

Kachchh University Act, 2003

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SCHEDULE 1 :- SCHEDULE

An Act to establish and incorporate a teaching and affiliating University in the State of Gujarat to be known as the Kachchh University. It is hereby enacted in the Fifty-fourth Year of the Republic of India as follows:

CHAPTER 1
PRELIMINARY

1. Short title and commencement :-

(1) This Act may be called the Kachchh University Act, 2003.

(2) This section shall come into force at once and the remaining provisions shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions and any reference in any such provision to the date of the commencement of this Act shall be construed as the reference to the date of coming into force of that provision.

2. Definitions :-

In this Act, unless the context otherwise requires,

(1) "affiliated college" means a college affiliated u/Sec. 5 or 35;

(2) "approved institution" means an institution approved under Sec. 38;

(3) "autonomous college", "autonomous institution" or "autonomous department" means a college, institution or department which exercise the powers under Sec. 44;

(4) "college" means a degree college or an affiliated college teaching any of the courses leading to a diploma or a degree;

(5) "degree college" means an affiliated college which is authorised to submit its students to an examination qualifying for any degree of the University;

(6) "department" means a department designated as such by Ordinances with reference to a subject or a group of subjects;

(7) "head master" means the head of a secondary school;

(8) "hostel" means a unit of residence for students maintained or

recognised by the University under this Act;

(9) "principal" means the head of a college;

(10) "recognised institution" means an institution recognised under Sec. 37;

(11) "registered graduate" means a graduate registered under the provisions of this Act;

(12) "secondary school" means a secondary school registered or deemed to have been registered under Sec. 31 of the Gujarat Secondary and Higher Secondary Education Act, 1972 (Guj. 18 of 1973);

(13) "secondary teachers" means such class of teachers who are imparting instruction in secondary schools as may be declared to be secondary teachers by the Statutes;

(14) "Statutes", "Ordinances", "Regulations" and "Rules" means respectively the Statutes, Ordinances, Regulations and Rules made under this Act and for the time being inforce;

(15) "teachers" means professors, readers, lecturers and such other persons imparting instructions in the University or a University college or an affiliated college or a recognised institution or an approved institution as may be declared to be teachers by the Statutes;

(16) "Tribunal of arbitration" means the tribunal as referred to in Sec. 69;

(17) "University" means the Kachchh University constituted under this Act;

(18) "University area" means the areas specified in the Schedule;

(19) "University Department" means any post-graduate or research institution or department maintained by the University.

CHAPTER 2

THE UNIVERSITY

3. Incorporation of the University :-

(1) The Chancellor, the first Vice-Chancellor, the first Pro-Vice-Chancellor of the University and the first members of the Court, the Executive Council and the Academic Council 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 "Kachchh University".

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

(3) The University shall be competent to acquire and hold property, both moveable and immoveable, to lease, sell or otherwise transfer any moveable or immoveable property which may vest in or be acquired by it for the purposes of the University, to raise loan on the securities of its assets and to contract and do all other things necessary for the purposes of this Act;

(4) The headquarters of the University shall be at Bhuj.

4. Powers of the University :-

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

(1) to provide for instruction, including correspondence courses, teaching and training in such branches of learning and courses of study as it may think fit, to make provisions for research, advancement and dissemination of knowledge and conduct special undergraduate courses for talented students;

(2) to promote equality of opportunities and social justice as enshrined in the Constitution of India and to be a catalyst in socio-economic transformation;

(3) to promote national integration and preserve cultural heritage;

(4) to make such provision as would enable affiliated colleges, recognised institutions and approved institutions to undertake specialisation of studies;

(5) to establish, maintain, take over by agreement and manage colleges, departments and institutes of research or specialised studies;

(6) to organise common laboratories, libraries, museums and other equipments for teaching and research;

(7) to establish within the University area or outside that area such field stations, campuses, specialised laboratories and other units for research and instructions and for post-graduate studies in a special

subject;

(8) to designate a college or institution or department or campus autonomous for encouraging innovations;

(9) to provide for common resources centres for a group of colleges in the region, in terms of libraries, computer services, etc. and also to provide for inter-study disciplinary courses for study and research;

(10) to institute professorships, readerships, lecturerships and other posts of teachers required by the University;

(11) to guide teaching and research work in colleges, University Departments and recognised institutions;

(12) to organise and undertake extra mural studies, training and extension services;

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

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

(15) to hold examinations or tests and confer degrees and diplomas on, and grant certificates to, persons who

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

(b) have carried on research under conditions prescribed by the Statutes, Ordinances, Regulations or rules;

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

(17) to grant such diplomas to, and to provide such lectures, instructions and training to, persons who are not enrolled students of the University, as may be determined by the Statutes, Ordinances, Regulations and rules;

(18) to withdraw or cancel and degree, diploma or certificate conferred or granted by the University in the manner prescribed by the Statutes;

- (19) to associate or admit educational institutions with, or to the privileges of the University by way of affiliation, recognition or approval;
- (20) to withdraw or modify either in whole or in part, affiliation, recognition or approval of educational institutions;
- (21) to inspect colleges, recognised institutions and approved institutions and to take measures to ensure that proper standards of instruction, teaching and training are maintained in them and that adequate library and laboratory provisions are made therein;
- (22) to lay down and regulate the salary scales, allowances and other conditions of service of the members of the teaching, other academic and non-teaching staff of the University;
- (23) to lay down and regulate the salary scales, allowances, and other conditions of service of the members of the teaching, other academic and non-teaching staff in the affiliated colleges and recognised and approved institutions;
- (24) to provide for the recognition of Student's Unions or associations of teachers, academic staff or other employees of the University, affiliated colleges and recognised institutions;
- (25)
- (a) to control and co-ordinate the activities of, and to give financial aid to, affiliated colleges and recognised and approved institutions; and
- (b) to regulate the fees to be paid by the students in affiliated colleges and recognised and approved institutions;
- (26) to hold and manage trusts and endowments;
- (27) to institute and award fellowships, travelling fellowships, scholarships, studentships, medals, prizes and other awards;
- (28) to make special provisions for the spread of University education among classes and communities which are educationally backward;
- (29) to lay down courses of study to meet the requirements of rural planning, development and reconstruction and to provide for instruction, teaching and training in such courses;
- (30) to make special provision for disseminating knowledge and

promoting art and culture;

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

(32) to establish, maintain and manage hostels;

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

(34) to co-ordinate, supervise, regulate and control the residence, conduct and discipline of the students and all categories of employees and to lay down service conditions of the employees of the University and to make arrangements for promoting their health and general welfare;

(35) to take disciplinary action against the students of the University and to impose such punishment upon them as may be deemed fit for breach of discipline or misconduct, within or outside the University including the use of unfair means at an examination or in relation thereto by themselves or by any other persons or abatement thereof;

(36) to conduct, co-ordinate, supervise, regulate and control post-graduate teaching and research work in the University Departments and affiliated colleges and recognised institutions;

(37) to co-ordinate, supervise, regulate and control the conduct of undergraduate teaching and instruction in the affiliated colleges and to undertake the same in University Colleges;

(38) to institute and manage-

(a) Printing and Publication Department,

(b) University Extension Boards,

(c) Information Bureau, and

(d) Employment Bureau;

(39) to make provision

(a) for continuing education, adult education, extra-mural teaching, extension services and other recognised educational activities;

(b) for Physical Education, National Cadet Corps, National Services Scheme, National Sports Organisation and such other recognised activities; and

(c) for sports and athletic activities;

(40) to co-operate with any other Universities, authorities or associations or any other public or private bodies in such manner and for such purposes as the University may determine;

(41) to make arrangements for training for competitive examinations for recruitment of services under the Union and State Governments;

(42) to promote the development of the study of Gujarati and Hindi (in Devanagiri script) and other languages and the use of Gujarati or Hindi (in Devanagiri script) or both as the media of instruction and examination;

(43) to acquire, hold, manage and dispose of any property movable and immovable, including trust or endowed property within or outside the University and to invest and funds representing such property in such manner as the University thinks fit;

(44) to raise public loans on security of the assets of the University for the purpose of the University, with the previous approval of the State Government;

(45) to generate resources by frugal and productive utilisation of the University resources;

(46) to enter into any agreement for the incorporation in the University of any other institution and for taking over its rights, properties and liabilities and for any other purpose not repugnant to this Act;

(47) to organise and conduct refresher courses, workshops, seminars and other programmes;

(48) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the object of the University and generally to cultivate and promote arts, science and other branches of learning and culture.

5. Jurisdiction and admission to privileges :-

(1) No educational institution situated within the University area 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) Any such privileges enjoyed from the Gujarat University before the date on which this Act comes into force by any educational institution situate within the University area shall be deemed to be withdrawn with effect from such date.

(3) With effect on and from such date all educational institutions admitted to the privileges of the Gujarat University and situate within the University area shall be deemed to be admitted to the privileges of the University and such institutions shall, on and from such date cease to be associated with and to enjoy the privileges of the Gujarat University and the Gujarat University Act, 1949 (Bom. L of 1949), shall thereupon cease to apply to them. The University shall, as far as may be possible and consistent with this Act, admit such institutions to all such privileges as they had from the Gujarat University immediately before such date.

(4) Any educational institution in the State of Gujarat situated outside the University area may, subject to such conditions and restrictions as the University and State Government 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, caste, 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 for socially and educationally backward classes of citizens or for members of the Scheduled Castes and the Scheduled Tribes, seats for the purposes of admission as students in any institution maintained by the University.

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, caste, class, place of birth, religious belief or profession or 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 buildings, laboratories, libraries, museums, workshops and equipments 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 University of his intention to cause an inspection or inquiry to be made and University shall be entitled to be represented thereat.

(2) The Chancellor shall communicate to the Executive Council his views with reference to the results of such inspection or inquiry and shall, after ascertaining the opinion of the Executive Council, advise the University on the action to be taken.

(3) The Executive Council 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 report shall be submitted within such time as the Chancellor may direct.

(4) Where the Executive Council 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 Executive Council, issue such directions as he may think fit and the Executive Council 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 prescribed in sub-sections. (1) to (3) and shall have, for the purposes of such inspection or inquiry, all the powers of the Chancellor under the said sub-sections.

CHAPTER 3

OFFICERS OF THE UNIVERSITY

8. Officers of the University :-

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

(i) The Chancellor,

- (ii) The Vice-Chancellor,
- (iii) The Pro-Vice-Chancellor, if any,
- (iv) The Deans of Faculties,
- (v) The Registrar,
- (vi) The University Librarian, and
- (vii) Such other officers in the service of the University as may be declared by the Statutes to be the officers of the University.

9. Chancellor :-

- (1) The Governor of the State of Gujarat shall be the Chancellor of the University.
- (2) The Chancellor shall, by virtue of his office, be the head of the University and the President of the Court and shall, when present, preside at the meetings of the Court and at any convocation of the University.
- (3) The Chancellor shall have such other powers as may be conferred on him by this Act or the Statutes.

10. Vice-Chancellor :-

- (1) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the State Government from amongst three persons recommended under sub-sec. (3) by a committee appointed for the purpose under sub-sec. (2).

(2)

(a) For the purposes of sub-sec. (1), the Chancellor shall appoint a Search Committee which shall consist of the following members, namely :

- (i) one member to be nominated by the Chancellor;
- (ii) two members (not being persons connected with the University or with any affiliated college, recognised institution or approved institution) out of whom one shall be a person nominated in the manner prescribed by the Statutes by the Executive Council and the Academic Council jointly and the other shall be a person nominated in the manner prescribed by the Statutes by the Vice-Chancellors of all the Universities established by law in the State of Gujarat;

(iii) one member to be nominated by the Chairperson of the University Grants Commission.

(b) The nominee of the Chancellor shall be the Chairperson of the Search Committee.

(c) A person nominated on the Search Committee shall not be eligible to accept honorary degree or any appointment on the post, honorary or otherwise, or nomination of any of the bodies of the University for the next six years.

(3) The Committee so appointed shall, within such time and in such manner as may be prescribed by the Statutes, select three persons whom it considers fit for being appointed as Vice-Chancellor and shall recommend to the Chancellor the names of the persons so selected together with such other particulars as may be prescribed by the Statutes.

(4) The Vice-Chancellor shall hold office for a term of three years and he shall be eligible for re-appointment to that office for a further term of three years only:

Provided that no person appointed as the Vice-Chancellor shall continue to hold his office as such after he attains the age of 65 years.

(5) The emoluments to be paid to the Vice-Chancellor, and the terms and conditions including the perquisites subject to which he shall hold office shall be such as may be determined by the State Government:

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.

(6) The Vice-Chancellor may, after giving one month's notice, resign from his office and shall cease to hold his office on the acceptance of his resignation by the Chancellor or from the date of expiry of the said notice period, whichever is earlier.

(7)

(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-sec. (1) to that

office, the Pro-Vice-Chancellor, and in the absence of the Pro-Vice-Chancellor, one of the Deans nominated by the Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor.

11. Powers of the Vice-Chancellor :-

(1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at meetings of the Court and any convocation of the University. He shall be an ex-officio member and Chairperson of the Executive Council and of the Academic Council. 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 Court, the Executive Council, the Academic Council and such other authorities of the University of which he is the Chairperson. 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, Regulations and rules are faithfully observed and he shall have all powers necessary for this 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 deems necessary and shall at the earliest opportunity thereafter furnish information regarding his action to such officer, authority or body as would have in the ordinary courses dealt with the matter.

(b) When action taken by the Vice-Chancellor under this sub-sec. 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 Executive Council 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 Executive Council regarding the 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)

(a) Subject to the provisions contained in sub-sec. (4) and notwithstanding anything contained in sub-sec. (5), where the Vice-Chancellor after making such inquiry as may be deemed fit is of the opinion that the execution of any order or resolution of an authority specified in or declared under Sec. 15, or the doing of anything which is about to be done or is being done by or on behalf of the University,

(i) is inconsistent with the provisions of this Act or of any Statutes, Ordinances, Regulations or rules, or

(ii) is not in the interest of the University, or

(iii) is likely to lead to breach of peace, he may forward a copy of the order or resolution or, as the case may be, refer the doing of the thing with a statement of reasons to the authority which made the order or passed the resolution or proposes to do the thing for reconsideration by that authority as to whether the said order or resolution may not be rescinded, or revised or modified in the manner stated by him or the doing of the thing be refrained from.

(b) Where the authority after reconsideration revises or modifies the order or the resolution in the manner stated by the Vice-Chancellor, then notwithstanding anything contained in clause (a), such revised or modified order or resolution shall revive from the date of such revision or modification.

(c) Where the authority revises or modifies the order or resolution in such manner as is inconsistent with the manner stated by the Vice-Chancellor, the Vice-Chancellor shall refer the matter to the Chancellor for his decision.

(d) The Chancellor may, on such reference being made, revise or modify the order or resolution or direct that the order or resolution shall continue to being force with or without modification permanently or for such period as it may specify;

Provided that the order or resolution shall not be revised or modified or continued by the Chancellor without giving the concerned authority a reasonable opportunity of showing the cause

against the order proposed to be made by him.

(e) The order, resolution or, as the case may be, the doing of thing shall remain in abeyance from the date of the action of the Vice-Chancellor of forwarding the copy of order or resolution or of making reference under clause (a) till the date of the order of the Chancellor under clause (d).

12. Pro-Vice-Chancellor :-

(1)

(a) The Vice-Chancellor in consultation with the Executive Council may decide to fill the office of the Pro-Vice-Chancellor or to keep it vacant.

(b) If the Vice-Chancellor decides to fill the office of the Pro-Vice-Chancellor, the Pro-Vice-Chancellor shall be appointed by the Chancellor from amongst three persons recommended by the Vice-Chancellor.

(2)

(a) The term of office of the Pro-Vice-Chancellor shall be co-terminus with that of the Vice-Chancellor.

(b) Subject to the provisions of clause (a), he shall be eligible for appointment to that office for a further term.

(c) Notwithstanding anything contained in clauses (a) and (b), where a vacancy occurs in the office of the Vice-Chancellor, the Pro-Vice-Chancellor shall continue to hold his office till such vacancy is filled and on the vacancy being so filled, the Pro-Vice-Chancellor shall cease to hold his office.

(3) The Pro-Vice-Chancellor shall be a whole time salaried officer and his emoluments and conditions of service shall be such as may be determined by the State Government:

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

(4) The Pro-Vice-Chancellor shall exercise such of the duties of the Vice-Chancellor as the Vice-Chancellor may either specially or generally confer or impose on him with the approval of the

Executive Council.

(5) The Pro-Vice-Chancellor shall, in the absence of the Vice-Chancellor, or in the event of the Vice-Chancellor being unable to perform the duties of his office, exercise all the rights and powers and discharge all the functions and duties of the Vice-Chancellor.

(6) The Pro-Vice-Chancellor shall preside

(a) in the absence of the Chancellor and the Vice-Chancellor, at the meetings of the Court, and

(b) in the absence of the Vice-Chancellor, at the meetings of any other authority of the University or a committee thereof.

13. The Registrar :-

The Registrar shall be a whole time salaried officer and shall act as the Secretary of the Court, of the Executive Council and of the Academic Council. He shall be appointed by the Executive Council in accordance with the Statutes 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, Ordinances and Regulations.

14. University Librarian and other officers :-

(1) The University Librarian shall be a whole time salaried officer. He shall be appointed by the Executive Council in accordance with the Statutes made in this behalf and his qualifications, emoluments and conditions of service shall be such as may be determined by the Statutes having regard to the provisions of clause (xxix) of Sec. 20.

(2) The powers and duties of the University Librarian and the officers of the University referred to in clause (vii) of Sec. 8 shall be such as may be prescribed by the Statutes, Ordinances and Regulations.

CHAPTER 4

AUTHORITIES OF THE UNIVERSITY

15. Authorities of the University :-

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

(i) The Court,

(ii) The Executive Council,

- (iii) The Academic Council,
- (iv) The Faculties,
- (v) The Boards of Studies,
- (vi) The Finance Committee,
- (vii) Such other Boards and bodies of the University as may be declared by the Statutes to be the authorities of the University.

16. The Court :-

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

(A) University Offices

- (i) The Chancellor,
- (ii) The Vice-Chancellor,
- (iii) The Ex-Vice-Chancellor of the University residing in the State,
- (iv) The Pro-Vice-Chancellor, if any
- (v) The Registrar,
- (vi) The University Librarian;

(B) Others

- (i) The Director of Higher Education or an officer not below the rank of a Joint Director of Higher Education designated by the such Director;
- (ii) The Director of Technical Education or an officer not below the rank of a Joint Director of Technical Education designated by such Director;
- (iii) The Director of Health and Medical Services and Medical Education or an officer not below the rank of a Joint Director of Health and Medical Services and Medical Education designated by such Director;
- (iv) The Chairperson of the Gujarat Secondary and Higher Secondary Education Board, Gujarat State;
- (v) The Director of Employment and Training or an officer not below the rank of a Joint Director of Employment and Training

designated by such Director;

(C)

(i) Heads of University Departments,

(ii) Heads of recognised institutions.

(A) Elected as specified below

(i) one member by each of the following bodies from amongst its members, namely :

(a) The Gujarat Legislative Assembly,

(b) Municipalities in Kachchh District,

(c) Kachchh District Panchayat,

(d) Kachchh Chamber of Commerce,

(ii) one member by head masters of secondary schools situate within the University area from amongst themselves in the manner specified in the Statutes;

(iii) one member by secondary teachers, other than head masters, of secondary schools situate within the University area from amongst themselves in the manner specified in the Statutes;

(iv) one member other than teachers or secondary teachers or head master elected facultywise by registered graduates in each of the faculties from amongst themselves in the manner specified in the Statutes:

Provided that the number of such members shall not exceed ten and if the number of Faculties exceeds ten, the Faculties shall be suitably grouped in ten groups in the manner specified in the Statutes for the purpose of electing ten such members;

(v) one member each by

(a) the Bar Council of the State of Gujarat from amongst its members;

(b) the Gujarat Medical Council from amongst its members;

(c) the Institute of Engineers (India), Gujarat Centre, from amongst its members:

Provided that no person shall be elected to be a member of the

Court by the Gujarat Medical Council if the University has no Faculty of Medicine or by the Institute of Engineers (India), Gujarat Centre, if the University has no Faculty of Engineering;

(vi) two members by the governing bodies of colleges affiliated to the University in the manner specified in the Statutes;

(vii) twenty members by teachers of affiliated colleges (excluding Deans of Faculties and Principals of Colleges) of whom fifteen shall be teachers having teaching experience of not less than ten years in a college or in any University established by law in the State from amongst themselves in the manner specified in the Statutes:

(viii) such number of Principals of affiliated colleges, not exceeding fifteen as may be fixed in the proportion of one for every three principals of such colleges, from amongst themselves in the manner specified in the Statutes;

(ix) one representative of the members of non-teaching staff of the University, affiliated colleges, recognised institutions and approved institutions to be elected in the manner specified in the Statutes:

Provided that for the purpose of election of ordinary members, a person entitled to stand as a candidate or to vote in more than one constituency shall, before such date as may be appointed by the Statutes, elect the constituency from which he desires to stand as a candidate or to vote at the election and shall not be entitled to stand or vote in more than one constituency.

(B) Two members to be elected in the manner specified by the Statutes from amongst themselves by donors each donating money or property of the value of not less than such sum of rupees as may be specified in the Statutes;

(a) to, or for purposes of the University, or

(b) to, or for purposes of, a college or institution affiliated to or recognised by the University, irrespective of whether the donation was made before or after such affiliation or recognition:

Provided that the right of electing members on the Court shall not extend beyond the period of twenty years from the date of acceptance of such donation by the college, institution or, as the case may be, the University.

Explanation For the purpose of this paragraph, the value of property

means the market value of the property at the date of acceptance and the decision as to the market value shall rest with the Executive Council and shall be final.

(C)

(i)

(a) Eight members to be nominated by the Chancellor from amongst distinguished educationists, social workers, Trade Unions, representatives of backward communities, women and such other class of persons;

(b) President of the Kachchh District Panchayat;

(c) One member each to be nominated by the municipalities in the University jurisdiction from amongst its Councilors.

(ii) Seventeen members to be nominated by the Vice-Chancellor, as follows, namely :

(a) Five Deans of Faculties, by rotation as specified in the Statutes,

(b)

(i) Five post-graduate students who are wholly engaged in the studies in the University;

(ii) Five under-graduate students who are wholly engaged in studies in affiliated colleges from the first ten students in order of their merit in the examination held immediately before their nomination;

(iii) two students who are wholly engaged in the under-graduate or post-graduate studies and who have achieved eminence in sports or other cultural activities organised by the University immediately before their nomination :

Provided that one of the students to be nominated under item (iii) shall be a woman.

(2) The term of office of elected members referred to in paragraphs (A) and (B) in Class II of sub-sec. (1) and the nominated members referred to in clause (i) of paragraph (C) in Class II of that sub-section shall be five years and of the members referred to in clause (ii) of that paragraph (C) shall be for one academic year:

Provided that every person elected under paragraph (A) or

paragraph (B) in Class II of sub-sec. (1) or nominated under sub-clause (b) of clause (i) of paragraph (C) or under clause (ii) of that paragraph in Class II of sub-sec. (1) shall continue to hold office of a member of the Court so long only as he is a member of the electing body or, as the case may be, bodies or is a head-master or a secondary teacher or a teacher or a principal or a member of a non-teaching staff or a president of a district panchayat or a dean of a faculty or a student wholly engaged in studies, as the case may be.

17. Meeting of the Court :-

(1) The Court 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 Court.

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

18. Powers and duties of the Court :-

Subject to the other provisions of this Act, the Court shall exercise the following powers and perform the following duties, namely :

(a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;

(b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report on such accounts;

(c) to advise the Chancellor in respect of any matter which may be referred to it for advice; and

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

19. The Executive Council :-

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

(i) the Vice-Chancellor Ex-officio Chairperson;

(ii) the Pro-Vice-Chancellor, if any;

(iii) the Director of Higher Education, Gujarat State or the officer designated under clause (i) of paragraph (B) of Class-I of sub-sec. (1) of Sec. 16;

(vi) the Director of Technical Education, Gujarat State or the officer designated under clause (ii) of paragraph (B) of Class-I of sub-sec. (1) of Sec. 16;

(v) the Director of Health and Medical Services and Medical Education, Gujarat State, or the officer designated under clause (iii) of paragraph (B) of Class-I of sub-sec. (1) of Sec. 16;

(vi) two Deans of Faculties nominated by the Vice-Chancellor from amongst the Deans of Faculties by rotation in the manner prescribed by the Statutes;

(vii) two persons to be elected by the Court from amongst its members who are not teachers or members of the teaching staff of the University affiliated colleges, recognised institutions and approved institutions and students;

(viii) two Principals of the affiliated colleges nominated by the Vice-Chancellor by rotation in the manner prescribed by the Statutes;

(ix) one University professor not being a Dean of a Faculty nominated by the Vice-Chancellor by rotation in the manner prescribed by the Statutes;

(x) one Reader nominated by the Vice-Chancellor by rotation in the manner prescribed by the Statutes;

(xi) two persons to be nominated by the Chancellor from amongst distinguished educationists, teachers and such other class of persons irrespective of whether they are members of the Court or not.

(2) The term of office of the elected and nominated members of the Executive Council shall be three years :

Provided that a member nominated under clauses (vi), (viii), (ix) and (x) or elected under clause (vii) of sub-sec. (1) shall cease to hold office as such member if he ceases to be a Dean, a Principal, a University Professor, a Reader or, as the case may be, a member of the Court.

20. Powers and duties of the Executive Council :-

(1) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Executive Council shall exercise 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 or under this Act and the Statutes or the advice of the Finance Committee and the Legal Committee, if any appointed by the Executive Council;

(iii) to determine the form, and 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 pass the annual financial estimate of the University;

(vi) after the financial estimates are void

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

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

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

(viii) to accept, on behalf of the University, bequests, donations and transfers of any movable or immovable property to the University;

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

(x) to raise loans on the security of the assets of the University;

(xi) to manage and regulate the finances, accounts and investments of the University;

(xii) to institute and manage

(a) Printing and Publication Department,

(b) University Extension Boards,

(c) Information Bureau,

(d) Employment Bureau, and

(e) such other institutions and organisations as may be necessary for the functioning of the University;

(xiii) to make provision

(a) for extra mural teaching and research,

(b) for physical education, National Cadet Corps, National Service Scheme and Military training and such other recognised activities;

(xiv) to manage colleges, departments, institutions of research or specialised studies, laboratories, libraries, museums and hostels maintained by the University;

(xv) to recognise hostels, to inspect such hostels and to withdraw recognition therefrom;

(xvi) to provide housing accommodation for University teachers and other employees, to the extent the finances of the University permit;

(xvii) to register high schools situated outside the University areas as may be provided by the Statutes;

(xviii) to arrange for, and to direct, the inspection of affiliated colleges, recognised institutions, approved institutions and hostels, to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff, and in case of disregard of such instruction to modify the conditions of their affiliation or recognition or take such other steps as it deems proper;

(xix) to call for reports, returns and other information from colleges, recognised institutions, approved institutions or hostels;

(xx) to supervise and control the residence, conduct and discipline of the students of the affiliated colleges, University Departments and recognised and approved institutions and to make arrangements for promoting their health and general welfare and to

take disciplinary action against the students;

(xxi) to institute and confer honorary degrees and academic distinctions in the manner prescribed by the Statutes;

(xxii) to recommend to the State Government for withdrawal or reduction of a grant to a college which makes default in carrying out the conditions of affiliation;

(xxiii) to regulate the fees to be paid by the students in affiliated colleges and recognised or approved institutions;

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

(xxv) to appoint academic, administrative and other staff of the University, to fix their emoluments and define their duties and the conditions of their services and to take disciplinary action against them;

(xxvi) to recognise a member of the staff of an affiliated college or recognised institution or approved institution as professor, reader, lecturer or teacher of the University and withdraw such recognition;

(xxvii) to fix remuneration of examiners and to arrange for the conduct 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 lay down and regulate salary scales, allowances and conditions of service of officers (other than the Chancellor, the Vice-Chancellor and the Pro-Vice-Chancellor) and members of the teaching, other academic and non-teaching staff of the University;

(xxx) to lay down and regulate salary scales, allowances and conditions of service of the members of the teaching, other academic and non-teaching staff of the affiliated colleges recognised or approved institutions;

(xxxi) to make provision for instruction, teaching and training in such branches of learning and courses of studies as it may think fit and for research and for the advancement and dissemination of knowledge;

(xxxii) to make such provision as will enable affiliated colleges and

recognised or approved institutions to undertake specialisation of studies;

(xxxiii) to organise and make provision for common laboratories, libraries, museums and other requirements for teaching and research;

(xxxiv) to establish and maintain departments and institutes of research and specialised studies;

(xxxv) to institute professorships, readerships, lectureships and other posts of teachers required by the University;

(xxxvi) to institute and confer degrees, titles, diplomas and other academic or professional distinctions;

(xxxvii) to make, amend or repeal the Statutes and Ordinances; .

(xxxviii) to elect office bearers and authorities as provided in the Ordinances and the Statutes;

(xxxix) to make provision relating to the use of Gujarati, Hindi (in Devnagari script) and English or all the three languages as the media of instruction and examination;

(xi) to submit to the State Government proposals for conferment to autonomy on any affiliated college or a recognised institution or a University Department or a University college entitling it to privileges in the matters of admission of students, prescribing the courses of study, imparting instructions, teaching and training in the courses of study, the holding and conduct of examinations and power to make necessary rules for the purpose;

(xii) to recommend to the State Government withdrawal of autonomy conferred on any affiliated college, recognised institution or a University college or Department;

(xiii) to sanction the transfer of any immovable property;

(xiiii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, Statutes, Ordinances and Regulations;

(xiiv) to exercise all powers of the University not otherwise, provided for in this Act, or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes.

(2) The Executive Council shall make a report of every case of acceptance of property referred to in Clause (viii) of sub-sec. (1) to the Court.

(3) The Executive Council shall not transfer any immovable property without the previous sanction of the State Government and no transfer of immovable property which is not made with such previous sanction shall be binding on the University.

(4) The Executive Council may by Ordinance appoint committees to carry out its administrative work and define their constitution, functions and tenure.

(5) The exercise of the powers by the Executive Council under Clauses (xxix) and (xxx) of sub-sec. (1) in so far as they relate to the laying down and regulating salary scales and allowances of officers (other than the Chancellor, the Vice-Chancellor and the Pro-Vice-Chancellor) and members of the teaching, other academic and non-teaching staff of the University, affiliated colleges and recognised or approved institutions, shall be subject to the approval of the State Government.

21. The Academic Council :-

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

(i) The Vice-Chancellor, ex-officio Chairperson,

(ii) The Pro-Vice-Chancellor, if any, ex-officio,

(iii) The Deans of Faculties, ex-officio,

(iv) The Heads of University Departments, ex-officio,

(v) One lecturer to be nominated by the Vice-Chancellor from each faculty by rotation in the manner prescribed by the Statutes,

(vi) One representative of Heads of recognised institutions and four Principals of affiliated colleges nominated by the Vice-Chancellor by rotation in the manner prescribed in the Statutes:

Provided that

(a) Where only one of the offices of the Principals of affiliated colleges is held by a woman, such woman shall be nominated as one of the four Principals, and

(b) Where more than one offices of Principals of affiliated colleges are held by women, one out of those women shall be nominated by the Vice-Chancellor by rotation in the manner specified by the Statutes, as one of the four Principals;

(vii) not more than fifteen Chairpersons of Boards of Studies nominated by the Vice-Chancellor by rotation in the manner specified in the Statutes.

(2) As soon as the Academic Council is constituted under sub-sec. (1), it may co-opt as its additional members two eminent persons who are experts in any of the subjects taught in the University, whether they are or are not connected with the University as its members, teachers or otherwise:

Provided that a member specified in any of the clauses (iii) to (vii) of sub-sec. (1) shall cease to hold office as such member if he ceases to be a Dean of Faculty, Head of University Department, Professor, Reader, Lecturer, Head of a recognised institution, Principal of an affiliated college or, as the case may be, the Chairperson of a Board of Studies.

(3) The term of office of the members of the Academic Council other than ex-officio members shall be one year.

22. Powers and duties of Academic Council :-

(1) The Academic Council shall have the control and general regulation of, and be responsible for, the maintenance of the standards of teaching and examinations conducted by the University.

(2) Without prejudice to the generally of the foregoing provisions and subject to such conditions as may be prescribed by or under the provisions of this Act, the Academic Council shall exercise the following powers and perform the following duties, namely :

(i) to approve Regulations made by the Faculty concerned laying down courses of study;

(ii) to approve Regulations made by the faculty concerned regarding the special courses of study;

(iii) to arrange for co-ordination of studies and teaching in affiliated colleges, recognised institutions and approved institutions;

(iv) to promote research within the University;

- (v) to approve proposals for allocating subjects to the Faculties;
- (vi) to make proposals for the establishment of University Departments, institutes of research and specialised studies, libraries and laboratories,
- (vii) to approve and to recommend to the Executive Council, proposals for the institution of professorships, readerships, lecturerships and any other posts of teachers required by the University and for prescribing the duties of such posts;
- (viii) to approve and to recommend to the Executive Council proposals for the institution of fellowships, travelling fellowships, scholarships, studentships and medals and other awards and to make regulations for their award;
- (ix) to make Regulations regarding the examinations of the University and the conditions on which students shall be admitted to them;
- (x) to make and approve Regulations prescribing the equivalence of examinations;
- (xi) to approve Regulations prescribing the manner of granting exemption from approved courses of study in the University or in affiliated colleges for qualifying for degrees, diplomas and certificates;
- (xii) to recommend to the Executive Council, affiliation of a college and recognition or approval of an institution;
- (xiii) to recommend to the Executive Council, the institution, conferment and grant of degrees, diplomas and certificates in the manner prescribed by the Statutes;
- (xiv) to recommend to the Executive Council, the conferment of honorary degrees and other academic distinctions, in the manner prescribed by the Statutes;
- (xv) to recommend to the Executive Council, the institution of Departments and Faculties;
- (xvi) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, Statutes, Ordinances and Regulations; and
- (xvii) generally to advise the University on all academic matters.

23. Faculties and their functions :-

(1) The University shall include the Faculties of Arts, Education, Science, Technology including Engineering, Law, Medicine, Commerce and Rural Studies and such other Faculties as may be prescribed by the Statutes. Each faculty shall comprise of such subjects as may be prescribed by the Statutes.

(2) Each Faculty shall consist of

(i) all Chairpersons of the Boards of Studies of the subjects comprised in the Faculty;

(ii) Heads of University Departments of subjects comprised in the Faculty who are not Chairpersons of the Boards of Studies.

(iii) one member to be nominated by the Vice-Chancellor by rotation in the manner specified by the Statutes from amongst the members of each Board of Studies for the subjects comprised in the Faculty, other than the Chairpersons and the Heads of University Departments, and

(iv) one person to be co-opted by the Faculty in respect of each Department in the Faculty from amongst such persons who are experts in the subjects dealt with by the Department.

(3)

(a) Where a Chairperson of the Board of Studies or a Head of University Department or a teacher, by virtue of the provisions of sub-sec. (2), becomes a member of more than one Faculty, he shall, within one month from the date on which he becomes a member of more than one Faculty, intimate in writing to the Registrar any one of such Faculties the membership of which he desires to retain. On receipt of such intimation by the Registrar, the person shall be deemed to have ceased to be a member of other Faculties.

(b) If the Chairperson of the Board of Studies, the Head of University Department or the teacher, who is required under clause (a) to give intimation, fails to give such intimation, the Executive Council shall determine the Faculty of which such person shall be a member and on such determination, the person shall be deemed to have ceased to be a member of other Faculties.

(4) The term of the office of a member of a Faculty shall be such as

may be prescribed by the Statutes.

24. Powers and duties of the Faculty :-

(1) Each Faculty shall have the general control and power of regulation of, and be responsible for, the maintenance of standards of teaching and examinations of the University for subjects comprised in it.

(2) Without prejudice to the generality of the foregoing provisions and subject to such conditions as may be prescribed by or under the provisions of this Act, the Faculty shall exercise the following powers and perform the following duties, namely :

(i) to make Regulations in consultation with the Boards of Studies concerned laying down courses of study in the Faculty;

(ii) to make Regulations regarding the special courses of study in the Faculty;

(iii) to make Regulations for the standards of passing the relevant examinations in the Faculty and for awarding classes at such examinations;

(iv) to make proposals for promoting research in the subjects assigned to the Faculty;

(v) to make proposals for allocating subjects to the Faculty;

(vi) to make proposals for the establishment of departments, institutions of research and specialised studies, libraries, laboratories and museums concerned with the Faculty;

(vii) to make proposals for the institution of professorships, readerships, lectureships and any other posts of teachers in the Faculty and for prescribing the duties of persons occupying such posts;

(viii) to make proposals for the institution of fellowships, traveling fellowships, scholarships, studentships, medals, prizes and other awards and to make Regulations for their grant;

(ix) to make Regulations for maximum workload of teachers, the minimum teaching work for every subject and the minimum laboratory work and any other prescribed work to be done by students for any subject in the Faculty;

(x) to make Regulations prescribing equivalence of examinations;

(xi) to make Regulations prescribing the manner for granting exemption from approved courses of study in the University or in affiliated colleges for qualifying for degrees, diplomas and certificates in the Faculty;

(xii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, Statutes, Ordinances and Regulations; and

(xiii) generally to advise the University on all academic matters pertaining to the concerned courses of studies in the Faculty.

25. Dean of Faculties :-

(1) There shall be a Dean of each Faculty who shall be nominated by the Vice-Chancellor by rotation in the manner as prescribed by the Statutes from amongst persons who are Heads of University Departments and Chairpersons of Boards of Studies.

(2) The Dean shall hold office for a term of three years.

(3) The Dean shall be the principal executive authority of the Faculty, and shall exercise the following powers and perform the following duties, namely :

(i) he shall be the Chairperson of the Faculty and shall preside at its meetings;

(ii) he may attend the meeting of any Board of Studies in the Faculty;

(iii) he shall supervise and co-ordinate the work of the different Boards of Studies under the Faculty;

(iv) he shall plan and organise seminars, refresher courses and workshops, pertaining to the subjects under the Faculty;

(v) he shall inspect and guide the University Departments, affiliated colleges, recognised institutions and approved institutions in respect of subjects under the Faculty; and in case where he considers it necessary to do so, also make a report of such inspection to the Vice-Chancellor.

(vi) he shall be responsible for the due observance of the Statutes, the Ordinances and the Regulations relating to the Faculty.

26. Board of Studies :-

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

(2) Subject to the provisions of sub-sec. (3), each Board shall consist of the following members, namely :

(i) the Head of the University Departments in the subject or each of subjects with which the Board is concerned (hereinafter in this section referred to as "the subject");

(ii) not more than ten persons nominated by the Vice-Chancellor by rotation in the manner prescribed by the Statutes from amongst the Principals and the teachers of affiliated colleges;

(iii) not more than such four persons to be co-opted by the Board who are

(a) experts in the subject or in subjects cognate or allied to the subject; and

(b) experts in the profession or industry concerned with the subject.

(3) Each Board shall consist of atleast four members:

Provided that where the number is less than four, the Vice-Chancellor shall nominate such number of members, as may be necessary to make up the deficiency subject, however, to the condition that the total number of co-opted and nominated members shall not exceed three.

(4) The Head of the University Department shall be Chairperson of the Board:

Provided that -

(a) where there are on the Board more than one University departments represented by its Head, the Head of such University department as may be determined by the Vice-Chancellor shall be the Chairperson of the Board;

(b) where there is no such Head of the University department on the Board, the Chairperson shall be elected by such of its members as are qualified to teach post-graduate courses.

(5) The term of office of the members of the Board of Studies shall be three years.

(6) The powers and duties of a Board of Studies shall be as follows, namely :

(i) to recommend courses of studies in the subject with which the Board is concerned (hereinafter in this section referred to as "the subject");

(ii) to recommend and prescribe, where necessary, books for study in the subject;

(iii) to recommend programmes for extension services and research in the subject;

(iv) to recommend organisation of seminars, refresher courses and workshops to the Dean of the Faculty concerned;

(v) to recommend programmes for experiments and research in the courses of studies prescribed in the subject;

(vi) to recommend schemes for preparation and translation for books in the subject and suggest bibliography of books for study;

(vii) to frame and propose Regulations pertaining to the courses of study and examination in the subject;

(viii) to review periodically the terminology current in the subject, and

(ix) to exercise such other powers and duties as may be prescribed by the Statutes.

(7) A Board of Studies shall meet at least twice during an academic term as determined by the Ordinances.

27. Finance Committee :-

(1) There shall be a Finance Committee.

(2) The constitution of such committee, the term of office of its members and the procedure to be followed by it shall be such as may be prescribed by the Statutes.

(3) The Finance Committee shall perform the following functions, namely:

(a) to review the expenditure incurred by the University;

(b) to ensure proper utilization of the money by the University according to the budget provisions;

- (c) to review the position of financial resources of the University;
- (d) to formulate budget programmes;
- (e) to recommend economy in administrative expenses;
- (f) to perform such other functions relating to accounts and audit of the revenue and expenditure of the University as may be assigned to it by the Executive Council; and
- (g) to advise the Executive Council in financial matters whenever such advice is sought by the Executive Council.

28. University Boards :-

- (1) The University shall establish a Board of University Teaching and Research, a Board of Extra-Mural Studies, a Board for Hostels Management, a Planning Board, a Board for Students' Welfare and such other Boards as may be prescribed by the Statutes.
- (2) The constitution, powers and duties of each of the Boards established under sub-sec. (1) shall be such as may be prescribed by the Statutes.

29. Constitution, powers, etc. of 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 such as may be prescribed by the Statutes.

CHAPTER 5

STATUTES, ORDINANCES AND REGULATIONS

30. Statutes :-

Subject to such conditions as may be prescribed by or under the provisions of this 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 or specialised studies, post-graduate centres in affiliated colleges and hostels,

- (vi) acceptance and management of bequests, donations and endowments,
- (vii) registration of graduates and maintenance of 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) the maximum number of students to be admitted in a college,
- (xi) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the Statutes,
- (xii) suitable and adequate physical facilities such as buildings, laboratories, library, books, equipments required for teaching and research, hostels,
- (xiii) all matters which by this Act are to be or may be prescribed by the Statutes.

31. Making, amendments, operation and repeal of Statutes
:-

- (1) The Statutes may be made by the Executive Council, or may be amended, repealed or added to by the Executive Council in the manner hereinafter provided.
- (2) The Executive Council may take into consideration the draft of a Statute either of its own motion or on a proposal by any other University authority.
- (3) Such draft shall be considered by the Executive Council at its next succeeding meeting. The Executive Council may approve such draft and pass the Statute or may reject it or return it to the concerned University authority for reconsideration either in whole or in part together with any amendment which the Executive Council may suggest. After any draft so returned has been further considered by the concerned University authority together with any amendment suggested by the Executive Council, it shall be again presented to the Executive Council with the report of the concerned University authority thereon and the Executive Council may then deal with the draft in any manner it thinks fit.

(4) Where a draft of a Statute seeks to provide for academic matters or matters relating to discipline of teachers or students, the Executive Council shall, before passing such Statute, consult the Academic Council.

(5) Where a Statute affects the powers or duties of any officer, authority or Board of the University :

(i) the Executive Council shall, before proposing the draft of such Statute ascertain and consider the views of the officer, authority or Board concerned; and

(ii) the Executive Council, before passing any such Statute taken into consideration of its own motion, shall ascertain and consider the views of the officer, authority or Board concerned.

(6) Every Statute passed by the Executive Council shall be presented to the Chancellor who may give or withhold his assent thereto or refer it back to the Executive Council for reconsideration.

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

32. Ordinances :-

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

(i) conditions under which students shall be admitted to courses of studies for degrees, diplomas and other academic distinctions,

(ii) conditions governing the appointment and the duties of examiners,

(iii) conduct of examinations,

(iv) recognition of teachers of the University,

(v) conditions of residence, conduct and discipline of the students of the University,

(vi) recognition of hostels,

(vii) inspection of affiliated colleges, recognised institutions, approved institutions and hostels,

(viii) rules to be observed and enforced by colleges and recognized institutions and approved institutions in respect of transfer of

students,

(ix) mode of execution of contracts or agreements for, or on behalf of the University,

(x) all matters which, by this Act or the Statutes are to be or may be provided for by the Ordinances, and

(xi) generally all matters for which provision is in the opinion of the Executive Council necessary for the exercise of the powers conferred or the performances of the duties imposed upon the Executive Council by this Act or the Statutes.

33. Making of Ordinances :-

(1) The Ordinances shall be made by the Executive Council:

Provided that no Ordinance concerning the matters referred to in Clauses (i) to (viii) of Sec.32 or any other matter connected with the maintenance of the standards of teaching and examinations within the University shall be made unless a draft of the same has been proposed by the Academic Council.

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

(3) All Ordinances made by the Executive Council shall, except as provided by this Act, have effect from such date as it may direct.

34. Regulations and rules :-

(1) The Academic Council and subject to the approval of the Academic Council, each Faculty may make Regulations consistent with this Act, the Statutes and the Ordinances providing for all matters which by this Act, the Statutes or the Ordinances are to be provided for by Regulations and for all other matters solely concerning itself.

(2) Any authority of the University, specified in clauses (v) to (viii) of Sec. 15 may, subject to the approval of the Executive Council, make rules, consistent with this Act, the Statutes, Ordinances and Regulations providing for all other matters solely concerning such authority.

(3) All Regulations made by the Academic Council or any Faculty and all rules made by any Authority shall have effect from such date as the authority making the Regulations or rules may direct:

Provided that a Regulation or a rule which involves expenditure from the University Fund shall not be effective until it is approved by the Executive Council.

CHAPTER 6

AFFILIATION, RECOGNITION AND APPROVAL

35. Affiliation :-

(1) A college applying for affiliation to the University shall send a letter of application to the Registrar, not later than 31st March of the year preceding the year in which the college is proposed to be started :

Provided that, on the recommendation of the Vice-Chancellor, the Executive Council may, if it is satisfied that there are special reasons to do so, after recording such reasons, entertain a letter of application sent to the Registrar after 31st March.

(2) A college applying for an affiliation shall satisfy the Executive Council and the Academic Council-

(a) that the college will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provisions for the same type of education made by other colleges in that locality and the suitability of the locality where the college is to be established;

(b) that the college is to be under the management of 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 in the courses of instructions, teaching or training to be undertaken by the college;

(d) that there are or shall be made suitable and adequate physical facilities such as buildings, laboratories, library, books, equipments required for teaching and research, hostels, as may be prescribed in the Statute;

(e) that due provision is made or shall be made as far as circumstances may permit, for the accommodation of the Principal

and other members of the teaching staff in or near the college or the place provided for the residence of the students;

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

(g) 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 interest of the education;

(h) that for recruitment of the Principal and members of the teaching staff of the college, there is a selection committee of the college which shall include-

(i) in the case of recruitment of the Principal, a representative of the University nominated by the Vice-Chancellor and

(ii) in the case of recruitment of a member of the teaching staff of the college, a representative of the University nominated by the Vice-Chancellor and the Head of the Department, if any, concerned with the subject to be taught by such members:

Provided that nothing in this clause shall apply to a Government college, a college maintained by Government or a college established and administered by minority based on religion or language;

(i) that the college shall comply with the Statutes, Ordinances and Regulations providing for conditions of service including salary scales and allowances of the teaching and other academic and non-academic staff of an affiliated college, not being a Government college or a college maintained by the Government.

(j) such other conditions as may be prescribed in the Statutes in accordance with the provisions of this Act.

(3) 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 requirement not being fulfilled or continued to be fulfilled shall be forthwith report to the Executive Council.

(4) On receipt of a letter of application under sub-sec. (1), the Executive Council shall

(a) direct a local inquiry to be made by a competent person or

persons authorised by the Executive Council in this behalf in respect of the matters referred to in sub-sec. (2) 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 reconsideration of any of the conditions conveyed to him;

(d) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused either in whole or in part, stating the result of any inquiry under clauses (a) and (b):

Provided that where the views of the Academic Council with regard to the affiliation of a college are not acceptable to the Executive Council, the Executive Council shall refer the matter again to the Academic Council, with or without its comments, and the Academic Council shall communicate again to the Executive Council its views with regard to the affiliation of the college.

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

(6) Where the application or any part thereof is granted, the order of the State Government shall specify the courses of the instructions 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 recorded.

(7) As soon as possible after the State Government makes its order, the Registrar shall submit to the Executive Council and the Academic Council a full report regarding the application, the action taken thereon under sub-secs. (4) to (6) and of all proceedings connected therewith.

(8) An application under sub-sec. (1) may be withdrawn at any time before an order is made under sub-sec. (6).

(9) Every college, not being a college established and administered by a minority whether based on religion or language which immediately before the commencement of this Act was affiliated to

the Gujarat University and is on such commencement affiliated to the University shall as and when occasion first arises after such commencement for recruitment of the Principal and the teachers of the college, constitute or reconstitute its selection committee in conformity with the requirements mentioned in clause (h) of sub-sec. (2) as if the said college had been affiliated subject to the condition in the said clause (h).

36. 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 Sec. 35 shall as far as possible be followed.

37. Recognition of institutions of research and specialised studies :-

(1) The Executive Council shall have the power, after consultation with Academic Council, to recognise as a recognised institution any institution of research or specialised studies other than a college.

(2) An institution which desires to have such recognition 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) 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 equipments and for the continued maintenance and efficient working of the institution.

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

(4) If the Executive Council 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 Executive Council shall, after obtaining the opinion of the Academic Council, grant or refuse the application or any part thereof. Where the application or any part thereof is granted, the Executive Council shall specify the subjects and courses of instructions in respect of which the institution is recognised and make a report to that effect to the Academic Council at their next succeeding meeting. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

38. Approval of Institution :-

(1) The Executive Council shall have the power, after consultation with the Academic Council, to approve an institution as an "approved institution" for specialised studies, laboratory work, internship, research or academic work approved by the Academic Council, 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 building and equipments and for continued maintenance and efficient working of the institution.

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

(4) If the Executive Council 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 Executive Council shall, after obtaining the opinion of the Academic Council, grant or refuse the application or any part thereof.

39. Inspection of colleges and of institutions and report :-

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

(2) On a direction by the Executive Council in that behalf, it shall be the duty of the Inspection Committee constituted under Sec. 57 to inspect an affiliated college, or, as the case may be, a recognised or approved institution and to make a report to the Executive Council.

(3) The Executive Council shall cause every such college or institution to be inspected from time to time by the Inspection Committee.

(4) The Executive Council 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-sec. (2) of Sec. 35 and sub-sec. (2) of Sec. 37 or, as the case may be, sub-sec. (2) of Sec. 38.

40. Affiliated colleges, recognised and approved institutions to comply with provisions pertaining to medium of instruction :-

(1) Every affiliated college and recognised or approved institution shall, in respect of the medium of instruction, teaching, training and examination therein, comply with the provisions made in that behalf by this Act, and the Statutes, Ordinances and Regulations.

(2) If any affiliated college or recognised or approved institution contravenes the provisions of sub-sec. (1), then notwithstanding anything contained in the other provisions of this Act

(a) the rights conferred on such college or institution by the affiliation, recognition, or approval shall stand withdrawn from the date of such contravention; and

(b) such college or institution shall cease to be an affiliated college

or recognised or approved institution for the purposes of this Act.

(3) If any affiliated college or recognised or approved institution affected by sub-sec. (2), raises any dispute as to the withdrawal of its rights of affiliation or recognition or approval, then such dispute shall be referred to the State Government and the State Government shall decide the dispute and its decision shall be final.

41. 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-sec. (2) of Sec. 35 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 interest of education.

(2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Executive Council. The member of the Executive Council 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 Executive Council shall send a copy of the notice and written statement mentioned in sub-sec. (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 Executive Council :

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

(4) On receipt of the representation or on the expiry of the period referred to in sub-sec. (3), the Executive Council, after considering the notice of motion, statement and representation, and after such inspection by any competent person or persons authorised by the Executive Council in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall record its opinion in the matter :

Provided that where the views of the Academic Council with regard to the withdrawal or modification of the rights conferred by affiliation are not acceptable to the Executive Council, the Executive Council shall, before passing such resolution, refer the matter again

to the Academic Council, with or without its comments and the Academic Council shall communicate again to the Executive Council its views in the matter.

(5) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council and the Executive Council relating thereto, to the State Government which, after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it deems fit, and communicate the same to the Executive Council.

(6) Where by an order made under sub-sec. (5), the rights conferred on any college by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated in the order.

(7) The Executive Council may, on recommendation of the Academic Council, recommend to the State Government withholding or reduction of a grant to an affiliated college which, on a report by an Inspection Committee or otherwise, is found making persistent default in carrying out the conditions of affiliation.

42. Withdrawal of recognition :-

(1) The rights conferred on an institution by recognition 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 interest of education.

(2) A motion for such withdrawal or suspension shall be initiated only in the Executive Council. The member of the Executive Council 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 Executive Council shall send a copy of the notice and written statement mentioned in sub-sec. (2) to the head of the institution 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 considered by the Executive Council.

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

(4) On receipt of the representation or on the expiry of the period

referred to in sub-sec. (3), the Executive Council, after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorised by the Executive Council in this behalf and after such further inquiry as may appear to it to be necessary, and after consulting the Academic Council, may by a resolution withdraw or suspend recognition.

43. Withdrawal of approval :-

(1) The right conferred on an institution by approval may be withdrawn or suspended for any period by the Executive Council if the institution has failed to observe any condition 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-sec. (1) in respect of any approved institution, the Executive Council shall, by notice in writing, call upon the institution to show cause within one month from the date of the receipt of the notice by it, why such an order should not be made. The period so given for showing the cause may, if necessary, be extended by the Executive Council.

(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-sec. (2), the Executive Council shall, after consulting the Academic Council and after such inquiry, if any, as may appear to it to be necessary, decide whether the approval should be withdrawn, modified, or, as the case may be, suspended and make an order accordingly.

CHAPTER 7

AUTONOMOUS COLLEGES, AUTONOMOUS INSTITUTIONS AND AUTONOMOUS UNIVERSITY DEPARTMENTS

44. Conferment of autonomy on colleges, etc. in certain matters :-

(1) Any affiliated college or University college or recognised institution or a University Department may, by a letter addressed to the Registrar, apply to the Executive Council to allow the college, institution or, as the case may be, Department to enjoy autonomy in the matters of admission of students, prescribing the courses of studies, imparting instructions and training, holding of examinations and the powers to make necessary rules for the

purpose (hereinafter referred to as "the specified matters").

(2) Either on receipt of a letter of application under sub-sec. (1) or where it appears to the Executive Council that the standards of education in any affiliated college or University college or recognised institution or University Department are so developed that it would be in the interest of education to allow the college, institution or department to enjoy autonomy in the specified matters, on its own motion, the Executive Council shall -

(a) for the purpose of satisfying itself whether the standards of education in such college, institution or department are so developed that it would be in the interest of education to allow the college, institution or department to enjoy autonomy in the specified matters -

(i) direct a local enquiry to be made by such body of persons authorised by the Executive Council in this behalf out of whom at least one person shall be a representative of the University Grants Commission; and

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

(b) after consulting the Academic council on the question whether the college, institution or department should be allowed to enjoy autonomy in the specified matters and stating the result of the inquiry under clause (a) record its opinion on that question.

(3) The Registrar shall thereupon submit proposals for conferring such autonomy on such college, institution or department and all proceedings, if any, of the Academic Council, and the Executive Council relating thereto, to the State Government.

(4) On receipt of the proposals and proceedings under sub-sec. (3), the State Government, after such inquiry as may appear to it to be necessary, may sanction the proposals or reject the proposals.

(5) Where the State Government sanctions the proposals, it shall by an order published in the Official Gazette, confer on the college, institution or department specified in the proposals, power to regulate the admission of students to the college, institution or, as the case may be, the department, prescribing the course of studies in the college, institution or department, the imparting of instructions, teaching and training in the course of studies, the holding of examinations and such other powers as may have been

specified in the proposals.

(6) A college, recognised institution or University Department exercising the powers under sub-sec. (5) shall be called an autonomous college, autonomous recognised institution or, as the case may be, autonomous University Department.

(7) In the case of an autonomous college, autonomous recognised institution or autonomous University Department, the University shall continue to exercise general supervision over such college, institution or department and to confer degrees on the students of the college, institution or department passing any examination qualifying for any degree of the University.

45. Standing Committee :-

(1) For the purpose of enabling it to exercise the power conferred on it under Sec. 44, an autonomous college, autonomous recognised institution or autonomous University Department shall appoint a Standing Committee consisting of such members, including the Chairperson, as may be prescribed by the Statutes.

(2) The Standing Committee shall exercise such of the powers of the college, institution or department under Sec. 44, as the college, institution or department may delegate to it.

(3) The Standing Committee may appoint a special committee or committees for the purpose of exercising such powers and performing such functions of an authority of the University other than the Court, the Executive Council and the Academic Council, in relation to the college, institution or department as the Standing Committee may, subject to such conditions as it thinks fit to impose, assign to it or them.

46. Autonomous college etc. to furnish reports, etc. and inspection of such colleges, etc. :-

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

(2) The Executive council shall cause every autonomous college, institution or department to be inspected from time to time by the Inspection Committee referred to in Sec. 57 or by one or more competent persons authorised by it in this behalf.

47. Withdrawal of power of autonomous college, etc. :-

(1) Where in respect of an autonomous college, institution or department, the Executive Council is of opinion that the efficiency of the college, institution or department has so deteriorated that in the interest of education, it is necessary to withdraw the powers conferred on the college, institution or department under Sec. 44, the Executive Council shall send an intimation to that effect to the Principal of the college, or head of the institution or department stating that any explanation in writing submitted within the period specified in the intimation on behalf of the college, institution or department will be considered by the Executive Council :

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

(2) On receipt of the explanation or on the expiry of the period referred to in sub-sec. (1), the Executive Council, after considering the explanation, if any, and after such inspection by a competent person or persons authorised by the Executive Council in this behalf and such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall pass a resolution recommending the withdrawal of powers conferred under Sec. 44 :

Provided that no resolution of the Executive Council recommending the withdrawal of the powers conferred under Sec. 44, shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at the meeting of the Executive Council, such majority comprising not less than one half of the members of the Executive Council.

(3) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council and the Executive Council relating thereto, to the State Government which, after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it deems fit and communicate it to the Executive Council.

(4) Where in the case of an autonomous college, autonomous recognised institution or autonomous University Department, the rights conferred under Sec. 44 are withdrawn by an order made under sub-sec. (3), the college, institution, or, as the case may be, the department shall cease to be an autonomous college, institution or department from the date specified in the order.

48. Post-graduate instruction, teaching and training :-

(1) Within the University area all post-graduate instruction, teaching and training in such subjects as may be prescribed by the Statutes shall be conducted by the University or subject to the control of the University by such affiliated colleges or institutions as may be prescribed by the Statutes.

(2) All post-graduate Departments shall ordinarily be located at the headquarters 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.

49. Affiliated colleges and institutions :-

The relations of the affiliated colleges, University colleges and recognised or approved institutions within the University area shall be governed by the Statutes to be made in that behalf, and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the affiliated degree colleges and recognised institutions, namely :

(i) to lay down minimum educational qualifications for the different classes of teachers and tutorial staff employed by such colleges and institutions and the conditions of their service;

(ii) to approve the appointments of the teachers made by such colleges and institutions;

(iii) to require each such college and institutions to contribute a prescribed quota of recognised teachers in any subject for teaching on behalf of the University;

(iv) to co-ordinate and regulate the facilities provided and expenditure incurred by such colleges and institutions in regard to libraries, laboratories and other equipments for teaching and research;

(v) to require such colleges and institutions, when necessary, to confine the enrollment of students to certain subjects;

(vi) to levy contributions from such colleges and institutions and

make grants to them; and

(vii) to require satisfactory arrangements for tutorial and similar other work in such colleges and institutions and to inspect such arrangements from time to time :

Provided that a degree college or recognised institution shall supplement such teaching by tutorial or other institution, teaching or training in a manner to be prescribed by the Regulations to be made by the Academic Council.

CHAPTER 9

ENROLMENT AND DEGREES

50. Qualifications for enrolment of students of the University :-

No student shall be enrolled as a student of the University unless he has passed

(i) the Higher Secondary School Certificate Examination conducted by the Gujarat Secondary and High Secondary Education Board in such subjects and with such standards of attainment as may be prescribed by the Statutes, or

(ii) the entrance examination, if any, which may be instituted by the University with the consent of the State Government and held in such subjects and in such manner as may be prescribed by the Statutes, or

(iii) any other examination prescribed as equivalent to the examinations referred to in clauses (i) and (ii), and possess such further qualifications, if any, as may be prescribed by the Statutes :

Provided that a student who has passed the Secondary School Certificate Examination in the tenth standard conducted by the Gujarat Secondary and Higher Secondary Education Board in such subjects and with such standards of attainment as may be prescribed by the Statutes or any other examination prescribed as equivalent to the aforesaid examination may be enrolled as a student of the University for the purpose of such diploma courses as may be prescribed by the Statutes.

Explanation In this section, "Higher Secondary School Certificate Examination" means the examination of the students in the twelfth standard.

51. Residence of students :-

(1) Every student of the University shall reside under such conditions as may be prescribed by the Ordinance by the Ordinances.

(2) The University shall, as far as may be, provide to the students of the University residential accommodation in hostels of the University in accordance with the provisions made by the Ordinances.

52. Degrees, diplomas and other academic distinctions :-

The Executive Council may, on the recommendation of the Academic Council, institute and confer such degrees, diplomas and other academic distinctions as may be prescribed by the Statutes.

53. Honorary degree :-

If, on the recommendation of the Academic Council, not less than two-thirds of the members of the Executive Council recommended 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 when their recommendation is supported by a majority of not less than two-thirds of the members of the Court present at a meeting of the Court, such majority comprising not less than one half of the members of the Court and the recommendation is confirmed by the Chancellor, the Executive Council may confer on such person the honorary degree or other academic distinction so recommended without requiring him to undergo any examination.

54. Removal from membership of University and withdrawal of degree or diploma :-

(1) The Chancellor may, on the recommendation of the Executive Council and of the Court 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 while in the opinion of the Executive Council and the court is a 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 10 COMMITTEES

55. Committee for selection of University teachers :-

(1) There shall be committees for selection of different classes of full-time teachers of the University including tutors and demonstrators.

(2) No person shall be appointed as full time teacher of the University except on the recommendation of the committee.

(3) The constitutions of such committee, the term of office of its members and the procedure to be followed by it shall be such as may be prescribed by the Statutes.

56. Examiners Committee :-

(1) There shall be formed every year a committee for each faculty, for the purpose of drawing up the list for appointments to University examinership, consisting of

(i) the Pro-Vice-Chancellor, ex-officio Chairperson,

(ii) the Dean of the concerned Faculty,

(iii) the Chairperson of the Board of Studies, and

(iv) two members of the Board of studies nominated by the Vice-Chancellor for the year.

(2) The list of examiners prepared by the committee shall be placed through the Academic Council before the Vice-Chancellor for his approval who may either approve or modify the same for the reasons to be recorded in writing.

(3) The procedure to be followed by the committee shall be such as may be prescribed by the Statutes.

57. Inspection Committee :-

There shall be an Inspection Committee consisting of the Pro-Vice-Chancellor or any other person nominated by the Vice-Chancellor as the Chairperson and such other members as may be appointed by the Executive Council in accordance with the Statutes.

58. College Development Committee :-

(1) There shall be a College Development Committee for the purpose of development of colleges in the University area.

(2) The constitution of such committee, the term of office of its members and the procedure to be followed by it shall be such as may be prescribed by the Statutes.

59. Joint Consultative Committee :-

(1) There shall be constituted as many joint consultative committees as for the purpose of promoting welfare of members of non-teaching staff of the University, affiliated colleges and recognised institutions as may be deemed necessary by the University.

(2) The constitution of every such committee, the term of office of its members and its powers and functions shall be such as may be prescribed by the Statutes.

60. Library and Purchase Committee :-

(1) There shall be a Library Committee for administering, organising and maintaining the libraries and library services of the University.

(2) There shall be Purchase Committee for dealing with all matters pertaining to all purchases of the University in respect of such items where individual cost of each item exceeds rupees one lakh at a time.

(3) The constitution of every such committee, the term of office of its members and its powers and functions shall be such as may be prescribed by the Statutes.

61. Other Committees :-

(1) Any of the authorities of the University referred to in Sec. 15 may from time to time appoint such other committees consisting of such persons from amongst its members as the authority thinks fit and may refer or entrust, to any such committee for inquiry and report or for opinion any of the matters dealt with by the authority and may at any time discontinue or alter the constitution of any such committee.

(2) Notwithstanding anything contained in this Act, but subject to

the approval of the appointing authority, it shall be lawful for a committee appointed under sub-sec. (1) to co-opt such number of persons who are not members of the appointing authority as its members as it thinks fit.

CHAPTER 11
FINANCE

62. 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;

(d) any sum borrowed from the banks with the permission of the State Government.

(3) The University Fund shall be kept in any Scheduled 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 (2 of 1882), at the discretion of the Executive Council.

63. Annual accounts and financial estimates :-

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

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

(3) The Executive Council shall, having regard to the Government grants that are likely to be available, prepare before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year.

(4) The annual accounts shall be considered by the Court at its

annual meeting and the Court may pass resolutions with reference thereto and communicate the same to the Executive Council which shall take them into consideration and take such action thereon as it thinks fit, and finally adopt the accounts. The Executive Council shall inform the Court at its next meeting of the action taken by it or if no action is taken, the reasons for taking no action.

64. Annual report :-

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

CHAPTER 12

SUPPLEMENTARY PROVISIONS

65. Conditions 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.

66. Reservation of posts in favour of Scheduled Castes, etc. :-

In the matter of appointment of persons in the service of the University, the University shall follow the provisions made by the State Government from time to time for the reservation of appointments and posts in favour of Scheduled Castes, Scheduled Tribes and Other Backward Classes in the services under the State Government.

67. Officers and employees to be public servant :-

Every officer and employee of the University shall be deemed to be a public servant within the meaning of Sec. 21 of the Indian Penal Code (45 of 1860),.

ExplanationFor the purpose 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 relating to the performance of, the duties and functions connected with such appointment or work.

68. Dismissal, removal, reduction and termination of service of staff, etc. :-

(1) No member of the teaching and other academic and non-teaching staff of a recognised or approved institution shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges and until

(a) he has been given a reasonable opportunity of making representation on any such penalty proposed to be inflicted on him, and

(b) the penalty to be inflicted on him is approved by the Vice-Chancellor or any other officer of the University authorised by the Vice-Chancellor in this behalf.

(2) No termination of service of such member not amounting to his dismissal or removal falling under sub-sec. (1) shall be valid unless-

(a) he has been given a reasonable opportunity of showing cause against the proposed termination; and

(b) such termination is approved by the Vice-Chancellor or any officer of the University authorised by the Vice-Chancellor in this behalf:

Provided that nothing in this sub-section shall apply to any person who is appointed for purely temporary period only.

69. 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 one member appointed by the Executive Council, 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 the 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 Arbitration and Conciliation Act, 1996 (26 of 1996), and the provisions of that Act shall apply accordingly.

70. Reference of dispute between recognised or approved institution and its staff member to Tribunal of Arbitration :-

(1) Any dispute between the governing body and any member of the teaching, other academic and non-teaching staff of recognised or approved institution which is connected with the conditions of service of such member, shall, on a request of the governing body or of the member concerned be referred to a Tribunal of Arbitration consisting of one member nominated by the governing body of the recognized or approved institution, one member nominated by the member concerned and an Umpire appointed by the Vice-Chancellor.

(2) The provisions of Sec. 69 shall there upon mutatis mutandis apply to such request and the decision that may be given by such Tribunal.

71. Pension, insurance and provident fund :-

The University shall make provisions for the benefit of its officers, teaches 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.

72. Pension, insurance, provident fund of staff of colleges, etc. :-

(1) The governing body of any affiliated college and of a recognised institution shall make adequate provisions for the benefit of the members of the teaching and of other academic and non-teaching staff of such college or institution in matters of insurance, pension and provident fund or for other benefits.

(2) The subscription of a member of a teaching staff and of other academic and non-teaching staff of an affiliated college or of a recognised institution towards his provident fund and the contribution, if any, of the college or, as the case may be, of the institution towards the fund shall be deposited in such manner and within such time as may be prescribed by the Statutes, in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934

(II of 1934), or in a Co-operative Bank as defined in the Gujarat Co-operative Societies Act, 1961 (Guj. X of 1962), approved by the State Government for such purpose.

73. 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 Sec. 71 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 direction as the State 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 Employee's Provident Funds and Miscellaneous Provisions Act, 1952 (x of 1952), applies.

74. 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.

75. Vacating of office :-

(1) Any member of any authority or body of the University may resign his office by letter addressed 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 occurs 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 Executive Council, involves moral turpitude.

76. Filling up 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 Court and occurs within six months preceeding the date on which the term of office of such member expires, the vacancy shall not be filled.

77. Proceeding not invalidated by vacancies :-

No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of any vacancy in its membership.

78. Disputes as to constitution of University, authority or body :-

Where any question arises as to

(1) the interpretation of any provision of this Act, or of any Statute, Ordinance, regulation or rule, or

(2) whether a person has been duly elected or appointed as, or is entitled to be or ceases to be entitled to be, a member of any authority or other body of the University

(a) it may be referred to the State Government if it relates to a matter specified in clause (1), and

(b) it shall be referred to the State Government if -

(i) it relates to a matter specified in clause (2), or

(ii) if twenty members of the Court so require, irrespective of whether it relates to a matter specified in clause (1) or clause (2); and

79. 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 suit shall be instituted against or damage or compensation claimed from, the University or its authorities, bodies or officers for anything purporting to be done in pursuance of this Act and the Statutes, Ordinances, Regulations and Rules framed thereunder.

80. Non-application of Secs. 65,68, 70 and 72 to Government college :-

Nothing contained in Secs. 65, 68, 70 and 72 shall apply to a college or institution owned or maintained by the Government.

CHAPTER 13

TRANSITORY PROVISIONS

81. Terms and conditions of employees of affiliated colleges who were holding the posts in affiliated colleges of Gujarat University :-

Notwithstanding anything contained in this Act, every employee of a college affiliated to this University who is holding office (whether teaching or non-teaching) of Gujarat University immediately before the commencement of this Act shall continue to hold office on the same terms and conditions as were applicable to him immediately before such date, and exercise such powers and perform such duties as are conferred on them by or under this Act.

82. Completion of courses of students in colleges affiliated to Gujarat University :-

Notwithstanding anything contained in this Act or the Statutes, Ordinances and Regulations made thereunder, any student of a college affiliated to this University who, immediately before the date on which Sec. 5 comes into force was studying or was eligible for any examination of the Gujarat University, shall be permitted to complete his course in preparation therefore, 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 studies of the Gujarat University.

83. Appointment of first Vice-Chancellor :-

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

84. Appointment of Pro-Vice-Chancellor :-

Where as soon as practicable after the commencement of this Act, the State Government decides to fill the office of the Pro-Vice-Chancellor, it shall, notwithstanding anything contained in Sec. 12, appoint the first Pro-Vice-Chancellor for the period for which the first Vice-Chancellor is appointed under Sec. 83 and on such terms and conditions as the State Government thinks fit.

85. Appointment of first Registrar :-

Notwithstanding anything contained in Sec. 13, the first Registrar shall be appointed by the State Government as soon as practicable after the commencement of this Act for a period of not exceeding three years and on such terms and conditions as the State Government thinks fit.

86. Transitory powers of first Vice-Chancellor :-

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

(a) to give recognition to institutions, if any, as far as possible consistent with the provisions of Sec. 37; and

(b) to make arrangements for constituting the Court, the Executive Council, the Academic Council and other authorities of the University within six months after the date of his appointment or such longer period not exceeding one year 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 rules, that may be necessary for regulating the method of elections to the aforesaid authorities,

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

(3) The authorities constituted under sub-sec. (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, Ordinances and Regulations framed by the first Vice-Chancellor shall, when confirmed by the respective authorities, be published in the Official Gazette.

87. First appointment of the officers of the University :-

(1) At any time after the commencement 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) till the Executive Council is constituted, the teachers of the University may be appointed by the Advisory Committee referred to in sub-sec. (2) of Sec. 86 with the approval of the Chancellor on the recommendation of the Selection Committee consisting of the following persons, namely:

(i) the Vice-Chancellor,

(ii) a nominee of the Chancellor,

(iii) three experts to be appointed out of a panel of experts drawn by the Advisory Committee.

(2) Any appointment made under sub-sec. (1) shall be for such period not exceeding three years and on such terms and conditions as the appointing authority thinks fit:

Provided that no such appointment shall be made until financial provision has been made therefor.

88. Extra-ordinary powers of the first Vice-Chancellor :-

The first Vice-Chancellor appointed under Sec. 83 shall have powers until the Executive Council 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 three 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 its functions as he may direct; and

(f) generally to exercise all or any of the powers conferred on the Executive Council by or under the provisions of this Act.

89. Power to remove difficulties :-

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by an order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to be necessary or expedient for removing the difficulty :

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

90. Amendment of Bom. L of 1949 :-

In the Gujarat University Act, 1949 (Bom. L of 1949), in Schedule I, the entry at serial number 8 shall be deleted.

SCHEDULE 1

SCHEDULE

(See Section 2(18)) Kachchh District.
