he shall write a thesis of fellowship on the subject assigned to him:

Provided that the Academic Council may extend the term by one year.

(11) The salary and allowances payable to Fellow shall be such as may be determined by the regulations of the University in accordance with the scheme of Fellowships of the University Grants Commission.

**Constitution
and functions
of
Department
of Research.**

30. (1) There shall be set up under the control and management of centre of research several Departments of Research. Each Departments of Research shall have a Professor who shall be the Director and, it may have not more than two Associate Professors and three Assistant Professors as the Academic Council may deem necessary.

(2) Each Department of Research shall be responsible for instruction and communication in the Centre of Education and in the Centre of Extension Services in addition to the task of research.

(3) Each academic member of Department of Research shall be responsible for writing a thesis on the subject assigned to him by the Academic Council. The thesis shall be presented to the Academic Council at the interval of the period of two years, failing which note shall be taken in the appraisal programme of the Academic Council.

CHAPTER VI

FINANCE

**University
Fund.**

31. (1) The University shall establish a Fund to be called the University Fund.

(2) The following shall form part of, or be paid into the University Fund-

(i) any contribution or grant made by the State Government, Central Government or an agency of the Central Government;

(ii) any bequests, donations, endowments or other grants made by any private individual or institution;

(iii) income received by the University from all the sources including income from fees and charges; and

(iv) amounts received from any other source.

2 of 1934

(3) The University Fund shall be kept in any Scheduled Bank as defined in the Reserve Bank of India Act, 1934 or in a Co-operative Bank approved by the State Government for the purpose.

(4) The University Fund shall be utilised for such purposes of the University and in such manner as may be prescribed by the Statutes.

32. Notwithstanding anything contained in this Act or the regulations, whenever the University receives funds from any Government or other agencies sponsoring a scheme to be executed by the University, -

**Fund of
Sponsored
Scheme,**

(1) the amount received shall be kept by the University in separate account and shall be utilised for the purpose of the scheme; and

(2) the staff required to execute such scheme shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organization.

33. (1) The annual accounts and balance sheet of the University shall be prepared under the direction of the Executive Council and shall every year, be audited by the auditors appointed by the State Government.

**Accounts,
Audit and
Annual
Report.**

(2) The annual accounts, the balance sheet and the audit report shall be considered by the Executive Council at its annual meeting and it may, by resolution make recommendations with reference thereto and communicate the same to the Finance Committee.

(3) A copy of the annual accounts and the balance sheet together with the audit report thereon shall be submitted by the University to the State Government along with the statement of action taken by the University on the said report.

(4) Any observations made by the State Government on the annual accounts shall be brought to the notice of the University and the compliance report on

IV-Ex., 16-7

such observations shall be submitted to the State Government.

(5) The Executive Council shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year. The annual accounts and financial estimates shall be considered by the General Council at its annual meeting and may be passed with such modifications as the General Council may deem fit.

CHAPTER VII

STATUTES, ORDINANCES AND REGULATIONS

Statutes. 34. (1) Subject to the provisions of this Act, the Executive Council may make the Statutes to provide for all or any of the following matters, namely:-

- (i) conferment and withdrawal of honorary degrees and other academic distinctions;
- (ii) holding of convocation to confer degrees and diplomas;
- (iii) powers and duties and functions of the officers of the University;
- (iv) constitution, powers and duties of the authorities of the University;
- (v) institution and maintenance by the University, of departments, institutes of research or specialized studies, post-graduate centers in affiliated colleges and hostels;
- (vi) acceptance and management of bequests, donation and endowments;
- (vii) manner of utilization of the University Fund;
- (viii) registration of graduates and maintenance of register of registered graduates;
- (ix) manner and rules of procedure in regard to transaction of business at the meetings including the quorum of the meeting, of the authorities of the University and for the transaction of business;
- (x) qualifications of professors, readers, lecturers and teachers in affiliated colleges and recognized institutions;
- (xi) the maximum number of students to be admitted in a college;
- (xii) suitable and adequate physical facilities such as buildings, laboratory, library books, equipments required for teaching and research, hostels;
- (xiii) to conduct various research programmes;
- (xiv) qualification, salary, allowances, emoluments and other terms and conditions of service of the Director General and Registrar, Assistant Director General and Finance and Accounts Officer;
- (xv) manner of appointment of the Registrar and Finance and Accounts Officer;

- (xvi) preparation of the financial estimates for the ensuing year;
- (xvii) all matters which by or under this Act are to be or may be prescribed by the Statutes;

(2) The Statutes may be made, amended or repealed by the Executive Council in the manner hereinafter provided.

(3) The Executive Council may take into consideration the draft of Statutes either of its own motion or on a proposal by any other authority of the University. The Executive Council, if it thinks necessary may also obtain the opinion of any officer, authority or body of the University in regard to any draft Statutes which is before it for consideration:

Provided that where any such draft Statutes pertains to academic matters, the Executive Council shall obtain the opinion of the Academic Council before considering the same.

(4) Every Statute passed by the Executive Council shall be presented to the Chancellor who may give or withhold his assent thereto or refer it back to the Executive Council for reconsideration.

(5) No Statutes passed by the Executive Council shall be valid or shall come into force until assented to by the Chancellor.

(6) Notwithstanding anything contained in the foregoing provisions, the Chancellor, on the advice of the State Government direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Executive Council fails to implement such a direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such direction, make or amend the Statutes suitably as advised by the State Government.

35. (1) Subject to the provisions of this Act, the Executive Council may make the Ordinances. Ordinances to provide for all or any of the following matters, namely:-

- (i) the conditions under which students shall be admitted to courses of studies for degrees, diplomas, and other academic distinctions;
- (ii) the conditions governing the appointment and the duties of examiners;
- (iii) conduct of examinations;
- (iv) recognition of teachers of the University;
- (v) the conditions of residence, conduct and discipline of the students of the University;

- (vi) the recognition of hostels;
- (vii) the inspection of affiliated colleges, recognized institutions, approved institutions and hostels;
- (viii) rules to be observed and enforced by colleges and recognized institutions and approved institutions in respect of transfer of students;
- (ix) the mode of execution of contracts or agreements for, or on behalf of the University;
- (x) all other matters which, by or under this Act may be required to be provided.

(2) The Executive Council may make, amend or repeal Ordinances in the manner hereinafter provided.

(3) No Ordinance concerning the matters referred to in clauses (i) to (viii) of sub-section (1), or any other matter connected with the maintenance of the standards of teaching and examinations within the University, shall be made by the Executive Council unless a draft thereof has been proposed by the Academic Council.

(4) The Executive Council shall not have the power to amend any draft proposed by the Academic Council under sub-section (3) but may approve the draft Ordinances or either reject or return it to the Academic Council for reconsideration, in whole or in part, together with any amendments which the Executive Council may suggest.

(5) All Ordinances made by the Executive Council shall have effect from such date as it may direct, but every Ordinance so made shall be submitted to the Chancellor within a period of two weeks. The Chancellor shall have the power to direct the Executive Council, within four weeks of the receipt of the Ordinances, to suspend its operation, and he shall, as soon as possible, inform the Executive Council of his objection to it. He may, after receiving the comments of the Executive Council, either withdraw the order suspending the Ordinances or reject the Ordinances, and his decision shall be final.

**Power to
make
Regulations.**

36. Subject to the provisions of this Act, the Executive Council may make

Regulations consistent with the provisions of this Act to provide for all or

any of the following matters, namely:-

- (i) constitution of committees for specific purposes, and members and Chairperson of such committee under sub-section (11) of section 24;
- (ii) time, place and period of the meetings of the Academic Council and rules of procedure for transaction of business at such meetings, including the quorum of the meeting under sub-section (3) of section 25;

- (iii) fee for attending the meeting and facilities for travel, transport and accommodation for visits in discharge of function under sub-section (5) of section 29;
- (iv) salary, allowances payable to the Fellow, in accordance with the scheme of Fellowships of the University Grants Commission under sub-section (11) of section 29;
- (v) all other matters which, by or under this Act may be required to be provided.

CHAPTER VIII

SUPPLEMENTARY PROVISIONS

37. (1) The University may with the prior approval of the State Government- **Prior approval of State Government.**

- (a) create any post of a member of the academic or a non-academic staff of the University and the pay and allowances thereof;
- (b) divert the use of any earmarked fund for a purpose other than that for which it was originally earmarked;
- (c) transfer any immovable property belonging to it;

(2) The University may incur expenditure from the University Fund and development fund, if any, established by the University for the purpose of -

- (i) initiating and maintaining any self financed academic course, and
- (ii) development work,

with the prior approval of the State Government, if such expenditure imposes financial liability on the State Government.

(3) Notwithstanding anything contained in any Statutes, Ordinances and Regulations, the State Government may laid down a standard code for recruitment and conditions of service of academic and non-academic staff of the University.

38. (1) Where in the opinion of the State Government, the affairs of the University or institution are carried on in a manner detrimental to the object of the establishment of a University or to its finances or to public interest, the State Government may cause to be made a full and complete investigation into the affairs of the University or institution by appointing a committee for this purpose.

Power of State Government to give directions.

(2) The committee shall, within a period of one month or such period as the State Government may specify, make a report to the State Government containing recommendations as to the actions to be taken on the affairs of the University or institution, and steps to prevent carrying on the affairs in the aforesaid manner.

IV-Ex.,16-8

(3) If the State Government is satisfied that it is desirable to take actions as recommended by the committee, it may issue such directions to the University or institution as may be appropriate in the circumstances.

(4) Where the University or college or institution fails to carry out any direction given by the State Government, it may withhold the grant to the University or institution.

39. (j) There shall be a standing committee of the University for the purpose of selection for the post of professors, Director General or Assistant Director General or such other post as may be prescribed.

(2) The standing committee shall consist of the following members, namely:-

- (a) a retired judge of the Supreme Court of India or a retired Chief Justice of the Gujarat High Court or an eminent leader of Industry or Commerce or Management, to be nominated by the Chancellor of the University;
- (b) a retired Chief Secretary, Government of Gujarat, to be nominated by the State Government;
- (c) a former Vice-Chancellor of a University in Gujarat, to be nominated by the State Government;

The State Government shall nominate one of them as the Chairperson of the Committee.

(3) For the selection for appointment to the posts of the Professors, Director General, or Assistant Director General, there shall be a search committee consisting of:

- (a) the Vice-Chancellor, *ex-officio* Chairman; and
- (b) two members nominated by the Academic Council.

(4) The search committee shall recommend to the standing committee, three names of suitable candidates along with their bio-data. After scrutinizing the bio-data and if necessary after interview of the concerned candidates, the standing committee may select one of them and recommend the Executive Council for appointment on the concerned post.

(5) The terms and conditions, the tenure of service and salary, allowances, perks and other facilities of the members of the committee shall be such as may be prescribed by or under this Act.

40. (1) A member of any authority, other than an *ex-officio* member, may resign by writing under his signature, addressing to the Chancellor. The person shall cease to be a member upon his resignation being accepted by the Chancellor.

Resignation from membership and filling up of casual vacancy.

(2) A person nominated, appointed or co-opted to any authority or body remains absent without prior permission of the authority or body for three consecutive meetings, he shall be deemed to have vacated his membership and shall cease to be a member.

41. No suit shall be instituted against or other legal proceedings shall lie against or no damages shall be claimed from, the University, the authority or officer of the University, in respect of anything which is in good faith done or purported to have been done in pursuance of this Act or the regulations.

Indemnity.

42. All officers, members of the authorities, committees or bodies, members of the academic staff of the University and other employees of the University, shall be deemed, when acting or purporting to act in pursuance of any of the provision of this Act, to be public servant within the meaning of section 21 of the Indian Penal Code.

Officers, members of authorities, bodies and employees of University to be public servant.

XLV of 1860.

43. (1) The State Government may, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Act.

Power of State Government to make rules.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-

- (a) the pay, allowances, emoluments and other terms and conditions of service of the Vice-Chancellor under sub-section (3) of section 13;
- (b) to lay down a standard code for recruitment and conditions of service of academic and non-academic staff of the University under sub-section (3) of section 37;
- (c) such other post for which standing committee of the University shall make selection under sub-section (1) of section 39;
- (d) the terms and conditions, the tenure of service and salary, allowances, perks and other facilities of the members of the search committee under sub-section (5) of section 39;

(3) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as may be after they are made and shall be subject to rescission by the State Legislature or to such modification as the State Legislature may make during the session in which they are so laid or the session immediately following.

**Power to
remove
difficulties.**

44. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Act as appears to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of two years from the commencement of this Act.

(2) Every order made under this section shall be laid as soon as may be after it is made, before the State Legislature.

CHAPTER IX**TRANSITORY PROVISIONS****Appointment
of first Vice-
Chancellor.**

45. Notwithstanding anything contained in this Act, the first Vice-Chancellor shall be appointed by the State Government as soon as practicable after the commencement of this Act for a period not exceeding three years and on such terms and conditions as the State Government thinks fit.

**Appointment
of first
Registrar.**

46. Notwithstanding anything contained in section 16, the first Registrar shall be appointed by the State Government as soon as practicable after the commencement of this Act for a period of not exceeding three years and on such terms and conditions as the State Government may think fit.

**Transitory
powers of first
Vice-
Chancellor.**

47. (1) It shall be the duty of the first Vice-Chancellor-

- (a) to give recognition to institutions, if any, as far as possible consistent with the provisions of the Act; and
- (b) to make arrangements for constituting the General Council, the Executive Council, the Academic Council and other authorities of the University within six months after the date of his appointment or such longer period not exceeding one year as the State Government may, by notification in the *Official Gazette*, direct.

(2) The first Vice-Chancellor shall, with the assistance of the Advisory Committee consisting of not more than fifteen members nominated by the State Government for the purposes of this section,-

- (a) subject to the provisions of this Act, -
 - (i) make provisional Statutes necessary for constituting the aforesaid authorities and regulating the procedure at their meetings and the transaction of their business,
 - (ii) draw up any rules, that may be necessary for regulating the method of constitution of the aforesaid authorities,

(b) frame the first Statutes, Ordinances and Regulations under this Act and submit them for confirmation to the respective authorities when they commence to exercise their functions.

(3) The authorities constituted under sub-section (1) shall commence to exercise their functions on such date or dates as the State Government may, by notification in the *Official Gazette*, direct.

(4) The Statutes, Ordinances and Regulations framed by the first Vice-Chancellor shall, when confirmed by the respective authorities, be published in the *Official Gazette*.

**Extra-ordinary
powers of first
Vice-Chancellor**

48. The first Vice Chancellor appointed under section 45 shall have the following powers until the Executive Council commences to exercise its functions -

- (a) with the previous approval of the Chancellor, to make additional Statutes to provide for any matter not provided for by the first Statutes;
- (b) to constitute provisional authorities and bodies and on their recommendations to make rules providing for the conduct of the work of the University;
- (c) subject to the control of the State Government, to make such financial arrangements as may be necessary to enable this Act, or any part thereof, to be brought into force;
- (d) with the sanction of the Chancellor, to make for a period not exceeding three years, such appointments as may be necessary to enable this Act or any part thereof, to be brought into force;
- (e) to appoint any committee as he may think fit, to discharge such of its functions as he may direct; and
- (f) generally to exercise all or any of the powers conferred on the Executive Council by or under the provisions of this Act.

49. (1) At any time after the commencement of this Act, until such time as the authorities of the University shall commence to exercise their functions,-

**First
appointment
of officers of
University.**

(a) the Vice-Chancellor with the previous sanction of the State Government may appoint any officer of the University;

(b) till the Executive Council is constituted, the teachers of the University may be appointed by the Advisory Committee referred to in sub-section (2) of section 47 with the approval of the State Government on the recommendation of the Selection Committee consisting of the following persons, namely:-

IV-Ex., 16-9

- (i) the Vice-Chancellor,
- (ii) a nominee of the Chancellor,
- (iii) three experts to be appointed out of a panel of experts drawn by the Advisory Committee.

(2) Any appointment made under sub-section (1) shall be for such period not exceeding three years and on such terms and conditions as the appointing authority thinks fit:

Provided that no such appointment shall be made until financial provision has been made therefore.

.....