

## **GUJARAT AYURVED UNIVERSITY ACT, 1965**

**40 of 1965**

**[31st December, 1965]**

### CONTENTS

#### **CHAPTER 1 :- Preliminary**

1. Short title and commencement.
2. Definition.

#### **CHAPTER 2 :- The University**

3. Incorporation of University
4. Powers of University.
5. Jurisdiction and admission to privileges.
6. University open to all irrespective of sex, religion, class creed or opinion.
7. Inspection and inquiry.

#### **CHAPTER 3 :- Officers of the University**

8. Officers of University.
9. Chancellor.
10. Vice-Chancellor.
11. Powers of Vice-Chancellor.
12. Registrar.
13. Appointment of Director of Pharmacy and other officers of University, their powers etc.

#### **CHAPTER 4 :- Authorities of the University**

14. Authorities of University.
15. The Senate.
16. Registered graduates.
17. Meeting of Senate.
18. Powers of Senate.
19. The Syndicate.
20. Powers and duties of Syndicate.
21. Boards of Studies.
22. Board for Sports and Students Welfare and other Boards.
23. Other University bodies.

#### **CHAPTER 5 :- Statutes and Ordinances**

24. Statutes.

25. Making amendment, operation and repeal of Statutes.

26. Ordinances, their making and scope.

## **CHAPTER 6 :- Affiliation, Recognition and Approval**

27. Affiliation.

28. Extension of affiliation.

29. Recognition of institutions of research and specialised studies.

30. Approval of institutions.

31. Inspection of colleges and reports.

32. Withdrawal of affiliation.

33. Withdrawal of recognition.

34. Withdrawal of approval.

## **CHAPTER 7 :- Postgraduate Teaching**

35. Postgraduate teaching.

## **CHAPTER 8 :- Enrolment and Degrees**

36. Qualification for enrolment of students of University.

37. Residence of students.

38. Degrees, diplomas and other academic distinctions.

39. Honorary Degree.

40. Removal from membership of University and withdrawal of degree or diploma.

## **CHAPTER 9 :- Committees**

41. Committees.

## **CHAPTER 10 :- Finance**

42. University Fund.

43. Annual accounts and financial estimates.

44. Annual Report.

## **CHAPTER 11 :- Supplementary Provisions**

45. Consideration of service.

46. Tribunal of Arbitration.

47. Pension, Insurance and Provident Fund.

48. Election to be by system of proportional representation.

49. Vacating of office.

50. Filling of casual vacancies

51. Proceeding not invalidated by vacancies.

52. Disputes as to constitutions of University, Authority, or body.

53. Protection of acts and orders.

## **CHAPTER 12 :- Transitory Provisions**

54. Completion of courses of studies in institutions recognised by

the Faculty.

55. Appointment of first Vice-Chancellor.

56. Appointment of first Registrar

57. Transitory powers of first Vice-Chancellor.

58. First appointment of officers and teachers of University.

59. Extraordinary powers of first Vice-Chancellor.

60. Removal by State Government of difficulties at the commencement of the Act.

61. Dissolution of Faculty constituted under Gujarat Medical Practitioners Act, 1963 and consequential amendments of that Act.

**SCHEDULE 1 :-**Amendment to the Gujarat Medical Practitioners Act, 1963

## **GUJARAT AYURVED UNIVERSITY ACT, 1965**

**40 of 1965**

**[31st December, 1965]**

An Act to establish and incorporate a teaching and affiliating University in the State of Gujarat yto be known as the Gujarat Ayurved University for the purpose of ensuring efficient and systematic instruction, [teaching, training and research in the Ayurvedic system of medicine. It is hereby enacted in the Sixteenth Year of the Republic of India as follows:-

### CHAPTER 1

#### Preliminary

#### **1. Short title and commencement. :-**

(1) This Act may be called the Gujarat Ayurved University Act, 1965.

(2) This section shall come into force at once.

(3) The State Government may by notification in the Official Gazette, direct that all or any of the remaining provisions of this Act shall come into force on such date or dates as may be specified in the notification.

#### **2. Definition. :-**

In this Act, unless the context otherwise requires

(1) "affiliated" means affiliated under section 5 or 27;

(2) "approved institution" means an institution approved under section 30;

- (3) "Ayurvedic institution" means an educational institution imparting instruction, teaching and training in the Ayurvedic system of medicine;
- (4) "Ayurvedic system of medicine" means the Ashtang Ayurvedic system of medicine including Nisargopachar system, whether supplement or not by such modern advances as are consistent with the fundamental principles of Ayurved and as the University may from time to time determine;
- (5) "college" means a degree college or a college teaching courses leading to diploma or a degree;
- (6) "degree college" means an affiliated college which is authorised to submit its students to an examination qualifying for any degree of the University;
- (7) "Faculty" means the Gujarat Faculty of Ayurvedic and Unani Systems of Medicine constituted under the Gujarat Medical Practitioner's Act, 1963; (Guj. 6 of 1964).
- (8) "hostel" means a unit of residence for students maintained by the University, an affiliated college, or a recognised institution;
- (9) "Principal" means the head of a college;
- (10) "recognised institution" means an institution recognised under section 29;
- (11) "registered graduate" means a person registered under the provisions of this Act, as a registered graduate;
- (12) "Statutes", "Ordinances" and "Rules" means respectively the statutes, Ordinances and Rules of the University made under this Act and for the time being in force;
- (13) "teachers" means professors, readers, lecturers and such other persons imparting instruction in the University, an affiliated college, or a recognised institution or an approved institution as may be declared to be teachers by the Statutes;
- (14) "teachers of the University" means teachers appointed or recognised by the University for imparting instruction on its behalf;
- (15) "University" means the Gujarat Ayurved University constituted under this Act;
- (16) "University centre" means a centre where postgraduate

studies are imparted as determined by the Statutes and Ordinances, in that behalf;

(17) "University college" means a college which the University may establish or maintain under this Act or a college transferred to the University and maintained by it;

(18) "University/department" means any post-graduate or research institution or department maintained as such by the University.

## CHAPTER 2

### The University

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

(1) The Chancellor, the first Vice-Chancellor of the University and the first members of the Senate and the Syndicate of the University and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of 'The Gujarat Ayurved University'.

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

(3) The University shall be competent to acquire and hold property, both movable and immovable, to lease, or otherwise transfer any movable or immovable property which may vest in or be acquired by it for the purposes of the University, to raise loans on the security of its assets and to contract and do all other things necessary for the purposes of this Act: Provided that the power to raise any such loans shall be exercised after obtaining previous permission of the State Government.

#### **4. Powers of University. :-**

Subject to such conditions as may be prescribed by or under the provisions of this Act, the University shall have the following powers and shall perform the following duties, namely :

(1) to provide for instruction, teaching and training in such branches of Ayurvedic system of medicine and allied subjects as it may think fit, to make provision for research, advancement and dissemination of the knowledge of the said system and subjects and to promote and encourage the knowledge of Ayurved in its original concept;

(2) to make such provision as would enable affiliated colleges,

recognised institutions and approved institutions to undertake specialisation of studies;

(3) to establish and organise common pharmaceutical laboratories, libraries, museums and other equipment for teaching and research;

(4) to establish, take over, maintain and manage colleges, departments, centres and institutes of research or specialised studies;

(5) to institute professorships, readerships, lecturer ships, and any other posts of teachers required by the University;

(6) to appoint or recognise persons as professors, readers or lecturers or otherwise as teachers of the University;

(7) to lay down the courses of instructions for the various examinations;

(8) to guide teaching in colleges, University departments, University centres or recognised institutions;

(9) to institute degrees, diplomas and other academic distinctions;

(10) to hold examinations and to confer degrees, diplomas and other academic distinctions on persons who

(a) have pursued approved courses of study in the University or in an affiliated college unless exempted therefrom in the manner prescribed by the Statutes, Ordinances and Rules and have passed the examinations prescribed by the University, or

(b) have carried on research under conditions prescribed by the Ordinances or Rules;

(11) to confer honorary degrees or other academic distinctions in the manner laid down by the Statutes;

(12) to grant such diplomas to, and to provide such lectures, instruction and training for, persons who are not en- rolled students of the University as may be determined by the Statutes, Ordinances and Rules;

(13) to admit educational institutions to the privileges of the University and to withdraw such privileges;

(14) to inspect colleges, recognised institutions and approved institutions and to take measures to ensure that proper standards

of instruction, teaching or training are maintained in them, and that adequate library and laboratory provisions are made therein;

(15) to control and co-ordinate the activities of, or to give financial aid to, affiliated colleges, approved institutions and recognised institutions;

(16) to hold and manage trusts and endowments and to institute and award fellowships, travelling fellowships, studentships, exhibitions, medals and prizes;

(17) to fix, to demand and to receive or recover such fees and other charges as may be prescribed by the Ordinances;

(18) to establish, maintain and manage hostels;

(19) to recognise hostels not maintained by the University, to inspect such hostels and to withdraw recognition therefrom;

(20) to co-ordinate, supervise, regulate and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare;

(21) to co-ordinate, supervise, regulate and control the conduct of under-graduate and post graduate teaching and of post-graduate research work and teaching in the affiliated colleges and the institutions recognised or approved by the University.

(22) to institute and manage

(a) Publication Department;

(b) Pharmaceutical Department;

(c) Botanical Garden, and

(d) Medical Department;

(23) to make provisions

(a) for extra-mural teaching and other recognised activities;

(b) for physical education, National Cadet Corps and military training;

(c) for student's unions; and

(d) for sports and athletic activities;

(24) to co-operate with other Universities and authorities in such

manner and for such purposes as the University may determine;

(25) to invite research scholars, students, professors, vaidyas, medical practitioners and other interested in the study of Ayurvedic system of medicine to give lectures, instructions, or otherwise help in the study of the Ayurvedic system of medicine and to fix their pay, honoraria and other expenses payable to them;

(26) to collect, edit or publish manuscripts, books, periodicals, pamphlets and papers in the subject of Ayurvedic system of medicine or in any other allied subjects and for that purpose to establish works and open printing press;

(27) to carry out or help surveys and research work in the field of Botany, Biology, Physics, Chemistry, Medicine, Panchkarma, Naturopathy, Yoga Therapy, Toxicology, and History of Ayurveda and other allied subjects;

(28) to do all such acts and things whether incidental to the power aforesaid or not as may be requisite in order to further the objects of the University and generally to cultivate and promote Ayurvedic system of medicine and its allied science as well as its other branches of learning.

## **5. Jurisdiction and admission to privileges. :-**

(1) No Ayurvedic institution within the State of Gujarat shall, save with the sanction of the State Government and the University be associated in any way with or seek admission to any privileges of any other University established by law.

(2) With effect from the date on which this section comes into force, all institutions situate in the State of Gujarat and functioning immediately before the said date as institutions recognised under section 27 of the Gujarat Medical Practitioners' Act, 1963 (Guj. 6 of 1964) shall be deemed to be admitted to the privileges of the University and the University shall, so far as it may be consistent with this Act, admit each such institution to the privileges of the University as an affiliated college, recognised institution or as the case may be, approved institution.

(3) Any Ayurvedic institution situated outside the State of Gujarat, subject to such conditions and restrictions as the University and the State Government may think fit to impose, be admitted to the privileges of the University.



## **6. University open to all irrespective of sex, religion, class creed or opinion. :-**

(1) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma or other academic distinction or course of study on the sole ground of sex, race, creed, class, place of birth, religious belief or political or other opinion:

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

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

## **7. Inspection and inquiry. :-**

(1) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its building, laboratories, libraries, museums workshops and equipment of any institution, college or hostel maintained recognised or approved by, or affiliated to, the University, of the teaching and other work conducted by the University and of the conduct of examination held by the University; and to cause an inquiry to be made in respect of any matter connected with the University:

The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Chancellor shall communicate to the Syndicate and to the Senate his views with reference to the result of such inspection or enquiry and shall, after ascertaining the opinion of the Syndicate and the Senate thereon, advise the University on the action to be

taken.

(3) The Syndicate shall report to the Chancellor such action, if any, as it has taken or may propose to take upon the results of the inspection or inquiry. Such reports shall be submitted with the opinion of the Senate thereon and within such time as the Chancellor may direct.

(4) Where the Syndicate does not within a reasonable time take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Syndicate, issue such directions as he may think fit and the Syndicate shall comply with such directions.

(5) The State Government may, whenever it deems fit, cause a like inspection or inquiry to be made in the manner described in sub-section (1) to (3) above and shall have, for the purposes of such inspection or enquiry, all the powers of the Chancellor under the said sub-sections.

#### CHAPTER 3

Officers of the University

#### **8. Officers of University. :-**

The following shall be the officers of the University, namely

- (i) The Chancellor,
- (ii) The Vice-Chancellor,
- (iii) The Registrar,
- (iv) The Director of Pharmacy,
- (v) The Director of Botanical Garden, and
- (vi) such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

#### **9. Chancellor. :-**

<sup>1</sup>[(1) The Governor of Gujarat for the time being shall be the Chancellor of the University.] <sup>2</sup> [xx xx xx] The Chancellor shall by virtue of his office, be the head of the University and the president of the Senate and shall, when, present, preside at the meetings of the Senate and at any convocation of the University.

(4) The Chancellor shall have such other powers as may be

conferred on him by this Act or the Statutes.

1. Subs, by Guj. 13 of 1978.
2. Deleted by Ibid.

**10. Vice-Chancellor. :-**

(1) The Vice-Chancellor shall be appointed by the State Government. (2) The Vice-Chancellor shall hold office for a term of three years and he shall be eligible for being appointed to that office for a further term of three years only.

(3) The emoluments to be paid to the Vice-Chancellor, and the terms and conditions subject to which he shall hold office shall be such as may be prescribed by the Statutes:

Provided that such emoluments or such terms and conditions shall not, during the currency of the term of the holder of that office, be varied to his disadvantage without his consent.

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

(b) in the event of a permanent vacancy in the office of the Vice Chancellor, until an appointment is made under sub-section (1) to that office, one of the officers of the University nominated by the Chancellor for that purpose shall carry on the current duties of the office of the Vice Chancellor.

**11. Powers of Vice-Chancellor. :-**

(1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at meetings of the Senate and any convocation of the University. He shall be an ex-officio member and Chairman of the Syndicate, and of the committees constituted under Section 41. He shall be entitled to be present with the right to speak, at any meeting of any other authority or body of the University, but shall not be entitled to vote thereat unless he is a member of that authority or body.

(2) The Vice-Chancellor shall have power to convene meetings of the Senate, the Syndicate, and such other authorities of the University of which he is the chairman. He may delegate this power to any other officer of the University.

(3) It shall be the duty of the Vice-Chancellor to ensure that this Act, the Statutes, Ordinances and Rules are faithfully observed and he shall have all powers necessary for the purpose.

(4) (a) In any emergency which in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall take such action as he deemed necessary and shall at the earliest opportunity thereafter report his action to such officer, authority or body as would have in the ordinary course dealt with matter.

(b) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University such person shall be entitled to prefer an appeal through the said officer, authority or body to the Syndicate within fifteen days from the date on which such action is communicated to him.

(5) The Vice-Chancellor shall give effect to the orders of the Syndicate regarding appointment, dismissal, suspension and punishment of the persons in the service of the University or teachers of the University or regarding the recognition or withdrawal of the recognition of any such teacher and shall exercise general control over the affairs of the University. He shall be responsible for the discipline of the University in accordance with this Act, the Statutes and Ordinances.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and Ordinances.

## **12. Registrar. :-**

The Registrar shall be a whole time salaried officer and shall act as the Secretary of the Syndicate. He shall be appointed by the Syndicate in accordance with the Statutes to be made in this behalf, and his emoluments and conditions of service shall be determined by such Statutes. He shall exercise such powers and perform such duties as may be prescribed by the Statutes and Ordinances.

## **13. Appointment of Director of Pharmacy and other officers of University, their powers etc. :-**

(1) The Director of Pharmacy, the Director of Botanical Garden and other officers of the University referred to in clause (vi) of section 8 shall be appointed in accordance with the Statutes.

(2) The terms and conditions of service of the officers specified in sub-section (1) and their powers and duties shall be such as may be prescribed by the Statutes and Ordinances.

## **CHAPTER 4**

**14. Authorities of University. :-**

The following shall be the authorities of the University, namely :

- (i) The Senate,
- (ii) The Syndicate,
- (iii) The Board of Studies,
- (iv) The <sup>1</sup> [Board] for Sports and Students' Welfare, and
- (v) Such other Boards and bodies of the University as may be declared by the Statutes to be the authorities of the University.

1. Subs, by GuJ. 22 of 1982.

**15. The Senate. :-**

(1) The Senate shall consist of the following members, namely :  
Class I-Ex-Officio Members.

- (A) (i) The Chancellor.
- (ii) The Vice-Chancellor,
- (iii) Ex-Vice-Chancellors of the University who are residing in the State,
- (iv) The Director of Pharmacy,
- (v) The Director of Botanical Garden,
- (vi) The Registrar.
- (B) (i) The Secretary to the Government of Gujarat in charge of the Department of Health;
- (ii) The Director of Health and Medical Services, Gujarat State;
- (iii) The Director, <sup>1</sup>[Indian System of Medicine and Homeopathy] Gujarat State;
- (C) (i) Heads of University Departments,
- (iii) Principals of affiliated colleges. Class -Ordinary Members
- (A) Elected as specified below :
  - (i) Five members by teachers of affiliated colleges excluding the Principals thereof, from amongst themselves in the manner

prescribed by the Statutes;

(ii) Seven members by registered graduates from amongst themselves in the manner prescribed by the Statutes;

(iii) by public association or body as under :-

(a) two members by the Gujarat Legislative Assembly from amongst its members;

(b) One member by the Ayurved Vikas Mandal functioning in the State:

Provided that every person elected under clause (i) and under sub-clause (a) and (b) of clause (iii) shall continue to hold office of a member of the Senate only so long as in the case (i) he is a teacher of an affiliated college and in the case of clause (iii) a member of the electing body.

**2** (B) Seven members to be nominated by the State Government out of whom

(i) one shall be a person recommended by Shri Gulab- kunverba Ayurvedic Society, Jamnagar, as its representative,

(ii) two shall be persons recommended by the Ministry of Health, Family Planning and Urban Development of the Government of India, and

(iii) one shall be from amongst distinguished educationists.]

(2) The term of office of ordinary members referred to in Class II shall be five years.

1. Subs, by GuJ. 22 of 1982.

2. Paragraph (B) was substituted by GuJ. 11 of 1968.

### **16. Registered graduates. :-**

(1) Subject to the provisions of sub- section (2), the following persons shall be entitled to have their names entered in the register of registered graduates or to be registered graduates, namely :

(a) persons who are the graduates of the University;

(b) persons who hold any degree or diploma or certificate in Ayurved after having passed before the com- mencement of this section any examination held by the Faculty or any other body or

authority and such examination is prescribed by the Statutes to be equivalent to an examination qualifying for any degree of the University;

(c) persons who immediately before the commencement of this section, were practicing as registered medical practitioners under the Gujarat Medical Practitioners Act, 1963, (Guj. 6 of 1964) and are certified by the Gujarat Board of Ayurvedic and Unani Systems of Medicine as practicing Ayurvedic system of medicine within the meaning of this Act.

(2) Every person who intends to be a registered graduate shall make an application to the Registrar in such form and on payment of such fee as may be prescribed by the Statutes. The Vice-Chancellor shall, after making such inquiry as he thinks fit, decide whether the applicant is entitled to be or not to be a registered graduate.

#### **17. Meeting of Senate. :-**

(1) The Senate shall, on a date to be fixed by the Chancellor, meet once a year at a meeting to be called the annual meeting of the Senate.

(2) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than eleven members of the Senate, convene a special meeting of the Senate.

#### **18. Powers of Senate. :-**

(1) The Senate shall be the supreme governing body of the University and shall have power to review the acts of the Syndicate and shall exercise all the powers of the University not provided for by this Act, the Statutes and the Ordinances.

(2) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Senate shall exercise the following powers and perform the following duties, namely:

(i) to make provision for instruction, teaching and training in, for research in and for the advancement and dissemination of knowledge of, the Ayurvedic system of medicine;

(ii) to make such provision as will enable affiliated colleges and recognised institutions to undertake specialisation of studies;

(iii) to institute professorships, readerships, lectureships and any

other posts of teachers required by the University;

(iv) to institute fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(v) to institute and confer degrees, titles, diplomas and other academic distinctions;

(vi) to make, amend or repeal the Statutes;

(vii) to consider, cancel, refer back but not to amend the Ordinances;

(viii) to consider and pass resolutions on the annual reports and annual accounts;

(ix) to consider the annual financial estimates prepared by the Syndicate and pass resolutions with reference thereto;

(x) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes and Ordinances.

### **19. The Syndicate. :-**

(1) The Syndicate shall be the executive authority of the University and shall consist of the following namely :

(i) the Vice-Chancellor, Ex-Officio Chairman.

<sup>1</sup>[(ii) the Director, Indian System of Medicine and Homeopathy, Gujarat State.]

[(ii-a) the Advisor, Indigenous System of Medicine, Ministry of Health, Family Planning and Urban Development of the Government of India],

(iii) two members to be elected by the principals of affiliated colleges from amongst themselves,

(iv) one member to be elected by the teachers elected to the Senate under section 15 (1), Class II-Ordinary Members, (A) (i) from amongst themselves,

(v) <sup>2</sup>[one member] to be elected by the Heads of the University Departments from amongst themselves,

(vi) three members to be elected by registered graduates elected to the Senate under section 15 (1), Class II-Ordinary Members; (A)



(ii) from amongst themselves,

**3**(vii) two members to be elected by members who are elected or nominated to the Senate under section 15 (1), Class II-Ordinary Members; (A) (iii) or (B) from amongst themselves]:

Provided that a member elected under clauses (iii) to **4** [(vii)] shall cease to hold office as such member if he ceases to be a principal of an affiliated college or a teacher or a Head of the University Department 5[or a registered graduate or member of the Senate], as the case may be.

(2) The term of office of the elected members of the Syndicate shall be three years.

1. Subs, by Guj. 22 of 1982.

2. These words were substituted for the words "three members" Ibid.

3. Clause (vii) was Inserted Ibid.

4. The brackets and figures "(vii)" were substituted for the brackets and figures "(vi)-, by GuJ. 11 of 1968.

## **20. Powers and duties of Syndicate. :-**

(1) Subject to such conditions as may be prescribed by or under the provision of this Act, the Syndicate shall have the following powers and perform the following duties, namely :

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

(ii) to enter into, vary, carry out and cancel contracts on behalf of the University in the exercise or performance of, the powers and duties assigned to it by this Act and the Statutes;

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

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

(v) to prepare the annual accounts and to frame the annual financial estimates of the University and to submit them to the Senate;

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

- (vii) to accept on behalf of the University trusts, be- quests, donations and transfers of any movable or immovable property to the University;
- (viii) to transfer any movable property on behalf of the University;
- (ix) to manage and regulate the finances, accounts and investments of the University;
- (x) to institute and manage-
  - (a) a Publication Department;
  - (b) a Pharmaceutical Department;
  - (c) a Botanical Garden and Medical Department;
- (xi) to make provision for-
  - (a) extra-mural teaching and research;
  - (b) physical and military training;
  - (c) National Cadet Corps;
- (xii) to manage colleges, departments, institutes of re- search or specialized studies, laboratories, libraries, museums and hostels maintained by the Univer- sity;
- (xiii) to recognize hostels and to provide housing accom- modation for teachers of the University;
- (xiv) to arrange for and direct the inspection of affiliated colleges, recognized institution 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 adequate salaries, and, in case of such instructions to recom- mend to the Senate modifications of the conditions of affiliation or taking of such other steps as it deems proper in that behalf;
- (xv) to call for reports, returns and other information from affiliated colleges, recognised institutions or hostels;
- (xvi) to supervise and control the admission, conduct and discipline of the students of the University and to supervise and control their residence and to make arrangements for promoting their health and general welfare;
- (xvii) to recommend to the Senate the conferment of honorary

degrees and academic distinctions in the manner prescribed by Statutes;

(xviii) to award fellowships, travelling fellowships, scholarships, exhibitions, medals and prizes;

(xix) to appoint Heads of University Departments in accordance with Statutes;

(xx) save as otherwise provided by this Act, or the Statutes, to appoint on the recommendation of a committee of selection, if any, as required by this Act or Statutes, the officers (other than the Chancellor and the Vice-Chancellor), teachers and servants of the University, to define their duties and the conditions of their service, and to provide for the filling of temporary vacancies in their posts;

(xxi) to recognize a member of the staff of an affiliated college or recognised institution as a teacher of the University and withdraw such recognition;

(xxii) to lay down courses of studies;

(xxiii) to arrange for co-ordination of studies and teaching in the University affiliated colleges and in recognised institutions;

(xxiv) to hold and conduct examinations;

(xxv) to lay down conditions on which students shall be admitted to examinations;

(xxvi) to grant exemptions to students from approved courses of studies in the University or in affiliated colleges or recognised institutions for qualifying for degrees, diplomas and other academic distinctions;

(xxvii) to appoint examiners, to fix their remuneration and to arrange for the conduct of, and for publishing the results of the University examinations and other tests;

(xxviii) to fix, demand and receive such fees and other charges as may be prescribed by the Ordinances;

(xxix) to make, amend and cancel Ordinances;

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

(xxxi) to delegate any of its powers to the Vice-Chancellor, the Registrar or such other officer of the University or a Committee appointed by it as it may deem fit.

(2) The Syndicate shall make a report to the Senate about all acceptances or transfers of property referred to in clause (vii) of sub-section (1)

.

(3) The Syndicate shall not transfer any immovable property without the previous sanction of the Senate.

### **21. Boards of Studies. :-**

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

(2) The constitution, powers and duties of the Boards of Studies shall be as prescribed by the Statutes.

### **22. Board for Sports and Students Welfare and other Boards. :-**

(1) The University shall establish a Board of Sports and Students' Welfare and such other Boards as may be prescribed by the Statutes.

(2) The constitution, powers and duties of the Boards established under sub-section (1) shall be as prescribed by the Ordinances.

### **23. Other University bodies. :-**

The constitution, powers and duties of such other bodies as may be declared by the Statutes to be the authorities of the University shall be as prescribed by the Ordinances.

## **CHAPTER 5**

### **Statutes and Ordinances**

### **24. Statutes. :-**

Subject to such conditions as may be prescribed by or under the provisions of the Act, the Statutes may provide for all or any of the following matters, namely:

(i) conferment of honorary degrees;

(ii) holding of convocations to confer degrees;

(iii) powers and duties of the officers of the University;

- (iv) constitution, powers and duties of the authorities of the University save as provided in this Act;
- (v) institution and maintenance by the University of departments, institutes of research of specialised studies and hostels;
- (vi) acceptance and management of bequests, donations and endowments;
- (vii) registration of graduates and maintenance of a register of registered graduates;
- (viii) procedure at meetings of the authorities of the University and for the transaction of their business;
- (ix) qualifications of professors, readers, lecturers and teachers in affiliated colleges and recognised institutions;
- (x) all matters which by this Act are to be or as may be prescribed by the Statutes.

**25. Making amendment, operation and repeal of Statutes. :-**

- (1) The Statutes may be made by the Senate or may be amended, repealed or added to by Statutes made by the Senate in the manner hereinafter provided.
- (2) The Senate may take into consideration the draft of the Statute either of its own motion or on a proposal by the Syndicate.
- (3) The Syndicate may propose to the Senate draft of any Statute to be passed by the Senate.
- (4) Such draft shall be considered by the Senate at its next succeeding meeting. The Senate may approve such draft and assent to the Statute or may reject it or return it to the Syndicate for reconsideration either in whole or in part together with any amendments which the Senate may suggest. After any draft so returned has been further considered by the Syndicate together with any amendments suggested by the Senate, it shall be again presented to the Senate with the report of the Syndicate thereon and the Senate may then deal with the draft in any manner it thinks fit.
- (5) Where a Statute affects the powers or duties of any officer, authority or Board of the University,
  - (i) the Syndicate shall, before proposing the draft of such Statute,

ascertain and consider the views of the officer, authority or Board concerned; and

(ii) the Senate, before passing any such Statute take into consideration of its own motion, shall ascertain and consider the views of the officer, authority or Board concerned and the opinion of the Syndicate.

(6) Every Statute passed by the Senate shall be submitted to the Chancellor who may give or withhold his assent thereto or refer it back to the Senate for consideration.

(7) No Statute passed by the Senate shall have validity until assented to by the Chancellor.

## **26. Ordinances, their making and scope. :-**

(1) Subjects to the provisions of this Act and the Statutes, the Syndicate may frame Ordinances to provide for all or any of the following matters, namely :

(a) the admission of students to the University;

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

(c) the conditions under which students shall be admitted to the courses of studies for degrees, diplomas and other academic distinctions and to the examinations of the University;

(d) the recognition and inspection of hostels;

(e) the conduct and discipline of students and conditions of their residence;

(f) the number, qualifications and conditions of appointment of teachers of the University;

(g) the fees to be charged for courses of instruction in, or on behalf of, the University given by teachers of the University, for tutorial and supplementary instruction given by or on behalf of the University upon admission into the University, and for continuance therein, for admission to the examination degrees and diplomas of the University, for the registration of graduates and for other purposes of a like nature;

(h) the conditions of appointment and the duties of examiners;

- (i) the conduct of examinations;
  - (j) the duties and powers of the Board and Committees to be appointed by the University jointly with any other University or body;
  - (k) the powers and duties of the Registrar and other officers and servants of the University;
  - (l) the discipline to be enforced in regard to the graduates and undergraduates in so far as they come within the jurisdiction of the University purposes of study and examination;
  - (m) the rules to be observed and enforced by affiliated colleges and recognized institutions in respect of transfer of students;
  - (n) the fees (if any) to be paid for entry or retention of a name on any register;
  - (o) the inspection of affiliated colleges and recognised institutions and the reports, returns and other information to be furnished by such colleges and recognised institutions;
  - (p) the registers of students to be kept by affiliated colleges and recognized institutions;
  - (q) the duties of teachers of the University;
  - (r) the mode of execution of contracts of agreements by or on behalf of the University; and
  - (s) generally, all matters which by this Act or by the Statutes may be provided for by the Ordinances and all matters for which provision is, in the opinion of the Syndicate, necessary for the exercise of the powers conferred, or the performance of the duties imposed, on the Syndicate by this Act or the Statutes.
- (2) All Ordinances made by the Syndicate shall, except otherwise provided by this Act, have effect from such date as it may direct; but every Ordinance so made shall be laid on the table of the Senate as soon as may be, and shall be considered by the Senate at its next meeting. The Senate shall have power, by a resolution passed by a majority of not less than two-thirds of the members present at such meeting, to cancel or refer for reconsideration but not to amend any such Ordinance.
- (3) The Vice-Chancellor shall, on the application of not less than

one third of the members of the Senate, suspend the operation of any such Ordinance until the Senate has considered it as provided in sub-section (2).

#### CHAPTER 6

Affiliation, Recognition and Approval

### **27. Affiliation. :-**

(1) A college applying for affiliation to the University shall send a letter of application to the Registrar, and shall satisfy the Syndicate

(a) that the college will supply a need in the locality in respect of instruction and teaching in the Ayurvedic system of medicine having regard to the suitability of the locality where the college is to be established;

(b) that the college is to be under the management of a regularly constituted governing body;

(c) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the course of instruction, teaching or training to be undertaken by the college;

(d) that the buildings in which the college is to be located are suitable, and that provision will be made, in conformity with the Ordinances, for the residence in the college or in lodgings approved by the college, of students not residing with their parents or guardians, and for the supervision and welfare of students;

(e) that due provision has been made or will be made for a library;

(f) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes, and Ordinances for imparting instruction in that branch of science in a properly equipped laboratory or museum;

(g) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and some members of the teaching staff in or near the college or the place provided for the residence of the students;

(h) that the financial resources of the college are as such as to make due provision for its continued maintenance and efficient working; and

(i) that the college rules fixing the fees (if any) to be paid by the



students have not been so framed as to involve such competition with any existing college in the same neighbourhood as would be injurious to the interests of education.

(2) The application shall contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all other changes which result in any of the aforesaid requirements not being fulfilled<sup>^</sup> or continued to be fulfilled shall be forthwith reported to the v Syndicate.

(3) On receipt of a letter of application under sub-section (1) the Syndicate shall

(a) direct a local inquiry to be made by a competent person or persons authorised by the Syndicate in this behalf in the respect of the matters referred to in sub-section (1) and such other matters as may be deemed necessary and relevant;

(b) make such further inquiry as may appear to it to be necessary;

(c) give due consideration to the request, if any, made by the applicant for a reconsideration of any of the conditions conveyed to him;

(d) record its opinion on the question whether the ap- plication should be granted or refused either in whole or in part, stating the result of any inquiry under clauses (a), (b) and (d) of sub- section (1).

(4) The Registrar shall submit the application and all proceedings, if any, of the Syndicate relating thereto, to the State Government which, after such inquiry as may appear to it to be necessary, shall grant or refuse the application or any part thereof.

(5) Where the application or any part thereof is granted, the order of the State Government shall specify the courses of instruction in respect of which the college is affiliated, and, where the application or any part thereof is refused, the grounds of such refusal shall be stated.

(6) As soon as possible after the State Government makes its order, the Registrar shall submit to the Senate a full report regarding the application, the action taken thereon under sub-section (3) to (5) and of all proceedings connected there- with.

(7) An application under sub-section (1) may be withdrawn at any

time before an order is made under sub-section (4).

**28. Extension of affiliation. :-**

Where a college desires to add to the courses of instruction in respect of which it is affiliated the procedure prescribed by section 27 shall, so far as may be, be followed.

**29. Recognition of institutions of research and specialised studies. :-**

(1) The Syndicate shall have the power to recognise as a recognised institution any institution of research of specialised studies in Ayurvedic system of medicine other than a college.

(2) An institution which desires to have such recognition shall send letter of application to the Registrar and shall give full information in the letter of application in respect of the following matters namely:

- (a) constitution and personnel of the managing body;
- (b) subjects and courses in regard to which recognition is sought;
- (c) accommodation equipment, library facilities and the number of students for whom provision has been or is proposed to be made;
- (d) the strength of the staff, their qualifications and salaries and the research work done by them;
- (e) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

(3) Before taking the application into consideration the Syndicate may call for any further information which it may deem necessary.

(4) If the Syndicate decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorised by it in behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the Syndicate shall grant or refuse the application or any part thereof. Where the application or any part thereof is granted, the Syndicate shall specify the subjects and courses of instruction in respect of which the institution is recognised and make a report to that effect to the Senate at its next succeeding meetings. Where the application or any part thereof is refused, the grounds of such

refusal shall be stated.

### **30. Approval of institutions. :-**

(1) The Syndicate shall have the power to approve an institution as an "approved institution" for specialised studies, laboratory work, internship, research and other academic work in the Ayurvedic system of medicine under the guidance of a single qualified teacher.

(2) An institution which desires to have such approval shall send a letter of application to the Registrar and shall give full information in the letter of application in respect of the following matters, namely :

(a) the name, qualifications, experience and research work of the teacher under whom approved work is to be done;

(b) the nature of work or the subjects for which work is proposed to be done;

(c) accommodation, equipment, library facilities and the number of students for whom provision has been made or is proposed to be made;

(d) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment for the continued maintenance and efficient working of the institution.

(3) Before taking the application into consideration the Syndicate may call for any further information which it may deem necessary;

(4) If the Syndicate decides to take the application into consideration it may direct a local inquiry to be made by a competent person or persons authorised by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the Syndicate shall, grant or refuse the application or any part thereof. Where the application or any part thereof is granted the Syndicate shall specify the subjects and courses of instruction in respect of which the institution is approved and make a report to that effect to the Senate at its next succeeding meetings. Where the application or any parts thereof is refused, the grounds of such refusal shall be stated.

### **31. Inspection of colleges and reports. :-**

(1) Every affiliated college, recognised institution and approved institution shall furnish such reports, returns and other information as the Syndicate may require to enable it to judge the efficiency of the college or institution.

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

(3) The Syndicate may call upon any college or institution so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (1) of section 27 and sub-section (2) of section 29, or as the case may be sub-section (2) of section 30.

### **32. Withdrawal of affiliation. :-**

(1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (1) of section 27 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

(2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Syndicate. The member of the Syndicate, who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (2) to the principal of the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Syndicate:

Provided that the period so specified may, if necessary, be extended by Syndicate.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Syndicate after considering the notice of motion, statement and representation and after such inspection by competent person or persons authorised by the Syndicate in this behalf and such a further inquiry as may appear to it to be necessary shall make report to the Senate.

(5) On receipt of the report under sub-section (4) the Senat shall after such further inquiry, if any, as may, appear to it to be necessary record its opinion in the matter:

Provided that no resolution of the Senate recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtained the support two thirds of the members present at a meeting of the Sena such majority comprising not less than one half of the members of the Senate.

(6) The Registrar shall submit the proposal and proceedings, if any, of the Syndicate and the Senate relation thereto, to the State Government which, after such further: inquiry, if any, as may appear to it to be necessary, shall me such order as it deems fit and communicate it to the Sena.

(7) Where by an order made under sub-section (6), rights conferred by affiliation are -withdrawn in whole or part or modified, the grounds for such withdrawal modification shall be stated hi the order.

### **33. Withdrawal of recognition. :-**

(1) The right conferred, on an institution may be withdrawn or suspended for any period if the institution has failed to observe any of the conditions of its recognition or the institution is conducted in a manner which is prejudicial to the interests of education.

(2) A motion for such withdrawal of suspension shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration the Syndicate shall send a copy of the notice and written state- ment mentioned in sub-section (2) to the head of the institu- tion concerned, together with an intimation that any representation in writing submitted within a period specified in the intimation on behalf of the institution will be con- sidered by the Syndicate:

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3) the Syndicate, after con- sidering the notice of motion, statement and representation and after such

inspection by competent person or persons authorised by the Syndicate in this behalf, and after such further inquiry as may appear to it to be necessary, shall make a report to the Senate if the Syndicate decides that the recognition should be withdrawn or suspended. No such report for withdrawal or suspension shall be made unless a resolution to that effect is supported by at least two thirds of the members present at the meeting of the Syndicate.

(5) On receipt of the report under sub-section (4) the Senate shall after such further inquiry, if any, as may appear to it to be necessary, decide whether the recognition should be withdrawn or suspended, as the case may be:

Provided that the recognition shall not be withdrawn or suspended unless resolution of the Senate to that effect is supported by a majority of at least two-thirds of the members present at the meeting of the Senate, such majority comprising not less than one-half of the members of the Senate.

#### **34. Withdrawal of approval. :-**

(1) The rights conferred on an institution by approval may be withdrawn or suspended for any period by the Syndicate if the institution has failed to observe any conditions of its approval or the work assigned to it is conducted in a manner which is prejudicial to the interest of education, or the teacher recognised by the University leaves the institution.

(2) Before making an order under sub-section (1) in respect of any approved institution, the Syndicate shall by notice in writing, call upon the institution to show cause within one month from the date of the receipt of notice, why such an order should not be made. The period so given for showing the cause may, if necessary, be extended by the Syndicate.

(3) On receipt of the explanation, if any, made by the institution in reply to the notice, and where no such reply is received, on the expiry of the period referred to in sub-section (2), the Syndicate shall, after such inquiry, if any, as may appear to it to be necessary, decide whether the approval should be withdrawn or as the case may be, suspended and make an order accordingly.

#### **CHAPTER 7**

##### **Postgraduate Teaching**

#### **35. Postgraduate teaching. :-**

(1) All postgraduate instructions, teaching and training shall be conducted by the University or by such affiliated colleges or institutions and in such subjects as may be prescribed by the Statutes.

(2) All postgraduate departments shall ordinarily be located at the head quarters of the University. However the University may locate any of such departments at a place or places outside its headquarters.

(3) The University may maintain University centres at places other than the headquarters of the University on such terms and conditions as may be prescribed by the Statutes and Ordinances.

#### CHAPTER 8

#### Enrolment and Degrees

#### **36. Qualification for enrolment of students of University. :-**

No student shall be enrolled as a student of the University unless he possesses such qualifications as may be prescribed by the Statutes.

#### **37. Residence of students. :-**

Every student of the University shall reside in a hostel or under such conditions as may be prescribed by the Ordinances.

#### **38. Degrees, diplomas and other academic distinctions. :-**

The Senate may institute and confer such degrees, diplomas and other academic distinctions as may be prescribed by the Statutes.

#### **39. Honorary Degree. :-**

If not less than two-thirds of the members of the Syndicate recommend that an honorary degree, or other academic distinction be conferred on any person on the ground that he is in their opinion, by reason of eminent position and attainments a fit and proper person to receive such degree or other academic distinction and where their recommendation is supported by a majority of not less than two-thirds of the members of the Senate present at a meeting of the Senate, such majority comprising not less than one-half of the members of the Senate, and the recommendation is confirmed by the Chancellor, the Senate may confer on such person the honorary degree or other academic distinction so recommended without requiring him to undergo any examination.

#### **40. Removal from membership of University and withdrawal of degree or diploma. :-**

(1) The Chancellor may, on the recommendation of the Syndicate and of the Senate supported by a majority of not less than two-thirds of the members of each body present at its meeting, such majority comprising not less than one half of the members of each body, remove the name of any person from the register of graduates or withdraw from any person a diploma or degree if he has been convicted by a court of law of any offence which in the opinion of the Syndicate and the Senate, is as serious offence involving moral turpitude or if he has been guilty of scandalous conduct.

(2) No action under this section shall be taken unless the person concerned is given an opportunity to be heard in his defence in the manner prescribed by the Statutes.

#### CHAPTER 9 Committees

##### **41. Committees. :-**

All the authorities of the University shall have power to appoint committees. Such committee, may include persons who are not members of the authority appointing the committee.

#### CHAPTER 10 Finance

##### **42. 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 contribution or grant by the State Government, the Union Government, or the University Grants Commission;

(b) the income of the University from all sources including income from fees and charges;

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

(3) The University Fund shall be kept in any schedule bank as defined in the Reserve Bank of India Act, 1934 (II of 1934) or in a co-operative bank approved by the State Government for the purpose or invested in securities authorised by the Indian Trust Act, 1882 (II of 1882) at the discretion of the Syndicate.



### **43. Annual accounts and financial estimates. :-**

(1) The annual accounts of the University shall be prepared under the direction of the Syndicate and shall be submitted to the State Government for audit.

(2) The Syndicate shall, after the accounts are audited, submit a copy thereof along with a copy of the audit report to the Senate and to the State Government.

(3) The Syndicate shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year.

(4) The annual accounts and the financial estimates shall be considered by the Senate at its annual meeting and the Senate may pass resolutions with reference thereto and communicate the same to the Syndicate which shall take them into consideration and take such action thereon as it thinks fit; and finally adopt the accounts and financial estimates. The Syndicate shall inform the Senate at its next meeting of the action taken by it or of its reasons for taking no action.

### **44. Annual Report. :-**

The annual report of the University shall be prepared under the direction of the Syndicate and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes and shall be considered by the Senate at the annual meeting. The Senate may pass resolutions thereon and communicate the same to the Syndicate which may take such action as it thinks fit, and the Syndicate shall inform the Senate at its next meeting of the action taken by it or of its reasons for taking no action.

### **CHAPTER 11**

#### **Supplementary Provisions**

### **45. Consideration of service. :-**

Save as otherwise provided by or under this Act, every salaried officer and teacher of the University shall be appointed under a written contract. The contract shall be lodged with the Registrar of the University and a copy thereof shall be furnished to the Officer or teacher concerned.

145A. Officers and employees to be public servants.- Every officer and employee of the University shall be deemed to be a public servant within the meaning of the section 21 of the Indian Penal

Code.

Explanation.-For the purposes of this section any person who is appointed by the University for a specified period, or for a specified work of the University or who receives any remuneration by way of compensatory allowance or fee for any work done from the University Fund shall be deemed to be an officer or employee of the University while he is performing, and in relation to all matters relatable to the performance of, the duties and functions connected with such appointment or work.

**46. Tribunal of Arbitration. :-**

Any dispute arising out of a contract between the University and any officer or teacher of the University shall, on the request of the officer or teacher concerned, be referred to a Tribunal of Arbitration consisting of the one member appointed by the Syndicate, one member nominated by the Officer or teacher concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final and no suit shall lie in any Civil Court in respect of matter decided by the Tribunal. Every such request shall be deemed to be submission to arbitration upon the terms of this section within the meaning of the Indian Arbitration Act, 1940 (X of 1940) and the provisions of that Act shall apply accordingly.

**47. Pension, Insurance and Provident Fund. :-**

The University shall make such provisions for the benefit of officers, teachers and other servants in such matters as insurance, pension, provident fund or other benefits as it may deem fit, in such manner and subject to such conditions as may be prescribed by the Statutes.

147A. Provident Fund to be deposited in Government Treasury.-

(1) Where the University has established a provident fund for the benefit of its officers, teachers and other servants under section 47, such fund shall notwithstanding anything contained in any law for the time being in force, be deposited in the State Government treasury in accordance with such directions as the Government may, from time to time by an order in writing give, and thereupon,

(i) the subscriber to the fund shall be entitled to interest on the balance in his provident fund account at the same rate at which the State Government servant is for the time being entitled to on the balance in his provident fund account, and

(ii) the rules for the time being in force relating to the limits of withdrawals from the provident fund as applicable to such Government servant shall, so far as may be, apply to the subscriber.

(2) Nothing in this section shall apply to a provident fund established by the University to which the Employees' Provident Funds Act, 1952 (XIX of 1952) applies.]

#### **48. Election to be by system of proportional representation.**

:-

Every election to any authority of the University made under this Act shall be made according to the system of proportional representation by means of a single transferable vote by ballot in such manner as may be prescribed by the Statutes.

#### **49. Vacating of office. :-**

(1) Any member of any authority or body of the University may resign his office by letter addressed to the Vice-Chancellor through the Registrar and the resignation shall take effect on its acceptance by the Vice-Chancellor or on the expiry of thirty days from the date of receipt of the letter by the Vice-Chancellor whichever event occur earlier.

(2) Any member of any authority or body of the University shall cease to be a member on his being convicted by a court of law of an offence, which in the opinion of the Syndicate, involves moral turpitude.

#### **50. Filling of casual vacancies :-**

When any vacancy occurs in the office of a member (other than an ex-officio member) of any authority or other body of the University before the expiry of the term of office of such member, the vacancy shall be filled up, as soon as conveniently may be by the election, nomination, appointment or co-option, as the case may be, of a member who shall hold office so long only as the member in whose place he has been elected, nominated, appointed or co-opted would have held it, if the vacancy had not occurred: Provided that, if the vacancy be of an elected member of the Senate and occurs within six months preceding the date on which the term of office of such member expires, the vacancy shall not be filled.

#### **51. Proceeding not invalidated by vacancies. :-**

No act or proceedings of any other body of the University shall be

invalidated merely by reason of any vacancy in its membership.

**52. Disputes as to constitutions of University, Authority, or body. :-**

If any question arises regarding the interpretation of any provision of this Act, or of any Statute, Ordinance, or Rule or as to whether a person has been duly elected or appointed as, or is entitled to be or ceases to be, a member of any authority or other body of the University, the matter may on petition by any person or body directly affected or suo motu be referred by the Vice-Chancellor to the Chancellor and shall be so referred to the Chancellor if the members of the Senate so require. The Chancellor shall, after taking such advice as he deems necessary, decide the question and his decision shall be final.

**53. Protection of acts and orders. :-**

All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and no suits shall be instituted against or damage claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of this Act and the Statutes, Ordinance, and Rules thereunder.

**CHAPTER 12**

**Transitory Provisions**

**54. Completion of courses of studies in institutions recognised by the Faculty. :-**

Notwithstanding anything contained in this Act, or the Statutes and Ordinances made thereunder any student of an institution entitled to train students for the examinations of the Faculty who immediately before the date on which section 5 comes into force was studying or was eligible for any examination of the Faculty shall be permitted to complete his course in preparation therefor, and the University shall provide for such period and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the courses of students of the Faculty.

**55. Appointment of first Vice-Chancellor. :-**

Notwithstanding anything contained in section 10, the first Vice Chancellor shall be appointed by the State Government as soon as practicable after the passing of this Act for a period not exceeding three years and on such terms and conditions as the State Government thinks fit.

**56. Appointment of first Registrar :-**

Notwithstanding anything contained in section 12 the first Registrar shall be appointed by the State Government as soon as practicable after the passing of this Act for a period not exceeding four years and on such conditions as the State Government thinks fit.

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

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

(a) to give recognition to institutions, if any, as far as possible consistently with the provisions of section 29, and

(b) to make arrangements for constituting the Senate, the Syndicate, and other authorities of the University, within six months after the date of his appointment or such longer period not exceeding <sup>1</sup> [two years] as the State Government may, by notification in the Official Gazette, direct.

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

(a) subject to the provisions of this Act, and the approval of the Chancellor

(i) make provisional Statutes necessary for constituting the aforesaid authorities and regulating the procedure at their meetings and the transaction of their business;

(ii) draw up any rules that may be necessary for regulating the method of election to the aforesaid authorities;

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

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

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

1. These words were substituted for the words "one year" and shall

be deemed always to have been substituted by GuJ. 11 of 1968.

**58. First appointment of officers and teachers of University.**

:-

(1) At any time after the passing of this Act until such time as the authorities of the University shall commence to exercise their functions

(a) any officer of the University may be appointed by the Vice-Chancellor with the previous sanction of the Chancellor.

(b) teachers of the University may be appointed by the Chancellor after considering the recommendations of an Advisory Committee consisting of the Vice-Chancellor, the Director of Education and such other person or persons, if any, as the Chancellor thinks fit to associate with them.

(2) Any appointment made under sub-section (1) shall be for such period not exceeding four years and on such conditions as the appointing authority thinks fit: Provided that no such appointment shall be made until financial provision has been made therefor.

**59. Extraordinary powers of first Vice-Chancellor. :-**

The Vice-Chancellor appointed under section 55 shall have powers until the Syndicate commences to exercise its functions

(a) with the previous approval of the Chancellor to make additional Statutes, to provide for any matter not provided for by the first Statutes.

(b) to constitute provisional authorities and bodies and on their recommendations to make rules providing for the conduct of the work of the University.

(c) subject to the control of the State Government to make such financial arrangements as may be necessary to enable this Act or any part thereof to be brought into force.

(d) with the sanction of the Chancellor to make for a period not exceeding four years such appointments as may be necessary to enable this Act or any part thereof to be brought into force.

(e) to appoint any committee as he may think fit, to discharge such of his functions as he may direct, and

(f) generally to exercise all or any of the powers conferred on the

Syndicate by or under the provisions of this Act.

**60. Removal by State Government of difficulties at the commencement of the Act. :-**

If any difficulty arises as to the first constitution of any authority of the University after the coming into force of this Act or otherwise in first 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.

**61. Dissolution of Faculty constituted under Gujarat Medical Practitioners Act, 1963 and consequential amendments of that Act. :-**

On and from the date on which section 5 comes into force

(i) the Gujarat Faculty of Ayurvedic and Unani Systems of Medicine constituted under the Guj. Medical Practitioners Act, 1963 (Guj. 6 of 1964) shall be dissolved and all property, movable and immovable and all rights, powers and privileges of the said Faculty shall be transferred to and vest in the University and shall be applied to the objects and purposes for which the University is established;

(ii) all debts, liabilities and obligations of the said Faculty shall be transferred to the University and shall thereafter be discharged and satisfied by it.

(iii) all references in any enactment to the said Faculty shall, unless a contrary intention appears, be construed as references to the University;

(iv) any will, deed, or other document whether made, executed or passed before or after the commencement of this section, which contains any bequest gift, terms or trust in favour of the said Faculty shall be construed as if the University was therein named instead of such Faculty;

(v) all officers and servants in the employ of the Faculty immediately before the date of the commencement of this section shall be officers and servants of the University and shall, until provision is otherwise made, receive salaries and allowances and be subject to the conditions of service which they were entitled to or subject to on the date of the commencement of this section:

Provided that

(i) the service rendered by such officers and servants immediately before the date of the commencement of this section shall be deemed to be rendered under the University;

(ii) if in the opinion of the University, the services of any officer or servant are not necessary or suitable to the requirements of service under it, it may, with the previous approval of the State Government discontinue the services of any such officer or servant and any officer or servant whose services are so discontinued shall be entitled to receive from the University such leave, pension, gratuity or other benefits as he would have, if this Act had not been passed, been entitled to receive on being invalidated;

(vi) the Gujarat Medical Practitioners Act, 1963 (Guj. 6 of 1964) shall be amended in the manner and to the extent specified in the Schedule.

#### SCHEDULE 1

Amendment to the Gujarat Medical Practitioners Act, 1963

Amendment to the Gujarat Medical Practitioners Act, 1963

(Guj. 6 of 1964)

1. In section 2, in sub-section (1),
  - (a) in clause (b), the words "and as the Faculty may from time to time have determined" shall be deleted;
  - (b) clause (d), (e), (g) and (i) shall be deleted;
  - (c) in clause (k), the words "or the Faculty, as the case may be" shall be deleted;
  - (d) clause (n) shall be deleted;
  - (e) in clause (v), the words "whether supplemented or not by such modern advances as the Faculty may from time to time have determined" shall be deleted;
  - (f) clause (w) shall be deleted.
2. In Chapter II, in the heading, the words "AND THE FACULTY" shall be deleted,
3. Section 4 shall be deleted.
4. In section 5,-
  - (a) in sub-section (1),
    - (i) for the words and figures "section 3 and 4" the word and figure "section 3" shall be substituted.



(ii) the words "the Chairman" and the words "and of the Faculty" shall be deleted;

(b) in sub-section (2), the words "and the Faculty" and the words "and the Chairman" shall be deleted.

(c) in sub-section (3),

(i) the words "and the Faculty" shall be deleted, (ii) clause (b) shall be deleted.

(d) in sub-section (5),-

(i) the word "Chairman" where it occurs at two places shall be deleted.

(ii) the words, brackets and figures "sub-section (6) of section 4" shall be deleted.

5. In section 6,

(a) in sub-section (1), the words "or the Chairman" shall be deleted.

(b) sub-section (3) shall be deleted;

(c) in sub-section (4), the words, brackets and figure "or elected under sub-section (3)" shall be deleted.

6. In section 7,

(a) in sub-section (1), the words "or the Chairman, as the case may be" and the words "or the Chairman" shall be deleted;

(b) in sub-section (2), the words "or the Chairman" shall be deleted.

7. In section 8,

(a) in sub-section (1), in clause (d), the words "or the Faculty" shall be deleted;

(b) in sub-section (2),

(i) the words "or the Faculty, as the case may be" where they occur at two places shall be deleted;

(ii) the words "and the Chairman" shall be deleted.

(c) in sub-section (3), the words "or the Faculty, as the case may be" where they occur at two places and the words "or Faculty as the case may be" shall be deleted.

(d) in sub-section (4),

(i) the words "or the Chairman", shall be deleted;

(ii) the words "or the Chairman, as the case may be" shall be deleted;

(iii) the words "or. as the case may be, the Chairman" shall be deleted.

8. In section 9,

(a) in sub-section (1), the words "and the Faculty" shall be deleted;

(b) in sub-section (2).--

(i) the words "and the Chairman at meetings of the Faculty" shall be deleted;

- (ii) the words "or Chairman, as the case may be" shall be deleted.
- (c) in sub-section (3), the words "or the Faculty" shall be deleted;
- (d) in sub-section (5).

- (i) the words "and five members of the Faculty including the Chairman, as the case may be," shall be deleted; (ii) the words "or the Faculty, as the case may be" shall be deleted;
- (e) in the marginal note, the words "and Faculty" shall be deleted.

9. In section 10,

- (a) in sub-section (1),

- (i) the words "and the Faculty" shall be deleted; (ii) the words "or Faculty, as the case may be" shall be

deleted;

- (iii) the words "or, as the case may be. Faculty" and the words "or, as the case may be, the Faculty" occurring in the proviso shall be deleted.

- (b) in sub-section (2).

- (i) the words "or as the Chairman" shall be deleted; (ii) the words "or as the case may be. Faculty" shall be deleted.

- (c) in sub-section (3), the words "or the Faculty" shall be deleted.

10. In section 11,

- (a) the words "the Chairman" shall be deleted;
- (b) in the marginal note, the words "Chairman" shall be deleted.

11. Sections 13 and 15 shall be deleted.

12. In section 16,

- (a) in sub-section (2). the words "and of the Faculty" where they occur at two places shall be deleted;
- (b) in sub-section (4), the words "and the Faculty" shall be Deleted;
- (c) in the marginal note, the words "and Faculty" shall be deleted.

13. In chapter IV, for the existing heading the following shall be substituted,

"RECOGNITION OF QUALIFICATIONS".

14. Sections 26, 27 and 28 shall be deleted.

15. In section 29,

(a) in sub-section (1), the words "on the report of the Faculty or otherwise" shall be deleted:

(b) in sub-section (2), for the words, brackets and figures beginning with the words "may apply" and ending with the words "in respect of such application" the words "may make an application in writing to the State Government in that behalf in the prescribed manner" shall be substituted;

(c) in sub-section (3),

(i) the words "on the report of the Faculty or otherwise" shall be deleted;

(ii) for the two provisos, the following proviso shall be substituted namely :

"Provided that before removing any degree, diploma, certificate or award from the Schedule, the State Government shall require the University, body or institution to take such steps and within such reasonable time as may be directed by the State Government, to bring the course of study or examinations for such degree, diploma or award to the required standard".

16. In section 32, in sub-section (1), clause (b) shall be deleted.

17. Section 38 shall be deleted.

18. In section 39,

(a) in sub-section (1),

(i) the words "or the Faculty" and the words "or Faculty" wherever they occur shall be deleted;

(ii) the words "or Chairman" and the words " or the Chairman"

wherever they occur shall be deleted;

(iii) for the words "after giving the President Chairman, Board" the words "after giving the President or the Board" shall be substituted;

(iv) the words "or new Faculty, as the case may be" shall be deleted.

(b) in sub-section. (2).

(i) the words "or by-laws" shall be deleted; (ii) the words "or the Faculty" shall be deleted.

19. Sections 41 and 42 shall be deleted.

20. In the Schedule, in the heading, for the figures and words "15, 17, 21, 29 and 41" the figures and word "17, 21 and 29" shall, be substituted.