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Saurashtra University (Amendment) Act, 1968**21 of 1968****[06 November 1968]**

An Act to amend the Saurashtra University Act, 1965 for certain purposes. It is hereby enacted in the Nineteenth Year of the Republic of India as follow:-

1. Short Title And Commencement :-

(1) This Act may be called the Saurashtra University (Amendment) Act, 1968.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment Of Section 2 Of Guj. 39 Of 1965 :-

In section 2 of the Saurashtra University Act, 1965(Guj. 39 of 1965) (hereinafter referred to as "the principal Act"), after clause (2), the following clause shall be inserted, namely:-

"(2A) "autonomous college" means a college which exercises powers conferred under section 48A;"

3. Amendment Of Section 3 Of Guj. 39 Of 1965 :-

In section 3 of the principal Act,-

(1) in sub-section (1), for the words "the first Vice-Chancellor of the University", the words "the first Vice-Chancellor of the University, the first Pro-Vice-Chancellor of the University" shall be substituted;

(2) for sub-section (4), the following sub-section shall be substituted, namely:-

"(4) The headquarters of the University shall be located at Rajkot and Bhavnagar."

4. Amendment Of Section 7 Of Guj. 39 Of 1965 :-

In section 7 of the principal Act, in sub-section (1), after the words "examinations held by the University", the words "or by any autonomous college" shall be inserted.

5. Amendment Of Section 8 Of Guj.39 Of 1965 :-

In section 8 of the principal Act,-

(1) in clause (iii), for the words "The Rector, if any", the words "The Pro-Vice-Chancellor" shall be substituted;

(2) after clause (v), the following clause shall be inserted, namely:-
"(va) The Joint Registrar,"

6. Amendment Of Section 10 Of Guj. 39 Of 1965 :-

In section 10 of the principal Act, in sub-section (6), for the words "the Rector, if any, and in the absence of the Rector," the words "the Pro-Vice-Chancellor and in the absence of the Pro-Vice-Chancellor." shall be substituted.

7. Amendment Of Section 11 Of Guj. 39 Of 1965 :-

In section 11 of the principal Act, in sub-section (1), for the words, "The Vice-Chancellor" the words, figures and letter "Subject to the provisions of section 12A, the Vice-Chancellor" shall be substituted.

8. Substitution Of Section 12 Of Guj. 39 Of 1965 By New Sections :-

For section 12 of the principal Act, the following sections shall be inserted, namely:-

"12. Pro-Vice-Chancellor.--

(1) The Pro-Vice-Chancellor shall be appointed by the State Government in consultation with the Vice-Chancellor.

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

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

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

12A. Power, jurisdiction and duties Pro-Vice-Chancellor.--

(1) The Pro-Vice-Chancellor shall have his office located at Bhavnagar.

(2) The headquarters of the University at Bhavnagar and such part of the University area as the State Government may, by order, specify, shall be in charge of the Pro-Vice-Chancellor.

(3) The Pro-Vice-Chancellor shall be the principal executive and academic officer of the University in the area in his charge and shall in the absence of the Vice-Chancellor preside at the meetings of the Senate and any convocation of the University. He shall be an ex-officio member of the Syndicate, of the Academic Council and of the committees constituted under section 48. He shall be entitled to be present with the right to speak at any meeting of any other authority or body of the University which may be located in the area in his charge but shall not be entitled to vote thereat unless he is a member of that authority or body.

(4) The Pro-Vice-Chancellor shall have power to convene the meetings of such authorities of the University of which he is the chairman.

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

(6) He shall give effect to the orders of the Syndicate regarding appointment, dismissal, suspension and punishment of the persons

in the service of the University or teachers of the University, posted in the area in his charge or regarding the recognition or withdrawal of recognition of any such teacher and shall exercise general control over the affairs of the University in the area in his charge and he shall be responsible for the discipline of the University in the area in his charge in accordance with this Act, Statutes and Ordinances."

9. Insertion Of New Section 13A In Guj. 39 Of 1965 :-

After section 13 of the principal Act, the following section shall be inserted namely:-

"13A. Joint Registrar.--

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

(2) The Joint Registrar shall have his office located at Bhavnagar."

10. Amendment Of Section 16 Of Guj. 39 Of 1965 :-

In section 16 of the principal Act, in sub-section (1),-

(1) under the heading "Class I-Ex-Officio Members", in paragraph (A),-

(a) in sub-clause (iv), for the words "The Rector, if any" the words "Pro-Vice-Chancellor" shall be substituted;

(b) after sub-clause (v), the following sub-clause shall be inserted, namely:-

"(vi) the Joint Registrar;";

(2) under the heading "Class II-Ordinary Members", in paragraph (A), in clause (iv),-

(i) for item (a), the following shall be substituted, namely:-

"(a) one member by the Rajkot Municipality,

(aa) one member by the Bhavnagar Municipality,";

(ii) in item (b), for the words "the Municipalities" the words "the other Municipalities" shall be substituted.

11. Amendment Of Section 19 Of Guj. 39 Of 1965 :-

In section 19 of the principal Act, in sub-section (1), in clause (ii), for the words "The Rector, if any" the words "The Pro-Vice-Chancellor" shall be substituted.

12. Amendment Of Section 21 Of Guj. 39 Of 1965 :-

In section 21 of the principal Act, in sub-section (1), in clause (ii), for the words "The Rector, if any" the words "The Pro-Vice-Chancellor" shall be substituted.

13. Insertion Of Chapter Ixa Guj. 39 Of 1965 :-

In the principal Act, after Chapter IX, the following Chapter shall be inserted, namely:-

"CHAPTER IX-A

Autonomous Colleges.

48A. Conferment of autonomy on colleges in certain matters.--

(1) Any affiliated college or University college may by a letter addressed to the Registrar, apply to the Syndicate to allow the college to enjoy autonomy in the matters of admission of students to the College, prescribing the courses of studies in the college, imparting education, holding of examinations and the conduct of examinations (hereinafter referred to as "the specified matters").

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

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

(i) direct a local inquiry to be made by a competent person or persons authorised by the Syndicate in this behalf, and

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

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

(c) make a report to the Senate on that question embodying in such report the result of the inquiries, the opinion of the Academic Council and the opinion recorded by it.

(3) On receipt of the report under sub-section (2), the Senate shall, after such further inquiry, if any, as may appear to it to be necessary record its opinion thereon on the question whether the

college should be allowed autonomy in the specified matters.

(4) The Registrar shall thereupon submit the proposals for conferring such autonomy on such college and all proceedings, if any, of the Academic Council, the Syndicate and the Senate relating thereto, to the State Government.

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

(6) Where the State Government sanctions the proposals, it shall by an order published in the Official Gazette confer on the college specified in the proposals, power to regulate the admission of students to the college, the courses of studies in the college, the instructions, teaching and training in the course of studies, the holding of examination and the conduct of such examinations and power to make the necessary rules for the purpose after consulting the Syndicate and such other powers as may have been specified in the proposals.

(7) A college exercising the powers conferred under sub-section (6) shall be called an autonomous college.

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

48B. Standing Committee.--

(1) For the purpose of enabling it to exercise the powers conferred on it under section 48A, an autonomous college shall appoint a Standing Committee consisting of -

(i) the Principal of the College as its ex-officio chairman,
(ii) heads of the Departments in the special subjects taught at degree level in the College as its ex-officio members, and (iii) such other members not exceeding five as the college may think fit to appoint.

(2) The Standing Committee shall exercise such of the powers of the college under section 48A as the college may delegate to it.

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

48C. Autonomous college to furnish reports etc. and inspection of

such college.--

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

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

48D. Withdrawal of power of autonomous College.--

(1) Where in respect of an autonomous college the Syndicate is of opinion that the efficiency of the college has so deteriorated that in the interest of education it is necessary to withdraw the powers conferred on the college, under section 48A, the Syndicate shall send an intimation to that effect to the Principal of the college stating that any explanation in writing submitted within a period specified in the intimation on behalf of the college will be considered by the Syndicate:

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

(2) On receipt of the explanation or on the expiry of the period referred to in sub-section (1), the Syndicate, after considering the explanation, if any, and after such inspection by a competent person or persons authorised by the Syndicate in this behalf and such further inquiry as may appear to it to be necessary and after consulting the Academic Council shall make a report to the Senate.

(3) On receipt of the report under sub-section (2) the Senate shall, after such further inquiry, if any, as may appear to it to be necessary, record its opinion in the matter:

Provided that no resolution of the Senate recommending the withdrawal of the powers conferred under section 48A shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at the meeting of the Senate, such majority comprising not less than one-half of the members of the Senate.

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

(5) Where in the case of an autonomous college, the rights conferred under section 48A are withdrawn by an order made under sub-section (4), the college shall cease to be autonomous college from the date specified in the order."

14. Insertion Of Section 60A In Guj. 39 Of 1965 :-

After section 60 of the principal Act, the following section shall be inserted, namely:-

"60A. Duty of University to develop standards of education in certain University Colleges within three years.--

(1) It shall be the duty of the University to so develop the standards of education in each of the following University Colleges, namely,-

(1) the Samaldas Arts College, Bhavnagar,

(2) the P.P. Institute of Science, Bhavnagar and

(3) the M.J. College of Commerce, Bhavnagar,

that the University College shall, within a period not exceeding three years from the date of the commencement of the Saurashtra University (Amendment) Act, 1968 become capable of exercising the powers of an autonomous college under section 48A.

(2) On or before the expiry of the period specified in sub-section (1), the Registrar shall make a report to the State Government recommending conferment of autonomy on the University Colleges mentioned in sub-section (1), and thereupon, notwithstanding anything contained in section 48A, the State Government, may by an order published in the Official Gazette, confer on such University Colleges the powers referred to in sub-section (6) of section 48A, and such other powers connected with such autonomy as it may deem fit."

15. Amendment Of Section 63 Of Guj. 39 Of 1965 :-

In section 63 of the principal Act,-

(i) for the words "first Rector" the words "first Pro-Vice-Chancellor" shall be substituted.

(ii) in the marginal note, for the words "first Rector" the words "first Pro-Vice-Chancellor" shall be substituted.

16. Transitional Provisions :-

(1) Notwithstanding the amendments made by clause (2) of section 10 of this Act to clause (iv) of paragraph (A) under the heading "Class II-Ordinary Members" in sub-section (1) of section 16 of the principal Act,

(a) any person elected to the Senate of the Saurashtra University by the Raikot Municipality as a member under item (a) of the said clause (iv) as it stood before the commencement of this Act and

holding office immediately before the commencement of this Act shall continue to hold office under the said item (a) as amended by this Act for the unexpired portion of the term of his office.

(b) any person elected to the said Senate under item (b) of the said clause (iv) by the Presidents of Municipalities and holding office under the said item (b) immediately before the commencement of this Act shall continue to hold office under the said item (b) as amended by this Act for the unexpired portion of the term of his office.

(2) The term of office of a member to be elected for the first time under item (aa) of clause (iv) of paragraph (A) under the headline "Class IT-Ordinary Members" in sub-section (1) of section 16 of the principal Act shall be co-terminous with the term of office of the member referred to in clause (a) of sub-section (1) of this section".