

**Chhattisgarh Kushabhau Thakre Patrakarita Avam
Jansanchar University Act, 2004**

24 of 2004

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SCHEDULE 1 :- SCHEDULE I

**Chhattisgarh Kushabhau Thakre Patrakarita Avam
Jansanchar University Act, 2004**

24 of 2004

An Act to establish Chhattisgarh Kushabhau Thakre University of Journalism and Mass-Communication. Be it enacted by the Chhattisgarh Legislature in the Fifty-fifth Year of the Republic of India, as follows :-- 1. Received the assent of the Governor on the 21-1-2005, assent first published in the Chhattisgarh Rajpatra (Asadharan), dated 24-1-2005.

CHAPTER 1
PRELIMINARY

1. Short Title And Commencement :-

- (1) This Act may be called Chhattisgarh Kushabhau Thakre Journalism and Mass-Communication University Act, 2004.
(2) It shall come in to force on its date of publication in official gazette.
(3) It extends to the whole of Chhattisgarh.

2. Definitions :-

In this Act, unless the context otherwise requires :--

- (one) "Academic Council" means Academic Council of the University;
(two) "Board of Studies" means Board of Studies of the University;
(three) "College" means Institution maintained by, or admitted to the privileges of the University by or under the provisions of this Act;
(four) "Co-ordination Committee" means co-ordination committee constituted under Section 34 of Chhattisgarh Vishwavidyalaya Adhiniyam, 1973 (No. 22 of 1973);
(five) "Department" means School of studies and includes centre of studies.
(six) "Employee" means a person appointed by the University and include the teachers and other employees of the University;
(seven) "Executive Council" means Executive Council of the

University;

(eight) "Faculty" means any faculty of the University;

1[(nine) x x x];

(ten) "Head of the Department of College" means head of any department of a College;

(eleven) "Head of the Department of University" means the head of a teaching department of the University for imparting education to the students of the University and includes the Director or Principal of any college or Institute maintained by the University for the promotion of research or for imparting instructions to the students;

(twelve) "Kuladhipati" means Kuladhipati of the University;

(thirteen) "Kulpati" means Kulpati of the University;

(fourteen) "Persons Connected with the University" means any employee of the University or member of any authority or body of the University or Management of the College;

(fifteen) "Principal" means the Head of the College and includes, appointed to act as Principal;

(sixteen) "Registered Graduate" means a graduate who has been registered or is deemed to have been registered under provisions of this Act; (seventeen) "Registrar" means Registrar of the University;

(eighteen) "Scheduled Caste" means the scheduled caste as specified in relation to this State under Article 341 of the Constitution of India;

"Scheduled Tribe" means the Scheduled Tribe specified in relation to this State under Article 342 of the Constitution of India;

(nineteen) "School of Studies" means an institution maintained by the University as a place of higher learning and research;

(twenty) "Statute, Ordinance and Regulation" means the Statute, Ordinance and Regulation of the University;

(twenty "Student Hostel" means residential place for students of the one) University, College or Institution or a unit of corporate life, which has been maintained, or recognized by the University;

(twenty "Teacher of the University" means professor, reader, lecturer and two) such other person as may have been appointed for imparting instructions or conducting research, with the approval of Academic Council in the University or any College or any Institution maintained or recognized by the University;

(twenty three) "University" means Kushabhau Thakre Patrakarita Avam Jansanchar Vishwavidyalaya;

(twenty four) "University Grants Commission" means the commission established under the University Grants Commission Act, 1956 (No. 3 of 1956).

1. Omitted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

CHAPTER 2
UNIVERSITY

3. Incorporation And Establishment Of The University :-

1[(1) University shall be established in the name of Kushabhau Thakre Patrakarita Avam Jansanchar Vishwavidyalaya.

The University shall be a corporate body which shall have the Kuladhipati and members of Executive Council, Academic Council and all persons who may hereafter become such officers or members thereof so long as they continue to hold such office or membership.]

(2) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(3) Subject to the provisions of this Act, the University shall be competent to acquire and hold property, both movable or immovable, which may have become vested in, or may have been acquired by it for the purposes of the University and to contract and do all other things necessary for the purpose of this Act.

(4) In all the suits filed by or against the University and any legal action, the pleading shall be signed by Registrar and in such suits and actions all the directives shall be issued and served to Registrar.

(5) The University shall have its head quarter at Raipur.

1. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

4. Objects Of The University :-

The University shall have the following objectives :--

(1) develop the University as a National Centre of teaching, training and research in the area of Journalism print, Electronic Media, Mass-Communication and other related subject, branches of studies and other essential and relevant areas of studies;

(2) prepare professional manpower to meet out the requirement of the abovesaid areas;

(3) develop proper technology for communication in rural and tribal areas through research, training and publication;

(4) develop entrepreneurs with specialization;

(5) give special attention to the marginalized group of the society specially, Woman, Scheduled Castes, Scheduled Tribes and other backward classes;

(6) make all necessary provisions in order to achieve the abovesaid

objectives.

5. Powers Of The University :-

Subject to the provisions of this Act the University shall have the following power, namely :--

(one) for instruction in such branches of learning as the University may, from time to time, determine, make provision for research advancement and dissemination of knowledge;

(two) organize laboratories, libraries, museums and other equipment for teaching and research;

(three) establish, maintain and manage Colleges, Teaching departments, Schools of Studies, Study Centres, and Hostels;

(four) (a) Create posts of Professors, Readers, Lecturers and any other academic or teaching posts required by the University and to appoint persons to such posts;

(b) appoint persons working in any other University or organization as teachers of the University for specified period;

(five) recognize teachers as qualified for teaching;

(six) give recognition to eminent persons of any subject so that they may give guidance in research;

(seven) lay down the courses of instruction for various examinations;

(eight) institute degrees, diplomas, certificates and other academic distinctions;

(nine) grant, subject to such conditions as the University may determine, diplomas or certificates and confer degrees and other academic distinctions on the basis of examinations, evaluation or any other method of testing provided that no person shall be admitted to an examination leading to any degree or diploma of the University unless such persons, if he had offered a subject for such examination for which a course of practical work as prescribed has completed such work in a College, University Teaching Department or Study centre and produces a certificate of such completion from the head of the teaching department or School of Studies, Study Centre or the Principal of the College;

(ten) confer degrees and other academic distinctions on persons who have carried on research under conditions laid down in Ordinance;

(eleven) withdraw degrees, diplomas, certificates and other academic distinctions;

(twelve) confer honorary degrees or academic distinction,

- (thirteen) admit privilege or to withdraw all or any specific privilege;
- (fourteen) declare Teaching Department of the University, School of Studies or Colleges as autonomous College;
- (fifteen) conduct, coordinate and regulate central teaching and research work in the colleges and institutions recognized by the University;
- (sixteen) recognize hostels not maintained by the University and withdraw any such recognition;
- (seventeen) inspect Colleges or recognized institutions and take measures to ensure that proper standards of instructions, teaching and training are maintained;
- (eighteen) promote with special care the educational interests of the weaker sections of society and in particular scheduled caste, scheduled tribe and other backward classes;
- (nineteen) provide facilities of refresher and vocational courses to the teachers and alumni of the University;
- (twenty) cooperate and collaborate with other universities and authorities in such manner for such purposes as the University may determine;
- (twenty one) make provisions for;
 - (a) extra mural teaching and extension services;
 - (b) distance teaching;
 - (c) physical training;
 - (d) activities related to games and exercise;
 - (e) social service schemes;
 - (f) national cadet corps;
- (twenty two) institute and manage;
 - (a) information bureau;
 - (b) employment bureau;
 - (c) printing, publication department and, translation bureau;
- (twenty three) supervise and control residence, conduct and discipline of students of the University and to make arrangements for promoting their health and general welfare;
- (twenty four) demand and receive fees and other charges;
- (twenty five) regulate fees and other charges recoverable by colleges;
- (twenty six) create administrative and other necessary posts;
- (twenty seven) control over the salaried officers, teachers and other employees of the University;
- (twenty eight) hold and manage trusts and endowments, institute and award fellowships, scholarships, exhibitions, bursaries, medals

and other awards;

(twenty nine) receive donation and grants, invest funds in accordance with the provisions of this Act;

(thirty) borrow money on the security of University property or Government security for the purposes of the University;

with the prior approval of the State Government;

(thirty one) determine standard for admission to the University which may include examination, evaluation or any other method of testing;

(thirty two) make special arrangement in respect of women students;

(thirty three) make arrangement for promoting the health and general welfare of the employees;

(thirty four) purchase any land, building or works that are necessary or convenient for the University under prescribed terms and conditions to take land on lease or accept donation, or to construct or to modify any building or works subject to approval of the State Government;

(thirty five) sell, exchange, transfer on lease or dispose off any movable, or immovable property or any part of the University;

(thirty six) close down any class or department of the University;

(thirty seven) make agreements with Central Government, State Government, University Grants Commission and authorities for the procurement of grants;

(thirty eight) perform all such acts and matters as expected, whether they are incidental to the powers aforesaid or not, so that the objects of the University are promoted.

6. Prohibition Of Discrimination In All Matters Connected With The University :-

The University shall not discriminate against any citizen of India on grounds of religions, race, caste, sex, place of birth, language or any one of these in the exercise of powers or performance of functions conferred or imposed upon it by or under this Act.

7. Teaching In The University :-

All recognized teaching in the University course, the authorities responsible for organizing such teaching courses and curriculum shall be such as may be prescribed by Statute, Ordinance or Regulation as the case may be.

8. Inspection Of The University And Colleges :-

(1) The Kuladhipati may, on his own motion and shall on a request made by the State Government cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, museums workshops and equipments and of any college or Institution maintained by the University or admitted to its privileges and also of the Examinations, teaching and other work conducted or done by the University and cause an inquiry to be made in like manner in respect of any matter connected with the administration or finance of the University, Colleges or Institutions.

(2) The Kuladhipati shall, in such case, give notice of his intention to cause an inspection or inquiry to be made--

(a) to the University, if such inspection or inquiry is to be made in respect of the University, College or Institution maintained by it;

(b) to the management of the college or institution if the inspection or inquiry is to be made in respect of a college or institution admitted to the privileges of the University, and the University or management, as the case may be, shall be entitled to appoint a representative who shall have right to be present and be heard at such inspection or inquiry.

(3) Such person shall report to the Kuladhipati the result of such inspection or inquiry and the Kuladhipati shall communicate through Kulpati to the Executive Council of the University or the management of the college, as the case may be, his views with reference to the result of such inspection or inquiry and shall, after ascertaining the opinion of the Executive Council or the management thereon advise the University or the management about the action to be taken:

Provided that where an inspection or inquiry is caused on request of the State Government the Kuladhipati shall take action in consultation with the State Government.

(4) The Executive Council or the management as the case may be, shall communicate such action if any, as it has taken or may propose to take upon the result of such inspection or inquiry through Kulpati to the Kuladhipati such action, and such report shall be submitted within such time as the Kuladhipati may direct.

(5) Where the Executive Council or the management, fail to take action, within a reasonable time, to the satisfaction of the Kuladhipati, the Kuladhipati may, after considering explanation furnished or representation made by the Executive Council or the

management after consultation with the State Government issue, such directions as he may think fit and the Executive Council or management as the case may be, shall comply with.

CHAPTER 3

OFFICERS OF THE UNIVERSITY

9. Officers Of The University :-

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

(one) the Kuladhipati

(two) Kulpati

(three) Registrar

(four) Finance Officer

(five) such other officers in the service of the University as may be declared by Statute to be officers of the University.

10. The Kuladhipati And His Powers :-

(1) The Governor of the Chhattisgarh shall be the Kuladhipati of the University.

1[(2) The Kuladhipati shall be an honorary officer by virtue of his office and shall, when present, preside the convocation of the University.]

(3) The Kuladhipati may :

(a) call for any record or information relating to the affairs of the University; and

(b) after reasons to be recorded, refer any matter except a matter falling under Section 57, for reconsideration to any officer or authority of the University which has previously considered such matter.

(4) The Kuladhipati may, by an order in writing, annul:

(a) any proceedings of any officer, authority, committee or body of the University, constituted by or under this Act, which is not in conformity with this Act, Statute, Ordinance or Regulation; or

(b) any proceedings of any authority, committee or other body which has been referred to him by Kulpati, if he is satisfied that such proceedings are prejudicial to the interests of the University : Provided that before making such order he shall call upon the officer, authority, committee or body concerned to show cause why such an order should not be made and if any cause is shown within the time specified by him in this behalf he may consider the same.

(5) Where the Kuladhipati passes an order annulling the proceedings under sub-section (6); he may make such order in

relation thereto in continuity with this Act, Statute, Ordinance or Regulation as he may deem fit in the interest of the University and the order so made shall be final.

(6) Every proposal to confer honorary degree shall be subject to the confirmation of the Kuladhipati.

(7) The Kuladhipati shall exercise such powers as may be conferred on him by or under this Act.

1. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

11. Appointment Of Kulpati :-

(1) Kulpati shall be appointed by the Kuladhipati "under the doctrine of pleasure" after consultation with the State Government from a panel of not less than three distinguished persons in the field of Journalism recommended by the search committee constituted under sub-section (2) or sub-section (6) :

Provided further if the person or persons approved by the Kuladhipati out of those recommended by the search committee are not willing to accept the appointment, the Kuladhipati may call for fresh recommendations from such search committee.

(2) The Kuladhipati shall constitute a search committee consisting of the following persons, namely:--

(i) one person recommended by the Executive Council;

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

(iii) one person nominated by the State Government.

The Kuladhipati shall appoint them and one of them shall be designated as chairperson of the committee.

(3) For constituting the committee under sub-section (2), the Kuladhipati shall, six months before the expiry of the term of Kulpati, call upon the Executive Council, the State Government and Chairman of the University Grants Commission to choose their nominees and if any or both of them fail to do so within one month of the receipt of the Kuladhipatis communication in this regard, the Kuladhipati may further nominate anyone or all the persons, as the case may be.

(4) No person who is connected with the University or any college shall be recommended or nominated on the committee under sub-section (2).

(5) The committee shall submit the panel within six weeks from the date of its constitution or such further time not exceeding four weeks as may be extended by the Kuladhipati.

(6) If for any reason the committee constituted under sub-section (2) fails to submit the panel within the period specified in sub-section (5), the Kuladhipati shall constitute another committee consisting of three persons, not connected with the University or any college, and shall appoint them, and one of them shall be designated as the chairperson. The committee so constituted shall submit a panel of three persons within a period of six weeks or such shorter period as may be specified, from the date of the constitution.

(7) If the committee constituted under sub-section (6) fails to submit the panel within the period specified therein the Kuladhipati may appoint any person he deems fit, to be Kulpati, after consultation with the State Government.

(8) For newly established University the State Government shall appoint Kulpati from field of journalism, for a period not exceeding two years and the person so appointed shall constitute Executive Council, Academic Council and other authorities of the University within 1[one year] of establishment of the University and till the constitution of above authorities shall be deemed to be the Executive Council, Academic Council and other authorities of the University and shall use the power and discharge the duties conferred on these authorities under this Act:

2[Provided that the Kuladhipati may, if he considers it necessary or expedient to do so, appoint a Committee after consultation with the State Government consisting of an educationist, an administrative expert and a financial expert to aid and advise the Kulpati in exercise of his powers and performance of functions.]

1. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

2. Ins by ibid.

12. Emoluments And Conditions Of Service Of Kulpati :-

(1) Kulpati shall be a whole time salaried officer of the University and his emoluments and other terms and conditions of service shall be prescribed by Statute.

(2) Kulpati shall hold office for a term of four years or till he attains the age of 70 years whichever is earlier and shall not be eligible for appointment for more than two terms :

Provided that notwithstanding the expiry of his term he shall continue to hold office until his successor is appointed and enters upon his office but this period shall not, in any case, exceed six months.

(3) If at any time upon representation made or otherwise and after making such enquiries as may be deemed necessary, it appears to the Kuladhipati that Kulpati:--

(i) has made default in performing any duty imposed on him, by or under this Act; or

(ii) has acted in a manner prejudicial to the interests of the University; or

(iii) is incapable of managing the affairs of the University, the Kuladhipati may, notwithstanding the fact that the term of office of Kulpati has not expired, by an order, in writing, stating the reasons therein, require Kulpati to relinquish his office as from such date as may be specified in the order.

(4) No order under sub-section (3) shall be passed unless the particulars of the grounds on which such action is proposed to be taken are communicated to Kulpati and he is given a reasonable opportunity of showing cause against the proposed order.

(5) As from the date specified in the order under sub-section (3) Kulpati shall be deemed to have relinquished the office and the office of Kulpati shall fall vacant.

1[(6) In the event of the occurrence of any vacancy including a temporary vacancy in the office of Kulpati by reason of his illness, leave, death, resignation or otherwise Dean of any faculty or the senior most Professor of the University Teaching Department nominated by the Kuladhipati in consultation with the State Government for that purpose shall act as Kulpati until the date on which Kulpati appointed under sub-section (1) or sub-section (7) of Section 11, enters, as the case may be, upon his office :

Provided that the arrangement contemplated in this sub-section shall not continue for a period of more than six months.]

1. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

13. Powers And Duties Of Kulpati :-

(1) Kulpati shall be the principal administrative and academic officer of the University 1[x x x]. He shall be an ex-officio member and chairman of the Executive Council and Academic Council, 1[x x x], and Chairman and such authorities, committees or bodies of the University of which he is a member. He shall be entitled to be present and to speak at any meeting of any authority, committee or other body of the University but shall not be entitled to vote unless he is a member of the authority, committee or body concerned.

(2) It shall be the duty of Kulpati to ensure that this Act, Statute, Ordinance and Regulation are faithfully observed and he shall have all powers necessary for these purpose.

(3) Kulpati shall have the power to call the meetings of the Executive Council, Academic Council and such other authority of which he is chairman or delegate his power to any other officer.

(4) If in the opinion of Kulpati any emergency has arisen which require immediate action to be taken, Kulpati shall take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer, authority, committee or other body as would have in the ordinary course dealt with the matter:

Provided that the action taken by Kulpati shall not commit the University to any recurring expenditure for a period of more than three months:

Provided further that where any such action taken by Kulpati affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date on which such action is communicated to him, an appeal to the Executive Council:

Provided also that the power shall not extend to matters regarding amendment in Ordinance, Statute, Regulation or any matter relating to appointments.

(5) On receipt of a report under sub-section (4) if the authority, committee or body concerned does not approve of the action taken by Kulpati it shall refer the matter to the Kuladhipati whose decision thereon shall be final.

(6) The action taken by Kulpati under sub-section (4) shall be deemed to be the action taken by the appropriate authority until it is set aside by the Kuladhipati on a reference made under sub-section (5) or is set aside by the Executive Council or an appeal under the second proviso to sub-section (4).

(7) Kulpati shall exercise general control over the affairs of the University and shall give effect to the decisions of the authorities of the University.

(8) Kulpati shall exercise such other powers as may be prescribed by Statute, Ordinance or Regulation.

(9) It shall be the duty of first Kulpati of the University to constitute 2[x x x] Executive Council, Academic Council and other authorities of the University within 3[one year] from the appointed date.

1. Omitted by *ibid*.

2. Omitted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

3. Substituted by ibid.

14. Registrar :-

(1) Registrar shall be a whole time salaried officer of the University and shall discharge his duties under the Act, subject to the general superintendence and control of Kulpati, and shall act as the Secretary of the 1[x x x], Executive Council and Academic Council.

(2) The appointment of Registrar shall be done by the Executive Council after approval of the Kuladhipati in accordance with Statute, provided that the appointment of first Registrar shall be done by the State Government.

(3) Subject to the powers of the Executive Council, Registrar shall, unless provided in Statute, be responsible for ensuring that all money are expended for the purpose for which they are granted or allotted.

(4) Unless otherwise provided for, by, or under this Act, all contracts shall be signed and all documents and records shall be authenticated by Registrar on behalf of the University.

(5) Registrar shall exercise such powers and perform such duties as may be conferred or imposed on him, by Statute, Ordinance or Regulation.

(6) When the post of Registrar falls vacant or in the event of sickness, absence or due to any other reason, Registrar is unable to discharge his duties, his duties shall be performed by person who shall be appointed by Kulpati.

1. Omitted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

15. Other Employees :-

The appointment of other employees of the University referred to in Section 10, shall be made in such manner, and the conditions of their service and powers and duties shall be such as may be prescribed by Statute, Ordinance and Regulation.

CHAPTER 4

AUTHORITIES OF THE UNIVERSITY

16. Authorities Of The University :-

The following shall be the authorities of the University :--

1[(one) x x x]

(two) Executive Council

- (three) Academic Council
 - (four) Finance Committee
 - (five) Faculties/School of Studies
 - (six) Boards of Studies
 - (seven) such other authorities as may be declared by Statute.
1. Omitted by Ibid.

17. Omitted :-

- 1[Omitted.]
1. Omitted by Ibid.

18. Omitted :-

- 1[Omitted.]
1. Omitted by Ibid.

19. Omitted :-

- 1[Omitted.]
1. Omitted by Ibid.

20. Omitted :-

- 1[Omitted.]
1. Omitted by Ibid.

21. Omitted :-

- 1[Omitted.]
1. Omitted by Ibid.

22. Executive Council :-

(1) The Executive Council shall be the Executive body of the University and shall consist of following persons, namely:--

- (one) Kulpati Chairman
- (two) two scholars related to journalism, nominated by the Chief Minister; Member
- (three) 1[three members of the Legislative Assembly nominated by the Speaker]; Member
- (four) Principal Secretary/Secretary, Public Relations; Member
- (five) Principal Secretary/Secretary,- Finance or his nominee not below the rank of Deputy Secretary; Member
- (six) Principal Secretary/Secretary, Higher Education or his nominee

who shall not be below the rank of Deputy Secretary; Member
(seven) One Dean of faculty nominated by the Kuladhipati; Member
2[(eight) x x x]

(nine) Two Professors to be nominated by Kuladhipati on rotation
basis on recommendation of the Kulpati; Member

(ten) Registrar; Member-Secretary.

(2) Members of the Executive Council, other than ex-officio
members, shall hold the post for two years.

(3) Five members of the Executive Council shall form the quorum :
Provided quorum shall not be necessary for adjourned meeting that
is called on a notice of one hour.

1. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

2. Omitted by ibid.

23. Powers And Duties Of The Executive Council :-

Subject to the provisions of this Act, Statute, Ordinance or
Regulation, made thereunder, the Executive Council shall have the
following powers and perform the following duties, namely :--

(one) control and administer the property and funds of the
University;

(two) administer funds placed at the disposal of the University for
specific purposes;

(three) adopt annual accounts together with audit report;

(four) prepare the annual financial estimates of the University and
1[to pass the same];

(five) 2[(a) x x x];

(b) fix the limit for recurring and non-recurring expenditure for the
year;

(six) subject to clause (five), at any time during the financial year,-

-

(a) reduce the amount of the budget grant;

(b) sanction the transfer of any amount within a budgeted grant
from one head to another, or from a subordinate head under one
minor head to a subordinate head under another minor head;

(c) sanction the transfer of any amount not exceeding rupees
twenty five thousand within a minor head from one subordinate
head to another or from one primary unit to another;

(seven) borrow and lend funds on behalf of the University, provided
that funds shall not be borrowed on the security of University
property without the prior approval of the State Government;

(eight) transfer any movable or immovable property on behalf of

the University:

Provided that no immovable property of the University shall except with the prior sanction of the State Government, be transferred by way of mortgage, sale, exchange, gift or otherwise;

(nine) enter into, vary, carry out and cancel contracts on behalf of the University exercising the powers and duties assigned to it by Act, or Statute;

(ten) determine the form of common seal of the University, provide custody for, and regulate it;

(eleven) admit colleges to privileges of the University on the recommendation of Academic Council and to withdraw any of these privileges and to take over the management of the colleges in the manner and under the heads prescribed in the Act and Statute;

(twelve) declare Teaching Department of the University, School of Studies or colleges as autonomous colleges, provided that the extent of autonomy which each such teaching department of the University, School of Studies or college may have and the matters in relation to which it may exercise such autonomy, shall be such as may be prescribed by Statute;

(thirteen) make provision for building, premises, furniture, apparatus, books and other means needed for carrying on the work of the University;

(fourteen) accept on behalf of the University, trust, bequest, donation of any movable or immovable property;

(fifteen) manage and regulate the finance, accounts and investments of the University;

(sixteen) institute and manage,--

(a) a printing, publication and translation bureau;

(b) an information bureau; and

(c) an employment bureau;

3[(seventeen) Extra mural teaching and research,

(a) (1)

(2) University extension activities,

(3) Distance teaching.

(b) (1) Physical training,

(2) Students Welfare,

(3) Sports and Athletic activities,

(4) Social Service Schemes,

(5) National Cadet Corps.]

(eighteen) scrutinise all proposals of Academic Council with a view to their execution within the framework of the budget;

(nineteen) create post of Professor, Reader, Lecturer or other

teaching posts as may be proposed by with the prior sanction of the State Government;

(twenty) create administrative, ministerial and other posts with the prior sanction of the State Government;

(twenty abolish or, suspend, any post of Professor, Reader, Lecturer or one) other teaching posts in the University;

(twenty establish, maintain and manage colleges, teaching departments, two) institutions of research or specialized studies, laboratories, libraries, museums and halls;

(twenty three) provide housing accommodation for teachers of the University;

(twenty four) arrange for and direct the inspection of affiliated colleges, recognized institutions and to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff, and payment of adequate salaries, and, in case of disregard of such instructions, to modify on recommendation of Academic Council, the conditions of affiliation or recognition or taking of such other steps as it deems necessary and proper on that behalf;

(twenty five) prepare a college code laying down therein the terms and conditions of affiliation of colleges;

(twenty six) call for reports, returns and other information from affiliated colleges, recognized institutions;

(twenty seven) supervise and control the admission, residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare;

(twenty eight) recommended to the Kuladhipati the conferment of honorary degrees and academic distinctions in the manner prescribed by Statute;

(twenty nine) confer or withdraw degrees, diplomas, certificates and other academic distinctions in the manner prescribed by Statute;

(thirty) institute fellowships, scholarships, studentships exhibitions, medals and prizes;

(thirty one) save as otherwise provided by this Act, or the Statute, to appoint the officers other than Kulpati, teachers and other employees of the University, to define their duties and the conditions of their service and to provide for the filling of temporary vacancies in their posts;

(thirty two) regulate and enforce discipline among members of the teaching, administrative and ministerial staff of the University in accordance with Statute and Ordinance;

(thirty three) recognize a member of the staff of an affiliated college or recognized institution as a teacher of the University and withdraw such recognition;

(thirty four) fix remuneration of examiners to arrange for the conduct of and for publishing the results of the University examinations and other tests;

(thirty five) cancel examinations in the event of malpractices partially or wholly and to take action against any person or group of persons or institutions found guilty of such malpractices, including rustication of students;

(thirty six) take disciplinary action against students enrolled in the University, including candidates for any examinations;

(thirty seven) take disciplinary action against staff, persons appointed as invigilators, examiners, etc.;

(thirty eight) demand and receive fees and other charges as may be prescribed by the Ordinance;

(thirty nine) make, amend and cancel Ordinance;

(forty) accept, reject or return regulations framed by Academic Council to it for consideration;

(forty one) entertain, adjudicate upon and, if deemed fit to, redress grievances of the employees;

(forty two) exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act;

(forty three) exercise all powers of the University not otherwise provided for in this Act or Statute and all other powers which are requisite to give affect to the provisions of this Act or Statute;

(forty four) delegate by Regulation any of its powers to Kulpati, Registrar or such other officer of the University or a committee appointed by it as it may deem fit.

1. Substituted by *ibid*.

2. Omitted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

3. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

24. Finance Committee :-

(1) The Kuladhipati shall constitute a Finance Committee for such University, consisting of the following members, namely :--

(one) Kulpati of the University-Chairman;

(two) Registrar of the University, Member-Secretary;

(three) Dean of faculties;

(four) Principal Secretary/Secretary, Public Relations or his nominee, not below the rank of Deputy Secretary;

(five) Principal Secretary/Secretary, Finance, or his nominee, not below the rank of Deputy Secretary;

(six) Principal Secretary/Secretary, Higher Education, or his nominee, not below the rank of Deputy Secretary.

(2) The Finance Committee shall control the finances of the University.

(3) Subject to the provisions of this Act, Statute, Ordinance and Regulation made thereunder, the Finance Committee shall exercise the powers and perform the functions as under :--

(a) review the income and expenditure of the University;

(b) prepare annual financial estimates of the University before the commencement of the financial year and place it before the Executive Council for approval, and to advise amendment therein from time to time;

(c) sanction proposals and take decisions on the income and expenditure of the University;

(d) get the annual accounts and the annual audit of the University completed in time and in light of the reports, order, appropriate directions.

1[(4) Four members shall form the quorum, out of the presence of Kulpati and member either from clause (five) or (six) of sub-section (1) shall essential in the committee.]

1. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

25. Academic Council :-

(1) The Academic Council shall be constituted of following members, namely :--

(one) Kulpati Chairman;

(two) Registrar Member-Secretary

(three) Deans of faculties;

(four) Chairpersons of Board of Studies;

(five) All the Heads of Department of the University;

(six) teacher from any branch of communication, nominated by Kulpati; (seven) eminent professionals from the field of communication, nominated by the Kuladhipati;

(eight) Two Professors of teaching departments (on rotation basis);

(nine) 2 Readers/Lecturers of teaching departments/study centers of the University, from category other than (3), (4) and (5), who shall be nominated by Kulpati, on rotation basis.

(2) The term of members, other than ex-officio members, shall be four years.

26. Powers Of The Academic Council :-

(1) The Academic Council shall in addition to all other powers vested in it by this Act, Statute and Ordinance, shall have, the following powers and perform the following duties, namely :--

(one) exercise general supervision, over the academic policies of the University and to give directions regarding methods of instruction, co-operative teaching among colleges and institutions maintained by or admitted to the privileges of the University, valuation of research or improvements in academic standards;

(two) consider matter of general academic interest either on its own initiative or on reference by a faculty of the Executive Council and to take appropriate action thereon;

(three) make proposal for allocating departments to the faculties and to assign fellows and its own members to the faculties;

(four) make proposals for institution of fellowships, scholarships, studentships, exhibitions, medals and prizes and to make rules of their award;

(five) consider the application for admission of an educational institution to the privileges of the University;

(six) prescribe qualifications for recognition of persons as teachers of the University and to accord such recognition;

(seven) make arrangements for the conduct of examinations and to appoint result committees consisting of its member or other persons or both, as it thinks fit, to prepare the result of the examinations, and report such results to the Executive Council for publication;

(eight) recognize persons eminent in any subject to guide research in that subject;

(2) The Academic Council may appoint a Standing Committee consisting of its members. The constitution, powers and functions of the said standing committee shall be determined by Statute.

27. Board Of Studies :-

(1) There shall be a Board of Studies for every subject or group of subjects as may be presented by Statute.

(2) Each Board shall consist of--

(one) Professors of University Teaching Departments and Schools of Studies in subjects for which the Board is constituted;

(two) one Reader from the University Teaching Departments and Schools Studies teaching the said subjects, to be nominated by

- Kulpati, by rotation according to seniority;
- (three) one Professor from the University Teaching Department, teaching the said subjects, to be nominated by Kulpati by rotation according to seniority;
- (four) Heads of Department of the subjects;
- (five) one student to be nominated by Kulpati possessing the qualifications laid down in Statute for one year;
- (six) two members to be co-opted by the Board, one of whom shall be an expert from outside the University.
- (3) The Chairman of the Board of Studies shall be nominated by Kulpati from amongst the members of the Board referred to in clause (1) of sub-section (2) :
- Provided that if there is no member under clause (1), Chairman shall be nominated by Kulpati from amongst the members of the Board under clause (two) and (four) of sub-section (2).
- (4) The term of the Board of Studies shall be three years.
- (5) The Board of Studies shall have such powers and perform such functions as may be prescribed by Statute.

CHAPTER 5

FINANCE

28. University Fund :-

- (1) University shall establish a fund called the University fund.
- (2) The following shall form part of, or be paid in, to the University fund,--
- (a) any rent, contribution or grant by Central or State Government or any corporate body;
 - (b) trusts, bequest, donations, endowment and other grant if any;
 - (c) the income of the University from all sources including income from fee and charges;
 - (d) all other sums received by the University.
- (3) The University fund shall be kept in any Nationalised Bank.
- (4) The fund shall be operated by Kulpati or Registrar or Finance Officer for such purpose prescribed by Statute.

29. Objects To Which University Fund May Be Applied :-

- (1) The University fund shall be applicable to the following objects and in the following order :--
- (a) the repayment of debts incurred by the University for the purposes of this Act, Statute, Ordinance and Regulation made thereunder;

- (b) the up-keep of colleges, teaching departments, schools of studies established by the University and residences;
- (c) the payment of the cost of audit of the University fund;
- (d) the expenses of any suit or proceedings to which University is a party;
- (e) the payment of salaries and allowances of the officers and employees of the University, payment of any Provident Fund Contributions, gratuity and other benefits to any such officers and employees;
- 1[(f) the payment of travel and other allowances to the members of authorities and committees as may be prescribed;]
- (g) the payment of fellowships, Scholarships, Studentships and other awards to students;
- (h) the payment of any expenses incurred by the University in carrying out the provisions of this Act, Statute, Ordinance or Regulation;
- (i) the payment of any other expenses not specified in any of the preceding clauses declared by the Executive Council to be the expense for the purposes of the University.

(2) No expenditure shall be incurred by the University in excess of the limits for total recurring and not non-recurring expenditure for the year fixed by the Executive Council without the prior approval of the Executive Council.

(3) No expenditure other than that provided for in the budget shall be incurred by the University without the prior approval of the Executive Council.

1. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

30. Annual Accounts And Audit :-

(1) The annual accounts of the University shall be prepared under the direction of the Executive Council.

1[(2) The accounts of the University shall be audited atleast once in every year at intervals of not more than 15 months by the auditors of the Local Fund Audit of the State.]

(3) The State Government shall have powers to order special audit of the accounts.

2[(4) A copy of the audited accounts together with the audit report shall be submitted by the Executive Council to the State Government and the same shall be laid on the table of the Legislative Assembly.]

1. Substituted by *ibid*.

2. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

31. Annual Report :-

(1) The Annual Report of the University shall be prepared by Kulpati every year.

1[(2) The prepared Annual Report shall be submitted to the Executive Council for approval.]

(3) One copy of the report shall be submitted to the State Government and cause the same to be laid on the table of the Legislative Assembly.

1. Substituted by ibid.

CHAPTER 6

CO-ORDINATION COMMITTEE, STATUTE, ORDINANCE AND REGULATION

32. Kulpati Shall Be The Member Of Coordination Committee :-

Kulpati of the University shall be the member of the Co-ordination Committee constituted under Section 34 of Chhattisgarh Vishwavidyalaya Adhiniyam, 1973 (No. 22 Year 1973).

33. Statute :-

Subject to the provisions of the Act, the Statute may provide for all or any of the following matters, namely :--

(a) the constitution, powers and duties of such bodies as may be deemed necessary to constitute from time to time;

(b) the manner of election or appointment and the term of office of the members of the bodies;

(c) emoluments and other terms and conditions of service of Kulpati;

(d) powers and duties of Registrar, and other officers and employees of the University and the conditions of their services including recruitment, emoluments, promotion, seniority, conduct and disciplinary proceedings;

(e) constitution of a pension or provident fund and the establishment of an insurance scheme and provision of gratuity and other benefits of the officers, and employees of the University;

(f) holding of convocation to confer degrees;

(g) conferment of honorary degrees;

(h) withdrawal of degrees, diplomas, certificates and other academic distinctions;

- (i) establishment and abolition of faculties, colleges, teaching departments, study centres, schools of studies and institutions maintained by the University;
- (j) conditions under which colleges, and other institutions may be admitted to the privileges of the University and the withdrawal of such privileges;
- (k) the extent of autonomy which the teaching department of the University, schools of studies, study centres or colleges may have and the matters in relation to which such autonomy may be exercised;
- (l) qualifications of Professors, Readers, Lecturers and other teachers in affiliated colleges and recognized institutions;
- (m) the administration of endowments, and the institution of fellowship, scholarships, studentships, exhibition, bursaries, medals, prize and other awards;
- (n) the mode of determining seniority for the purpose of this Act;
- (o) the maintenance of a register of registered graduates;
- (p) establishment and constitution of Bureau for publication and translation;
- (q) all other matters, which by this Act, are to be provided for the Studies;

34. How The Statutes Shall Be Framed :-

- (1) The first statute shall be framed by the State Government and the State Government may amend the first statute as may be necessary.
- (2) The authorities may from time to time, amend or repeal any statute, except first statute.
- (3) The authority may on its own motion; or otherwise take into consideration the draft of a Statute :
Provided that nothing in this clause shall apply in respect of statutes other than those affecting the emoluments of Kulpati, Registrar and other officers of the University.
- (4) Where a draft is proposed by the authority under this section it shall be referred to the Executive Council for consideration and the Kuladhipati may, after considering the views, if any, of the Executive Council that may be received within such period not less than thirty days as the Kuladhipati may specify approve such draft with or without modifications and pass the Statute.
- (5) Where a draft is proposed by the Executive Council the Kuladhipati may approve of such draft and pass the Statute or

reject it or return it to the Executive Council for reconsideration either in whole or in part together with any amendment which he may suggest.

(6) After any draft returned under sub-section (5) has been further considered by the Executive Council together with any amendment suggested by the Kuladhipati, it shall again be presented to the Kuladhipati with a report of the Executive Council thereon and the Kuladhipati may approve or reject the Statute.

(7) The Kuladhipati shall not take into consideration, nor the Executive Council shall propose the draft of any Statute or of any amendment of a Statute or of the repeal of any Statute affecting the status, power or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal.

(8) The Kuladhipati may approve the statute and they shall become effective from such date as the Kuladhipati may specify.

35. Ordinance :-

(1) Subject to the provisions of this Act and the Statute the Ordinance may provide for all or any of the following matters, namely:--

(a) admission of students, courses of study and fees thereof, qualifications pertaining to degrees, diplomas, certificates and other courses, conditions for the grant of fellowships, awards and the like;

(b) conduct of examinations, including the terms and conditions and appointment of examination and moderators;

(c) any other matter which by this Act or the Statute is to be or may be provided for by the Ordinance.

(2) The first Ordinance shall be made by Kulpati with the previous approval of the State Government and the Ordinance so made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statute.

36. Regulation :-

(1) The authorities of the University may make Regulations consistent with this Act, the Statute and the Ordinance for the conduct of their own business and that of the Committee, appointed by them and not provided for by this Act, the Statute or the Ordinance in the manner prescribed by the Statute.

(2) Regulation made shall be placed before the Kuladhipati for his

approval and shall be effective from the date of its approval.

CHAPTER 7

ADMISSION OF STUDENT AND APPOINTMENT OF EXAMINERS

37. Admission To University Course :-

Students shall not be eligible for admission to a course of study for a graduate or diploma courses unless they have qualifications as may be prescribed by the Ordinance.

38. Appointment Of Examiners And Moderators :-

(1) Subject to the provisions of Statute, all examiners shall be appointed by Kulpati, in consultation with the Committee consisting of the following members--

(one) Dean of the faculty concerned who shall be Chairman of the Committee;

(two) Chairman of the Board of Studies concerned;

(three) a member of the Board of Studies concerned, to be nominated by Kulpati.

(2) If during the course of an examination any examiner becomes for any course, incapable of acting as such, Kulpati shall appoint an examiner to fill the vacancy.

CHAPTER 8

APPOINTMENT TO TEACHING POSTS IN THE UNIVERSITY

39. Appointment To Teaching Posts :-

No persons shall be appointed as:--

(one) Professor, Reader or Lecturer; or

(two) any other teaching post of the University paid by the university recommendation of selection committee constituted in accordance with sub-section (1) of Section 41 :

Provided that aforesaid appointment is any of the teaching posts not expected to continue for more than six months and cannot be delayed without detriment to the interest of the Department or Institution maintained by the University the executive council may make such appointment without obtaining the recommendation of the committee of selection constituted under sub-section (1) of Section 41 but the person so appointed, shall not be retained on the same post for a period exceeding (six months) or appointed to another post in the service of the University except on the recommendation of the said committee of selection.

40. Selection Committee :-

(1) The members of the selection committee shall be--

(one) Kulpati--Chairman

(two) Head of the department/centre of the University of the concerned subject, if he is professor, or Dean of the faculty where in the concerned subject there is no Professor available and Head of the Department or where the selection of Professor has to be done;

(three) one expert to be nominated by the Kuladhipati from a panel, submitted by Academic Council of three experts in the subject not connected with the University in any manner whatsoever;

(four) three subject experts to be nominated by the Kuladhipati 1[x x x] not connected with University in any manner.

(2) Three members of the Selection Committee shall form quorum.

(3) The committee shall investigate the merits of various candidates, and shall recommend to the executive council, the names, if any, of persons who consider suitable for the posts, arranged in order of merit:

Provided that no recommendation shall be made unless, at least two experts nominated under clauses (three) and (four) of sub-section (1) are present in the meeting in which such recommendation is to be decided upon.

(4) Out of the names recommended under sub-section (3) of the Executive Council shall appoint person in order of merit.

1. Omitted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

41. Salaries Of Teachers :-

The payment of the salaries to the teachers of the University paid by the University shall be in accordance with scales fixed by the Executive Council by Ordinance with the prior approval of the State Government.

CHAPTER 9

EMERGENCY PROVISIONS

42. State Government To Assume Financial Control In Certain Circumstances :-

(1) If the State Government is satisfied that owing to mal-administration or financial mismanagement in the University a situation has arisen whereby financial stability of the University has become insecure, it may by notification, declare that the finances of

the University shall be subject to the control of the State Government.

(2) Every notification issued under sub-section (1) shall, in the first instance, remain in operation for a period of one year from the date specified in the notification and the State Government may, from time to time, by notification, extend the period of operation by such further period as it may think fit, provided that the total period of operation does not exceed three years.

(3) During the period of the notification issued under sub-section (1) the executive authority of the State Government shall extend the given directions to the said University to observe such canons of financial propriety as may be specified in the direction and to give such other directions as the State Government may deem necessary and adequate for the purpose.

(4) Notwithstanding anything contained in this Act, any such direction may include :--

(one) a provision requiring the submission of the budget to the State Government for sanction;

(two) a provision requiring the University to submit every proposal involving financial implications to the State Government for sanction;

(three) a provision requiring the submission of every proposal for the revision of pay scale and rate of allowances of the officers, teachers, and other persons employed by the University to the State Government for the sanction;

(four) a provision requiring the reduction of salaries and allowances of all or any class of persons employed by the University, a provision requiring the deduction in the number of posts of the officers, teachers and other persons employed by the University;

(five) a provision requiring the lowering down of scales of pay and rate of allowances and a provision in regard to such other matters as may have the effect of reducing the financial strain on the University:

Provided that the Kuladhipati may, if he considers it necessary so to do, appoint a committee consisting of an educationist, and administrative expert and a financial expert to assist Kulpati so appointed in exercise of such powers and performance of such duties.

(5) Notwithstanding anything contained in this Act, it shall be binding on every authority of the University and every officer of the University to give effect to the direction given under this section.

(6) Every officer of the University shall be personally liable for

misapplication of any fund or property of the University as a result of non-compliance of the direction given under this section to which he shall have been a party or which shall have happened though or been facilitated by gross neglect of his duty as such officer, and the loss so incurred shall, on a certificate issued by the Secretary of 1[Higher Education Department] be recovered from such officer as an arrears of land revenue :

Provided that no action to recover the amount of loss as arrears of land revenue shall be taken until reasonable opportunity has been given to the person concerned to furnish explanation and such explanation has been considered by the State Government.

1. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

43. Powers Of State Government To Apply Act In Modified Form With A View To Provide For Better Administration Of University In Certain Circumstances :-

(1) If the State Government on receipt of a report or otherwise, is satisfied that a situation has arisen in which the administration of the University cannot be carried out in accordance with the provisions of the Act, without detriment to the interests of the University and it is expedient in the interest of the University so to do, it may by notification, for reasons to be mentioned therein, 1[direct that the provisions of Sections 11, 22 and 25 shall as from the date specified in the notification (hereinafter in this Section referred to as the appointed date) apply to the University subject to modification specified in the First Schedule appended to this Act.]

(2) The Notification issued under sub-section (1) shall remain in operation for a period of one year from the appointed date and the State Government may, from time to time, extend the period or such further period as it may think fit so, however, that the total period of operation of the notification does not exceed three years.

(3) The Kuladhipati shall simultaneously with the issue of the notification, appoint Kulpati under Sections 11 and 12 and Kulpati so appointed shall hold office during the period of operation of the notification :

Provided that Kulpati may, notwithstanding the expiration of the period of operation of the notifications, continue to hold office thereafter until his successor enters upon office but this period shall not exceed one year.

(4) As from the appointed date, the following consequences shall

ensue, namely :--

(one) Kulpati, holding office immediately before, the appointed date, shall notwithstanding that his term of office has not expired, vacate his office;

(two) every person holding office as a member of the Executive or the Academic Council, as the case may be immediately before the appointed date shall cease to hold that office;

(three) until the, Executive Council or Academic Council, as the case may be is reconstituted in accordance with the provisions as modified, Kulpati appointed under Sections 12 and 13 as modified, shall exercise the powers and perform the duties conferred or imposed by or under this Act, on the Executive Council or Academic Council:

Provided that the Kuladhipati may, if he considers it necessary so to do, appoint a committee consisting of an educationist, an administrative expert and a financial expert to assist Kulpati so appointed in exercise of such powers and performance of such duties.

(5) Before the expiration of the period of operation of the notification or immediately as early as practicable, thereafter, Kulpati shall take steps to constitute Executive Council and Academic Council in accordance with the provisions of the Act, as unmodified and the Executive Council and Academic Council as so constituted shall begin to function on the date immediately following the date of expiry of the period of operation of the notification of the date on which the respective bodies are so constituted whichever is later:

Provided that if the Executive Council and Academic Council are not constituted before the expiration of the period of operation of the notification, Kulpati shall on such expiration, exercise the powers of each of these authorities subject to prior approval of the Kuladhipati till the Executive Council or Academic Council, as the case may be, is so constituted.

1. Substituted by *ibid*.

44. Effect On Expiration Of The Period Of Notification Under Section 54 :-

On expiration of the period of operation of the notification issued under Section 44, the provisions of this Act, as modified in application to the University mentioned in the notification shall cease to operate in respect thereof and the other relevant

provisions of this Act shall revive and continue to apply thereto :
Provided that the expiration of the operation of the notification shall not affect:--

(a) previous operation of or anything done or liability acquired, accrued or incurred under the provisions as modified or any order made thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the provisions as modified or any order made thereunder; or

(c) any investigation or remedy in respect of any such right, privilege, obligation or liability as aforesaid and such investigation or remedy may be instituted or enforced as if the modified provisions had not ceased to apply.

CHAPTER 10

SUPPLEMENTARY PROVISIONS

45. Disputes As To Constitution Of University Authorities And Bodies :-

If any question arises regarding the interpretation of any provisions of this Act or of any Statute, Ordinance or Regulation or as to whether any person has been duly elected, appointed as or is entitled to be, a member of any authority, or other bodies of the University, the matter shall be referred to the Kuladhipati, whose decision thereon shall be final:

Provided that before taking any such decision the Kuladhipati himself or an officer nominated by him, shall give the person or persons affected thereby a reasonable opportunity of being heard.

Explanation 1.--In this section the expression "body" includes any committee constituted by under this Act.

Explanation 2.--In this section the expression "appointed" does not include appointments to the salaried posts of the University.

46. Constitution Of Committees :-

Where any authority of the University is given power by this Act, or Statute to appoint committees, such committees shall, save as otherwise provided, consist of members of the authority concerned and of such other persons, if any, as the authority, in each case, may think fit.

47. Filling Of Casual Vacancies :-

Save as otherwise provided in this Act all casual vacancies of the members other than ex-officio members of any authority, committee or other body of the University shall be filled, as soon as possible for remaining unexpired period in accordance with the procedure.

48. Proceedings Of University And Bodies Not Invalidated By Vacancies :-

No Act or proceeding of any authority, committee or body of the University shall be invalid merely by reason of--

- (a) any vacancy or defect in the constitution thereof;
- (b) any defect in the election, nomination or appointment of a person acting as member thereto; or
- (c) any irregularity in its procedure not affecting the merits of the case.

49. Service Conditions :-

(1) Every salaried officer and teacher of the University paid by the University shall be appointed under a written contract which shall be lodged with the University and a copy thereof furnished to the officer or teacher concerned.

(2) Any dispute regarding service matters arising out of contract or otherwise between a University and any of its salaried employees shall be adjudicated upon by Kulpati and an appeal against Kulpati's decision shall lie to the Kuladhipati, who shall decide the dispute himself or refer it to a tribunal constituted for the purpose consisting of the following members, namely :

(one) 1[Secretary, Higher Education;]

(two) a person who is Kulpati or had been Kulpati of any University;

(three) any Secretary, or had been Secretary of the State Government.

1. Substituted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

50. Protection Of Acts And Orders :-

No suit, prosecution or other legal proceedings shall lie against any officer, teacher or other employee of the University for anything which is in good faith done or intended to be done in good faith under this Act, of Statute, Ordinance or Regulation. No person in the University--

- (a) shall impart instruction, unless such person possesses the qualifications laid down by Academic Council in that behalf; and
- (b) shall impart instruction except in such subject or subjects and up to the standard for which his qualifications have been approved by Academic Council.

51. Resignation Of Member Or Officer Of University :-

(1) Any member other than ex-officio member of 1[x x x] the Executive Council, Academic Council or any other University Authority or Committee or Dean of a faculty may resign by a letter addressed to Registrar, and the resignation shall take effect as soon as the letter is accepted by Registrar.

(2) Any Officer of the University, whether salaried or otherwise, other than a Dean, may resign his office by letter addressed to Registrar. Such resignation shall effect from the date on which the same is accepted by the authority competent to fill the vacancy.

1. Omitted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

52. Disqualification For Being Member Of Authority :-

(1) A person shall be disqualified for being chosen, and for being a member of any of the authorities of the University :--

- (a) if he is of unsound mind;
- (b) if he is deaf, mute or suffering from any contagious disease;
- (c) if he is undischarged insolvent;
- (d) if he has been convicted by a Court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment.

(2) If any question arises as to whether a person is or had been subject to any disqualifications mentioned in sub-section (1) the question shall be referred for the decision of the Kuladhipati and his decision thereon shall be final and no suit or other proceeding shall lie in any Court of law against such decision.

53. Power To Remove Any Member From Authority Or Body :-

(1) The Kuladhipati may, on the request of the Executive Council remove the name of any person from membership of any authority or body of the University if:

- (one) he is guilty of gross misbehaviour; or
- (two) he acts prejudicial to the interests of the University :

Provided that the Kuladhipati shall cause a preliminary enquiry to be made and if it is satisfied that a prima facie case exists, he shall serve on such a member of any authority or body, as the case may be, a charge sheet in writing, stating the misbehaviour of the act prejudicial to the interest of the University, as the case may be.

(2) After taking into consideration the reply to the charge-sheet submitted to him by the member of the authority or body of the University, as the case may be, under sub-section (1), the Kuladhipati may, if it considers that further action is necessary, entrust the enquiry to a tribunal consisting a nominee of the State Government, a nominee of the Executive Council and a nominee of the delinquent member, as the case may be.

(3) The tribunal shall, after giving the accused member, as the case may be, an opportunity of being heard and examining such evidence as may be necessary, record its finding and forward it to the Kuladhipati.

(4) The Kuladhipati may, after considering the report of the tribunal pass such final orders as it deems fit:

Provided that no order shall be passed unless the delinquent member, as the case may be, has been given a reasonable opportunity to show cause as to why the proposed action should not be taken against him.

(5) The provisions of sub-sections (1) to (4) shall not apply where the Kuladhipati is satisfied that in the interest of the University it is not expedient to hold such enquiry and to issue any show cause notice or to give an opportunity of being heard to any member nominated by him before the removal of such member.

54. Execution Of Contracts :-

All the contracts related to the University shall be said to have been carried out by the Executive Council and this will be executed by Registrar.

55. Omitted :-

1[Omitted.]

1. Omitted by C.G. Act No. 15 of 2005 (w.e.f. 25-8-2005).

56. Omitted :-

1[Omitted.]

1. Omitted by ibid.

57. Removal Of Difficulties :-

If any difficulty arises in the enforcement of this Act in regard with the first constitution of the authority or in reconstitution, or else to implement any sub-section of this Act, then the State Government as expected on the occasion, for his purpose, by way of order shall act in a way that it deems fit.

SCHEDULE 1

SCHEDULE I

[See Section 43]

1. Appointment of Kulpati.--

Kulpati shall be appointed by the Kuladhipati in consultation with the State Government and may be removed by the Kuladhipati in the like manner.

1. Ins. by ibid.

2. Executive Council.--

(1) Subject to the control of the State Government the Executive Council shall be the executive body of the University and shall consist of the following persons, namely :--

(1)	Kulpati	Chairman
(2)	Principal Secretary/Secretary, Public Relations.	Member
(3)	Principal Secretary/Secretary, Finance.	Member
(4)	Principal Secretary/Secretary, Higher Education.	Member
(5)	One Dean of Faculty nominated by the Kuladhipati.	Member
(6)	Registrar	Secretary

(2) The terms of all members of the Executive Council shall be coextensive with the period of operation of the Notification issued under Section 43.

(3) Three members of the Executive Council shall form a quorum.

3. Academic Council.--

(1) The Academic Council shall be constituted of the following members, namely :--

(1)	Kulpati	Chairman
(2)	Registrar	Secretary
(3)	Two teachers of the University Teaching Departments nominated by the Kulpati.	Member
(4)	An Educationist nominated by the Kuladhipati	Member

(2) The term of all member of the Academic Council shall be co-extensive with the period of operation of the notification issued under Section 43.