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**Chhattisgarh Swami Vivekanand Technical University Act,  
2004**

**25 of 2004**

**[24 January 2005]**

CONTENTS

**CHAPTER 1 :- PRELIMINARY**

1. Short Title, Extent And Commencement
2. Definitions

**CHAPTER 2 :- THE UNIVERSITY**

3. Incorporation Of University
4. Objects
5. Powers Of University
6. Jurisdiction
7. Prohibition Of Discrimination In All Matters Connected With University
8. Teaching In University
9. Inspection Of University

**CHAPTER 3 :- OFFICERS OF THE UNIVERSITY**

10. Officers Of The University
11. The Kuladhipati And His Powers
12. Appointment Of Kulpati
13. Emoluments And Conditions Of Service Of Kulpati, Terms Of Office And Vacancy In The Office Of Kulpati
14. Powers And Duties Of Kulpati
15. Powers And Duties Of Kulpati For The Establishment Of The University
16. The Kuladhisachiv
17. Recruitment Through State University Service
18. Registrar
19. Dean Of Innovation Creativity And Entrepreneurship And Student Welfare
20. Other Employees

**CHAPTER 4 :- AUTHORITIES OF THE UNIVERSITY**

21. Authorities Of The University
22. Executive Council

23. Powers, Duties Of Executive Council
24. Finance Committee
25. Academic Council
26. Powers And Duties Of Academic Council
27. Faculties
28. Board Of Studies
29. Powers And Functions Of Board Of Studies
30. Academic, Planning And Evaluation Board
31. Board To Be Constituted

#### **CHAPTER 5 :- FINANCES, ACCOUNTS AND AUDIT**

32. University Fund
33. Object To Which University Fund May Be Applied
34. Annual Reports
35. Audit Of Account

#### **CHAPTER 6 :- STATUTE, ORDINANCE AND REGULATION**

36. Statute
37. Statute How Made
38. Ordinance
39. Ordinance How Made
40. Procedure Regarding Ordinance
41. Regulation

#### **CHAPTER 7 :- ADMISSION AND REGISTRATION**

42. Admission To University Courses
43. Registered Graduates Or Diploma Holders

#### **CHAPTER 8 :- INSPECTION AND QUALITY CONTROL**

44. Inspection Of College And Polytechnic
45. Appointment Of Examiners And Moderators

#### **CHAPTER 9 :- APPOINTMENT TO TEACHING POSTS AND SERVICE CONDITIONS**

46. Appointment Of Teaching Posts
47. Salaries To The Teachers Payable By University
48. Filling Of Casual Vacancies
49. Service Conditions
50. Pension And Provident Fund
51. Approval For Imparting Instruction
52. Classification Of Teachers

#### **CHAPTER 10 :- EMERGENCY PROVISIONS**

53. State Government To Assume Financial Control In Certain Circumstances
54. Powers Of State Government To Apply Act In Modified Form With A View To Provide For Better Administration Of University In

Certain Circumstances

55. Effect On Expiration Of The Period Of Notification Under Section 54

**CHAPTER 11 :- SUPPLEMENTARY PROVISIONS**

56. Disputes As To Constitution Of University Authorities And Bodies

57. Constitution Of Committee

58. Proceedings Of University And Bodies Not Invalidated By Vacancies

59. Protection Of Action Taken In Good Faith

60. Terms Of Office Of Members Of Authority Of University

61. Resignation Of Member Or Officer Of University

62. Disqualification For Being Member Of Authority

63. Power To Remove From Register Of Graduates Or Diploma Holders Or Any Authority Or Body Of University

64. Removal Of Difficulties

**Chhattisgarh Swami Vivekanand Technical University Act,  
2004**

**25 of 2004**

**[24 January 2005]**

An Act to establish and incorporate a University of Technology for the purpose of ensuring systematic, efficient and qualitative education in engineering and technological subjects including Architecture and Pharmacy at Research, Post Graduate Degree and Diploma level and to provide for matters connected therewith or incidental thereto. Be it enacted by the Chhattisgarh Legislature in the Fifty-fifth Year of the Republic of India as follows:-- \* Published in C.G. Rajpatra (Asadharan) dated 24-1-2005 Pages 38(41-78).

**CHAPTER 1 PRELIMINARY**

**1. Short Title, Extent And Commencement :-**

(1) This Act may be called The Chhattisgarh Swami Vivekanand Technical University Adhiniyam, 2004.

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

(3) It shall come into force on its date of publication in official gazette.

**2. Definitions :-**

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

- (one) "Academic Council" means the Academic Council of the University;
- (two) "Affiliated College or Polytechnic" means an institution admitted to the privileges of the University in accordance with the provisions of this Act and the Statute;
- (three) "All India Council for Technical Education" means the All India Council for Technical Education established under the All India Council for Technical Education Act, 1987 (No. 52 of 1987);
- (four) "Autonomous College or Polytechnic" means an institution declared as autonomous institution by the Executive Council in accordance with the provisions of this Act;
- (five) "Board of Studies" means the Board of Studies of the University;
- (six) "Centre" means a part of the University nurturing specific activities pertaining to emerging technologies;
- (seven) "College or Polytechnic" means an institution maintained by, or admitted to the privileges of the University by or under the provisions of this Act;
- (eight) "Department" means a Department of studies and includes a School of Studies;
- (nine) "Employees" means any person appointed by the University and includes teachers and other staff of the University;
- (ten) "Executive Council" means the Executive Council of the University;
- (eleven) "Faculty" means Faculty of the University;
- (twelve) "Head of College or Polytechnic Department" means the head of the department of a College or Polytechnic;
- (thirteen) "Head of the University Department" means the head of the teaching department by the University for imparting instructions 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;
- (fourteen) "Kuladhipati" means the Kuladhipati of the University;
- (fifteen) "Kulpati" means the Kulpati of the University;
- (sixteen) "Management" means the management of the college;
- (seventeen) "Other Backward Classes" means the Other Backward Classes as specified by the State Government from time to time by Notification;
- (eighteen) "Persons connected with the University" means an employee of the University or a College or a Polytechnic or a member of any authority or body of the University or of the

Management of the College or Polytechnic;

(nineteen) "Principal" means the head of the college or Polytechnic and includes, when there is no Principal, the person for the time being duly appointed to act as Principal;

(twenty) "Registered graduate or diploma holder" means a graduate or diploma holder registered or deemed to be registered under the provisions of this Act;

(twenty one) "Scheduled Castes" means the Scheduled Castes as specified in relation to this State under Article 341 of the Constitution of India;

(twenty two) "Scheduled Tribes" means the Scheduled Tribes as specified in relation to this State under Article 342 of the Constitution of India;

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

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

(twenty five) "Teachers of the University" means Professor, Reader, Lecturer and such other persons as may be appointed for imparting instructions or conducting research, with the approval of the Academic Council in the University or any College, Polytechnic or any institution maintained or recognised by the University;

(twenty six) "Technical Education" means Engineering, Technology, Management, Pharmacy, Architecture and other subjects as declared by All India Council of Technical Education from time to time;

(twenty seven) "University" means the Chhattisgarh Swami Vivekanand Technical University;

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

(twenty nine) "Vidhan Sabha" means Chhattisgarh Vidhan Sabha.

## **CHAPTER 2 THE UNIVERSITY**

### **3. Incorporation Of University :-**

(1) The Kuladhipati and the first Kulpati of the University and the first members of the Executive Council and of the Academic council thereof shall constitute the University and the University so constituted shall be a body corporate by the name of the "Chhattisgarh Swami Vivekanand Technical University".

(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 and immovable, to lease, sell or otherwise transfer any movable or immovable property, 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) The headquarters of the University shall be at Bhilai.

#### **4. Objects :-**

The University shall inter alia have the following main objectives:--

(a) to provide a system of Technical & Management Education capable of responding to the changing requirements of technical manpower;

(b) to bring about qualitative improvement in teaching and learning process;

(c) to provide congenial environment for continuing education Consultancy, and Research and Development activities;

(d) to provide for mutual benefits and develop strong links with industry and to provide consultancy and testing services for increase of internal resources of new industries and business organisations and motivate organisations for protection of intellectual property right;

(e) to provide consultancy and testing services to increase the internal resources in industries and business institutions and motivate to protect intellectual property right;

(f) to provide necessary help to the institutions to encourage entrepreneurship amongst students;

(g) to maintain live contact with alumini and develop alumini sponsored programmes;

(h) to seek cooperation from national institutes for innovation in technology;

(i) for developing excellent educational atmosphere and students to keep live contact with institutes of international standard.

#### **5. Powers Of University :-**

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

(1) to provide for instruction in such branches of learning as the University may, from time to time, determine and to make

provision for research and for the advancement and dissemination of knowledge;

( 2 ) to organise laboratories, libraries, museums and other equipment for teaching and research;

(3) to establish, maintain and manage colleges, polytechnics teaching departments, schools of studies, centres of studies, hostels and guest houses;

(4) (a) to create post of Professor, Reader, Lecturer and any other academic or teaching posts required by the University and to appoint persons to such posts in accordance with the provisions of this Act;

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

(5) to recognise eminent persons in any subject to guide research in that subject;

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

(7) to institute degree, diploma, certificate and other academic distinctions;

(8) to grant, subject to such conditions as the University may determine, diplomas or certificates and confer degrees and other academic distinction 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 is prescribed has completed such work in the college or polytechnic of the University and produces a certificate of such completion from the Head of the teaching Department or School of Studies or the Principal of the College or Polytechnic;

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

( 10 ) to withdraw degrees, diplomas, certificates and other academic distinctions for good and sufficient reasons;

(11) to confer honorary degrees or other academic distinctions on approved persons in the manner prescribed in the Statute;

(12) to provide such lecture and instruction, and to grant such diploma and certificate to persons who are not enrolled as students of the University as the University may determine;

(13) to admit to its privileges colleges or polytechnics not maintained by the University, to withdraw all or any of these

privileges and to take over the management of Colleges or Polytechnics in the manner and under conditions prescribed by the Statute of the Ordinance;

(14) to declare teaching departments of the University, Schools of Studies, or Colleges or Polytechnics as autonomous;

Provided that the extent of the autonomy which teaching department of the University, Schools of studies or Colleges or Polytechnics may have and the matters, in relation to which it may exercise such autonomy, shall be such as may be prescribed by the Statute;

(15) to conduct, co-ordinate, regulate and control teaching and research work in the Colleges or Polytechnics recognised by the University;

(16) to recognise hostels not maintained by the University and withdraw any such recognition in the manner prescribed in the Statute and the Ordinance;

(17) to inspect Colleges or Polytechnics or institutions and to take measures to ensure that proper standards of instructions, teaching and training are maintained;

(18) to promote with special care the educational interests of the weaker sections of the people and, in particular of the Scheduled Castes, the Scheduled Tribes, and the Other Backward Classes;

(19) to provide facilities of refresher and vocational courses to the teachers and alumni of the University;

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

(21) to make provision for:--

- (a) Extra-mural teaching and extension services;
- (b) Correspondence courses;
- (c) Sports and athletic activities;
- (d) Social Service scheme;
- (e) National Cadet Corps;

(22) to provide coaching for competitive examinations for service under the Union or the State Government and such other training as may contribute to national development;

(23) to institute and manage--

- (a) Information Bureau;
- (b) Employment Bureau and;
- (c) Printing and Publication Department;

(24) to supervise and control the residence, conduct and discipline of students of the University and to make arrangements for

- promoting their health and general welfare;
- (25) to demand and receive payment of such fees and other charges which may be prescribed by the Ordinance;
- (26) to prescribe and control the fees and other charges which may be received or recovered by colleges;
- (27) to create administrative, ministerial and other necessary posts and to make appointments thereto;
- (28) to exercise control over the salaried officers teachers and other employees of the University in accordance with the Statute and the Ordinance;
- (29) to hold and manage trusts and endowments and to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other awards;
- (30) to receive donations and grants and to invest funds in accordance with the provisions of this Act;
- (31) with the prior approval of the State Government to borrow on the security of University property on money for the purposes of the University;
- (32) to determine standards for admission to the University which may include examination, evaluation or any other method of testing;
- (33) to make special arrangements in respect of women students as the University may consider desirable;
- (34) to make arrangements for promoting the health and general welfare of the employees;
- (35) to do all such acts and things, whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University;

## **6. Jurisdiction :-**

(1) The Jurisdiction of the University shall extend to the whole of the State of Chhattisgarh. In future the jurisdiction may extend beyond the State of Chhattisgarh, provided that the prior permission is accorded by the concerned Governments.

(2) Notwithstanding anything contained in any other law for the time being in force, any College or Polytechnic or institution imparting Technical Education and situated within the limits of the area specified under sub-section (1) shall, with effect from such date as may be notified in this behalf by the State Government, be deemed to be associated with and admitted to the privileges of the University and shall cease to be associated with other University or

Board in the manner prescribed by Statute or Regulation.

(3) The research and development work being carried out in Colleges or Polytechnics or Institutions which have been admitted to the privileges of the University shall be co-ordinated and integrated into the activities of the University with effect from such date or dates as may be fixed by the mutual consent of the University and concerned colleges or polytechnics or institutions.

## **7. Prohibition Of Discrimination In All Matters Connected With University :-**

It shall not be lawful for the University to impose any condition relating to religion, caste, sex, place of birth or any other opinion in order to entitle any person--

(i) to hold any office in the University; or

(ii) to be a member of any authority of the University; or

(iii) to be appointed or admitted as a teacher; or

(iv) to be admitted to any degree, diploma or other academic distinction or course of study or to qualify for any degree, diploma or other academic distinction; or

(v) to enjoy or exercise any privilege of the University or benefit thereto; or

(vi) to donate funds for creation of endowment:

Provided that the University may subject to the previous sanction of the State Government, maintain any college or polytechnic or Institution or residence exclusively for women either for education, instruction or reserve for women or members of Scheduled Castes or Scheduled Tribes, or Other Backward Classes, seats for the purposes of admission as students in any College or Polytechnic or Institution maintained or controlled by the University.

## **8. Teaching In University :-**

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

## **9. Inspection Of University :-**

(1) The Kuladhipati may, on his own motion, and shall on a request made by the State Government, cause an inspection of the University, its building, laboratories, museums, workshops and

equipment and of any College or Polytechnic 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 respect of any matter connected with the administration or finances of the University, Colleges or Polytechnics or Institutions to be made by such person or persons as he may direct.

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

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

(ii) to the management of the College or Polytechnic or Institution if the inspection or inquiry is to be made in respect of College or Polytechnic 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 and shall have the 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 under this sub-section 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 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 such time to the satisfaction of the Kuladhipati, the Kuladhipati may, after considering any explanation furnished or representation made by the Executive Council or the management and 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 it.

## **CHAPTER 3 OFFICERS OF THE UNIVERSITY**

### **10. Officers Of The University :-**

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

- (i) The Kuladhipati;
- (ii) Kulpati;
- (iii) Kuladhisachiv;
- (iv) Deans of the Faculties;
- (v) Registrar;
- (vi) Dean of Innovation, Creativity and Entrepreneurship and student welfare;
- (vii) Such other officers in the service of the University as may be declared by the Statute to be officers of the University.

### **11. The Kuladhipati And His Powers :-**

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

(2) The Kuladhipati shall by virtue of his office, be the Head of the University and shall, when present preside the meetings or 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 55, 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 Regulations; or

(b) any proceedings of any authority, committee or other body which has been referred to him by Kulpati under Sub-section (7) of Section 14, if he is satisfied that such proceedings are prejudicial to the interest 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 shall consider the same.

( 5 ) Where the Kuladhipati passes an order annulling the

proceedings under Sub-section (4), he may make such order in relation thereto in conformity with this Act, Rule, 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.

## **12. 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 three distinguished persons in the field of technical education recommended by the search committee constituted under sub-section (2) or sub-section (6):

Provided further that if the person or persons approved by the Kuladhipati out of those recommended by the Committee are not willing to accept the appointment, the Kuladhipati may call for fresh recommendations from 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 the Chairman of the All India Council of Technical Education;

(iii) one person nominated by Kuladhipati;

Kuladhipati shall appoint one of these three person as chairman of the committee.

(3) For constituting the committee under subsection (2), the Kuladhipati shall, six months before the expiry of the term of Kulpati, call upon the Executive Council and the Chairman of the All India Council of Technical Education 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 any one or both 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 its 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 whom he deems fit to be Kulpati after consultation with the State Government.

### **13. Emoluments And Conditions Of Service Of Kulpati, Terms Of Office And Vacancy In The Office Of Kulpati :-**

(1) Kulpati shall be a whole-time salaried officer of the University and his emoluments and other and conditions of service or attains the age of, 70 years which ever is earlier shall be prescribed by the Statute.

(2) Kulpati shall hold office for a term of 4 years 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,--

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

(b) has acted in a manner prejudicial to the interest of the University; or

(c) 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.

(6) In the event of the occurrence of any vacancy including a temporary vacancy in the office of Kulpati by reason of his death, resignation, leave, illness or otherwise Kuladhisachiv and if no Kuladhisachiv has been appointed or Kuladhisachiv is not available, the Dean of any faculty nominated by the Kuladhipati for the purpose shall act as Kulpati until the date on which Kulpati appointed under sub-section (1) or sub-section (7) of Section 12 enters, as the case may be, upon office:

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

#### **14. Powers And Duties Of Kulpati :-**

(1) Kulpati shall be the Chief Executive and Academic Officer of the University. He shall be an ex-officio member and Chairman of the Executive Council and of the Academic Council and Chairman of such other 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, the Statute, the Ordinance and the Regulation are faithfully observed and he shall have all powers necessary for this purpose.

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

(4) If in the opinion of Kulpati any emergency has arisen which requires 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 this power shall not extend to matters regarding amendment in Ordinance, Statute, Regulation or any matter relating to appointments.

(5) On receipt of report under sub-section (4) if the authority, committee or body concerned does not approve 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 on an appeal under the second proviso of sub-section (4).

(7) If in the opinion of Kulpati, any proceeding of any authority, committee or other body of the University is likely to be prejudicial to the interest of the University, he shall record his reason and refer the matter to the Kuladhipati and also inform the authority, committee or other body concerned shall not be given effect to till the matter is decided by the Kuladhipati under sub-section (4) of Section 11.

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

(9) Kulpati shall exercise such other powers as may be prescribed by the Statute, Ordinance and Regulation.

### **15. Powers And Duties Of Kulpati For The Establishment Of The University :-**

To carryout the business of newly established university the State Government may appoint Kulpati, a person from the field of Technical Education 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 a period of six months from the date of establishment of the University and till the said authorities are constituted, Kulpati shall be deemed to be the Executive Council Academic Council or such other Authority, as the case may be and shall exercise the powers and perform the duties conferred or imposed on such authorities by or under this Act:

Provided that the Kuladhipati may, if he considers it necessary or

expedient so to do, appoint a committee, after consultation with the State Government, consisting of an educationist and an administrative expert and representative from industries to aid and advise Kulpati in the exercise of his powers and performance of functions in lieu of each such authority.

#### **16. The Kuladhisachiv :-**

(1) A Kuladhisachiv shall be appointed by the Executive Council on the recommendation of Kulpati, if the Executive Council does not accept the recommendation of Kulpati the matter shall be referred to Kuladhipati whose decision thereon shall be final. First Kuladhisachiv shall be appointed by Kulpati after consultation with the State Government.

(2) The Kuladhisachiv shall be a salaried officer of the University.

(3) Subject to the provisions of this Act, term of office, conditions of service and emoluments of Kuladhisachiv shall be such as may be prescribed by Statute and till so prescribed, as may be determined by the Kuladhipati.

(4) Kuladhisachiv shall perform such duties and exercise such powers of Kulpati as may be assigned to him by the Kuladhipati in consultation with Kulpati and he shall perform such other duties and exercise such other powers as may be prescribed by Regulation.

#### **17. Recruitment Through State University Service :-**

The post of Registrar and such other cadres of other officers shall be filled from the officers of the State University Service Constituted under the Chhattisgarh University Adhiniyam, 1973 (No. 22 of 1973). In case of non-availability of such officers the posts shall be filled in by the Kuladhipati by securing the services of suitable officers on deputation.

#### **18. Registrar :-**

(1) Registrar shall be the whole-time salaried officer of the University and shall discharge his duties under the Act, subject to the general superintendence and control of Kulpati, he shall act as the secretary of the Executive Council, Academic Council and Academic Planning and Evaluation Board.

(2) Registrar shall be appointed in accordance with the provisions of Section 17:

Provided that the first Registrar of the University shall be appointed by the Kuladhipati after consultation with the State Government and shall hold office for period not exceeding two years and on such terms and conditions as the Kuladhipati may determine.

(3) Subject to the powers of the Executive Council Registrar shall, unless otherwise provided in the Statute, be responsible for seeing 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 and Regulation.

### **19. Dean Of Innovation Creativity And Entrepreneurship And Student Welfare :-**

(1) The Dean of Innovation, Creativity and Entrepreneurship and student welfare shall be appointed by the Executive Council on the recommendation of Kulpati.

(2) Dean appointed under sub-section (1) shall be a whole-time salaried officer:

Provided that the Executive Council may, if it is considered necessary, appoint, on the recommendation of Kulpati, as teacher, not below the rank of a Reader for a period not exceeding two years to discharge the duties of the Dean, in addition to his duties as such teacher, and, in such case, the Executive Council may sanction a suitable allowance to be paid to him.

(3) The terms and conditions of service and duties and powers of the Dean shall be prescribed by the Statute.

### **20. Other Employees :-**

The Appointment of other employees of the University not covered by Section 17 shall be made in such manner and the conditions of their service shall be such as may be prescribed by the Statute, Ordinance and Regulation.

## **CHAPTER 4 AUTHORITIES OF THE UNIVERSITY**

### **21. Authorities Of The University :-**

The Following shall be the authorities of the University, namely:--

- (one) Executive Council;
- (two) Finance Committee;
- (three) Academic Council;
- (four) Faculties;
- (five) Board of Studies;
- (six) Academic Planning and Evaluation Board;
- (seven) such other authorities as may be declared by the Statute to be the authorities of the University.

## **22. Executive Council :-**

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

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|       |   |          |
|-------|---|----------|
| One   | Kulpati   | Chairman |
| Two   | Secretary in charge-Technical Education Government of Chhattisgarh;   | Member   |
| Three | Secretary incharge of Finance Department Government of Chhattisgarh;  | Member   |
| Four  | Secretary incharge of Industry Department Government of Chhattisgarh;   | Member   |
| Five  | Kulpati-Rajiv Gandhi Praudyogiki Vishwavidyalaya Bhopal;  | Member   |
| Six   | Director of Indian Institute of Technology nominated by Kuladhipati;  | Member   |
| Seven | Chairman Confederation of Indian Industries East zone;  | Member   |
| Eight | Two principals of affiliated colleges or polytechnics or institutions to be nominated by the Kuladhipati by rotation, according to seniority; | Member   |
| Nine  | All Deans of Faculties;   | Member   |
| Ten   | Two Professors from the University teaching Departments/affiliated Colleges or Institutions to be   | Member   |

|           |   |                  |
|-----------|---|------------------|
|           | nominated by the Kuladhipati, by rotation, according to seniority;  |                  |
| Eleven    | Two Heads of Departments from affiliated Polytechnics to be nominated by the Kuladhipati, by rotation according to seniority; | Member           |
| Twelve    | Director Technical Education, Chhattisgarh;   | Member           |
| Thirteen  | Chairman All India Council for Technical Education Central Region Committee, Bhopal;  | Member           |
| Fourteen  | Two known industrialists with technical and managerial experience to be nominated by the Kuladhipati;                         | Member           |
| Fifteen   | Three members of Vidhan Sabha to be nominated by the speaker of Vidhan Sabha;   | Member           |
| Sixteen   | An educationist in the field of technical education to be nominated by the Kuladhipati;                                       | Member           |
| Seventeen | Registrar.  | Member-Secretary |

(2) The members of the Executive Council other than Ex-officio members shall hold office for a period of three years.

(3) One third of the members of the Executive Council shall form the quorum: Provided that no quorum shall be necessary for adjourned meeting which is summoned after one hour.

### **23. Powers, Duties Of Executive Council :-**

(1) Subject to the provisions of this Act, and the Statute, Ordinance and Regulation made thereunder, the Executive Council shall be the supreme authority and shall have the following powers and perform the following duties namely:--

(one) One to hold, control and administer the property and funds of the University;

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

(three) Three to adopt the annual accounts together with the audit report;

(four) Four to prepare the annual financial estimates and pass it;

(five) Five to fix limit for the total recurring expenditure and total non-recurring expenditure for the year based on the resources of the University which in the case of productive works, may include

the proceeds of Loans;

(six) Six Subject to clause (five) at any time during the financial year;

(a) to reduce the amount of the budget grant;

(b) to 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; or

(c) to sanction the transfer of any amount exceeding rupees fifty thousand within a minor head from one subordinate head to another or from one primary unit to another primary unit,

(seven) Seven to 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) Eight to 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) Nine to enter into, vary, carry out and cancel contracts on behalf of the University in the exercise of powers and performance of the duties assigned to it by this Act, and the Statute;

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

(eleven) Eleven to lay before the State Government annually a full statement of the financial requirements of University and Colleges, Polytechnics and Hostels;

(twelve) Twelve to admit Colleges or Polytechnics to the privileges of the University on the recommendation of the Academic Council and subject to the provisions of this Act and Statute and to withdraw any of the privileges and to take over the management of the College or Polytechnic in the manner and under conditions prescribed by the Statute and Ordinance;

(thirteen) Thirteen to declare Teaching Departments of the University, schools of Studies or Colleges or Polytechnics as autonomous College or polytechnic:

Provided that the extent of autonomy which each such Teaching Department of the University, school of Studies or Colleges or Polytechnics may have and the matters in relation to which it may exercise such autonomy, shall be such as may be prescribed by the Statute.

- (fourteen) Fourteen to make provision for building, premises, furniture, apparatus, books and other means needed for carrying on the works of the University;
- (fifteen) Fifteen to accept on behalf of the University, trusts, bequests, donations and transfers of any movable or immovable property to the University;
- (sixteen) sixteen to manage and regulate the finances, accounts and investments of the University;
- (seventeen) Seventeen To institute and manage;
- (a) a Printing and Publication Bureau;
  - (b) an Information and Employment Bureau;
  - (c) an Allumini Bureau;
  - (d) an Entrepreneurship Bureau;
- (eighteen) Eighteen to make provision for;
- (i) External teaching and research;
  - (ii) University Extension Activities;
  - (iii) Correspondence Courses;
  - (iv) Students Welfare;
  - (v) Sports and athletic Activities;
  - (vi) Social Service Scheme; and
  - (vii) National Cadet Corps;
- (nineteen) Nineteen to scrutinise all proposals of the Academic Council with a view to their execution within the framework of the budget;
- (twenty) Twenty to create posts of Professor, Reader, Lecturer or other teaching posts as may be proposed by the Academic Planning and Evaluation Board;
- Provided that no teaching post shall be created without the prior approval of the State Government;
- (twenty one) to create administrative, ministerial and other posts with the prior sanction of the State Government;
- (twenty two) to abolish or suspend, any post of Professor, Reader, Lecturer or other Teaching posts in the University on the recommendations of the Academic Planning and Evaluation board;
- (twenty three) to establish, maintain and manage Colleges, Polytechnics, teaching Departments, institutions of research of specialised studies, laboratories, libraries, museums and hostels;
- (twenty four) to recognise hostels and to provide housing accommodation for teachers of the University;
- (twenty five) to arrange for and direct the inspection of affiliated college, recognised institutions, Polytechnics and hostels and to issue instructions for maintaining their efficiency and for ensuring

proper conditions of employment for members of their staff, and payment of salaries and in case of disregard of such instructions, to modify on the recommendations of the Academic Council, the conditions of affiliation or recognition or taking such other steps as it deems necessary and proper in that behalf;

(twenty six) to prepare a College code laying down therein the terms and conditions of affiliation of colleges and Polytechnics;

(twenty seven) to call for reports, returns and other information from affiliated colleges, recognised institutions or polytechnics or hostels;

(twenty eight) to supervise, and control the admission in institution and hostel, conduct and discipline of the students and to make arrangements for promoting their health and general welfare;

(twenty nine) to recommend to the Kuladhipati the conferment of honorary degree and academic distinctions in the manner prescribed by the Statute;

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

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

(thirty two) 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 up of temporary vacancies;

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

(thirty four) to recognise a member of the staff of an affiliated or recognised institution as a teacher of the University and withdraw such recognition;

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

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

(thirty seven) to take disciplinary action against students enrolled in the University including candidates for any examination;

(thirty eight) to take disciplinary action against staff, persons

appointed as invigilators, examiners etc.; who are indisciplined;  
 (thirty nine) to fix demand and receive such fees and other charges as may be prescribed by the Ordinance;  
 (forty) to make, amend and cancel Ordinance;  
 (forty one) to accept, reject or return to the Academic Council for consideration, but not to amend, Regulation framed by the Academic Council;  
 (forty two) to entertain, adjudicate upon and, if deemed fit, to redress grievances of the employees and the students;  
 (forty three) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act;  
 (forty four) to exercise all powers of the University not otherwise provided for in this Act or the Statute and all other powers which are requisite to give effect to the provisions of this Act or the Statute;  
 (forty five) to 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.

#### **24. Finance Committee :-**

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

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|         |   |                   |
|---------|---|-------------------|
| (one)   | Kulpati;  | Chairman          |
| (two)   | Two Financial Experts to be nominated by the Kuladhipati; | Member            |
| (three) | Finance officer of the University;                        | Member            |
| (four)  | Secretary, Department of Technical Education;             | Member            |
| (five)  | Secretary, Department of Finance                          | Member            |
| (six)   | Registrar;  | Member-Secretary. |

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

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

(a) to review the Income and expenditure of the University;

(b) to prepare the annual financial estimate 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) to get the annual accounts and the annual audit of the University completed in

time and, in the light of the report, order appropriate directions;

(4) Three members shall form the quorum out of which presence of Kulpati and one member either from clause (four) or (five) of sub-section (1) shall be essential.

## **25. Academic Council :-**

(1) The Academic Council shall be the academic body of the University consisting of the following members, namely:--

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|          |  |                   |
|----------|--|-------------------|
| (one)    | Kulpati;   | Chairman          |
| (two)    | Kuladhisachiv;   | Member            |
| (three)  | Director Technical Education, Chhattisgarh;  | Member            |
| (four)   | Chairman Chhattisgarh Board of Secondary Education;  | Member            |
| (five)   | Dean of Faculties;   | Member            |
| (six)    | Chairman of Board of Studies;  | Member            |
| (seven)  | Heads of the Departments of the University;  | Member            |
| (eight)  | Four Principals, two from affiliated Colleges and two from affiliated Polytechnics to be nominated by Kulpati, by rotation, according to seniority;      | Member            |
| (nine)   | Two Professors from affiliated colleges of the University to be nominated by Kulpati, by rotation according to seniority;                                | Member            |
| (ten)    | Two Readers from the University Teaching Departments amongst whom one shall be a lady teacher nominated by Kulpati, by rotation, according to seniority; | Member            |
| (eleven) | Registrar of the University;   | Member-Secretary, |

(2) One-third of the members of the Academic Council shall form the quorum.

(3) The Academic Council shall have the power to co-opt, as members, two persons having special Knowledge or experience in the field of any particular business which may come before the Council for consideration. The members so co-opted shall have all the rights of the members of the Council in regard to the transaction of the business in relation to which they may be co-opted.

(4) All the members of the Academic Council other than ex-officio members and members referred to in sub-section (3) shall hold office for a term of three years.

## **26. Powers And Duties Of Academic Council :-**

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

(one) to exercise general supervision over the academic policies of the University and to give direction regarding methods of

instruction, co-operative teaching among colleges and polytechnics maintained by or admitted to the privileges of the University, valuation of research or improvements in academic standards;

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

(three) (a) to make proposals for allocation of departments to the Board of studies;

(b) to assign fellows and its own members to the faculty;

(four) to make proposals to institute fellowships, scholarships, studentships, exhibitions, medals and prizes and to make rules for their award.

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

Provided that no such application shall be considered unless the institution has been approved by the All India Council for Technical Education and the State Government.

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

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

(eight) to recognise persons eminent in any subject to guide research in that subject.

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

## **27. Faculties :-**

(1) The University shall have one or more faculties as may be prescribed by the Statute.

(2) Each faculty shall consist of dean and such other members and shall have such powers and perform such duties as may be prescribed by the Statute.

(3) Each faculty shall have such departments as may be assigned to it by the Ordinance.

(4) Dean shall be appointed by the Kuladhipati on the recommendation of the Kulpati for a period of two years from amongst the Professors of the University Teaching Departments or School of Studies or colleges of the said subject:

Provided that if there is no Professor or in the University Teaching Departments, or Schools of Studies of the said subject, dean shall be appointed from amongst the Professors of affiliated colleges of the said subject.

(5) Dean shall be the Chairman of the faculty and shall be responsible for the implementation of the Statute, the Ordinance and the Regulation relating to the faculty and for the conduct and maintenance of standards of teaching and research.

## **28. Board Of Studies :-**

(1) There shall be a Board of Studies for every subject or group of subjects for degree courses as prescribed by the Statute.

(2) Each Board shall consist of such persons as may be prescribed by the Statute.

## **29. Powers And Functions Of Board Of Studies :-**

The Board of Studies shall have such powers and perform such functions as may be prescribed by the Statute.

## **30. Academic, Planning And Evaluation Board :-**

(1) The Academic Planning and Evaluation Board shall consist of the following members, namely:--

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|         |   |                  |
|---------|---|------------------|
| (one)   | Kulpati;  | Chairman         |
| (two)   | Kuladhisachiv;  | Member           |
| (three) | Registrar;  | Member-Secretary |
| (four)  | Dean of Faculties;  | Member           |
| (five)  | Nominee of the State Planning Board;  | Member           |
| (six)   | Two principals of college nominated by Kulpati;   | Member           |
| (seven) | Two reputed scholars in the field of technical education not connected with the University nominated by the State Government; | Member           |
| (eight) | Finance officer of the University;  | Member           |
| (nine)  | Two representatives of industry nominated by the Kuladhipati;   | Member           |

(2) One-third of the members of the Board shall form quorum.

- (3) The term of the Academic Planning and Evaluation Board shall be three years.
- (4) The Academic Planning and Evaluation Board shall have the following powers and perform the following duties, namely:--
- (one) to prepare the short-term and long term plans of the University;
  - (two) to consider and forward to the Executive Council with its recommendations the research projects and academic programmes proposed by the faculties and to bring about inter-faculty co-ordination for taking up projects on inter faculty basis;
  - (three) to suggest new academic programmes for the faculties and to do academic evaluation of affiliated colleges and polytechnics of the University from time to time;
  - (four) to make proposals for the establishments of departments, institutions of research and specialised studies, laboratories and museums;
  - (five) to evaluate from time to time the working of the University Teaching Departments, and Schools of Studies;
  - (six) To evaluate periodically the progress of the plans.

### **31. Board To Be Constituted :-**

- (1) There shall be such other Boards in the University as may be prescribed by the Statute.
- (2) The Constitution, terms, powers and duties of the Board constituted under sub-section (1) shall be such as may be prescribed by the Statute.

## **CHAPTER 5 FINANCES, ACCOUNTS AND AUDIT**

### **32. University Fund :-**

- (1) The University shall establish a Fund to be called the University Fund.
- (2) The following shall form part of or be paid into, the University Fund:--
- (a) any rent, contribution or grant by Central or State Government or any body corporate;
  - (b) trusts, bequests, donations, endowments and other grants;
  - (c) the income of the University from all sources including income from fees and charges;
  - (d) all other sums received by the University;
- (3) The University Fund shall be kept in any Nationalised Bank.

### **33. Object To Which University Fund May Be Applied :-**

- (1) The University Fund shall be applicable to the following objects and in the following order:--
- (one) payment of debts incurred by the University for the purpose of this Act and Statute, the Ordinance and Regulation made thereunder;
  - (two) upkeep of Colleges, teaching departments, Schools of Studies

- established by the university, residences and hostels;
- (three) payment of the cost of audit of the University fund;
- (four) expenses of any suit or proceedings to which University is a party;
- (five) payment of salaries and allowances of the officers and employees of the University, members of the teaching staff and the establishment employed in the colleges maintained by the University for and in furtherance of the purposes of this Act, and the Statute, the Ordinance and Regulation made thereunder and to the payment of any Provident Fund Contributions, gratuity and other benefits to any such officers and employees, members of the teaching staff or the members of such establishment;
- (six) payment of the travelling and other allowances of the members of the Executive Council, the Academic Council and any other authorities of the University or the members of any Committee or Board constituted by any of the authorities of the University in pursuance of any provision of this Act, and the Statute, Ordinance and Regulation made thereunder;
- (seven) payment of fellowships, scholarships, studentships and other awards to students;
- (eight) payment of any expenses incurred by the University in carrying out the provisions of this Act, and the Statute, Ordinance and Regulation made thereunder;
- (nine) payment of any other expenses not specified in any of the preceding clauses declared by the Executive Council to be the expenses for the purposes of the University.
- (2) 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 fixed by the Executive Council without the previous approval of the Executive Council.
- (3) No expenditure other than that provided for in the budget shall be incurred by the University without the previous approval of the Executive Council.

#### **34. Annual Reports :-**

The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Executive Council on or before such date as may be prescribed by the Statute and shall be considered by the Executive Council at its annual meeting. The Executive Council may pass resolution thereon and communicate the same to the Kuladhipati.

The University shall, thereafter send a copy of the annual report to the State Government and the State Government shall, cause the same to be laid on the table of the State Legislative Assembly regularly.

### **35. Audit Of Account :-**

(1) The Accounts of the University shall be audited at least once in every year at intervals of not more than fifteen months by the examiner of local fund accounts of the State.

(2) The 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.

## **CHAPTER 6 STATUTE, ORDINANCE AND REGULATION**

### **36. Statute :-**

Subject to the provisions of this Act and the rules made thereunder the Statute may provide for all or any of the following matters, namely:--

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

(two) the manner of election or appointment and the term of officers or the members of the bodies in section (2) including the continuance in the office of the first members and filling of the vacancies of members and all other matters relating to those bodies;

(three) emoluments and other terms and conditions of service of Kulpati, his powers and duties;

(four) the term of office, conditions of Service and emoluments of Kuladhi Sachiv and his powers and duties;

(five) powers and duties of Registrar and other officers and employees of the University and the conditions of their service;

(six) to make provision for pension, provident fund, establishment of insurance scheme, gratuity and other benefit for the employees of the University;

(seven) holding of convocation to confer degrees;

(eight) conferment of honorary degrees;

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

(ten) establishment and abolition of faculties, hostels, teaching

departments, schools of studies, Colleges and Polytechnics maintained by the University;

(eleven) conditions under which Colleges may be admitted to the privileges of the University and withdrawal of such privileges;

(twelve) extent of the autonomy which the teaching departments of the University, school of studies or Colleges or Polytechnics may have and the matters in relation to which such autonomy may be exercised;

(thirteen) qualifications of Professors, Readers, Lecturers and other teachers in affiliated Colleges and recognised institutions;

(fourteen) administration of endowments, and the institution of fellowships, scholarship, studentships, exhibitions, bursaries, medals, prizes and other awards;

(fifteen) emoluments and terms and conditions of service for the benefits of officers and teachers of the university payable from the university fund;

(sixteen) mode of determining seniority for the purpose of this Act;

(seventeen) maintenance of a register of registered graduates;

(eighteen) establishment and constitution of Bureau for publications; and

(nineteen) all other matters which, by this Act, are to be provided for by Statute.

### **37. Statute How Made :-**

(1) The first Statute with regard to matters set out in Section 36 shall be made by the State Government and a copy thereof shall be laid on the table of the Legislative Assembly.

(2) The Executive Council may, from time to time make new or additional Statute and may amend or repeal the Statute in the manner hereinafter provided.

(3) The Academic Council may propose to the Executive Council the draft of any new Statute or amendment of any existing Statute to be passed by the Executive Council and such draft shall be considered by the Executive Council at its next meeting:

Provided the Academic Council shall not propose the draft of any Statute or of any amendment of a Statute affecting the status, power or constitution of any existing authority of the University until such authority has been given an opportunity to express its opinion upon the proposal and any opinion so expressed shall be considered by the Executive Council.

(4) The Executive council may approve any such draft as is referred

to in sub-section (3) and pass the Statute or reject it or return it to the Academic Council for reconsideration, either in whole or in part, or suggest any amendment.

(5) Any member of the Executive Council may propose to the Executive Council the draft of any new Statute or amendment to existing statute and the Executive Council may either accept or reject the proposal if it relates to a matter not falling within the purview of the Academic Council. In case such draft relates to a matter within the purview of the Academic Council, the Executive Council shall refer it for consideration to the Academic Council which may either report to the Executive Council that it does not approve the proposal, which shall then be deemed to have been rejected by the Executive Council or submit the draft to the Executive Council in such form as the Academic Council may approve and the provisions of this section shall apply in the case of draft so submitted as they apply in the case of a draft proposed to the Executive Council by the Academic Council.

(6) No new statute shall be introduced or any addition or amendment or repeal of existing statute shall be made without the prior approval of the Kuladhipati.

### **38. Ordinance :-**

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

(one) admission of students to colleges, teaching departments, schools of studies, polytechnics and laboratories and levy of fees and their enrolment;

(two) degrees, diplomas, certificates and other academic distinctions to be awarded by the University and the qualifications for the same;

(three) examination leading to the degrees, diplomas and certificates of the University;

(four) fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;

(five) laying down conditions for appearing in examinations for degrees, diplomas, certificates and other academic distinctions;

(six) conduct of examination;

(seven) condition of award of fellowships, scholarships, studentships, exhibitions, medal and prizes, bursaries etc;

(eight) maintenance of discipline amongst the students of the

University;

(nine) accommodation for the hostels and teaching departments;

(ten) recognition and inspection of hostels;

(eleven) special arrangements, if any, which may be made for the residence, discipline and teaching of women students and prescribing for them special courses of study;

(twelve) giving of moral instructions;

(thirteen) management of colleges, polytechnics and other institutions founded or maintained by the University;

(fourteen) supervision and inspection of ladies & polytechnics and other institutions admitted to the privileges of the University;

(fifteen) duties, qualifications and conditions of appointment including pay scales of teachers of the University payable by the University;

(sixteen) duties and powers of the Board and Committee to be constituted by the University jointly with any other University or body;

(seventeen) rules to be observed and enforced by affiliated colleges, polytechnics and recognised institutions in respect of transfer of students:

(eighteen) register of the students to be kept by affiliated colleges, polytechnics and recognised institutions;

(nineteen) mode of execution of contracts or agreements by or on behalf of the University;

(twenty) rates of travelling allowance and daily allowance admissible to the members of the authorities, committees and other bodies of the University, the examiners, the officers and staff of the university;

(twenty one) constitution of students bodies and their mode of election; and

(twenty two) all other matters which, by this Act or the Statute or Ordinance may be provided.

### **39. Ordinance How Made :-**

(1) All Ordinance except the first Ordinance shall be made by the Executive Council.

(2) An Ordinance made by the Executive Council shall come into force from the date of its approval by the Kuladhipati.

### **40. Procedure Regarding Ordinance :-**

(1) Notwithstanding anything contained in sub-section (1) of

Section-39, no ordinance shall be made by the Executive Council:--

(one) affecting the admission of students, or prescribing examinations to be recognised as equivalence to the University Examinations of the further qualifications mentioned in sub-section (1) of Section 42 or admission to the degree or diploma courses of the University unless a draft of the same has been proposed by the Academic Council; or

(two) affecting conditions and duties of examiners and that of conduct or standard of examinations except in accordance with a proposal of the faculty or faculties concerned and unless a draft of such Ordinance has been proposed by the Academic Council; or

(three) affecting the qualifications and emoluments of teachers of the University payable from the University fund, unless a draft has been proposed by the Academic Council.

(2) The Executive Council shall not have powers to amend any draft proposed by the Academic Council under sub-section (1) but may reject the proposal or return the draft to the Academic council, for reconsideration, either in whole or in part, together with any amendment which the Executive Council may suggest.

(3) After any draft returned under sub-section (2) has been further considered by the Academic Council together with any amendment suggested by the Executive Council it shall be again presented to the Executive Council with a report of the Academic Council thereon and the Executive Council may then deal with the draft in such manner as it may think fit.

(4) Where the Executive Council has rejected the draft of an ordinance proposed by the Academic Council, the Academic Council may appeal to the Kuladhipati and the Kuladhipati may direct that such ordinance shall have effect from such date as may be specified in the direction.

#### **41. Regulation :-**

(1) The authorities, committees and other bodies of University constituted by or under this Act may make Regulation, subject to the provisions of this Act, the Statute and Ordinance:--

(one) laying down the procedure for the meetings and the number of members required to form a quorum;

Provided that until Regulation providing for quorum are made, the quorum to constitute a meeting of any authority, committee or other body of the University shall be the number forming the majority of the members constituting such authority, committee or

other body of the University, for the time being;  
(two) providing for all matters which, by this Act, the statute or the Ordinance, are to be prescribed by Regulation; and  
(three) providing for all other matters solely concerning such authority, or other body or the committees appointed by them and not provided for by this Act, the Statute or Ordinance.

(2) Every authority, committee and body of the University shall make Regulation providing for issue of notice to members of such authority, committee or body for the date of meetings and of the business to be considered at meetings and for keeping the minutes of the meeting:

Provided that any authority, committee or body of the University which is not satisfied with any modification or annulment may appeal to the Kuladhipati whose decision in this matter shall be final.

## **CHAPTER 7 ADMISSION AND REGISTRATION**

### **42. Admission To University Courses :-**

(1) Students shall not be eligible for admission to course of study for a degree or diploma unless they have passed higher secondary examination or 10th examination respectively held under the Chhattisgarh Shiksha Adhiniyam, 1965 (No. 23 of 1965), or an examination recognised in accordance with the provisions of this section as an equivalent thereto and possess such further qualifications, as may be prescribed by the Ordinance.

(2) The University may with the previous sanction of the State Government recognise for the purposes of admission to a course of study for a degree or diploma as equivalent to its own degree or diploma, and any degree or diploma conferred by any other University or Board or as equivalent to the higher secondary examination held under the Chhattisgarh Shiksha Adhiniyam, 1965 (No. 23 of 1965).

(3) No student shall be admitted to a course of study leading upto a degree unless he is enrolled as a student in a College, Polytechnic leaching, Department or School of Study.

### **43. Registered Graduates Or Diploma Holders :-**

Only graduates or diploma holders of the University shall be on payment of such fees as may be prescribed by the statute to be entitled to have their names enrolled in the register for registered

graduates or diploma holders to be maintained in such form as may be prescribed by the statute.

## **CHAPTER 8 INSPECTION AND QUALITY CONTROL**

### **44. Inspection Of College And Polytechnic :-**

(1) Every college or polytechnic shall furnish such reports, returns and other information as the Executive Council, after obtaining the opinion of the Academic Council, may require to enable it to judge the efficiency of the institution.

(2) The Executive Council shall cause such institution to be inspected from time to time by one or more persons authorised by the Executive Council in this behalf.

(3) The Executive Council may call upon any such college or institution so inspected to take within a specified period, such action as may appear to it to be necessary.

### **45. Appointment Of Examiners And Moderators :-**

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

Dean of the Faculty concerned who shall be the Chairman of the Committee;

Chairman of the Board of Studies concerned;

a member of the concerned Board of Studies to be nominated by Kulpati.

(2) If, during the course of an examination, an examiner becomes incapable of acting as such for that course, Kulpati shall appoint another examiner for such course.

## **CHAPTER 9 APPOINTMENT TO TEACHING POSTS AND SERVICE CONDITIONS**

### **46. Appointment Of Teaching Posts :-**

(1) No person shall be appointed--

(i) as Professor or, Reader, or Lecturer; or

(ii) to any other teaching post of the University whose salary is payable from the University fund except on the recommendation of a selection committee constituted in accordance with sub-section

(2);

Provided that if appointment to any of the teaching posts aforesaid is not expected to continue for more than six months and cannot be delayed without detriment to the interest of the department and institution of the University, the Executive Council may make such appointment without obtaining the recommendation of the committee constituted under sub-section (2) 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.

(2) Kulpati shall constitute a selection committee consisting of the following members:--

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|         |   |          |
|---------|---|----------|
| (One)   | Kulpati   | Chairman |
| (two)   | one expert to be nominated by the Kuladhipati from a panel of three experts in the subject not connected with the University in any manner, | Member   |
| (three) | three subject experts not connected with the University in any manner to be nominated by the Kuladhipati;                                   | Member   |
| (four)  | Secretary Technical Education or his nominee not below the rank of Joint Secretary.   | Member   |

(3) Three members of the selection committee shall form the quorum: Provided that no recommendation shall be made, unless at least two experts nominated under clause (two) and (three) of sub-section (2) are present.

(4) The committee shall examine the merits of various candidates and recommend to the Executive Council the names of suitable persons for the post arranged in order of merit.

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

#### **47. Salaries To The Teachers Payable By University :-**

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

#### **48. 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.

**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 shall be furnished to the officer and teacher concerned

(2) Any dispute regarding service matters arising out of contract or otherwise between the 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, if preferred within thirty days from the date of decision who shall decide the dispute himself or refer it to tribunal constituted by him consisting of the following members, namely:--

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|         |  |        |
|---------|--|--------|
| (one)   | Kulpati of any University of Chhattisgarh:             | Member |
| (two)   | any Secretary to the State Government, and;            | Member |
| (three) | any Principal of the engineering college of the State. | Member |

**50. Pension And Provident Fund :-**

(1) The University shall constitute for the benefit of its officers, teachers, clerical staff and other employees in such manner and subject to such conditions as may be prescribed by the State Government from time to time for similar officers, teachers, clerical staff and other employees, such pension, insurance and provident fund as it may deem fit.

but a person employed after his retirement (working in any post) shall not be entitled for any benefits under this section.

**51. Approval For Imparting Instruction :-**

No person shall impart instruction in the University or any College-

(a) unless such person possesses the qualifications laid down by the Academic Council in this behalf; and

(b) except in such subject or subjects and upto the standard for which his qualifications have been approved by the Academic

Council.

## **52. Classification Of Teachers :-**

(1) Professor, Reader and Lecturer and Head of the Department in Colleges fulfilling the academic and other qualifications and conditions of experience laid down by the All India Council for Technical Education (AICTE) and drawing pay in the AICTE pay scales or approved by the State Government shall be recognised as Professor, Reader, Head of the Department and Lecturer of the University and Principal of College with a minimum 15 years teaching experience of degree level in concerned subjects and drawing salary of Principal approved by the State Government shall be recognised as Professor by the University.

(2) Visiting Professor means a Professor invited by the Executive Council for a short term of not more than 6 months as stipulated in the contract.

(3) A teacher who is appointed on part time basis in any institution shall not be given recognition by the University.

## **CHAPTER 10 EMERGENCY PROVISIONS**

### **53. State Government To Assume Financial Control In Certain Circumstances :-**

(1) If the State Government is satisfied that owing to maladministration 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) executive authority of the State Government shall extend to give 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:--

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

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

(iii) 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.

(iv) a provision requiring the deduction of salaries and allowances of all or any class of persons employed by the University.

(v) a provision requiring the deduction in the number of posts of the officers, teachers and other persons employed by the University;

(vi) a provision requiring the lowering down of scales of pay and rate of allowances, and

(vii) 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 through 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 Man power and Employment be recovered from such officer as arrear of land revenue:

Provided that no action to recover the amount of loss as arrear 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.

#### **54. 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, direct that the provisions of Sections 12, 13, 22 to 25, 34, 35, 41 and 64 shall as from the date specified in the notification (hereinafter in this Section referred to as the appointed date) apply to the University.

(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 12 and 13 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 Section 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.

#### **55. Effect On Expiration Of The Period Of Notification Under Section 54 :-**

On expiration of the period of operation of the notification issued under Section 54, 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 11 SUPPLEMENTARY PROVISIONS**

#### **56. Disputes As To Constitution Of University Authorities**

## **And Bodies :-**

If any question arises regarding the interpretation of any provisions of this Act or 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 body 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.--In this section the expression.--

- (a) "body" includes any committee constituted by or under this Act;
- (b) "appointed" does not include appointments to the salaried posts of the University.

## **57. Constitution Of Committee :-**

Where any Authority of the University is given power by this Act, or the Statute to appoint committee, such committee 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.

## **58. 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 in 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.

## **59. Protection Of Action Taken In Good Faith :-**

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 by him under this Act, or the Statute or Ordinance or Regulation.

## **60. Terms Of Office Of Members Of Authority Of University**

:-

(1) Wherever in accordance with this Act, any person is to hold an office or to be a member of any authority by rotation according to seniority, such seniority in the absence of any provisions to the contrary in the Act, shall be determined in accordance with the statute;

Provided that, till the statute are made, the seniority in particular cadre shall be determined by the length of continuous service in such a cadre and where the length of continuous service of two or more persons in the same cadre is the same, then "Seniority" shall be determined by seniority in age.

(2) Wherever any person becomes a member of any authority by virtue of the post or office held by him or by virtue of possessing a specified qualification, he shall forthwith cease to be a member of such authority if he ceases to hold such post or office or if he ceases to possess such qualifications before the expiry of the term of his membership;

Provided that he shall not be deemed to have ceased to hold his post or office merely by reason of his proceeding on leave for a period not exceeding four months.

### **61. Resignation Of Member Or Officer Of University :-**

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

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

### **62. Disqualification For Being Member Of Authority :-**

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

(a) if he is of unsound mind; or

(b) if he is deaf, mute or suffering from any contagious disease; or

(c) if he is an undischarged insolvent; or

(d) if he has been convicted by a Court of Law of an offence involving moral turpitude and sentence in respect thereof to

imprisonment for not less than six months;

(2) If any question arises as to whether a person is, has been subject to any of the 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 decisions.

### **63. Power To Remove From Register Of Graduates Or Diploma Holders Or Any Authority Or Body Of University**

:-

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

(i) he is guilty of gross misconduct; and

(ii) he acts prejudicial to the interest of the University:

Provided that the Kuladhipati shall cause a preliminary enquiry to be made and if he is satisfied that prima facie case exists, he shall serve on such person charge-sheet, in writing, slating the misbehaviour or 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 by such person or member under sub-section (1), the Kuladhipati may, if he considers that further action is necessary, entrust the enquiry to a tribunal consisting of a nominee of the Kuladhipati, a nominee of the Executive Council and nominee of such person or a member.

(3) The Tribunal shall after giving such person or a member an opportunity of being heard and examining such evidence as may be necessary, record its findings and forward it to the Kuladhipati; and

(4) The Kuladhipati may, after considering the report of the Tribunal pass such orders as he considers necessary;

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

### **64. Removal Of Difficulties :-**

If any difficulty arises as to the first constitution or reconstitution of any authority of the University after commencement of the Act, or otherwise in giving effect to the provisions of this Act, the State Government, as occasion may require, may by order do anything

which appears to it necessary for the purpose of removing the difficulty.