

## **SARDAR PATEL UNIVERSITY ACT, 1955**

**40 of 1955**

**[October 13, 1955]**

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## **SCHEDULE 1 :- SCHEDULE 1**

## **SCHEDULE 2 :- SCHEDULE 2**

# **SARDAR PATEL UNIVERSITY ACT, 1955**

**40 of 1955**

**[October 13, 1955]**

An Act to establish and incorporate a teaching and affiliating University at Vallabh Vidyanagar. WHEREAS it is necessary to accelerate the process of regeneration of villages by the application of modern arts, sciences and technology to rural requirements; AND WHEREAS it is also necessary and expedient to establish and incorporate a teaching and affiliating University [\* \* \* \* \*] in a rural setting at Vallabh Vidyanagar. It is hereby enacted in the Sixth Year of the Republic of India as follows :

## CHAPTER 1

### Preliminary

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

(1) This Act may be called the <sup>1</sup> [ Sardar Patel University Act, 1955 ].

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

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

1. These words and figures were substituted for the words and figures "Sardar Vallabhbhai Vidyapeeth Act, 1955" by Guj. 8 of 1966, s. 2,

## **2. Definitions :-**

In this Act. unless there is anything repugnant in the subject or context

(1) "affiliated college" means a college affiliated under Section 44 and includes also a college deemed to be affiliated under Section 5 ;

(2) "college" means a degree college or an intermediate college;

(3) "constituent college" means a university college or an affiliated college made constituent under Section 50 :

(4) "degree college" means a college, which is authorized to submit its students to an examination qualifying for any degree of the University:

(5) "department" means a department designated as such by the Ordinances with reference to a subject or a group of subjects:

(6) "Director of Education" means the Director of Education,  
<sup>1</sup>[Gujarat State]:

(7) "Fellow" means an an-officio Fellow or an Ordinary Fellow appointed under the provisions of this Act;

(8) "Head Master" means the head of a High School;

(9) "Head of Department" means a teacher principally responsible for instruction, training or research in a department;

(10) "High School" means a High School which has been recognized as a fullfledged high school by the Director of Education or by an officer authorized by him in that behalf in accordance with the provisions of the Bombay Secondary School Certificate Examination Act. 1948; (Bom. XLIX of 1948).

(11) "hostel" means a unit of residence for students maintained or recognized by the University under this Act:

(12) "intermediate college" means a college other than a degree college:

(13) "prescribed" means prescribed by Statutes or Ordinances;

(14) "Principal" means the head of a college;

(15) "recognized institution" means an institution recognized under Section 46 and includes also an institution deemed to have been recognized under Section 5 ;

(16) "registered graduate" means a graduate registered under Section 16 ;

(17) "Schedule" means a schedule appended to this Act:

(18) "Secondary teachers" means such class of teachers imparting instruction in High Schools as may be declared to be secondary teachers by Statutes;

(19) "Statutes" and "Ordinances 1and Regulations]" means respectively the Statutes and Ordinances 1[and Regulations] of the University made under this Act and for the time being in force;

(20) "teacher" means a professor, reader or lecturer, imparting instruction or guiding research in the University, an affiliated college or recognized institution or such other person as may be declared to be a teacher by the Statutes;

(21) "Teacher of the University" means a teacher appointed or recognized by the University for imparting instruction on its behalf:

(22) "University" means the <sup>2</sup> [Sardar Patel University];

(23) "University area" means the area specified in Schedule 1;

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

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

1. These words were substituted for the words "Bombay State" by the Gujarat Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

2. These words were substituted for the words "Sardar Vallabhbhai Vidyapeeth" by Guj. 8 of 1966, s. 3(ii).

## CHAPTER 2

### The University

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

(1) The Chancellor, the Vice- Chancellor <sup>1</sup>[the Pro-V ice-Chancellor]

the Fellows and the members of the Syndicate <sup>2</sup>[and the Academic Council] of the University and all persons who may hereafter be appointed or elected as such officers, Fellows or members under this Act, so long as they continue to be such officers. Fellows or members, are hereby constituted and declared to be one body corporate by the name of the <sup>3</sup>[Sardar Patel University] and such body corporate shall, by such name, have perpetual succession and a common seal, and by such name shall sue and be sued.

(2) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may have become vested in, or may have been acquired by it, for the purpose <sup>4</sup>[of the University, to raise loans upon the security of its assets] and to contract and do all other things necessary for the purposes of this Act :

<sup>5</sup> [Provided that the power to raise loans upon the security of its assets shall be exercised after obtaining previous permission of the State Government].

1. Ins. by Guj. 10 of 1982 [9-12-1981].
2. These words were inserted *ibid.*, s. 4(i).
3. These words were substituted for the words --Sardar Vallabhbhai Vidyapeeth" *ibid.*, s. 4(ii).
4. These words were substituted for the words "of the University" by Guj. 40 of 1963, s. 2.
5. This proviso was added, *ibid.*, s. 2, Sch.

#### **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, teaching and training in such branches of learning and courses of study as it may think fit and to make provision for research and for the advancement and dissemination of knowledge ;

(2) to make such provision as would enable affiliated colleges and recognized institutions to undertake specialization of studies;

(3) to organise, control and co-ordinate the programme of teaching and research and other activities of the University, whether carried on in constituent colleges or in University Department or in affiliated Colleges or recognised institutions;

- (4) to organize university laboratories, libraries, museums and other equipment for teaching and research;
- (5) to establish, maintain and manage colleges, <sup>1</sup>[university Departments] or practising schools and institutions attached to colleges <sup>1</sup>[university Departments] or schools for the purpose of practical work, experiment, research or preparatory instruction and institutes of research or specialized studies;
- (6) to institute professorships, readerships, lecturerships and any other posts of teachers required by the University;
- (7) to appoint or recognize persons as professors, readers or lecturers or otherwise as teachers of the University;
- (8) to lay down the courses of instruction for various examinations;
- (9) to guide the teaching in colleges or recognized institutions:
- (10) to institute degrees, diplomas and other academic distinctions'
- (11) to hold examinations including University Entrance examination and confer degrees, diplomas and other academic distinctions or person who
  - (a) have pursued approved courses of study in the University or in <sup>3</sup>[Statutes, Ordinances or Regulations] and have passed the examinations prescribed by the University; or
  - (b) have carried on research under conditions prescribed by the <sup>4</sup>[Ordinances and Regulations];
- (12) to confer honorary degrees or other academic distinctions in the manner laid down by the Statutes;
- (13) to grant such diplomas and certificates to, and to provide such lectures instruction and training, for persons not being enrolled students of the University as the University may determine by the <sup>5</sup>[Statutes, Ordinance and Regulations];
- (14) to admit educational institutions to the privileges of the University and to withdraw such privileges;
- (15) to inspect colleges and recognized institutions and to take measures to ensure that proper standards of instruction, teaching or training are maintained in them;
- (16) to control and co-ordinate the activities of, and give financial

aid to affiliated colleges and recognized institutions <sup>6</sup>[and to regulate the fees to be paid by the students in such colleges]:

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

(18) to make special provision for the spread of University education among classes and communities, which are educationally backward:

(19) to make special provisions for disseminating knowledge and promoting arts and culture;

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

(21) to establish, maintain and manage hostels:

(22) to recognize hostels not maintained by the University, to inspect such hostels and to withdraw recognition therefrom:

(23) to supervise and control the conduct and discipline of the students of the University and to provide for and to supervise and control their residence and to make arrangements for promoting their health and general welfare:

(24) to conduct, co-ordinate, regulate and control post-graduate research work and teaching in the affiliated colleges and the institutions recognized by the University:

(25) to co-ordinate, regulate and control the conduct of post-inter-

(26) to institute and manage (a) Printing and Publication Department, (b) University Extension Boards, (c) Information Bureau, and (d) Employment Bureau;

(27) to make provision.

(a) for extra-mural teaching and research.

(b) for physical and military training

(c) for Students' Unions, and

(d) for sports and athletic clubs:

(28) to provide for training for competitive examinations for services under the Union or the State Governments;



(29) to promote the development of the study <sup>7</sup> [of Gujarati and Hindi in Devnagari script and the Use of Gujarati or Hindi in Devnagri script or both] as a medium of instruction and examination;

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

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

1. These words were substituted for the word "departments" by Guj. 8 of 1966, s.5(1).

3. These words were substituted for the words "Statutes or Ordinance" by Guj. 8 of 1966, s. 5(2)(i).

4. These words were inserted *ibid.*, s. 5(2)(ii).

5. These words were substituted for the words "Statutes and Ordinances" *ibid.*, s. 5(3).

6. These words were added by Guj. 15 of 1970 s. 3 (1).

7. These words were subs. for the words of Hindi in Devnagari script and of Gujarati and these of such Hindi" by Guj. 15 of 1970 s. 3 (ii).

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

(1) No educational institution situate within the University area shall, save with the consent of the University and the sanction of the State Government, 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 such other University, before the date on which this section 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 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 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.

1. Sub-section (4) was deleted ibid, s. 4.

**6. University open to all irrespective of religion, race, caste, sex, place of birth or opinion :-**

(1) No person shall be excluded from any office of the University or from membership of any of its authorities or from

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

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to religion, race, caste, sex, place of birth, or political or other opinion in order to entitle him to be admitted as a teacher or to hold any office 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 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 equipment, of any institution, college or hostel maintained or recognized by, or affiliated to, the University, of the teaching and other work conducted by the University, and of the conduct of examinations held by the University and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Chancellor shall communicate to the Syndicate and to the Senate his views with reference to the results of such inspection or inquiry and shall, after ascertaining the opinion of the Syndicate and the Senate thereon, advise the University on the action to be taken. (3) The Syndicate shall report to the Chancellor such action, if any, as it has taken or may propose to take upon the results of

the inspection or inquiry. Such report shall be submitted with the opinion of the Senate there on and within such time as the Chancellor may direct.

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

### 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,

<sup>1</sup> [(iia) the Pro-Vice-Chancellor,]

(iii) the Deans of Faculties,

(iv) the Registrar, and

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

1. Ins. by Guj. 10 of 1982 [9-12-1981].

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

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

(2) The Chancellor shall exercise such powers as may be conferred on him by or under the provisions of this Act.

<sup>2</sup> [

1. These words were substituted vide Gujarat Adaptation of Laws Order, 1960.

2. Section 10 was substituted for the original by Guj. 8 of 1966, s. 6. P1. see s. 30 (3) of Guj. 8 of 1966, in the footnotes at p. 4460 post.

#### **10. The Vice-Chancellor :-**

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

(2) (a) For the purposes of sub-section (1) the Chancellor shall appoint a committee which shall consist of the following members, namely:

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

(ii) one member to be nominated by the Chancellor. (b) The Chancellor shall appoint one of the three members of the Committee as its chairman.

(3) The Committee so appointed shall, within such time and in such manner as may be prescribed by Statutes, select three persons whom it considers fit for being appointed Vice-Chancellor and shall recommend to the State Government 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 being appointed to that office for a further term of three years only.

(5) The emoluments to be paid to the Vice-Chancellor, and the terms and conditions subject to which he shall hold office, <sup>1</sup>[shall 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) (a) During the leave or absence of the Vice-Chancellor, or

(b) in the event of a permanent vacancy in the office of the Vice-Chancellor, until an appointment is made under sub-section (1) to that office,

<sup>2</sup> [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.]

1. Subs. by Guj. 10 of 1982 [9-12-1981]

2. Subs. by Guj. 10 of 1982 [9-12-1981]

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

(1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at a meeting of the Senate and any convocation of the University. He shall be an ex-officio member and the Chairman of the Syndicate <sup>1</sup>[and of the Academic Council] and of such other authority of the University of which he is a member. He shall be entitled to be present, with the right to address, at any meeting of any other authority or body of the University.

(2) The Vice-Chancellor shall have power to convene meetings of <sup>2</sup>[the Senate, the Syndicate and the Academic Council]. 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, <sup>3</sup>[the Statutes, Ordinances and Regulations] are faithfully observed and he shall have all powers necessary for the purpose.

(4)

(a) In an 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 <sup>4</sup>[thereafter furnish information regarding his action] to such officer, authority or body, as would have in the ordinary course, dealt with the matter.

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

(5) The Vice-Chancellor shall give effect to the decisions or orders of the Syndicate 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 proper administration of the affairs of the University in accordance with this Act, the Statutes and Ordinances.

**5**[(5A)(a) Subject to the provisions contained in sub-section (4) and notwithstanding anything contained in sub-section (5) where the Vice-Chancellor after making such inquiry as he deems fit is of opinion that the Section 14 , 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 statute, ordinance, rule or regulation, 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 (e) 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 State Government for its decision.

(d) The State Government may, on such reference, being made, revise or modify the order or resolution or direct that the order or resolution shall continue to be in 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 State Government without giving the concerned authority a reasonable opportunity of showing the cause against the order.

(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 State Government under clause (d).]

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by <sup>6</sup> [the Statutes, Ordinances and Regulations.]

1. These words were inserted by Guj. 8 of 1966, s. 7(1).

2. These words were substituted for the words "the Senate and the Syndicate" ibid s. 7(2).

3. These words were substituted for the words "the Statutes and Ordinances" ibid., s. 7(3).

4. Subs. by Guj. 10 of 1982 [9-12-1981]

5. Sub-sec. (5A), Ins. by Guj. 10 of 1982.

6. Subs. by Guj. 8 of 1966.

### **11A. Pro-Vice-Chancellor :-**

(1) The Pro-Vice-Chancellor shall be appointed by the State Government from amongst three persons recommended by the Vice-Chancellor.

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

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

(3) The Vice-Chancellor shall be a whole-time salaried officer and his emoluments and conditions of service shall be such as shall 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 be that principle inspecting officer of the University and shall exercise such of the powers and perform 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 Syndicate.

(5) The Pro-Vice-Chancellor shall, in the absence of the Vice-

Chancellor, or in the event of his 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 meeting of the Senate, and

(b) in the absence of the Vice-Chancellor at the meeting of any other authority of the University or a committee thereof"]

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

The registrar shall be a whole-time salaried officer and shall act as the secretary of <sup>1</sup>[the Senate, of the Syndicate and of the Academic Council]. He shall be appointed by the Syndicate in accordance with the status to be made in this behalf, and his emoluments and conditions of the service shall be such as may be prescribed by the Statutes. He shall exercise power and perform such duties as may be prescribed by the <sup>2</sup> [Statutes, Ordinance and Regulations.]

1. These words were substituted for the words "the Senate and of the Syndicate" by Guj. 8 of 1966, s.8(1)

2. These words were substituted for the words "Statutes and Ordinance" ibid., s.8(2).

### **13. Other Officer :-**

The appointment of the other officer of the University referred to in clause (v) of the Section 8 shall be made in such manner and the conditions for their service and their power and duties shall be such as may be prescribed by the <sup>1</sup> [Statutes, Ordinance of the Regulations, as the case may be.]

1. These words were substituted for the words "Statutes and Ordinance" ibid., s.9.

## **CHAPTER 4**

### **Authorities of the University**

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

The following shall be the authorities of the University : -

(1) The Senate,

(2) the Syndicate,

<sup>1</sup>[(2A) the Academic Council,]



- (3) the Faculties,
- (4) the Boards of Studies,
- (5) the Board of Post-graduate Studies and Research,
- (6) such other bodies of the University as the Senate may declare by Statutes to be the authorities of the University.

(A) The Senate.

<sup>2</sup> [

1. Item (2A) in Section 14 was inserted *ibid.*, s.10.

2. Please see s. 30(3) of Guj. 8 of 1955, in the footnotes at p. 4460 post.

### **15. Constitution of Senate :-**

The Senate shall consist of the following : I. Ex-officio Fellows.

(A)

(i) The Chancellor,

(ii) The Vice-Chancellor,

(iii) The ex-Vice-Chancellors of the University,

<sup>1</sup>[(iii-a) The Pro-Vice-Chancellor.]

(iv) The Heads of University Departments,

(v) The Registrar,

(B)

<sup>2</sup>[(i) \* \* \* \*]

(ii) The Minister of Education <sup>3</sup>[Gujarat]

<sup>2</sup>[(iii) \* \* \* \*]

(iv) The Vice-Chancellors of other Universities established by law in the <sup>3</sup>[State of Gujarat.]

(v) The Secretary to the <sup>6</sup>[Government of Gujarat], Education Department.

<sup>7</sup>[(vi) The Director of Higher Education, or an officer not below the rank of a joint Director of Higher Education designated by such Director.]

- (vii) The Surgeon-General with the <sup>4</sup>[Government of Gujarat]
- (viii) The Director of Animal Husbandry and Veterinary Science,
- (ix) The Director of Agriculture or Joint or Deputy Director of Agriculture designated by the State Government.

(x) The Director of Industries,

<sup>5</sup>[(xi) The Director of Technical Education, or an officer not below

(xia) 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;]

(xii) The Chief Engineer or a Superintending Engineer, Public Works Department, nominated by the State Government.

<sup>10</sup>[(xiii) The Chairman of the Gujarat Secondary Education Board],

(C)

(i) Deans of Faculties,

(ii) Principal of Colleges,

<sup>11</sup>[(iii) \*\*\*\*\*]

(D) (i) (a) the President,

(b) the Chairman, and

(c) the Secretary, of the Charutar Vidya Mandal;

<sup>12</sup>[(ii) \*\*\*\*]

## II. Ordinary Fellows

(A) Elected as specified below:

(i) One teacher from each of the Faculties elected by the teachers of subjects comprised under that Faculty:

(ii) One teacher from each of the affiliated colleges, constituent colleges and recognized institutions to be elected by the teachers in each college or institution, as the case may be.

(iii) Five representatives of the registered graduates of the University to be elected faculty-wise as determined by Statutes;

such representatives being persons who are not teachers or secondary teachers:

Provided that no faculty shall be represented by more than one representative.

(iv) One representative to be elected by Head Master <sup>13</sup>[\*\* \* \* \* \* \* \*] in the University area from amongst themselves.

(v) One representative to be elected by secondary teachers in the University area from amongst themselves, such representative not being Head Master.

<sup>14</sup>[(va) One representative to be elected by members of the Kaira District Panchayat from amongst themselves.]

(vi) <sup>15</sup>[Two representatives] to be elected by the members of the

<sup>16</sup>[Gujarat] Legislative Assembly from amongst its members:

Provided that every person elected under clauses (i) to (vi) shall continue to hold the office of a Fellow only so long as he is a member of the electing body.

(B)(i) <sup>17</sup>[One representative] of the Birla Education Trust to be nominated by the Birla Education Trust.

<sup>18</sup>[(ii) One representative of the Institute of Agriculture nominated by the trustees of Sheth Mansukhlal Chhaganlal Trust and by trustees of Seth Munglal Goenka Trust, by rotation.]

<sup>19</sup>[(iii) One representative to be elected in the manner specified below from amongst themselves by donors other than those to whom clause (i) or (ii) applies each donating money or property of the value of not less than five lakhs of rupees to, or for the purposes of. the University a college of the University or an institution of the University.

(1) if the donor is an individual, for the purpose of voting, the name of each such donor shall be enrolled on the register maintained by the University;

(2) if the donor is an undivided Hindu family, trust, firm, company or body corporate, for the purpose of voting, the name of the person nominated from time to time by each such undivided Hindu Family, trust, firm, company or body corporate shall be enrolled on the register maintained by University :

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

(iv) <sup>20</sup>[Two] representatives to be elected in the manner specified below from amongst themselves by donors other than those to whom clause (i), (ii) or (iii) applies, each donating money or property of the value of not less than one lakh of rupees.

(a) to, or for the purposes of, the <sup>21</sup>[University, a college of the University or an institution of the University, or]

<sup>22</sup>[\* \* \* \* \*]

(1) if the donor is an individual, for the purpose of voting the name of each such donor shall be enrolled on the register maintained by the University;

(2) if the donor is an undivided Hindu family, trust, firm, company, or body corporate, for the purpose of voting, the name of the person nominated from time to time by each such undivided Hindu family, trust, firm, c ompany or bcdy corporate shall be enrolled on the register maintained by the University ;

(3) where sub-clause (4) does not apply, the persons whose names are enrolled on the register under sub-clauses (1) and (2) shall elect <sup>23</sup>[two] representatives to the Senate :

(4) if the number of names enrolled under sub-clauses (1) and (2) is <sup>19</sup>[two] or less than <sup>19</sup>[two] each person whose name is so enrolled shall be deemed to have been elected :

Provided that the right of electing representatives on the Senate shall not extend beyond the period of twenty years from the date of the acceptance of such donation by the college, institution or <sup>26</sup>[university], as the case may be.

<sup>27</sup>[\* \* \* \* \*]

Explanation II. For the purposes of clauses (iii) and (iv) of paragraph (B), the value of the property means, in the case of property donated, whether prior to or after the date of the coming into force of this Act, the market value of the property at the date of acceptance. The decision as to the market value shall rest with the Syndicate and shall be final.

(C) **28** [Fifteen] persons nominated by the State Government.

1. Ins. by Guj. 10 of 1982 [9-12-1981]

2. Clauses (i) and (iii) in paragraph (B) were deleted by Guj. 8 of 1966, s. 11(1) (a).

3. These words were substituted for the words "State of Bombay" by the Gujarat Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

6. These words were substituted for the words "Government of Bombay", *ibid.*

7. Subs. by Guj. 10 of 1982 [9-12-1981.]

10. Clause (xiii) was substituted by Guj. 18 of 1973, Sch. Sr. No. 3.

11. Clause (iii) in paragraph (C) was deleted by Guj. 8 of 1966, S. 11(1)(b).

12. Clause (ii) in paragraph (D) was deleted, *ibid.*, s. 11 (1)(e).

13. The words and letters "other than the Head Master of the G.J. Sharda Mandir at Vallabh Vidyanagar", were deleted by Guj. 8 of 1966, s. 11 (2)(A)(i).

14. Clause (va) was inserted, *ibid.*, s. 11 (2) (A) (ii.)

15. These words were subs. for the words "One representative" by Guj. 8 of 1966, s. 11 (2) (A) (iii).

16. This word was subs. for the word "Bombay" by the Guj. Adaptation of Laws Order, 1960,

17. These words were subs. for the words "Three representatives" by Guj. 8 of 1966, s. 11 (2)(B)(i).

18. Clause (ii) was subs. for the original *ibid.*, s. 11(2)(B)(ii),

19. Clause (iii) was subs. for the original *ibid.*, s. 11(2)(B)(iii).

20. This word was substituted for the words "Five" by Guj. 8 of 1966 s. 11 (2)(B) (iv)(a).

21. These words were substituted for the words "University, or" *ibid.*, s. 11 (2)(B) (iv)(b).

22. Sub-clause (b) was deleted *ibid.*, s. 11(2)(B)(iv)(c).

23. This word was substituted for the word "five" by Guj. 8 of 1966, s. 11(2) (B)(iv)(d).

26. This word was substituted for the word "syndicate" *ibid.*, s. 11(2)(B) (iv)(e).

27. Explanation I was deleted *ibid.*, s. 11(2)(B)(v);

28. This word was substituted for the word "Five" by Guj. 8 of 1966. s. 11 (2)(c).

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

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

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

(b) persons who being graduates of any other University are recognized as registered graduates in accordance with the Statutes.

(2) A person

(a) who is of unsound mind and stands so declared by a competent court,

(b) who is an undischarged insolvent,

(c) who is convicted by a Court of an offence punishable with transportation for life or imprisonment for more than six months and such offence involves moral turpitude, or

(d) who is a registered graduate of any other University established by law in the <sup>1</sup>[State of Gujarat] shall be disqualified to have his name entered in the register of graduates or to be a registered graduate :

<sup>2</sup>[ \* \* \* \* \* ]

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

(4) If any question arises whether a person is entitled to have his name entered in the register of graduates or to be registered graduate or is disqualified to be a registered graduate, it shall be decided by the Vice- Chancellor whose decision shall be final

<sup>3</sup> [(5) The registration of a person as a registered graduate shall remain in force for such period as may be prescribed by Statutes and every person whose name is entered in the register of graduates or who is a registered graduate shall, if he is desirous of having his name continued or retained on such register or of continuing himself as a registered graduate, make an application to the Registrar for such purpose on the expiry of every such period as may be prescribed by Statutes. If no such application is made on the expiry of any period as so prescribed the Registrar shall remove the name of the graduate concerned from the register and on such removal he shall cease to be a registered graduate.]

1. These words were substituted for the words "State of Bombay" by the Gujarat Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

2. This proviso was omitted *ibid*.

3. Sub-section (5) was inserted by Guj. 15 of 1970 s. 5.

### **17. Vacating office :-**

(1) Any Ordinary Fellow may, by a letter addressed to the Chancellor, resign his office and on the acceptance of his resignation the office shall become vacant.

(2) If, for a period of two consecutive years, any Ordinary Fellow, except a fellow nominated or elected under paragraph (B) under heading II. Ordinary Fellows" in Section 15 , has not attended a meeting of the Senate, other than a convocation, the Chancellor may declare his office to be vacant.

(3) Any person, who holds any office in the University by virtue of his being a Fellow, shall cease to hold such office on his ceasing to be a fellow.

### **18. Term of Office of Ordinary Fellows :-**

(1) The Ordinary Fellows shall, save as herein otherwise provided, hold office for five years.

(2) An ordinary Fellow who has vacated his office may, subject to the provisions of this Act, be elected or nominated to be an Ordinary Fellow.

### **19. Appointment of Fellow may be cancelled :-**

(1) The Chancellor may, on the recommendation of the Senate supported by a majority of not

Provided that the Senate shall give to the Fellow concerned an opportunity to be heard in his defence before making such recommendation.

(2) As soon as such order is notified in the Official Gazette, such person shall cease to be a Fellow, and he shall not be eligible for re-appointment or re-election until the disqualification has been removed by the Chancellor by a notification in the Official Gazette;

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

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

(i) to make provision for instruction, teaching and practical training in such branches of learning and courses of study, as it may think fit, for research and for the advancement of learning, dissemination

of knowledge and improvement of technical skill;

(ii) to make such provision as will enable affiliated colleges and recognized institutions to undertake specialization of studies and to organize and make provisions for University laboratories, libraries, museums and other equipment for teaching and research;

(iii) to establish and maintain colleges, <sup>1</sup> [University Departments] hostels and institutions of research and specialized studies;

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

(v) to institute and maintain fellowships, travelling fellowships, scholarships, studentships, exhibitions and medals;

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

(vii) to confer, on the recommendation of the Syndicate, honorary degrees or other academic distinctions;

(viii) to make, amend or repeal Statutes;

(ix) to consider the annual accounts and the annual financial estimates placed before it by the Syndicate and pass them with such modifications as the Senate may deem fit;

(x) to consider and cancel or refer back but not amend, Ordinances;

(xi) to consider the annual reports and to pass resolution on and adopt such reports;

(xii) to elect office-bearers and authorities as provided in this Act and the Statutes;

(xiii) to make grants from the funds of the University for the purposes of the National Cadet Corps;

(xiv) to make provision for the physical and military training of students:

(xv) to provide for training for competitive examinations for services under the Union or the State Governments;

(xvi) to lay down scales of salaries and conditions of employment of members of the staff in constituent colleges and constituent



recognized institutions, and to ensure the observance of the same through the Syndicate;

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

(xviii) to exercise and such other powers and perform such other duties as may be necessary to give effect to the provisions of this Act.

(2) The powers and duties under clauses (i) to (vi) of sub-section (1) shall not be exercised except upon recommendations made by the Syndicate.

1. These words were substituted for the word "departments" by Guj. 8 of 1966, s. 12.

## **21. Meetings of the Senate :-**

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

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

(B) Syndicate.

## **22. The Syndicate :-**

<sup>1</sup>[(1) The Syndicate shall be the executive authority of the University and shall consist of the following, namely:

(a) The Vice-Chancellor,

<sup>3</sup>[(b) The Director of Higher Education and if he is unable to attend the officer designated under clause (vi) of paragraph (B) of I Ex-officio follows of Section 15 .

(b-i) The Director of Technical Education, and if he is unable to attend, the officer designated under clause (xi) of paragraph (B) of I Ex-officio Fellows of Section 15 .

(b-ii) The Director of Health and Medical Services and Medical Education and if he is unable to attend, the officer designated under clause (xia) of paragraph (B) of I Ex-officio Fellows of Section 15 .]

(c) Two Heads of Departments of the University elected by the Senate from amongst the Heads of Departments of the University in accordance with the Statutes,

(d) Two Principals elected by the Senate from amongst the Principals of the degree colleges affiliated to the University, in accordance with the Statutes,

(e) Ten persons elected by the Senate in accordance with the Statutes <sup>4</sup>[from amongst Fellows other than those who are Heads of

(i) and (ii) of paragraph (B) under the heading -'II-Ordinary Fellows", in section 15].

(f) Two representatives elected by the Charutar Vidya Mandal,

(g) One representative of the Institute of Agriculture elected by the trustees of Seth Mansukhlal Chhaganlal Trust and of Seth Munglal Goenka Trust,

(h) One representative elected by the Birla Education Trusts.

<sup>1</sup> [(i) Four persons nominated by the State Government from amongst distinguished educationists, teachers, social workers and such other class of persons irrespective of whether they are members of the Senate:]

Provided that a member elected under clauses (c) to (e) shall cease to hold office as such member if he ceases to be a head of the University department, or a Principal or, a Fellow of the Senate, as the case may be.]

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

(3) If for any reason whatsoever the elected member remains absent from four consecutive ordinary meetings of the Syndicate, he shall vacate his seat on the Syndicate.

1. Sub-section (1) was substituted for the original by Guj. 8 of 1966 s. 13.

3. These words, brackets, letters and the figures were substituted for the words "from amongst the fellows" by Guj. 15 of 1970 s. 6.s "from amongst the fellows" by Guj. 15 of 1970 s. 6.

4. Ins. by Guj. 10 of 1982, [9-12-1981].

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

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

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

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

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

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

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

(vi) subject to clause (ix) of sub-section (1) of Section 20 , at any time during an official year,

(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 rupees five thousand 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, books and other means needed for carrying on the work of the University;

(viii) to accept on behalf of the University trusts, 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;

<sup>2</sup>[(ix-a) to raise loans upon the security of the assets of the University after obtaining previous permission of the State

Government:]

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

(xi) to institute

(a) a Printing and Publication Department;

(b) an Information Bureau; and

(xii) to make provision for

(a) (i) extra-mural teaching and research; and

(ii) University Extension activities;

(b) Physical and military training;

(c) Students' Union;

(d) Sports and athletic clubs; and

(e) Students' welfare;

(xiii) to manage colleges [University Departments], institutions

of research or specialized studies, laboratories, libraries, museums and hostels maintained by the University;

(xiv) to recognize hostels and to provide housing accommodation for teachers of the University;

(xv) to arrange for and direct the inspection of affiliated colleges, recognised institutions and hostels, and to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff, and payment of adequate salaries, and in case of disregard of such instructions, and to recommend to the Senate modifications of the conditions of affiliation or taking of such other steps as it deems proper in that behalf.

(xvi) to call for reports returns and other information from affiliated colleges, recognized institutions or hostels:

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

(xviii) to recommend to the Senate the conferment of honorary

degrees, and academic distinctions in the manner prescribed by Statutes;

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

(xx) to appoint Heads of <sup>3</sup>[University Departments] in accordance with Statutes;

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

(xxii) to recognize a member of the staff of an affiliated college or recognized institution as a teacher of the University and withdraw such recognition.

(xxiii) \*<sup>3</sup>[\* \* \* \* \*]

(xxiv) \*<sup>3</sup>[\* \* \* \* \*]

(xxv) \*<sup>3</sup>[\* \* \* \* \*]

(xxvi) \*<sup>3</sup>[\* \* \* \* \*]

(xxvii) \*<sup>8</sup>[\* \* \* \* \*]

(xxviii) <sup>9</sup>[to fix remuneration of examiners] and to arrange for the conduct of, and for publishing the results of the University examinations and other tests;

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

(xxx) to make, amend and cancel Ordinances;

\*<sup>10</sup>[xxxa) to accept, reject or refer back Regulations framed by the Academic Council;]

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

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

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

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

<sup>5</sup> ["(4) The exercise of the powers by the Syndicate under clauses (xv) and (xxi) of sub-section (1), in so far as they relate to the laying down and regulating salary scales and allowances of officers, teachers and employees of the University shall be subject to the approval of the State Government.]

2. These words were subs. for the word "Departments" by Guj. 8 of 1966, S. 14 (a). This amendment shall take effect on a date which is declared by the State Government, by notification in the Official Gazette, as the date on which the Academic Council is duly constituted for the first time under section 23A of the Act, (Vide s. 30 (1) of Guj. 8 of 1966). The said section 30 runs as follows, namely: "30. Transitional provisions. (1) The amendments made by section 14 shall take effect on a date which is declared by the State Government by notification in the Official Gazette, as the date on which the Academic Council is duly constituted for the first time under Section 23A of the principal Act. (2) The amendments made by section 19 shall take effect on the date declared under sub-section (1) of this section and any ordinances providing for courses of study for degrees, diplomas and certificates and for the conditions under which students shall be admitted to the examinations of the University made before the said date and in force immediately before the said date shall be deemed to be Regulations made under section 43A of the principal Act and continue in force until superseded by any Regulations made under that section.

3. Clauses (xxiii) to (xxvii) were deleted by Guj. 8 of 1966, S. 14 (b).S. 14 (a).

8. Subs. by Guj. 10 of 1982 [9-12-1981.]ed by Guj. 8 of 1966, S. 14 (b).

9. Clause (xxxa) was ins. by ibid, S. 14(c).>

2. Clause (xxxa) was ins. by ibid, S. 14(c).

10. Ins. by Guj. 10 of 1982 [9-12-1981].

### **23A. Academic Council :-**

(1) The Academic Council shall be the academic body of the University and shall consist of the following persons, namely : Class I. Ex-Officio members

(i) The Vice-Chancellor-Ex-officio Chairman,

- (ii) The Registrar,
- (iii) The Deans of Faculties, .
- (iv) Heads of University Departments,
- (v) Chairman of the Boards of Studies.

Class II. Other members.

(i) Two representatives of Principals of Colleges elected by them from amongst themselves.

(ii) One representative of Heads of recognised Institutions elected by them from amongst themselves : Provided that a member elected under clause (i) or (ii) shall cease to hold office as such member if he ceases to be a Principal of a College or a Head of a recognised Institution, as the case may be.

(iii) two persons nominated by the Syndicate from amongst such of its members as are not already members of the Academic Council under the foregoing provisions of this section.

(2) As soon as the Academic Council is constituted under sub-section (1) it shall co-opt as its additional members from amongst professors, one such professor for each of the subjects other than those represented under clauses (iii), (iv) and (v) under "Class I. Ex-Officio members" and clauses (i) and (ii) under "Class II. Other members".

(3) The term of office of the members of the Academic Council other than Ex-Officio members shall be three years.

23B. Powers and duties of the 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 with the University.

(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 Academic Council 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 studies;

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

- (iii) to arrange for co-ordination of studies and teaching in University and affiliated Colleges and in recognised Institutions;
- (iv) to make proposals for allocating subjects to the Faculties,
- (v) to make proposals for the establishment of University Departments, institutes of research or specialised studies, libraries, laboratories and museums;
- (vi) to make proposals for the institution of professorships, readerships, lecturership and other posts of teachers required by the University and for prescribing the duties and fixing the emoluments of such posts;
- (vii) to make proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes and to make Regulations for their award ;
- (viii) to make Regulations regarding the examinations of the University and the conditions on which students shall be admitted to such examinations;
- (ix) to make Regulations prescribed equivalence of examinations;
- (x) to make Regulations prescribing the manner for granting exemptions from approved courses of studies in the University or in affiliated Colleges or recognised Institutions for qualifying for degrees, titles, diplomas and other academic distinctions;
- (xi) 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
- (xii) generally to advise the University on all academic matters.]

(C) The Faculties.

#### **24. The Faculties :-**

(1) The University shall institute the Faculties of Arts, Science,<sup>1</sup> [Engineering and Technology] Commerce, Agriculture and such other Faculties as may be constituted by the Senate by Statutes from time to time. Each Faculty shall comprise such subjects as may be prescribed by the Statutes.

(2) Each Faculty shall consist of

(a) members of the Boards of Studies for the subjects comprised in



the Faculty;

(3) The powers and duties of the Faculties and the conditions governing the terms of offices of their members shall be as prescribed by the Statutes.

1. These words were substituted for the words "Technology including Engineering" by Gaj. 8 of 1966, s. 16.

**25. Deans of Faculties :-**

There shall be a Dean of each Faculty who shall be appointed by the Syndicate in accordance with the Statutes. The term and condition of the office of a Dean shall be as prescribed by the Ordinances.

(D) Boards of Studies:

**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 Statutes.

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

(E) The Board of Post-Graduate Studies and Research

**27. Board of Post-Graduate Studies and Research :-**

(1) There shall be a Board of Post-Graduate Studies and Research to deal with all matters relating to post-graduate instruction and research in the various subjects taught in the University.

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

(F) Other University bodies

**28. Other University bodies :-**

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

(G) Committees

**29. Committee of Selection for appointment of teachers of University :-**

(1) No person shall be appointed as a professor or reader of the

University except on the recommendation of a Committee of Selection constituted for the purpose.

(2) The members of the Committee shall be

(i) the Vice-Chancellor-ex-officio Chairman;

(ii) the Dean of the Faculty in the subject;

(iii) the Head of the <sup>1</sup> [University Department] concerned;

(iv) four persons having special knowledge of the subject for which the professor or reader is to be appointed to be selected by the Syndicate :

Provided that two of them shall be persons who are not Fellows or members of any Faculty or teachers of the University.

(3) The Committee shall investigate the merits of the various candidates and such other persons, if any, as the Committee may recommend as duly qualified for the vacant post but who have not applied for it and shall report to the Syndicate the names, arranged in order of merit, of persons, if any, whom it considers to be suitable for the vacant post.

(4) The Syndicate shall make the final selection out of the persons, if any, so recommended :

Provided that where the Syndicate makes the appointment otherwise than in accordance with the order of merit arranged by the Committee, the Syndicate shall record its reasons for doing so :

Provided further that if the Committee reports to the Syndicate the name of one person only and if the person so reported is not acceptable to the Syndicate, the Syndicate shall record its reasons for not accepting the name and communicate them to the Committee and may advertise the vacancy again and direct the Committee to report to the Syndicate in the manner provided in sub-section (3).

(5) Nothing in sub-sections (1) to (4) shall apply to a temporary appointment of a person

(i) as a professor or reader for a period not exceeding one year, or

(ii) as a professor or reader where his services are obtained on loan for a period not exceeding two years : Provided that no such temporary appointment shall be renewed or continued for any

further period without fulfilling the requirements of this section.

1. These words were substituted for the words "Department" by Guj. 8 of 1966, s. 17.

**30. Recognition of teachers of University in post graduate subject :-**

No person shall be recognized as a teacher in post-graduate subjects of the University except on the recommendation of the Board of Post-graduate Studies and Research. <sup>1</sup> [

1. Subs. by Guj. 10 of 1982 [9-12-1981].

**31. 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 Examiners, consisting of

(i) the Pro-Vice-Chancellor, Ex-officio Chairman,

(ii) the Dean of the concerned Faculty,

(iii) the Chairman 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 reasons to be recorded in writing,

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

**32. Committee :-**

All the authorities of the University shall have power to appoint committees. Such committees may include persons who are not members of the authority appointing the Committee : Provided that the Faculties, Boards of Studies and other Boards or Bodies shall not appoint persons who are not members of the authority appointing the committee to such committees except with the previous sanction of the Vice-Chancellor.

**33. Enrolment of students :-**

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

(i) The Secondary School Certificate Examination <sup>1</sup>[in the eleventh standard or the Higher Secondary School Certificate Examination] <sup>2</sup>[conducted by the Gujarat 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 possesses such other qualification, if any, as may be prescribed by the Statutes.

<sup>1</sup> [Provided that a student who has passed Secondary School Certificate Examination in the tenth standard conducted by the Gujarat Secondary Education Board in such subjects and with such standards of attainment as may be prescribed by 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 Statutes.

Explanation. In this section 'Higher Secondary School Certificate Examination' means the examination of the student in the twelfth standard"].

1. Ins. by Guj. 32 of 1978, [w.e.f. 30-5-1978]

2. These words were substituted for the words "conducted by the Secondary School Certificate Examination Board" by Guj. 18 of 1973, Schedule Sr. No. 3.

#### **34. Certificate required of candidate for examination :-**

Save on the recommendation of the Syndicate by special order of the Senate, and subject to any Statutes and Ordinances made in this behalf, no person shall be admitted as a candidate at any University examination other than an examination for entrance, unless he produces a certificate from an affiliated college or a recognized institution, as the case may be, to the effect that he has completed the course of instruction prescribed : Provided that the Senate may make Statutes exempting students or a class of students from producing such a certificate.

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

The Senate may institute and confer such degrees and grant such

diplomas and other academic distinctions in respect of degrees and examinations as may be prescribed by the Statutes.

**36. Honorary degrees :-**

If not less than two-thirds of the members of the Syndicate recommend that an honorary degree 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 a degree and where their recommendation is supported by not less than two-thirds of the Fellows present at a meeting of the Senate and is confirmed by the Chancellor, the Senate may confer on such person the honorary degree so recommended without requiring Mm to undergo any examination.

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

(1) The Chancellor may, on the recommendation of the Syndicate and of the Senate supported by a majority of not less than two-thirds of the members of each body present at its meeting, such majority comprising not less than one half of the members of each body, remove the name of any person from the register of graduates or withdraw from any person a diploma or degree or other academic distinctions if he has been convicted by a court of law of any offence which, in the opinion of the Syndicate and the Senate, is a serious offence involving moral turpitude or if he has been guilty of disgraceful 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 6**

**Finance**

**38. 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 Government,

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

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

(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 authorized by the Indian Trusts Act, 1882, (II of 1882) at the discretion of the Syndicate.

(4) Nothing in this section shall in any way affect any obligations accepted by or imposed upon the University by any declarations of trusts executed by or on behalf of the University for the administration of any trust.

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

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

<sup>1</sup> [(2) The Syndicate shall, after the accounts are audited, submit a copy thereof along with a copy of the Audit Report to the Senate and to the State Government.]

(3) The Syndicate shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year. The annual accounts and the financial estimates shall be considered by the Senate at its annual meeting and may be passed with such modifications as the Senate may deem fit:

1. Sub-section (2) was substituted for the original by Bom. 46 of 1959, s. 3 Schedule.

### **40. Annual report :-**

The annual report of the University shall be prepared under the direction of the Syndicate and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes and shall be considered by the Senate at the annual meeting. The Senate shall adopt the report with modifications, if any, which it may direct the Syndicate to make therein in accordance with the resolutions passed by the Senate in that behalf.

#### **CHAPTER 7**

2[Statutes, Ordinances and Regulations]

### **41. Statutes :-**

Subject to the provisions of this Act, Senate may, from time to

time, make Statutes for all or any of the following matters, namely :

(a) the declaration of any person to be a "teacher" under clause (20) of Section 2 ;

(b) the declaration of other bodies to be the authorities of the University as provided in clause (6) of Section 14 :

(c) the manner of election of Fellows and the members of the Syndicate, and the terms and conditions of their office, registration of graduates and maintenance of register of registered graduates and the filling up of casual vacancies in the Senate and the Syndicate ;

(d) the powers of the Vice-Chancellor;

(e) the conditions of service of the Registrar and the officers and servants of the University;

(f) the constitution, reconstitution or abolition of Faculties and the powers and duties of Faculties ;

(g) the procedure at a meeting of the Senate, the Syndicate <sup>1</sup> [the Academic Council], the Board of Studies, and the Board of Post-graduate Studies and Research and the quorum of members to be required for the transaction of business :

(h) the constitution, powers, duties and functions of Boards of Studies and the allocations of Boards among the Faculties;

(i) the constitution, powers and duties of the authorities of the University save as provided in this Act;

(j) the institution and conferment of degrees and the granting of diplomas, and other academic distinctions in respect of degrees and examinations;

(k) recognition as registered graduates of persons who are graduates of any other University;

(l) the institution of pension or provident fund or both for the benefit of the officers, teachers and other servants of the University;

(m) qualifications of professors, readers, lecturers and other teachers in affiliated colleges and recognized institutions ;

(n) all matters which, by this Act, are to be or may be prescribed by the Statutes;

(o) any other matter which is necessary to give effect to the provisions of this Act.

1. These words were inserted by Guj. 15 of 1970 s. 7.

**42. Statutes, their framing, amendment, repeal and operation :-**

(1) The Statutes may be made, amended or repealed by the Senate in the manner hereinafter provided.

(2) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal by the Syndicate. In the case of a draft which is not prepared by the Syndicate, the Senate, before considering the same, shall obtain the opinion of the Syndicate :

Provided that if the Syndicate fails to submit its opinion within three months from the date it receives the draft, the Senate may proceed to take the draft into consideration.

(3) The Senate, if it thinks necessary, may also obtain the opinion of any other authority of the University in regard to any draft Statute which is before it for consideration.

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

(5) No Statute passed by the Senate shall be valid or shall come into force until assented to by the Chancellor.

**43. Ordinance their making and scope :-**

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

(a) the admission of students to the University;

(b) \*<sup>1</sup>[\*\*\*]

(c) the conditions under which students shall be admitted to the courses of studies for degrees, diplomas and other academic distinctions \*<sup>2</sup> [\* \* \*] and be eligible for degrees, diplomas and



other academic Section 34 and the conditions on which any such certificate may be granted;

(d) the recognition and inspection of hostels;

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

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

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

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

(i) the conduct of examinations;

(j) the conduct of business of each Faculty;

(k) the duties and powers of the Boards and Committees to be appointed by the University jointly with any other University or body;

(l) the powers and duties of the Registrar and other officers and servants of the University;

(m) the discipline to be enforced in regard to the graduates and under-graduates in so far as they come within the jurisdiction of the University for purposes of study and examination;

(n) the extension of University teaching in any suitable centre within the University area by means of University extension lectures or otherwise;

(o) the rules to be observed and enforced by affiliated colleges and recognized institutions in respect of transfer of students;

(p) the fees (if any) to be paid for entry or retention of a name or any register;

(q) the inspection of affiliated colleges and recognized institutions and the reports, returns and other information to be furnished by

such colleges and recognized institutions;

(r) the registers of students to be kept by affiliated colleges and recognized institutions;

(s) the duties of teachers of the University;

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

(u) generally, all matters which by this Act or by the Statutes may be provided for by the Ordinances and all matters for which provision is, in the opinion of the Syndicate, necessary for the exercise of the powers conferred, or the performance of the duties imposed, on the Syndicate by this Act or the Statutes.

(2) All Ordinances made by the Syndicate shall, except as otherwise provided by this Act, have effect from such date as it may direct but every Ordinance so made shall be laid on the table of the Senate as soon as may be, and shall be considered by the Senate at its next meeting. The Senate shall have power by a resolution passed by a majority of not less than two-thirds of the members present at such meeting, to cancel or refer for reconsideration but not to amend any such Ordinance.

(3) The Vice-Chancellor shall, on the application of not less than forty members of the Senate, suspend the operation of any such Ordinance until the Senate has considered it as provided in subsection (2).

1. Clause (b) was deleted by Guj. 8 of 1966, s. 19(1).

2. The words "and to the examinations of the University" were deleted *ibid*, s. 19(2),

#### **43A. Regulations :-**

The Academic Council may, subject to the approval of the Syndicate, 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]

#### **CHAPTER 8**

##### **Affiliation and Recognition**

#### **44. Affiliation :-**

(1) A college applying for affiliation to the University shall send an application in writing to the Registrar and shall satisfy the

Syndicate <sup>1</sup>[and the Academic Council]

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

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

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

(d) that due provision has been made or will be made for a library:

(e) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the <sup>2</sup>[Statutes, Ordinances and Regulations] for imparting instruction in that branch of science in a properly equipped laboratory or museum;

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

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

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

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

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

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

(c) report to the Senate its opinion <sup>3</sup>[after consulting the Academic

Council] on the question whether the application should be granted or refused, either in whole or in part, embodying in such report the results of any inquiry under clauses (a) and (b).

(3) On receipt of the report under clause (c) of sub-section (2), the Senate shall, after such further inquiry as may appear to it to be necessary, record its opinion.

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

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

(6) As soon as possible after the State Government makes its order, the Registrar shall submit to the Senate a full report regarding the application, the action taken thereon under sub-sections (2) to (5) and of all proceedings connected therewith.

(7) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (4).

1. These words were inserted by *ibid*, s. 21 (I)(i).

2. These words were substituted for the words "Statutes and Ordinances" by Guj. 8 of 1966 s. 21(1) (ii).

3. These words were inserted, by Guj. 8 of 1966, s. 21 (2).

4. These words were substituted for the word "Syndicate" *ibid.*, s. 21(3).

#### **45. Extension of affiliation :-**

Where a college desires to add to the courses of instruction in respect of which it is affiliated the procedure prescribed by Section 44 shall, so far as may be followed.

#### **46. Recognition of institutions of research an specialized studies :-**

(1) The Syndicate shall have the power <sup>1</sup>[after consultation with the Academic Council] to recognize as a recognized institution any institution of research or specialized studies other than a college.

(2) Any institution applying for recognition under this section shall send an application in writing to the Registrar and shall give full information in the 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 and the number of students for whom provision has been or is proposed to be made;
- (d) the strength of the staff, their qualifications and salaries and the research work done by them;
- (e) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

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

(4) If the Syndicate decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorized by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the Syndicate shall <sup>2</sup> [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 Syndicate shall specify the subjects and the courses of instruction in respect of which the institution is recognized and make a report to that effect for information to the Senate at their next succeeding meeting. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

1. These words were inserted by Guj, 8 of 1966 s. 22(1).

2. These words were inserted, by Guj. 8 of 1966, s. 22(2).

#### **47. Inspection of colleges and institutions and reports :-**

(1) Every affiliated college and every recognized institution shall furnish such reports, returns and other information as the Syndicate may <sup>1</sup> [after consulting the Academic Council] require to enable it to judge the efficiency of the college or institution.

(2) The Syndicate shall cause such college or institution to be

inspected from time to time by one or more competent persons authorized by the Syndicate in this behalf.

(3) The Syndicate may call upon any such college or institution so inspected to take within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (1) of Section 44 or sub-section (2) of Section 46 , as the case may be.

1. These words were inserted by Guj. 8 of 1966, s. 23.

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

(1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified, if (he college has failed to carry out any of the provisions of sub-section (i) of section 44 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

(2) A motion for the withdrawal or modification of such rights shall be moved in the Syndicate. A member of the Syndicate who intends to move

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

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

(4) On receipt of the representation or on expiration of the period referred to in sub-section (3), the Syndicate, after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorized by the Syndicate in this behalf, and such further inquiry as may appear to it to be necessary <sup>1</sup>[and after consulting the Academic council] shall make a report to the Senate.

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

Provided that no resolution of the Senate recommending the withdrawal of the affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of not less than one-half of the members of the Senate.

(6) The Registrar shall submit the proposal and all proceedings, if any, of the <sup>2</sup> [Academic Council, the Syndicate] and the Senate relating there to, to the State Government, which, after such further inquiry as may appear to it to be necessary, shall make such order as it thinks fit.

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

1. These words were inserted, by Guj. 8 of 1966, s. 24.

2. These words were substituted for the word "Syndicate" ibid.

**49. Withdrawal or suspension of recognition of institution :-**

(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 Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (2) to the 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 Syndicate :

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

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Syndicate after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorized by the

Syndicate in this behalf, and after such further inquiry as may appear to it to be necessary <sup>1</sup> [and after Consulting the Academic Council] shall decide whether the recognition should be withdrawn or suspended, as the case may be :

Provided that the recognition shall not be withdrawn or suspended unless a resolution of the Syndicate to that effect is supported by not less than one-half of the members of the Syndicate.

1. These words were inserted, by Guj. 8 of 1966, s. 25.

#### CHAPTER 9

Organization within the University Area and Control over Institution outside the University Area

### **50. Constituent colleges and institutions :-**

(1) All university colleges and the colleges specified in Schedule II and all colleges within the University Area which may hereafter be affiliated to the University shall be the constituent colleges of the University.

(2) All institutions within the University Area recognized under Section 46 shall be the constituent recognized institutions of the University.

(3) All colleges and institutions outside the University Area admitted to the privileges of the University under sub-section (4) of Section 5 shall respectively be the affiliated colleges and recognized institutions.

(4) The relations of the constituent colleges and constituent recognized institutions and the affiliated colleges and recognized institutions with the University 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 such colleges and institutions.

(i) to lay down minimum educational qualification 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 appointment of the teachers made by such colleges and institutions;

(iii) to require each such college and institution to contribute a prescribed quota of recognized teachers in any subject for teaching



on behalf of the University;

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

(v) to levy contributions for providing certain facilities from such colleges and institutions and make grants to them; and

(vi) to require satisfactory arrangements for tutorial and similar

**1** [

1. Section 51 was substituted for the original by Guj. 8 of 1966, s. 26.

**51. Teaching within University area :-**

Within the University Area all institutions, teaching research and training beyond the stage of the Entrance Examination shall be conducted by the University through University Departments, constituent and affiliated colleges or recognized Institutions in such subjects as may be prescribed by the Ordinances and Regulations.]

**52. Hindi as medium of instruction and examination :-**

Deleted by Guj. 15 of 1970 s. 8.]

**CHAPTER 10**

**General**

**53. Election to be by the system of proportional representation :-**

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

Provided that no vote shall be recorded by post or by proxy.

**54. Resign on by members :-**

Save as provided in sub-section (1) of Section 17 , any member of any authority or body of the University may resign his office by letter addressed to the Registrar.

**55. Casual vacancies :-**

When any vacancy occurs in the office of a Fellow or member of any authority of the University before the expiry of the term of office of such Fellow or member, the vacancy shall be filled up as soon as conveniently may be by the election, nomination or appointment, as the case may be, of a Fellow or member who shall

hold office so long only as the Fellow or member in whose place he has been elected, nominated or appointed would have held it, if the vacancy had not occurred:

Provided that, notwithstanding anything contained in Section 15, if the vacancy be of a Fellow and occurs within six months preceding the date on which the term of office of the Fellow expires, the vacancy shall not be filled the Fellow be an elected Fellow.

**56. 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.

**56A. Officers and employees to be public servants :-**

Every officer and employee of the University shall be deemed to be a public servant within the meaning of Section 21 of the Indian Penal Code, 1860

Explanation. For the purposes of this section any person who is appointed by the University for a specified period or for a specified work of the University or who receives any remuneration by way of compensatory allowance or fee for any work done from the University Fund shall be

**57. Pensions, Insurance and Provident Fund :-**

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

**57A. Provident Fund to be deposited in Government Treasury :-**

(1) Where the University has established a provident fund for the benefit of its officers, teacher and other servants under Section 56, such fund shall, notwithstanding anything contained in any law for the time being in force, be deposited in the State Government may, from time to time by an order in writing give, and thereupon:

(1) the subscriber to the fund shall be entitled to interest on the balance in his provident fund account at the same rate, at which

the State Government servant is for the time being entitled to on the balance in his provident fund account, and

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

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

**58. Proceedings not invalidated by vacancy :-**

No act or proceeding of authority or other body of the University shall be invalidated merely by reason of any vacancy in its membership. <sup>1</sup> [

1. Sec. 59, Subs. by Guj. 9 of 1983 [25-1-1983]

**59. "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 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 member 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 ten Fellows so require, irrespective of whether it relates to a matter specified in clause (1) or clause (2), and the State Government shall after making such inquiry as it deems fit (including giving an opportunity of being heard where necessary) decide the question and its decision shall be final"]

**60. 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 claimed from the University or

its authorities, bodies or officers for anything purporting to be done in pursuance of the Act and the Statutes, Ordinances, <sup>1</sup>[Regulations] and rules framed thereunder. <sup>2</sup> [60A, Construction of reference to Sardar Vallabhbhai Vidyapeeth Act, 1955 and Sardar Vallabhbhai Vidyapeeth in existing laws, instruments etc.

(1) As from the commencement of the Vallabhbhai Vidyapeeth (Amendment) Act, 1965, (Guj. 8 of 1966) (hereinafter referred to as "the said Act"), any reference in an existing law or instrument or document

(a) to the expression "the Sardar Vallabhbhai Vidyapeeth Act, 1955" shall be construed as if it were a reference to the Sardar Patel University Act, 1955, and

(b) to the expression "the Sardar Vallabhbhai Vidyapeeth" shall be construed as if it were a reference to the Sardar Patel University.

(2) Any act done by, or any suit or other proceeding filed by or against the Sardar Vallabhbhai Vidyapeeth before the commencement of the said Act shall be deemed to have been done or, as the case may be, filed by or against the Sardar Patel University.

Explanation. For the purposes of this section "existing law" means any enactment of a Legislature or other competent authority in relation to matters specified in Lists II and III in the Seventh Schedule to the Constitution of India in force in any part the State of Gujarat immediately before the commencement of the said Act and includes any Statute, Ordinance, rule, by law, regulation, order, notification, scheme, form or other instrument having the force of law made, prescribed or issued under any such enactment.]

1. This word was inserted by Guj. 8 of 1966 s. 28.

2. Section 60A was inserted *ibid.*, s. 29.

#### CHAPTER 11

##### Transitory Provisions

### **61. Completion of courses of students in colleges affiliated to the Gujarat University :-**

Notwithstanding anything contained in this Act, or the Statute, and Ordinances made thereunder, any student of a college situate within the University area and affiliated to the Gujarat University who immediately before the date on which Section 5 came into force was studying or was eligible for any examination of the

Gujarat University shall be permitted to complete his course in preparation therefor, and the University shall provide for such period and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the course of studies of the Gujarat University.

**62. Appointment of the first Vice-Chancellor :-**

Notwithstanding any thing contained in Section 10 , the person holding the office of the Chairman of the Charutar Vidya Mandal on the date of the coming into force of this section shall be entitled to be the first Vice-Chancellor. He shall be appointed as the first Vice-Chancellor by the State Government for such period not exceeding three years and on such terms and conditions as the State Government thinks fit.

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

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

**64. Transitory powers of the 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 consistently with the provisions of Section 46 , and

(b) to make arrangements for constituting the Senate, the Syndicate and other authorities of the University, within six months after the date of his appointment or such longer period not exceeding 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 ten members nominated by the State Government.

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

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

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

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

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

**65. First appointment of the officers and teachers of the University :-**

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

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

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

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

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

**66. Extraordinary powers of the first Vice-Chancellor :-**

The Vice-Chancellor appointed under Section 62 shall have powers until the Syndicate commences to exercise its functions:

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

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

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

(d) with the sanction of the Chancellor to make for a period not exceeding 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 his functions as he may direct, and

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

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

If any difficulty arises as to the first constitution or re-constitution of any authority of the University after the coming into force of this Act or otherwise in first giving effect to the provisions of this Act, the State Government as occasion may require, may by order do anything which appears to it necessary for the purpose of removing the difficulty.

SCHEDULE 1

SCHEDULE 1

The University Area shall comprise the area within the limits of Vallabh Vidyanagar in the Anand Taluka of the Kaira District and the area within a radius of five miles from the office of the University situated at Vallabh Vidyanagar.

SCHEDULE 2

SCHEDULE 2

(1) The Vithalbhai Patel Mahavidyalaya. (2) The Birla Vishvakarma Mahavidyalaya. (3) The Bhikhabhai Jivabhai Vanijya Mahavidyalaya. (4) The Bansilal Amritlal College of Agriculture.