

**Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthapana Aur
Viniyaman) Adhiniyam, 2002**

2 of 2002

CONTENTS

1. Short title, extent and commencement
2. Definitions
3. Objects of the University
4. Proposal for establishment of the University
5. Establishment of the University
6. Incorporation of the University
7. General Fund
8. Application of General Fund
9. University to be self financed
10. Land to be made available by State Government
11. University open to all classes, castes and creeds
12. Officers of the University
13. Visitor
14. Chancellor
15. Vice-chancellor
16. Registrar
17. Chief Finance and Accounts Officer
18. Other officers
19. Authorities of the University
20. Governing Body
21. Board of Management
22. Academic Council
23. Other Authorities
24. Powers of State Government to inspect University
25. First statutes
26. Subsequent Statutes
27. Ordinances
28. Subsequent Ordinances
29. Annual Report
30. Annual Accounts
31. Vacancies not to invalidate the proceedings of any authority of the University
32. Mode of proof of University record
33. Management of University on dissolution of sponsoring body
34. Special powers of the State Govt. in certain circumstances
35. Powers of State Government
36. Power to make rules
37. Regulations

38. Laying of Rules, Statutes and Ordinances

39. Power to remove difficulties

Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthapana Aur Viniyaman) Adhiniyam, 2002

2 of 2002

An Act to provide for establishment of self financed Private Universities for imparting Higher Education and to regulate their functions and for matters connected therewith or incidental thereto. Be it enacted by the Chhattisgarh legislature in the Fifty-second year of The Republic of India as Follows :

1. Short title, extent and commencement :-

(1) This Adhiniyam may be called the Chhattisgarh Niji Short title, extent and Kshetra Vishwavidyalaya commencement (Sthapana Aur Viniyaman) Adhiniyam, 2002 (No. 2 of 2002) (2) It extends to the whole of Chhattisgarh. (3) It shall come into force on such a date as the State Government may, by notification, appoint.

2. Definitions :-

In this Adhiniyam, unless the context otherwise requires -- Definitions. (a) " Ordinance" means an Ordinance of the University; (b) "Sponsoring Body" in relation to a University means -- (i)a Society registered under the Madhya Pradesh Societies Registrikaran Adhiniyam, 1973 (No. 44 of 1973) (ii)any Public Trust; or (iii)a Company registered under Section 25 of the Companies Act, 1956 (No.1 of 1956); (c) "Statute" means a Statute of the University; (d) "University" means a University established under sub-section (1) of Section 5.

3. Objects of the University :-

The objects of the University shall be – Objects of 1. to provide instructions, teaching and training in the University Higher Education and make provisions for research, advancement and dissemination of knowledge; 2. to create higher levels of intellectual abilities; 3. to establish state of the art facilities for education and training; 4. to carry out teaching and research and offer continuing education programmes; 5. to create centres of excellence for research and development and for sharing knowledge and its application; 6. to provide consultancy to the industry and public organizations; 7. to establish main campus in Chhattisgarh and to have study centres at different places in India and other

countries; 8. to establish examination centres; 9. to institute degrees, diplomas, certificates and other academic distinctions on the basis of examination, or any other method of evaluation; 10. to pursue any other objective as may be approved by the State Government; 11. to ensure that the standard of the degrees, diplomas, certificates and other academic distinctions are not lower than those laid down by AICTE / NCTE / UGC/ MCI and Pharmacy Council etc.

4. Proposal for establishment of the University :-

(1) An application containing the Project Report to establish Proposal for A University for carrying out any or all of the objects establishment of enumerated in section 3 of this Adhiniyam shall be made to the University. the State Government by the Sponsoring Body along with such fee as may be prescribed. (2) The Project Report shall contain the following particulars, namely – (a) the objects of the University along with the details of the Sponsoring Body; (b) the extent and the status of the University and the availability of land; (c) the nature and the type of programmes of study and research to be undertaken in the University during a period not less than the next five years; (d) the nature of faculties, courses of study and research proposed to be started; (e) the campus development such as building, equipment and structural amenities; (f) the phased outlays of capital expenditure for a period not less than the next five years; (g) the item-wise recurring expenditure, sources of finance and estimated expenditure for each student; (h) the scheme for mobilizing resources and the cost of capital thereto and the manner of repayments to the Sponsoring Body and other sources; (i) the scheme for the generation of funds internally through the recovery of fee from students, revenues anticipated from consultancy and other activities relating to the objects of the University, and other anticipated incomes; (j) the details of expenditure on unit cost and the extent of concessions or rebates in fee or freeship and scholarship for students belonging to t h e Scheduled Tribes and Scheduled Castes, belonging to economically weaker sections, in lieu of land grants if any, from the State Government, subject to the condition that the number of students getting concessions and freeships or scholarships shall not be less than twenty two and one half percent of the total number of seats. The proposed fee structure shall also indicate the rationale for the varying rates of fee that would be levied on non resident Indians and students of other nationalities; (k) the years of

experience and expertise in the concerned disciplines at the command of the Sponsoring Body as well as the financial resources. (l) the system to select students for admission to the courses of study at the University; (m) such other details as may be prescribed by rules framed under this Adhiniyam. (3) The State Government, on receipt of the Project Report shall make such enquiry as it may deem necessary within forty five days from the date of submission of the Project Report. (4) If the State Government is satisfied with the proposal to establish the University, it may, subject to such conditions as may be specified, accord the sanction for the same.

5. Establishment of the University :-

(1) The State Government may by notification in the Gazette Establishment establish a University by such name and with such jurisdiction and of the location of campus as may be specified therein having regard to – University. (a) the desirability to establish a University; (b) recognition or authorisation as may be required under any other law for the time being in force to conduct the syllabus and to grant degrees or diplomas or awards. (2) Every notification issued under sub-section (1) shall be laid on the table of the Legislative Assembly.

6. Incorporation of the University :-

(1) Every University established under sub-section (1) of section 5 shall be a body corporate by the name notified under the said section having perpetual succession and a common seal, and may Incorporation sue and be sued by the said name. of the University (2) The University established under sub-section (1) of section 5 may, with the prior approval of the State Government, affiliate any College or other institution or set up more than one campus.

7. General Fund :-

Every University, shall establish a fund which shall be called the General General Fund. Fund to which shall be credited the following, namely :- (a) fees and other charges received by the University; (b) any contributions made by the Sponsoring Body; (c) any income received from consultancy and other work undertaken by the University in pursuance of its objectives; (d) trusts, bequests, donations, endowment and any other grants; (e) all other sums received by the University

8. Application of General Fund :-

The General Fund shall be used for one or more of the following

Application of objects, and in the following order, namely :- General Fund. (a) the repayment of debts including interest charges thereto incurred by the University for the purposes of this Adhiniyam and the Statutes, and the Ordinances and Regulations made thereunder; (b) the upkeep of the assets of the University; (c) the payment of the cost of audit of the funds created under section 7 ; (d) the meeting 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, members of the teaching and research staff, and payment of any Provident Fund contributions, gratuity and other benefits to any such officers and employees, members of the teaching and research staff; (f) the payment of traveling and other allowances of the members of the Governing Body, the Board of Management, Academic Council, and other authorities so declared under the Statutes of the University and of the members of any Committee or Board appointed by any of the authorities of the University in pursuance of any provision of this Adhiniyam, or the Statutes, or the Ordinances or the Regulations made thereunder; (g) the payment of fellowships, free-ships, scholarships, assistantships and other awards to students belonging to economically weaker sections of the society or research associates or trainees as the case may be; or to any student otherwise eligible for such awards under the Statutes, Ordinances or Regulations of the University under the provisions of this Adhiniyam; (h) the payment of any expenses incurred by the University in carrying out the provisions of this Adhiniyam, and the Statutes, the Ordinances or the Regulations made thereunder; (i) the payment of cost of capital, not exceeding the prevailing bank rate of interest, incurred by the Sponsoring Body for setting up the University and the investments made therefor; (j) the payment of charges and expenditure relating to the consultancy work undertaken by the University in pursuance of the provisions of this Adhiniyam, and the Statutes, Ordinances and the Regulations made there under; (k) the payment of any other expenses including a management fee payable to any organization charged with the responsibility of managing the University on behalf of the sponsoring body, as approved by the Board of Management to be an expense for the purposes of the University. Provided that no expenditure shall be incurred by the University in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year as may be fixed by the Board of Management without the previous approval of the Board of

Management. Provided further that the General Fund shall be applied for the objects specified under clause (a) with the prior approval of the Governing Body of the University.

9. University to be self financed :-

The University shall not be entitled to receive any grant or other University to be financial assistance from the Central Government, any State Self financed. Government or any other authority, except for the purposes of; (i) meeting in full or in part any amount towards the fee otherwise payable by students belonging to the socially disadvantaged or economically weaker sections; (ii) conducting any study for research purposes, including for the purpose of instituting any faculty for furthering research.

10. Land to be made available by State Government :-

The State Government may make available land for setting up the Land to be made available University on such terms and conditions as may be State Government prescribed.

11. University open to all classes, castes and creeds :-

(i) The University shall be open to all persons of either sex and of University open to every caste, creed, religion, race, or class or place of domicile all classes, castes and it shall not be lawful for the University to adopt or and creed impose on any person, any test whatsoever of religious belief or any profession in order to entitle him to be appointed as a Teacher of the University or to hold any other office therein or to be admitted as a student in the University or to graduate there at or to enjoy or exercise any privilege thereof; (ii) Notwithstanding any thing contained in clause (i) the University shall make special provisions for the employment or profession of educational interests of women, persons with disability or of persons belonging to the weaker sections of the society and in particular of the Scheduled Castes and Scheduled Tribes and Other Backward Classes as may be directed by the State Government from time to time.

12. Officers of the University :-

The following shall be officers of the University, namely:- Officers of the 1.The Visitor; University. 2.The Chancellor, 3. The Vice-chancellor; 4. The Registrar; 5. The Chief Finance and Accounts Officer 6. Such other officers as may be declared by the Statutes to be the officers of the University.

13. Visitor :-

(1) The Governor of Chhattisgarh shall be the Visitor of the Visitor University. (2) The Visitor shall, when present, preside at the convocation of the University for conferring degrees and diplomas. (3) The Visitor shall have the following powers namely :- (a) To call for any paper or information relating to the affairs of the University. (b) On the basis of the information received by the Visitor, if he is satisfied that any order, proceeding, or decision taken by any authority of the University is not in conformity with the Adhiniyam, Regulations, Ordinances or Rules, he may issue such directions as he may deem fit in the interest of the University and the directions so issued shall be complied with by all the concerned.

14. Chancellor :-

(1) The Chancellor shall be appointed by the sponsoring body Chancellor for a period of three years, with prior approval of the Visitor by following such procedure and on such terms and conditions as may be prescribed by the Statutes. (2) The Chancellor shall be the head of the University. (3) The Chancellor shall preside at the meeting of the governing body and shall, when the Visitor is not present, preside at the convocation of the University for conferring degrees or diplomas. (4) The Chancellor shall have the following powers, namely:- (a) To call for any information or record; (b) To appoint the Vice-chancellor; (c) To remove the Vice – Chancellor; (d) Such other powers as may be prescribed by the statutes.

15. Vice-chancellor :-

(1) The Vice-chancellor shall be appointed by the Chancellor from Vice-chancellor a panel of three persons recommended by the Governing body and shall subject to provision contained in section 34(7) hold office for a term of four years. Provided that, after expiration of the term of 4 years the Vice – Chancellor shall be eligible for re-appointment for another term not exceeding four years. (2) The Vice-chancellor shall be the principal executive and academic officer of the University and shall exercise general superintendence and control over the affairs of the University and shall execute the decisions of various authorities of the University. (3) The Vice-chancellor shall preside at the convocation of the university in the absence of both, the Visitor and the Chancellor; (4) If in the opinion of the Vice-chancellor it is necessary to take immediate action on any matter for which powers are conferred on any other authority by or under this Adhiniyam, he may take such action as he deems necessary and shall at the earliest opportunity

thereafter report his action to such officer or authority as would have in the ordinary course dealt with the matter: Provided that if in the opinion of the concerned authority such action should not have been taken by the Vice-chancellor then such case shall be referred to the Chancellor whose decision thereon shall be final. Provided further that where any such action taken by the Vicechancellor affects any person in the service of the University such person shall be entitled to prefer, within three months from the date on which such action is communicated to him, an appeal to the Board of Management and the Board of Management may confirm or modify or reverse the action taken by the Vice-chancellor. (5) If in the opinion of the Vice-chancellor any decision of any authority of the University is outside the powers conferred by this Adhiniyam, Statutes or Ordinances or is likely to be prejudicial to the interest of the University, he shall request the concerned authority to revise its decision within seven days from the date of his decision and in case the authority refuses to revise such decision wholly or partly or fails to take any decision within seven days, then such matter shall be referred to the Chancellor and his decision thereon shall be final. (6) The Vice-chancellor shall exercise such powers and perform such duties as may be prescribed by Statutes or the Ordinances. (7) If any time upon representation made or otherwise and after making such enquiries as may be deemed necessary, The Chancellor by an order in writing stating the reasons therein, may ask the ViceChancellor to relinquish his office as from such date as may be specified in the order.

16. Registrar :-

(1) The appointment of the Registrar shall be made in such Registrar manner as may be prescribed by the First Statute. (2) All contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University. (3) The Registrar shall exercise such powers and perform such duties as may be prescribed by the Statutes.

17. Chief Finance and Accounts Officer :-

(1) The appointment of Chief Finance and Accounts Officer shall Chief Finance and be made in such a manner as may be prescribed by the Accounts Officer Statutes. (2) The Chief Finance and Accounts Officer shall exercise such powers and perform such duties as may be prescribed by the Statutes.

18. Other officers :-

The manner of appointment of other officers of the University Other Officers shall be prescribed by the Statutes.

19. Authorities of the University :-

(1) The following shall be the authorities of the University, namely:- Authorities of (1) the Governing Body; University (2) the Board of Management; (3) the Academic Council; and (3) such other authorities as may be declared by the Statutes to be the authorities of the University.

20. Governing Body :-

(1) The Governing Body of the University shall consist of the Governing Body following, namely:- (a) The Chancellor (b) Vice-chancellor (c) three persons nominated by the Sponsoring Body; (d) One representative of the State Government (e) an educationist of repute to be nominated by the State Government; (f) one academician to be nominated by the Visitor. (2) The Chancellor shall be the Chairman of the Governing Body. (3) The Governing body shall be the supreme authority of the University and shall have the following powers, namely:- (a) to review the decisions of other authorities of the University in case they are not in conformity with this Adhiniyam, Rules, Statutes or Ordinances; (b) to approve the budget and annual report of the University; (c) to lay down the extensive policies to be followed by the University; (d) to take decision about the voluntary liquidation of the University 12 (4) The governing Body shall meet at least twice in a calendar year.

21. Board of Management :-

(1) The Board of Management shall consist of the following Board of members, namely:- Management (a) Vice-chancellor; (b) One representative to be nominated by the State Government; (c) two representatives to be nominated by the Sponsoring body; (d) senior most Professor of the University. (2) The Vice-chancellor shall be the Chairman of the Board of Management. (3) The powers and functions of the Board of Management shall be such as may be prescribed by the Statutes.

22. Academic Council :-

(1) The Academic Council shall consist of the Vice-chancellor and Academic Council such number of other members as may be prescribed by the Statutes. (2) The Vice-chancellor shall be the Chairman of the Academic Council. (3) The Academic Council shall be the Principal Academic Body of the University and shall, subject to the provisions of this Adhiniyam, Rules, Statutes and

Ordinances, coordinate and exercise general supervision over the academic policies of the University.

23. Other Authorities :-

(1) The constitution, powers and functions of other authorities of Other Authorities the university shall be such as may be prescribed by the Statutes.

24. Powers of State Government to inspect University :-

(1) For the purpose of ascertaining the standards of teaching, Powers of State examination and research or any other matter relating the Government University State Government may after consultation with Vice- to inspect chancellor cause an assessment to be made in such a manner University. as may be prescribed by such person or persons as it may deem fit. (2) The State Government shall communicate to the University its recommendations in regard to the result of such assessment for corrective action. (3) If in the opinion of the State Government, the action taken or proposed to be taken under sub section (2) by the University is not to its satisfaction, the same may further be communicated to the Vice-13 chancellor who shall carry out the recommendation within a reasonable time failing which the State Government may take any action as it deems fit.

25. First statutes :-

(1) Subject to the provisions of this Adhiniyam and the rules, the First Statutes First Statutes of the University may provide for all or any of following matters, namely:- (a) the constitution, powers and functions of the authorities and other bodies of the University as may be constituted from time to time; (b) the terms and conditions of appointment of the Vice-chancellor and his powers and functions; (c) the terms and conditions of appointment of the Registrar and Chief Finance and Accounts Officer and their powers and functions; (d) the terms and conditions of appointment of other officers and members of the Faculty and their powers and functions; (e) the terms and conditions of service of employees of the University; (f) the procedure for arbitration in case of disputes between officers, members of the Faculty, employees and students; (g) the conferment of honorary degrees; (h) provision regarding exemption from tuition fee and awarding scholarships; (i) provision regarding the policy of admission including regulation of reservation of seats; (j) provision regarding fees to be charged from students; (k) provision regarding number of seats in different syllabus;

Provided that the University shall not make any statute relating to charging of donation or capitation fee from the students without the prior approval of the State Govt. (2) The first Statutes of the University shall be made by the Governing Body and shall be submitted to the State Government for approval. (3) The State Government shall consider the First Statutes submitted by the University within two months from the date of its receipt and shall give its approval with such modifications as it may deem necessary: (4) The University shall communicate its agreement to the First Statutes as approved by the State Government, and if it desires not to give effect to the modifications made by the State Government under subsection (3), it may give the reasons therefore and the State Government may or may not accept the suggestions made by the University. (5) The State Government shall publish the First Statutes as finally approved by it in the official gazette and thereafter such statutes shall come into force.

26. Subsequent Statutes :-

(1) Subject to the provisions of this Adhiniyam and the rules, the Subsequent Statutes of the University may provide for all or any of the Statutes following matters, namely:- (a) creation of new authorities of the university; (b) accounting policy and financial procedure; (c) election of teachers for giving representation in the authorities; (d) creation of new departments and abolition or restructure of existing departments; (e) institution of fellowships, scholarship, stipends, exemption of fees, medals and prizes; (f) creation of posts and procedure for abolition; (g) revision of fees; (h) alteration of the number of seats in different syllabus; (i) all other matters not prescribed by rules which are to be prescribed by the statutes. (2) The Statutes of the University other than the first Statutes shall be made by the Board of Management with the approval of the governing body. (3) The Statutes made under subsection (2) shall be sent to the State Government and the State Government may, if it considers necessary, give suggestions for modifications in it within two months from the date of receipt of the Statutes; (4) The Governing Body shall consider the modifications suggested by the State Government and return the Statutes to the State Government with its comments on the suggestions. (5) The State Government shall consider the suggestions made by the Governing body and the Statutes as finally approved by the State Government shall be published in the gazette and on such publication the Statutes shall come into force.

27. Ordinances :-

(1) Subject to the provisions of this Adhiniyam, Rules and Statutes, Ordinances the Ordinances may provide for all or any of the following matters, namely:- (a) the admission of students to the University and their enrolment as such; (b) the courses of study to be laid down for all degrees, diplomas and certificates of the University. 15 (c) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same; (d) the conditions for award of fellowships, scholarships, stipends, medals and prizes; (e) the conduct of examinations, including the terms of office and manner of appointment and the duties of examining bodies, examiners and moderators; (f) fees to be charged for the various courses examinations, degrees and diploma of the University; (g) the condition of residence of the students of the University; (h) provision regarding disciplinary action against the students; (i) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University; (j) the manner of cooperation and collaboration with other universities and institutions of higher education; (k) all other matters which by this Adhiniyam, Rules or Statutes are required to be provided by the Ordinances. (2) The First Ordinances of the University shall be made by the Vicechancellor which shall be submitted to the State Government for approval. (3) The State Government shall consider the First Ordinances submitted by the Vice-chancellor under subsection (2) within two months from the date of its receipt and shall either approve it or give suggestions for modifications. (4) The Vice-chancellor shall give his comments on the suggestions made by the State Government and shall return the First Ordinances to the State Government and on receipt of the same the State Government shall either approve the comments of the Vice-chancellor or disapprove the same and on the basis of its final decision the Ordinances as approved shall be notified in the Gazette and on such publication the ordinances shall come into force.

28. Subsequent Ordinances :-

(1) All ordinances other than the First Ordinances shall be made by Subsequent the Academic Council with the approval of the Ordinances Board of Management. (2) The State Government shall publish all Ordinances made under subsection (1) in the Gazette and on such publication the Ordinances shall come into force.

29. Annual Report :-

(1) The Annual report of the University shall be prepared by the Annual Report Board of Management which shall include among other matters, the steps taken by the University towards the fulfillment of its objects and shall be approved by the Governing Body and a copy of the same shall be sent to the Visitor. (2) A copy of the annual report prepared under sub-section (1) shall be presented to the State Government.

30. Annual Accounts :-

(1) The Annual accounts and balance sheet of the University shall be Annual Accounts prepared under the directions of the Board of Management and the annual accounts shall be audited at least once every year by the Auditors appointed by the University for this purpose. (2) A copy of the annual accounts together with the audit report shall be submitted to the Governing Body. (3) A copy of the annual accounts, audit report along with the observations of the Governing Body shall be submitted to the Visitor and the State Government. (4) The direction of the State Government on the subject arising out of the accounts and audit report of the University shall be binding on the University.

31. Vacancies not to invalidate the proceedings of any authority of the University :-

No act or proceedings of any authority of the University shall be invalid Vacancies not to invalidate merely by reason of any vacancy in or defect in the proceedings of any authority constitution thereof. Of University

32. Mode of proof of University record :-

A copy of any receipt, application, notice, order, proceeding, Mode of proof of resolution of any authority or Committee of the University University record or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order proceeding, resolution or documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 or in any other law for the time being in force.

33. Management of University on dissolution of sponsoring

body :-

(1) If the sponsoring body proposes to dissolve itself according to the Management of provisions of law governing its constitution or incorporation University on it shall give at least six months prior notice to the State dissolution of Government. sponsoring body (2) The State Government shall, on receipt of such notice make such arrangements as may be prescribed, for the administration of the University from the date of dissolution of the sponsoring body till the completion of syllabus by the last batch of students admitted to the University or may also cause the functioning of the University to continue by appointing an administrator in place of the sponsoring body, who shall be entrusted with the powers, duties and functions of the Sponsoring Body as prescribed under this Adhiniyam. (3) On appointment of an Administrator under sub sub section (2) the Chancellor may after affording the opportunity of being heard remove the Vice Chancellor and may appoint such person as ViceChancellor as he deems fit .

34. Special powers of the State Govt. in certain circumstances :-

(1) If it appears to the State Government that any of the directions Special Powers of issued by it to the University under this Adhiniyam has the State Govt. been violated or a situation of financial mismanagement in certain and maladministration has arisen in the University, it shall circumstances issue notice requiring the University to show cause within forty five days as to; (a) Why an order of its liquidation should not be made; (b) Why the board of management should not be suspended and an administrator be appointed under subsection (7). (2) If the State Government considers it necessary to suspend the Board of Management for the proper investigation, it shall, by notification published in the Gazette, order suspension of the Board of Management and shall make such arrangements in consultation with the sponsoring body for the administration of the business of the University till the completion of investigation as it may consider necessary. (3) If the State Government, on receipt of reply of University in respect of notice issued under sub-section (1), is satisfied that there is a prima facie case of financial mismanagement , maladministration or violation of any of the provisions of this Adhiniyam or directions 18 issued thereunder it shall make an order of such enquiry as it may consider necessary. (4) The State Government shall, for the purposes of any enquiry under sub-section (3), appoint an officer or

authority to enquire into any of the allegations and to make report thereon. (5) The enquiring authority appointed under sub-section (4) shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (No.40 of 1908) while trying a suit in respect of the following matters, namely :- (a) summoning and enforcing the attendance of any person and examining him on oath; (b) requiring the discovery and production of any such document or any other material as may be predicable in evidence; (c) requisitioning any public record from any court or office; (d) any other matter which may be prescribed; (6) Every enquiring authority enquiring under this Adhiniyam shall be deemed to be a civil court for the purposes of section 195 and Chapter 26 of the Code of Criminal Procedure, 1973 (No.2 of 1974); (7) If the State Government on receipt of the enquiry report is satisfied that owing to financial mismanagement and maladministration a situation has arisen where by the financial stability or administration of the University has become insecure, it shall, by notification in the official Gazette, order liquidation of the University or may cause the functioning of the University to continue by appointing an Administrator who shall have the powers vested in the Governing Body; (8) While issuing notification in respect of liquidation under sub-section (7), the State Government, shall, till the end of its current course, make arrangement for the administration of business of the University. (9) The State Government during the period of management of University under sub-section (8) shall use the funds available with the University and the surplus, if any, shall be forfeited for itself. (10) Every notification issued under sub-section (7) shall be laid on the table of the Legislative Assembly.

35. Powers of State Government :-

The State Government shall have the following powers, namely:- Power of State (a) to issue directions to do anything as is required to Government be done or rectify any violation by the University under this Adhiniyam, Rules, Statutes or any other provisions of Ordinances made thereunder; (b) to adjudicate disputes between the University or any other Specialist body under this Adhiniyam and issue directions to comply with the decisions in respect of such disputes; (c) to pass order of dissolution of board of management or appoint administrator under section 34; (d) to pass order under section 35; (e) to make order to frame Statutes in respect of specific matters under this Adhiniyam.

36. Power to make rules :-

(1). The State Government may, by notification in the Gazette, make rules Power to make for carrying out the purposes of this Adhiniyam. Rules (2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :- (a) the manner of making proposal to establish University and the fees payable under sub-section (1) of section 4; (b) other particulars to be contained in the Project Report under sub-section (2) of section 4; (c) other matters to be provided for in the Statutes under sub section (1) of section 25; (d) arrangements to be made for the administration of the University on the dissolution of the Sponsoring Body under sub-section (2) of section 33; (e) matters to be prescribed under clause (d) of sub-section (5) of section 34.

37. Regulations :-

(1) The Authorities of the University constituted by or under this Regulations. Adhiniyam may make regulations subject to the provisions of this Adhiniyam, the statutes and the ordinances of the University. (2) The Board of management may modify or annul any regulations made under this section by any authority : Provided that any authority which is not satisfied with any modification or annulment may appeal to the Governing Body whose decision in this matter shall be final.

38. Laying of Rules, Statutes and Ordinances :-

Every Rule, Statute, or Ordinances made under this Adhiniyam shall Laying of Rules, Statutes be laid, as soon as may be after it is made, on the And Ordinances table of the Legislative Assembly.

39. Power to remove difficulties :-

(1) If any difficulty arises in giving effect to the provisions of this Power to remove Adhiniyam, the State Government may, by order difficulties published in the Gazette, make provision, not inconsistent with the provisions of this Adhiniyam as appear to it to be necessary or expedient for removing the difficulty: (2) Every order made under this section shall as soon as may be after it is made be laid on the table of the Legislative Assembly.