

Mohanlal Sukhadia University Act, 1962

18 of 1962

[06 June 1962]

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PREAMBLE

³ [An Act to provide for the establishment and incorporation of a University at Udaipur in the State of Rajasthan.]

Be it enacted by the Rajasthan State Legislature in the Thirteenth Year of the Republic of India as follows:-

1. Original Act published under the title "Rajasthan Agricultural University Act, 1962 in Raj. Govt. Gaz. Exty. Pt. 4 (A) dt. 12.6.1962. It was in the year 1984, the enactment was named as the Mohanlal Sukhadia University Act, 1961 by Act No. 9 of 1984.

2. Substituted by Act No. 15 of 1982. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 21.9.1982.

3. Substituted by Act No. 21 of 1963. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 28.10.1963.

1. Short title, extent and commencement :-

(1) This Act may be called the ¹[Mohanlal Sukhadia] University Act, 1962.]

(2) It extends to the N, hole of the State of Rajasthan.

(3) It shall come into force at once.

1. Substituted by Act No. 15 of 1982. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 21.9.1982.

2. Definitions :-

In this Act, unless the subject or context requires otherwise,

¹[(a) "Academic Council" means ²[the Academic Council of the

University as constituted under section 21].

2[X X X]

3[(b) "Affiliated College" means an educational institution admitted to the privileges of the University;

(bb) "Autonomous College" means an educational institution declared as such under the provisions of this Act;]

1[(c) "Board" means the Board of Management of the University constituted under section 19;]

4[(d) "Constituent College" means a college maintained by the University;]

(e) "Faculty" means a Faculty of the University;

(f) "Prescribed" means prescribed by the Statutes of the University;

5[(ff) "Principal" means the chief executive officer of a college or any person duly appointed to act as such;]

(g) "Registered graduate" means a graduate registered under the provisions of this Act:

(h) "Statutes" and "Regulations" means respectively the statutes and regulations of the University made under this Act:

(i) "Student of the University" means a person enrolled in the University for taking a course of study for a degree, diploma or other academic distinction duly instituted;

(j) "Teacher" means a person appointed or recognised by the University for the purpose of imparting instruction or conducting and guiding research 6[x x x] and includes a person who may be declared by the Statutes to be a teacher:

¹[(k) "University" means the Mohan Lal Sukhadia University.]

1. Substituted by Act No. 9 of 1984. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

2. Substituted & Omitted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

3. Clauses (b) & (bb) Ins. by Act No. 11 of 1988. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 15.10.1988.

4. Substituted by Act No. 11 of 1988. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 15.10.1988.

5. Clause (ft) ins. by Act No. 11 of 1988. Ibid.

6. Omitted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

3. The University and its jurisdiction :-

[¹[²[³[(1) The Chancellor, the Vice-Chancellor and the members constituting the Board of Management of the 4[Mohan Lal Sukhadia University) in accordance with section 19 of this Act as amended by the 4[Mohan Lal Sukhadia Agriculture University (Amendment) Act, 1984] and all persons who may hereafter become such officers or members in accordance with the said section of this Act as amended by the 4[Mohan Lal Sukhadia University (Amendment) Act, 1987) shall, so long as they continue to hold such office or membership, be deemed to constitute or, as the case may be constitute a body corporate by the name of the Mohan Lal Sukhadia University;]

(2) The University shall have perpetual succession and a common seal, shall have power to acquire, hold, manage and dispose of property, movable and immovable, including trust property and

endowments, 5[which may be or may have become or deemed to be, vested in or acquired by the University] for the purposes of the University and shall sue and be sued by its corporate name.

⁶[x x x]

⁷[(3) The jurisdiction of the University shall extend to, and the powers conferred by or under this Act shall be exercisable in the Law College Udaipur School of Basic Sciences and Humanities, Udaipur by whatever name or names it may be designated and also in such other constituent affiliated or autonomous colleges, institutes, institutions and departments within the State of Rajasthan as may be specified by notification-in the Official Gazette by the State Government.]

⁸[(4) The State Government may, ,by order in writing,-

(a) require any institute, institution or college within the territorial limits of the University to terminate, with effect from such date as may be specified in the order, its association with, or its admission to the privileges of,any other University incorporated by law to such extent as may be considered necessary and proper: or

(b) exclude, to such extent as may be considered necessary and proper, from association with, or from admission to the privileges of the University constituted by this Act any institute, institution or college specified in the order which in the opinion of the State Government, is required to be self governing or to be associated with or admitted to the privileges of, any other University or body.]

1. Heading Substituted by Act No. 9 of 1984. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

2. Portion of Heading Substituted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

3. Substituted by Act No. 9 of 1984. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

4. Substituted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

5. Inserted by Act No. 21 of 1963. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 28.10.1963.

6. Sub-sec. (3) Omitted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

7. Sub-sec. (3) Ins. by Act No. 11 of 1988. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 15.10.1988.

8. Sub-sec. (4) Ins. by Act No. 11 of 1988. Mid.

4. Seat of University :-

The principal seat of the University shall be at Udaipur.

5. Objects of the University :-

The University shall be deemed to have been established and incorporated for the purposes, among others, of

(i) making provision for imparting education in different branches¹[learning; and) ²[X X x]

(ii) furthering the prosecution of research³[in all branches of¹[learning.] and ²[X X X]

1. Substituted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

2. Omitted by Act No. 37 of 1987. Ibid.

3. Inserted by Act No. 21 of 1963. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 28.10.1963.

6. University admission :-

The University shall, subject to the provisions of this Act and the Statutes, be open to all persons but nothing in this section shall be deemed to require the University to admit to any course of study students larger in number than, or with academic or other qualifications lower than, those prescribed.

7. Powers of the University :-

The University shall have the following powers, namely :-

¹[(a) to provide for instructions in various branches of learning as the University may deem fit.]

(b) to make provision for (1) research, and (2) advancement of knowledge and dissemination of the findings of research and knowledge ²[x x x]

(c) to institute and confer degrees, diplomas and other academic distinctions in the manner and under conditions laid down in the statutes.

(d) to confer honorary degrees or other distinctions in the manner and under conditions laid down in the statutes;

³[(e) to admit colleges, institutions and institutes not maintained by the University, to the privileges of the University and to withdraw all or any of these privileges;

(ee) to confer autonomous status on a college, institution or department, as the case may be, subject to such conditions as may be laid down in this Act or as may be prescribed by the statutes and to withdraw the autonomy;]

(f) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;

(g) to institute teaching, research and ⁴[other] posts required by the University and to appoint persons to such posts in the prescribed manner;

(h) to create administrative, ministerial and other necessary posts

and make appointments thereto;

(i) to institute and award fellowships (including travelling fellowships), scholarships and prizes in accordance with the statutes;

(j) to institute and maintain residential accommodation for the students of the University;

(k) to demand and receive such fees and other charges as. may be prescribed;

(l) to supervise and control the residential accommodation for students and to regulate the discipline of the students of the University and to make arrangements for promoting their health and welfare; and

(m) to do all such acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

1. Substituted by Act No. 37 of 1987. Ibid.

2. Omitted by Act No. 37 of 1987. Ibid

3. Clauses (e) & (ee) Inserted by. Act No. 11 of 1988: Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 15.10.1988.

4. Substituted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

8. Visitation :-

(1) The State Government may cause an inspection to be made by such person or persons, as it may direct, of the University, its buildings, laboratories and equipments and of any institution maintained by the University and to cause an enquiry to be made in like manner in respect of any other matter connected with the administration and finances of the University.

(2) The State Government shall, in every case, give to the University notice of its intention to inspect or make an enquiry and the University shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(3) The State Government may address the Board with reference to the result of such inspection and inquiry and tender such advice as the State Government may offer regarding the action to be taken by the University.

(4) The Board shall communicate to, the State Government such action as it proposes to take or has taken as the result of such inspection or inquiry.

(5) If the Board does not, within a reasonable time, take action to the satisfaction of the State Government, it may, after, considering any explanation furnished or representation made by the Board, issue with the approval of the Chancellor such directions as it may deem fit and the Board shall be bound to comply with such directions.

(6) The report of the inspection and of the directions issued by the State Government as a result of such inspection shall be laid on the table of the house of the State Legislature.

9. Officers and Authorities of the University :-

The following shall be the officers and authorities of the University, namely:-

(a) Officers of the University:-

(i) the Chancellor,

(ii) the Vice-Chancellor,

(iii) the Registrar,

(iv) the Comptroller,

(v) the Estate Officer,

(vi) the Dean of Student Welfare,

¹[(vii) the Deans of the Constituent Colleges],

²[(viii) [x x x]

³[(ix) X X X

(X) X x X]

(xi) such other persons in the service of the University as may be declared by the Statutes to be officers of the University.

(b) Authorities of the University

(i) [the Board of Management]

(ii) the Academic Councils,

(iii) the Council of Deans,

(iv) the Board of Studies, and

(v) such other authorities as may be declared by the statutes to be the authorities of the University.

1. Substituted by Act No. 11 of 1988. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 15.10.1988.

2. Clause (viii) Omitted by Act No. 11 of 1988. Ibid.

3. Clause (ix) & (x) omitted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

10. Chancellor :-

(1) The Governor of the State of Rajasthan shall be the Chancellor of the University. He shall, by virtue of his office, be the Head of the University and shall, when present preside at the convocations thereof.

(2) The Chancellor shall have such other powers as may be conferred on him by this Act or the statutes there under.

11. Vice-Chancellor :-

¹[(1) The Vice-Chancellor shall be a whole-time paid officer of the University and shall be appointed by the Chancellor ¹[on the advice of the State Government] upon the recommendation of a Selection Committee consisting of-

(i) one person nominated by the Board not connected with the University or any College thereof;

(ii) one person nominated by the Chairman, University Grants Commission;

(iii) one educationist nominated by the Chancellor;

2[X X X]

and the Chancellor shall appoint one of these persons to be the Chairman of the Committee 3[]

3[X X X]

4[(2) The term of office of Vice-Chancellor shall be three years:

Provided that the same person shall be eligible for re-appointment for a second term.]

(3) The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be prescribed and shall not be varied to his disadvantage after his appointment.

5[(4) When a permanent vacancy in the office of the Vice-Chancellor occurs by reason of his death, resignation, removal or the expiry of his term of office it shall be filled by the Chancellor in accordance with sub-section (1) and for so long as it is not so filled, stop-gap arrangement shall be made by him under and in accordance with sub-section (5).

(5) When a temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, suspension or otherwise or when a stop-gap arrangement is necessary under sub-section (4), the Registrar shall forthwith report the matter to the Chancellor who shall make, on the advice of the State Government, such arrangement for the carrying on of the functions of the office of the Vice-Chancellor as he deems fit.]

6[(6) The Vice-Chancellor may at any time relinquish office by submitting, not less than sixty days in advance of the date on which he wishes to be relieved, his resignation to the Chancellor.]

⁶[(7) Such resignation shall take effect from the date determined by the Chancellor and conveyed to the Vice-Chancellor.]

1. Substituted b) Act No. 9 of 1984. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

2. Omitted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

3. Substituted & Omitted by Act No. 9 of 1984. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

4. Substituted by Act No. 9 of 1984. Ibid.

5. Sub.-se0c.(4) and (5) Substituted by Act No. 9 of 1984. Ibid.

6. Substituted by Act No. 21 of 1963. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 28.10.1963.

12. Powers and duties of the Vice-Chancellor :-

(1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at the Convocations of the University.

¹[(2) The Vice-Chancellor shall be ex-officio Chairman of the Board. Academic Councils and the Council of Deans.

(3) The Vice-Chancellor shall be responsible for presenting to the Board for its deliberations and consideration matters of concern to the University. He shall have power to convene the meetings of the Board and the Academic Councils.]

(4) The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.

(5) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act and the statutes and shall possess all such powers as may be necessary for the purpose.

(6) In an emergency, which in the opinion of the Vice-Chancellor requires immediate action to be taken, he shall take such action as he deems necessary and shall at the earliest opportunity report the action taken to the officer, authority or other body who or which in the ordinary course would have dealt with the matter ²[x x x].

(7) Where any action taken by the Vice-Chancellor under subsection (6) affects any person in the service of the University to his disadvantage, such person may prefer an appeal to the Board within thirty days of the date on which the action is communicated to him.

(8) Subject as aforesaid, the Vice-Chancellor shall give effect to the orders of the Board regarding the appointment, suspension and dismissal of officers, teachers and other employees of the University.

(9) The Vice-Chancellor shall be responsible for close co-ordination and integration of teaching, research and ³[other] work and shall exercise such other powers as may be prescribed.

1. Substituted Sub. sec. (2) and (3) by Act No. 21 of 1963. Ibid.

2. Omitted by Act No. 27 of 1964. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 18.11.1964.

3. Substituted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

13. Registrar :-

¹(1) The Registrar shall be an officer of the University appointed by the Board on the recommendation of the Selection Committee consisting of the Vice-Chancellor and such other members as may be prescribed]

(2) The Registrar shall be responsible for the custody of the records and the common seal of the University. He shall be ex-officio Secretary of the Academic Council and may call on the services of other employees of the University for recording its proceedings. He

shall place before .t all such information as may be necessary for the transaction of its business. He shall receive applications for entrance to the University and shall keep a permanent record of all syllabi, curricula and such other information as may be deemed necessary.

(3) The Registrar shall make all necessary arrangements for the conduct of the prescribed examinations and be responsible for the due execution of all processes connected therewith.

(4) The Registrar shall perform such other duties as may be prescribed or required of him from time to time by the Vice-Chancellor.

1. Substituted by Act No. 21 of 1962. Pub.in Raj. Govt. Gaz. Exty. Pt 4(A) dated 28.10.1963.

14. Comptroller, Estate Officer and Dean of Student Welfare

:-

(1) On the recommendation of the ¹[Selection Committee appointed in the manner prescribed], the Board may appoint anyone or more of the following officers, namely

(i) the Comptroller,

(ii) the Estate Officer, and

(iii) the Dean of Student Welfare.

(2) The Comptroller shall

(i) advise in regard to the financial policy of the University and be responsible for the preparation of its budget and for the presentation thereof to the Board through the Vice-Chancellor,

(ii) manage the properties, movable and immovable, and investments of the University,

(iii) keep all moneys belonging to the University in a scheduled bank ²[or in the Rajasthan State Co-operative Bank Ltd., or Central Co-operative Bank] except the amount needed as imprest cash (to be prescribed by the Vice-Chancellor) in transacting business of the University,

(iv) ensure that no expenditure not authorised in the budget is incurred by the University otherwise than by way of investment, and

(v) disallow any expenditure which may contravene the terms of any statute or for which provision is required to be made by a statute but has not been made.

(3) The Estate Officer shall be in charge of all the buildings, lawns, gardens and other immovable property of the University.

(4) The Dean of Student Welfare shall have the following duties-

(a) to make arrangements for the housing of students,

(b) to direct a programme of student-counseling,

(c) to arrange for employment of students in accordance with plans approved by the Vice-Chancellor.

(d) to supervise the extra curricular activities of the students,

(e) to assist in the placement of the graduates of the University, and

(f) to organise and maintain contact with the alumni of the University.

1. Substituted by Act No. 21 of 1963. Pub.in Raj. Govt. Gaz. Exty. Pt 4(A) dated 28.10.1963.

2. Inserted by Act No. 13 of 1966. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 12.5.1966.

15. Deans of the Constituent Colleges :-

¹[(1) Each Constituent College shall have a Dean.

(2) Every Dean shall be appointed by the Board on the recommendations of the Selection Committee consisting of such person as may be prescribed.

(3) The Dean shall be responsible to the Vice-Chancellor for all matters concerning his College.

1. Substituted by Act No. 11 of 1988. Pub.in Raj. Govt. Gaz. Exty. Pt 4(A) dated 15.10.1988.

16. Other officers and employees :-

The mode of appointment and the functions of other officers mentioned in clause (a) of section 9 and of the employees of the University shall be as provided in this Act or as prescribed by statutes and regulations.

17. Status and ex-officio or combined appointment of officers of the University :-

(1) All or any of the officers mentioned in sub-clauses (iii) to (xi) of ,clause (a) of section 9 may be whole-time or part-time officers of the University and may be appointed by name or by virtue of office.

(2) It shall also be competent to the appointing authority, on the recommendation of the Vice-Chancellor, to appoint one person to hold in combination more than one of such offices as are referred to

in sub-section (1).

18. Remuneration of officers and employees :-

No officer or employee of the University shall be offered nor shall he accept any remuneration for any work in the University save such as may be provided for in the statutes.

19. Constitution and composition of the Board of Management :-

¹[(1) The Board of Management shall be the highest executive body of the University and shall consist of the following members, namely:-

I. The Vice-Chancellor of the University as Chairman.

²[II. Ex-officio Members.--

(i) the Secretary to the Government of Rajasthan, Finance Department;

(ii) the Secretary to the Government of Rajasthan, Education Department;

(iii) the Special Secretary to the Government of Rajasthan, Planning Department;

(iv) the Director of College Education, Rajasthan; and (vi) the Registrar of the University; Member-Secretary.

Explanation. -Ex-officio member mentioned at (i) to (ii) shall include their respective nominees, who shall not be below the rank of Special Secretary to the Government of Rajasthan.

III. Nominated members.

(i) two persons nominated by the Vice-Chancellor from amongst the Deans for one year;

(ii) two University Professors nominated by the Vice-Chancellor for one year;

(iii) two eminent educationists to be nominated by the Chancellor for one year;

(iv) one teacher other than the Professors, working in the University or in a Constituent College to be nominated by the Vice-Chancellor for one year;

(v) one Principal of a college from amongst the affiliated colleges to be nominated by the State Government for one year; and

(vi) two members of State Legislature to be nominated by the State Government for one year."]

IV. Elected Members.-

(1) Two teachers who have put in not less than seven years teaching experience in the institutions of higher education in Rajasthan on 1st January immediately preceding the year in which elections are held, other than University Professors/Deans/Associate Deans/Directors of Colleges of the University to be elected by the teachers separately from amongst ³ [themselves for one year.]

⁴ [X X X]

(2) Any one-third members present at a meeting of the Board shall constitute the quorum necessary for the transaction of its business

thereat.

(3) The Chairman of the Board shall perform such functions and exercise such powers as are provided in this Act or as may be prescribed.

(4) The members shall serve without any additional pay but shall be entitled to daily allowance and travelling expenses as may be prescribed.

(5) The minutes of the meeting of the Board shall be recorded and maintained by the Member-Secretary of the Board.]

1. Substituted by Act No. 9 of 1984. Pub.in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

2. Clauses II & III Substituted by Act No.11 of 1988. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 15.10.1988.

3. Substituted by Act No. 37 of 1987. Pub.in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

4. Omitted by Act No. 37 of 1987. Ibid.

20. Duties and functions of the Board :-

The duties and functions of the Board shall be as follows:-

(a) to approve and sanction the budget of the University;

(b) to acquire, to dispose of, to hold and to control the property and funds of the University and issue any general or special direction on behalf of the University.

(c) to accept the transfer of any movable or immovable property on behalf of the University;

(d) to ,administer any funds placed at the disposal of the University for specific purposes;

(e) to invest money belonging to the University;

(f) to appoint the members of the academic, administrative and other staff of the University in such manner as may be prescribed;

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(g) to direct the form and use of the common seal of the University;

(h) to appoint such committees, either standing or temporary, as it deems necessary for its proper functioning;

(i) to borrow money for capital improvements and make suitable arrangements for its repayment;

¹[(j) to meet at such times and as often as it deems necessary provided however, that the regular meetings of the Board shall be held at least once in every three months and that at least two-third of the regular meetings shall be held at the University headquarters; and]

(k) to regulate and determine all matters concerning the University in accordance with this Act and the statutes and to exercise such powers and to discharge such duties as may be conferred or imposed on it by this Act and the statutes.

1. Substituted by Act No. 9 of 1984. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

21. Academic Council :-

¹[[²[(1) There shall be an Academic Council of the University consisting of the following as members, namely :-

- (a) Vice-Chancellor; Ex-Officio Chairman;

- (b) Dean of Post-graduate studies;

- (c) One Professor from each faculty to be nominated by the Vice-Chancellor;

- (d) One Head of a Constituent College to be nominated by the Vice-Chancellor;

- (e) Secretary to the State Government in the Education Department or his nominee not below the rank of a Special Secretary;

- (f) Director of College Education, Rajasthan;

- (g) Heads of University Departments;

- (h) One Principal of an affiliated college to be nominated by the State Government;

- (i) Two persons having special attainment in the field of studies not being employees of the University, one to be nominated by the Vice-Chancellor and the other by the State Government;

- (j) One teacher other than the Professors, from Constituent college/ department having a minimum ten years experience in teaching degree or post-graduate classes to be nominated by the Vice-Chancellor;

- (k) One teacher other than the Principals, from an affiliated college, having a minimum ten years experience in teaching degree or post-graduate .classes to be nominated by the State Governments; and

(l) The Registrar of the University-Member-Secretary.]

³[(2) The term of office of a nominated or elected member shall be two years.]

1. Sec. 21 Substituted by Act No. 37 of 1987. Pub. In Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

2. Substituted by Act No. 11 of 1988. 1,::) in Raj. Govt. Gaz. I. \I.:. Pt 4(A) dated 15.10.1988.

3. Substituted by Act No. 37 of 1987. h.±. Raj Govt. Gaz. Fly. Pt 1. (.A) dated 1.1987.

22. Functions of the Academic Council :-

¹[(1) ²[The] Academic Council shall be in-charge of the academic affairs of ³[the University] and shall, subject to the provisions of this Act and the statutes made there under and the general regulations, have control over, and be responsible for, the maintenance of standards of instruction, education and examinations and for the requirements for the award of degrees and diplomas.

(2) ²[The] Academic Council shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the statutes and shall advise the Vice-Chancellor on all academic matters. ⁴[x x x]

1. Substituted by Act No. 9 of 1984. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

2. Substituted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

3. Substituted by Act No. 11 of 1988. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 15.10.1988.

4. Omitted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty, Pt 4(A) dated 7.11.1987.

23. The Council of Deans :-

¹[(1) The Council of Deans shall be in charge of all administrative matters pertaining to Constituent colleges and University Teaching Departments including student discipline in such colleges or departments and shall make its recommendations to the Board.

(2) It shall consist of-

(a) the Vice-Chancellor as its Chairman;

(b) the Dean of Student Welfare;

(c) the Deans of Colleges.]

1. Substituted by Act No. 11 of 1988. Pub. in Raj. Govt. Gaz. Exty. Pt4(A) dated 15.10.1988.

24. The Boards of Studies :-

¹[(1) There shall be such number of Boards of Studies as may be determined by the statutes.

(2)A Board of studies shall be constituted in the manner, consist of such members, exercise such powers and perform such functions as may be prescribed.]

1. Omitted by Act No. 37 of 1987 and again Substituted.by Act No. 11 of 1988. Pub. in Raj. Govt. Gaz. Exty. Pt4(A) dated 15.10.1988.

25. Teaching of the University :-

¹[(1)All teaching recognised by the University shall be conducted in t h e University departments or in colleges, institutes and institutions.

(2) The authorities responsible for organising such teaching shall be such as may be prescribed.

(3) The courses of study and curricula shall be such as may be prescribed by statutes and, subject thereto, by the regulations.]

1. Omitted by Act No. 37 of 1987 and again Substituted by Act No. 11 of 1988. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 15.10.1988.

26. Conferment of Autonomous Status :-

¹[(1) An affiliated college or a recognised institution or a University department may be conferred the autonomous status by the University in the matter of admission of students, prescribing the courses of studies, imparting instructions and training, holding of examinations and the powers to make necessary rules for the purpose.

(2) The Board shall for the purpose of satisfying itself about the standards of education in such a college, institution or department, may direct an enquiry to be made in the prescribed manner by a standing committee consisting of such persons as are deemed fit.

(3) On receipt of the report of the said committee and the recommendations of the Academic Council thereon, the Board on being satisfied, shall refer the matter to the University Grants Commission and the State Government to obtain their concurrence.

(4) On receipt of such concurrence, the University shall confer the autonomous status on the college, the institution or the department, as the case may be.

(5) The status of autonomy may be granted initially for a period of five years subject to review by an expert committee to be constituted for this purpose. The committee shall comprise the following, namely:-

(a) one nominee of the University;

(b) one nominee of the State Government;

(c) one nominee of the University Grants Commission;

(d) one Principal of an autonomous college to be nominated by the Vice-Chancellor; and

(e) an officer of the University to be nominated by the Vice-Chancellor.

(6) The Committee shall submit its report to the Board for further action.

(7) The University shall continue to exercise general supervision over such college, institution or department and to confer degree on the students of such college, institution or department.

(8) The autonomous college, institution or department shall appoint such committees as may be prescribed for the proper management relating to academic, financial and administrative affairs.

(9) Every autonomous college, institution or department shall furnish such reports, returns and other informations as the Board may require from time to time.

(10) The Board shall cause every autonomous college, institution or department to be inspected from time to time.]

1. Sec. 26 and 27 Substituted by Act No. 11 of 1988. Mid

27. Withdrawal of autonomous status :-

(1) The conferment of autonomous Status may be withdrawn by the University if the college, institution or department has failed to observe any of the conditions of its conferment or the efficiency thereof has so deteriorated that in the interest of education it is necessary to do so.

(2) Before an order under sub-section (1) is made, the Board shall, by one months notice in writing, call upon the college, institution or department to show cause why such an order should not be made.

(3) On receipt of the explanation, if any, made by the college, institution or department in reply to the notice, the Board shall after consulting the Academic Council and the University Grants Commission report the matter to the State Government.

(4) The State Government shall, after such further enquiry, if any, as may be deemed fit, record its opinion in the matter and convey its decision to the University and the University shall thereupon make such order as it deems fit.

(5) Where in the case of an autonomous college, institution or department, the autonomous status conferred under section 26 is withdrawn by an order made under sub-section (4), such college, institution or department, as the case may be, shall cease to have an autonomous status from the date specified in the order.

28. Supplementary provisions relating to membership :-

(1) All casual vacancies among the members (other than ex-officio members) of any authority or body of the University shall be filled as soon as possible by appointment, nomination or election according as the member whose place became vacant was appointed, nominated, or elected and the person appointed, nominated or elected to a casual vacancy shall be a member of such authority or body for the residuary period of the term for which the person whose place he fills would have continued but for the vacancy.

(2) A person who holds any office in the University by virtue of his holding any other office of the University or otherwise shall hold such office as long as he holds the other office and thereafter till his successor is duly nominated, appointed or elected.

(3) The ¹[Board] may remove. any person not being an officer of the University from membership of any authority or body or any employee of the University on the grounds that such person or employee has been convicted of an offence involving moral turpitude or for taking part in subversive activities or for indulging in any act or acts unbecoming the prestige of the University:

Provided that no such person or employee shall be removed under this sub-section unless he has been afforded a reasonable opportunity of showing cause why he should not be so removed and such cause has been considered by the Board.

(4) If any question arises regarding any person who has been appointed, nominated or elected, as or is entitled to be, a member of any authority of the University subordinate to the Board or regarding any decision of the Board under this Act and the statutes, the matter shall be referred to the Chancellor for his decision.

1. Substituted by Act No. 9 of 1984. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

29. Proceedings of University authorities and bodies not to be invalidated by reason of any vacancy, etc :-

No act or proceeding of any authority or body of the University shall be invalidated by reason of the existence of a vacancy among its members or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

30. Age of retirement :-

Subject to any provisions in the statutes to the contrary, all the employees of the University shall ordinarily retire from service upon attaining the age of sixty years.

31. Pension or Provident Fund :-

(1) For the benefit of its officers, teachers, clerical staff and other employees, the University shall constitute, in such manner and subject to such conditions as may be prescribed, such pension, gratuity, insurance and provident funds as it may deem fit.

(2) Provision shall be made in statutes to ensure that staff members transferred from employment in the services of the State shall have their accrued service benefits protected upon such transfer.

32. Teachers of University :-

¹[(1) The appointment of teachers of the University shall be made in accordance with the provisions of the Rajasthan Universities Teachers and Officers (Selection for Appointment) Act, 1974 (Act No. 18 of 1974).]

(2) Except in cases provided for by the statutes, teacher of the University shall be appointed under a written contract. The contract shall be lodged with the Vice-Chancellor and a copy thereof shall be furnished to the teacher concerned. The contract shall not be inconsistent with the provisions of this Act and the statutes for the time being in force in relation to the conditions of service.

1. Substituted by Act No. 11 of 1988. Pub.in Raj. Govt. Gaz. Exty. Pt 4(A) dated 15.10.1988.

33. University Fund :-

(1) University shall establish, maintain and administer a fund to be called the University Fund.

(2) The following moneys shall form part of, and be paid into, the University Fund, namely:-

(a) any contribution or grant by the State Government,

(b) income arising to the University from all sources including income from fees and charges,

(c) trusts, bequests, donations, endowments and other grants, if any,

(d) such other moneys, as may be prescribed by the statutes.

(3) The matters to which the Fund may be applied and appropriated shall be those prescribed by this Act or the statutes.

(4) All expenses incurred under and in pursuance of any provision contained in this Act shall be met out of the University Fund.

(5) The University shall have power to borrow, on the security of University properties and with the concurrence of the State Government, money for the purposes of the University.

34. Statutes :-

Subject to the provisions of this Act, the statutes may provide for any matter and shall, in particular, provide for the following :-

¹[(a) the constitution, powers and duties of the authorities of the University, ²[x x x]

(b) the appointment, nomination or election and continuance in office of the members of the authorities of the University and all other matters relative to these authorities for which it may be necessary or desirable to provide,

(c) the designation, manner of appointment, powers, duties and service conditions of the officers of the University,

(d) the classification and manner of appointment of teachers and

their service conditions and qualifications,

(e) the constitution of a pension, gratuity, insurance and provident funds for the benefit of officers, teachers and other employees of the University,

(f) the institution of degrees and diplomas and other academic honors,

(g) the conferment of honorary degrees,

(h) the establishment, amalgamation, sub-division and abolition of departments,

(i) the establishment and abolition of hostels maintained by the University,

(j) the institution of fellowships, scholarships, medals and prizes,

(k) the maintenance of a register of registered graduates,

(L) the admission of students to the University and their enrolment and continuance as such,

(m) the moneys to form part of and to be paid into the University Fund and the matters to which the Fund may be applied and appropriated,

(n) the courses of study to be laid down for all degrees and diplomas of the University,

(o) the conditions under which students shall be admitted to the degrees, diplomas or other courses and the manner in which the

examinations are to be held and eligibility for the award of degrees and diplomas,

(p) the conditions of the residence of the students of the University and the levying of fees for residence in hostels maintained by the University,

(q) the recognition and supervision of hostels not maintained by the University,

(r) the number and emoluments of teachers of the University, and the preparation and maintenance of a record of their services and activities,

(s) the fees which may be charged by the University for any purpose,

(t) the conditions subject to which persons may be recognised as qualified to give tutorial instruction,

(u) the remuneration and allowances, including travelling and daily allowances, to be paid to persons employed in the business of the University,

(v) the conditions of the award of fellowships, scholarships, medals and prizes, stipends and fee concessions, and

(w) all other matters which by this Act are required to be or may be provided for or prescribed otherwise than by Regulations.

1. Substituted by Act No. 13 of 1972. Pub.in Raj. Govt. Gaz. Exty. Pt 4(A) dated 28.06.1972.

2. Omitted by Act No. 9 of 1984. Pub: in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

35. Statutes how made :-

(1) The first Statutes with regard to, matters set out in clauses (a) to (m) of section 34 shall be made by the State Government and a copy thereof shall be laid before the House of the State Legislature for fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modifications in any of such statutes or resolves that any such statutes should not be made, such statutes shall thereafter have effect only in such, modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done there under.

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

(3) The ¹[Academic Council] may propose to the Board the draft of any new statutes or of an amendment in or repeal of an existing statutes and such draft shall be considered by the Board at its next meeting:

Provided that the ¹[Academic Council] shall not propose the draft or any new statutes or amendment or repeal of a statute affecting the status powers or constitution of any existing authority of the University until such authority has been given an opportunity to express its opinion upon the proposal, and any opinion so expressed shall be considered by the Board.

(4) The Board may approve any such draft as is referred to in sub-section (3) or reject it or return it to the ¹[Academic Council] for reconsideration, either in whole or in part, together with any amendments which it may suggest:

Provided that if the Board approves any such draft for addition of a

new statute or for the amendment or repeal of an existing statute, the same shall require the approval of the Chancellor who may sanction or disallow the same or may remit it for further consideration.

(5) Any member of the Board may propose to the Board the draft of any statutes and the Board may either accept or reject the proposal if it relates to a matter not falling within the purview of the 1[Academic Council]. In case such proposal relates to a matter within the purview of the 1[Academic Council] the Board shall refer it for consideration by the 1[Academic Council] which may either report to the Board that it does not approve the proposal which then shall be deemed to have been rejected by the Board or submit the draft to the Board in such form as the 1[Academic Council] may approve, and the provisions of the sub- sections (3) and (4) shall then apply.

1. Substituted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

36. Regulations :-

(1) Every Authority of the University may make regulations consistent with this Act and, the statutes-

(a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum.

(b) providing for all matters which by this Act and the statutes are to be provided for by ¹[that authority by] Regulations, and

(c) providing for any other matter solely concerning such authority and not provided for by this Act and the statutes.

(2) Every authority of the University shall make regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be transacted

thereat and for the keeping of a record of the proceedings of meetings.

(3) The Board may direct the amendment, in such manner as it may specify, of any regulations made under this section or the annulment thereof by any authority of the University.

(4) The Academic Council may, subject to the provisions of the statutes, make Regulations providing for courses of study, system of examinations, and degrees of the University after receiving drafts of the same from ²[any Board of Studies.]

(5) The Academic Council may not alter a draft received from the Board of Studies but may reject the draft received or return it to the Board of Studies for further consideration together with its own suggestions.

1. Inserted by Act No. 9 of 1984. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

2. Substituted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.

37. Residence of students :-

The students shall reside in accommodation provided by the University or approved by the Vice-Chancellor subject to the conditions prescribed.

38. Delegation of Powers :-

The Board may by statutes delegate to any officer or authority any of the powers conferred upon it by this Act, to be exercised subject to such restrictions and conditions as may be prescribed.

39. Annual Report :-

The annual report of the University shall be prepared under the direction of the Vice-Chancellor and ¹[circulated amongst the members of the Board] one month before the annual meeting of the Board at which it is to be considered. The annual report, as

approved by the Board shall be ²[sent to the State Government for being] laid on the table of the House of the State Legislature.

1. Substituted by Act No. 27 of 1964. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 18.11.1964.

2. Inserted by Act No. 27 of 1964. Ibid.

40. Accounts and Audit :-

(1) The annual accounts and balance sheet of the University shall be prepared by the Comptroller under the direction of the Vice-Chancellor and all moneys accruing to or received by the University from whatever source and all amounts disbursed or paid shall be entered in the accounts.

(2) Such accounts shall be audited in the prescribed manner by such auditors as the State Government may direct, and the cost of such audit shall be a charge on the University Fund.

(3) The accounts when audited shall be printed and copies thereof, together with the audit report, shall be submitted by the Vice-Chancellor to the Board which shall forward them to the State Government with such comments as may be deemed necessary.

41. Temporary arrangement :-

(1) At any time after the passing of this Act and until such time as the authorities of the University are duly constituted, any officer of the University may be appointed by the Vice-Chancellor with the prior approval of the Chancellor to carry on the duties of any such authority.

(2) The Vice-Chancellor may make temporary appointments, subject to the approval of the Board at its next meeting, following the making of such appointments.

42. Reference to Government Officers to be construed in

case of change of designation, as reference to corresponding Officers :-

Where any provision of this Act or of the statutes or regulations refers to an officer of the State Government by designation then, if that designation is altered or that office ceases to exist, the reference shall be construed as a reference to the altered designation, or, as the case may be, to such corresponding officer as the State Government may direct.

43. Residuary provisions :-

¹²[(1) The Board shall have the authority to deal with any matter pertaining to the University and not specifically dealt with in this Act. The decision of the Board on all such matters shall, subject to revision by the Chancellor, be final and shall not be liable to be challenged in any Court or Tribunal.

³[(2) ⁴[On the date of the commencement of ⁵[the Mohanlal Sukhadia University (Amendment) Act, 1987, hereinafter in this section referred to as the said commencement or as the said Act.]

(i) any person holding office as Vice-Chancellor of the University shall on such commencement, be the Vice-Chancellor of the University so reconstituted and shall continue to hold the said office and to exercise all powers and to perform all duties conferred on the Vice-Chancellor by or under the provisions of this Act, until a new Vice-Chancellor is appointed;

⁵[(ii) All such persons-

(a) who were members of the Board prior to the said commencement but are not specified as members in sub-section (1) of section 19 as amended by the said Act shall be deemed to have ceased to be such members-

(b) who are specified as the members of the Board in sub-section

(1) of section 19 as amended by the said Act shall continue till the expiry of their existing term, as such members-

(c) who were members of the Agriculture Academic Council prior to the said commencement shall be deemed to have ceased to be such members;

(d) who were members of the Education Academic Council prior to the said commencement shall continue, till the expiry of their existing term, as the members of the Academic Council so re-designated in sub-section (1) of section 21 as amended by the said Act;

(e) who were members of the Council of Deans by reason of being Deans or Associate Deans of the Agricultural Wing Colleges prior to the said commencement shall be deemed to have ceased to be such members and the remaining members shall continue, till the expiry of their existing term, as the members of the said Council;

(f) who were members of a Board of Studies relating to a college or faculty disaffiliated or transferred from the University on the date of the said commencement shall continue or cease to be such members under and in accordance with the law governing that University to which such college or faculty has been affiliated or transferred; and

(g) who were members of any other Authority or body which has ceased to be the authority or body of the University on the date of the said commencement shall cease to be such members so long as they continue to be the employees of the University:]

(iii) the appointments of the Registrar and all other officers and servants of the University, which are lawfully subsisting shall be deemed to have been made under and for the purposes of this Act and the Registrar and all such officers and servants shall continue to hold office and to act, subject to the conditions governing the terms of their office or employment except in §0 far as such

conditions may be altered by competent authority;

⁶[(iv) all colleges as were specified as Agriculture Wing Colleges in subsection (1) of section 25 prior to the said commencement shall be deemed to have ceased to be the colleges of the University on the date of the said commencement and the colleges specified in the said sub-section as amended by the said Act shall continue to be the colleges of the University so reconstituted;

(v) all such research stations, extension centers, institutions, hostels, offices and other bodies related to Agriculture, as were existing in or functioning for the University prior to the said commencement shall cease to belong to, vested in or functioning for the University on their transfer from the University made by the Chancellor in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University Bikaner Act, 1987.

(vi) such movable or immovable property of the University or any rights or interests therein shall cease to belong to or to be vested in the University as are transferred from the University by the Chancellor in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University Bikaner Act, 1987.

(vii) such benefaction, grant, aid, contribution, donation or fund (accrued, promised or received) shall cease to belong to or to be vested in the University as are transferred from the University by the Chancellor in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University Bikaner Act, 1987;

(viii) such dues, liabilities or obligations incurred or lawfully subsisting in favour of or against the University shall cease to be in favour of or, as the case may be, against the University as are transferred from the University by the Chancellor in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University Bikaner Act. 1987;

(ix) such will, deed or other document containing any bequest, gift or trust in favour of the University shall cease to be in favour of the University when it is specified by the Chancellor in the order made in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University Bikaner Act, 1987;

(x) such officers, teachers, employees or servants shall cease to be the officers, teachers, employees or servants of the University as are transferred from the University by the Chancellor in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University Bikaner Act, 1987;]

⁷[(xi) all statutes and regulations, all notices and orders made or issued under the Udaipur University Act, 1962 with such modifications as may have been made ⁵[therein from time to time) shall, so far as such statutes; regulations, notices and orders are not inconsistent with the provisions of this Act as amended by ⁵[the Mohanlal Sukhadia University (Amendment) Act, 1987] continue in force until they are superseded or modified or withdrawn under the provisions of this Act As amended by the said Act;] and

(xii) all references in any enactment or other instruments issued under an enactment to the University shall be construed as references to the University so re-constituted:

⁴[Explanation.- For the purposes of sub-section (2) of this section:-

(i) "University" means ⁴[the Mohan Lal Sukhadia University as constituted by the Mohan Lal Sukhadia Agriculture University (Amendment) Act, 1984;] and

(ii) "the University so reconstituted" means the Mohan Lal Sukhadia University, as by or under [the Mohan Lal Sukhadia University (Amendment) Act, 1987.]

1. Substituted by Act No. 21 of 1963. Pub.in Raj. Govt. Gaz. Exty. Pt 4(A) dated 28.10.1963.
2. Renumbered by Act No. 21 of 1963. Ibid.
3. Inserted by Act No. 21 of 1963. Ibid.
4. Substituted by Act No. 9 of 1984. Pub.in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.
5. Substituted by Act No. 37 of 1987. Pub.in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.
6. Clauses (iv) to (x) Substituted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz.Exty. Pt 4(A) dated 7.11.1987.
7. Clause (xi) Substituted by Act No. 9 of 1984. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 14.4.1984.

44. Removal of difficulties :-

¹[(1) The State Government may for the purpose of removing any difficulties, particularly in relation to there-constitution of the 8u[the Mohan Lal Sukhadia University by or under the provisions of the Mohan Lal Sukhadia University (Amendment) Act, 1987] hereafter in this section referred to as the Amending Act) in the area and in matters covered by this Act, by order published in the Official Gazette-

(a) direct that this Act, .shall during such period as may be specified in the order, take effect subject to such adaptations whether by way of modification, addition or omission, and consistent with the Amending Act, as it may deem fit to be necessary or expedient, or

(b) give such directions as appear to it to be necessary for the removal of such difficulties that may arise in giving effect to the provisions of the Amending Act;

(c) make such other temporary provisions for the purpose of removing any such difficulties as it may deem fit to be necessary or expedient:

Provided that no such order shall be made after twelve months from the date of the commencement of the Amending Act.

(2) All orders made under sub-section (1) shall be laid before the House of the State Legislature for fourteen days which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modification in any of such orders or resolves that any order should not be made, such order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done there under.

(3) If any question arises regarding the interpretation of any provisions of ² [the Mohan Lal Sukhadia University Act, 1962] or the Amending Act, or of any statutes, or regulation made or deemed to have been made under this Act, or as to whether any person has been duly appointed as, or is entitled to be a member of any authority or other body of the University, the matter may be referred to the Chancellor, and shall be so referred if the Vice-Chancellor and any ten members of the Board so require. The Chancellor shall after taking such advice as he deems necessary decide the question and his decision shall be final.

1. Inserted by Act No. 21 of 1963. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 28.10.1963.

2. Substituted by Act No. 37 of 1987. Pub. in Raj. Govt. Gaz. Exty. Pt 4(A) dated 7.11.1987.