

SAURASHTRA UNIVERSITY ACT, 1965

39 of 1965

[December 31, 1965]

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SCHEDULE 1 :- SCHEDULE

SAURASHTRA UNIVERSITY ACT, 1965

39 of 1965

[December 31, 1965]

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

CHAPTER 1

Preliminary

1. Short title and commencement :-

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

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

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

2. Definitions :-

In this Act, unless the context otherwise requires,

(1) "affiliated" means affiliated under section 5 or 34;

(2) "approved institution" means an institution approved under section 37;

¹ [(2A) "autonomous college" means a college which exercises powers conferred under section 48A;]

(3) "college" means a degree college or a college teaching courses leading to a degree;

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

(5) "head master" means the head of a high school;

(6) "high school" means a high school which has been recognised as a full-fledged high school by the Director of Education, Gujarat State, or by an officer authorised by him in this behalf;

(7) "hostel" means a unit of residence for students maintained or recognised by the University under this Act;

(8) "-Principal" means the head of a college;

(9) "recognised institution" means an institution recognised under

section 36;

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

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

(12) "Statutes", "Ordinances", "Regulations", and "Rules" mean respectively the Statutes, Ordinances, Regulations and Rules made under this Act and for the time being in force;

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

(14) "teachers of the University" means teachers appointed or recognised by the University for imparting instruction on its behalf;

(15) "University" means the Saurashtra University constituted under this Act;

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

(17) "University centre" means a centre where post-graduate studies are imparted as determined by the Statutes, Ordinances, and Regulations made in that behalf;

(18) "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;

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

** For Transitory provision See section 3 of Guj. 9 of 1983.

CHAPTER 2

The University

3. Incorporation of the University :-

(1) The Chancellor,¹[the first Vice-Chancellor of the University, the first Pro-Vice-Chancellor of the University] and the first members of the Senate, the Syndicate and the Academic Council of the University and all persons who may hereafter become such officers or members so long as they continue to hold such office or

membership, are hereby constituted a body corporate by the name of the "The Saurashtra University".

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

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

Provided that the power to raise any such loan shall be exercised after obtaining previous permission of the State Government.

2 [(4) The headquartes of the University shall be located at Rajkot.]

1. These words were substituted for the words "the first Vice-Chancellor of the University" by Guj. 21 of 1968, s. 3(1).

2. Sub-section (4) was substituted by Guj. 26 of 1978, Sen. III. Sr. No. 1.

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, advancement and dissemination of knowledge;

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

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

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

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

- (6) to appoint or recognise persons as professors, readers, or lecturers or otherwise as teachers of the University;
- (7) to lay down the courses of instruction for the various examinations;
- (8) to guide teaching and research work in colleges, University departments, University centres or recognised institutions;
- (9) to institute degrees, diplomas and other academic distinctions;
- (10) to hold examinations and to confer degrees, diplomas and other academic distinctions on persons who
 - (a) have pursued approved courses of study in the University or in an affiliated college unless exempted therefrom, in the manner prescribed by the Statutes, Ordinances, Regulations and Rules and have passed the examinations prescribed by the University, or
 - (b) have carried on research under conditions prescribed by the Ordinances, Regulations or Rules;
- (11) to confer honorary degrees or other academic distinctions in the manner laid down by the Statutes;
- (12) to grant such diplomas to, and to, provide such lectures, instruction and training for, persons who are not enrolled students of the University, as may be determined by the Statutes, Ordinances, Regulations and Rules;
- (13) to admit educational institutions to the privileges of the University and to withdraw such privileges;
- (14) to inspect colleges, recognised institutions and approved, institutions, and to take measures to ensure that proper standards of instruction teaching or training are maintained in them, and that adequate library and laboratory provisions are made therein;
- (15) to control and co-ordinate the activities, of, and to give financial aid to, affiliated colleges, approved institutions and recognised institutions and to regulate the fees to be paid by the students in such colleges;
- (16) to hold and manage trusts and endowments and to institute and award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (17) to make special provision for the spread of University

education among classes and communities which are educationally backward;

(18) to lay down courses of study to meet the requirements of rural planning development and reconstruction and to provide for instruction, teaching and training in such courses;

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

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

(21) to establish, maintain and manage hostels;

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

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

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

(25) to institute and manage

(a) Printing and Publication Department;

(b) University Extension Boards;

(c) Information Bureaux; and

(d) Employment Bureaux;

(26) to make provision

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

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

(c) for students' unions; and

(d) for sports and athletic activities.

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

(28) to promote the development of the study of Gujarati and Hindi in Devnagari script and the use of Gujarati or Hindi in Devnagari script or both as a medium of instruction and examination;

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

(30) 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.

5. Jurisdiction and admission to privileges :-

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

(2) Any such privileges enjoyed from the Gujarat University before the date on which this 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.

(4) Any educational institution in the State of Gujarat situate outside the University Area or in other territories outside the State may, subject to such conditions and restrictions as the University and the State Government think fit to impose, be admitted to the privileges of the University.

(5) The State Government may, by notification in the Official Gazette, direct that this Act shall cease to apply to any area included in the University Area and on such date as may be specified in the notification, and on and from the said date all the educational institutions situate within the said area shall cease to be associated with and to enjoy the privileges of the University.

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

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

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

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

7. Inspection and Inquiry :-

(1) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment, of any institution, college or hostel maintained, recognised or approved by, or affiliated to the University, of the teaching and other work conducted by the University, and of the conduct of examinations held by the University ¹ [or by any autonomous college]; and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Chancellor shall communicate to the Syndicate and to the Senate his views with reference to the result of such inspection or 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 thereon and within such time as the Chancellor may direct.

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

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

1. These words were inserted by Guj. 21 of 1968, s. 4.

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,

¹[(iii) The Pro-Vice Chancellor,]

(iv) The Deans of Faculties,

(v) The Registrar,

² [(va) * * * * *]

(vi) The Controller of Examinations, and

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

1. Clause (iii) was substituted by Guj. 10 of 1982, Sch. Sr. No, 5(1).

2. Clause (va) was deleted by Guj. 26 of 1978, Sch. III, Sr. No. 2(2).

9. Chancellor :-

(1) The Governor of the State of Gujarat shall be the Chancellor of the University.

(2) The Chancellor shall, by virtue of his office, be the head of the University and the President of the Senate and shall, when present, preside at the meeting of the Senate and at any Convocation of the University.

(3) The Chancellor shall have such other powers as may be conferred on him by this Act or the Statutes.

10. 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, recognised institution or approved 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 recommended 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, ¹[shall be such as may be determined by the State Government];

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

(6)

(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, ²[the ³ [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. These words were substituted for the words "shall be such as may be prescribed by the Statutes" by Guj. 10 of 1982, Sch, Sr. No. 5 (2)(a).

2. These words were substituted for the words "the Rector, if any, and in the absence of Rector" by Guj. 21 of 1968, s. 6.

3. These words were substituted for the words "Pro-Vice-Chancellor, if any, and in the absence of the Pro-Vice-Chancellor" by Guj. 10 of 1982, Sch. Sr. No. 5(2)(b).

11. Powers of the Vice-Chancellor :-

(1) ¹[The Vice-Chancellor] shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at meetings of the Senate and any convocation of the University. He shall be an ex-officio member and Chairman of the Syndicate, 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, but shall not be entitled to vote thereat unless he is a member of that authority or body.

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

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

(4)

(a) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall take such action as he deems necessary and shall at the earliest opportunity ²[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 sub-section affects any person in the service of the University such person shall be entitled to prefer an appeal through the said officer, authority or body to the Syndicate within one month from the date on which such action is communicated to him.

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

³ (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 execution of any order or resolution of any authority specified in or declared under section 15, or the doing of anything which is about to be done or is being done by or on behalf of the University

(i) is inconsistent with the provisions of this Act or of any 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,

(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 the Statutes, Ordinances and Regulations.

1. These words were substituted for the words, figures and letter "Subject to the provision of Section 12-A the Vice-Chancellor" by Guj. 26 of 1978, Sch. III, Sr. No. 4.

2. These words were substituted for the words "thereafter report his action" by Guj. 10 of 1982, Sch. Sr. No. 5(3)(a).

3. Sub-section (5A) was inserted by Guj., 10 of 1982, Sch., Sr. No. 5(3)(b).

12. 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 Pro-Vice-Chancellor shall

continue to hold his office as such after he attains the age of 65 years.

(3) The Pro-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 currency of the term of the holding of that office be varied to his disadvantage without his consent.

(4) The Pro-Vice-Chancellor shall be the principal 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 duties of his office exercise all the rights and powers and discharge all the functions and duties, of the Vice-Chancellor.

(6) The Pro-Vice-Chancellor shall preside

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

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

12A. Powers, jurisdiction and duties of Pro-Vice-Chancellor

:-

Deleted by Guj. 26 of 1978, Sch.]

13. The Registrar :-

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

13A. Joint Registrar :-

Deleted by Guj. 26 of 1978, Sch.]

14. The Controller of Examinations, and other Officers, and their powers, etc :-

(1) The Controller Examinations shall be a wholetime salaried officer. He shall be appointed by the Syndicate in accordance with the Statutes to be made in this behalf.

(2) The powers, duties, and emoluments of the Controller of Examinations, and other officers of the University referred to in clause (vii) of section 8 shall be such as may be prescribed by the Statutes, Ordinance and Regulations.

CHAPTER 4

Authorities of the University

15. Authorities of the University :-

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

- (i) The Senate,
- (ii) The Syndicate,
- (iii) The Academic Council
- (iv) The Faculties,
- (v) The Board of University Teaching,
- (vi) The Boards of Studies,
- (vii) The Board of Extra-Mural Studies, if established,
- (viii) The Board for Hostels, if established,
- (ix) The Board for Students Welfare, if established, and
- (x) such other Boards, and bodies of the University as may be declared by the Statutes to be the authorities of the University.

16. The Senate :-

(1) The Senate shall consist of the following members, namely:

Class I Ex-Officio members

(A)

(i) The Chancellor, (ii) The Vice-Chancellor, (iii) Ex-Vice-Chancellors of the University residing in the State, ¹[(iv) The Pro-Vice-Chancellor,] (v) The Registrar. ²[(vi) * * *]

(B)

(i) The Secretary, Education Department,

³[(ii) The Director of Higher Education or an officer not below the rank of a Joint Director of Higher Education designated by such Director,

(iii) The Director of Technical Education or an officer not below the rank of a Joint Director of Technical Education designated by such Director,

(iv) 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],

(v) The Director of Agriculture or if he is unable to attend, his nominee not below the rank of a Deputy Director of Agriculture,

⁴[(vi) The Chairman of the Gujarat Secondary Education Board],

(vii) such other ex-officio members not exceeding three as may be designated by the Statutes,

(C)

(i) Heads of University departments,

(ii) Principals of affiliated degree colleges,

(iii) Heads of recognised institutions.

(A) Elected as specified below:

(i) two members by secondary teachers of high schools excluding

(ii) two members by head masters from amongst themselves in the manner specified by the Statutes;

(iii) such number or members as is specified below against each Faculty by teachers including Principals, Heads of University departments and Heads of recognised institutions in the subject or subjects comprised in each such Faculty in the following manner:

(a)	Teachers in Arts (from amongst themselves)	4
(b)	Teachers in Science (from amongst themselves)	3
(c)	Teachers in Technology including	2

(c)	Teachers in Technology including Engineering (from amongst themselves)	3
(d)	Teachers in Agriculture (from amongst themselves)	2
(e)	Teachers in law (from amongst themselves)	2
(f)	Teachers in Medicine (from amongst themselves)	3
(g)	Teachers in Commerce (from amongst themselves)	2
(h)	Teachers in Education (from amongst themselves)	2
(i)	Teachers in Rural Studies (from amongst themselves)	9
(j)	Teachers in each such additional Faculty as may be prescribed by the Statutes (from amongst themselves)	1

⁵[(a) one member by the Municipal Corporation of the city of Rajkot,] ⁶[(aa) *****,]

(b) one member by the Presidents of ⁷[the ⁸[Municipalities] functioning within the University Area, from amongst themselves,

(c) one member by the Presidents of the District Panchayats functioning within the University Area, from amongst themselves,

(d) three members by the Gujarat Legislative Assembly from amongst its members.

(e) the following number of members who shall not be persons who are teachers or secondary teachers or head masters by registered graduates in the manner specified below : (1) one by registered graduates in Arts (from amongst themselves); (2) one by registered graduates in Science (from amongst themselves); (3) one by registered graduates in Technology including Engineering (from amongst themselves); (4) one by registered graduates in Agriculture (from amongst themselves); (5) one by registered graduates in Law (from amongst themselves); (6) one by registered graduates in Medicine (from amongst themselves); (7) one by registered graduates in Commerce (from amongst themselves); (8) one by registered graduates in Education (from amongst themselves); (9) one by registered graduates in Rural Studies (from amongst themselves); (10) one by registered graduates in each of such other additional Faculties as may be

prescribed by the Statutes (from amongst themselves):

Provided that (i) every person elected under clauses (i) to (iii) and under sub-clauses (a) to (e) of clause (iv) shall continue to hold the office of a member of the Senate only so long as he is a secondary teacher or head master or a teacher or a member of the electing body or bodies, as the case may be; (ii) for the purposes of the election of ordinary members a person entitled to stand as a candidate or to vote in more than one constituency mentioned in clause (iii) and in sub-clause (e) of clause (iv) shall before such date as may be appointed by the Statutes, select the constituency from which he desires to stand as a candidate or to vote at the election and shall not be entitled to stand or vote in more than one constituency.

(B) Twelve members to be nominated by the State Government from amongst distinguished educationists, social workers, trade unions, representatives of backward communities, women and such other class of persons.

(C) Three members to be elected in the manner specified from amongst themselves by donors each donating money or property of the value of not less than one lakh of rupees to or for the purposes of, the University.

(i) 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;

(ii) If the donor is an undivided Hindu family, trust, firm, company, or body corporate, for the purpose of voting, the name of the representative 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 the University;

(iii) Where sub-clause (iv) does not apply, the persons whose names are enrolled on the register under sub-clauses (i) and (ii) shall elect three members to the Senate;

(iv) If the number of the names enrolled under sub-clauses (i) and (ii) is three or less than three, each person whose name is so enrolled shall be deemed to have been elected:

Provided that the right of electing members on the Senate shall not extend beyond the period of twenty years from the date of the

acceptance of such donation by the Syndicate.

Explanation. For the purposes of paragraph (C), the value of the property means, in the case of a 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.

(2) The term of office of the elected members and of the members referred to in paragraph (B) in Class II shall be five years:

⁹ [Provided that the member referred to in item (aa), in clause (iv) in paragraph (A) in class II Ordinary Members, elected by the Bhavnagar Municipality, who may be holding office as such member immediately before the deletion of the said item (aa) by the amendments made to this Act by the Bhavnagar University Act, 1978 (Guj. 26 of 1978) shall cease to hold such office on and from the date on which such amendments shall come into force.]

1. Clause (iv) was substituted by Guj. 10 of 1982, Sch. Sr. No. 5(5) (a).
2. Clause (vi) was deleted by Guj. 26 of 1978 Sch. III, Sr. No. 7(1) (ii).
3. These clauses were substituted for clauses (ii), (iii) and (iv) by Guj. 10 of 1982, Sch., Sr. No. 5(5) (b).
4. Clause (vi) was substituted by Guj. 18 of 1973, Sch., Sr. No. 5.
5. Item (a) was substituted by Guj. 26 of 1978, Sch. III St. No. 7(1)(b)(i)
6. Item (aa) was deleted, *ibid.*, Sch. III Sr. No. 7(1)(b)(ii)
7. These words were substituted for the words "the Municipalities" by Guj. 21 of 1968, S. 10(2)(ii)
8. This words was substituted for the words "other Municipalities" by Guj, 26 of 1978 Sch. Sr. No. 7(1)(II)(b)(iii)
9. This proviso was added by Guj. 26 of 1978, Sch. III Sr. No. 7(2).

17. Meeting of the Senate :-

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

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

18. Powers and duties of the Senate :-

- (1) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Senate shall exercise the following powers and perform the following duties, namely:
- (i) to make provision for instruction, teaching and training in such branches of learning and courses of study as it may think fit, for research and for the advancement and dissemination of knowledge;
 - (ii) to make such provision as will enable affiliated colleges and recognised institutions to undertake specialization of studies;
 - (iii) to organise and make provision for common laboratories,, libraries museums and other equipment for teaching and research;
 - (iv) to establish and maintain departments and institutes of research and specialized studies;
 - (v) to institute professorships, readerships, lecturerships and any other posts of teachers required by the University;
 - (vi) to institute fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and Prizes;
 - (vii) to institute and confer degrees, titles, diplomas and other academic distinctions;
 - (viii) to confer, on the recommendation of the Syndicate, honorary degrees, title or other academic distinctions;
 - (ix) to make, amend or repeal the Statutes;
 - (x) to consider, cancel, refer back but not to amend Ordinances:
 - (xi) to consider and pass resolutions on the annual reports, annual accounts and financial estimates;
 - (xii) to consider the annual financial estimates prepared by the Syndicate and pass resolutions with reference thereto;
 - (xiii) to elect office-bearers and authorities as provided in the Act and the Statutes;
 - (xiv) to make provision relating to the use of Gujarati or Hindi in Devnagari script or both as a medium of instruction and examination;
 - (xv) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes, Ordinances and Regulations.

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

19. The Syndicate :-

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

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

¹[(ii) The Pro-Vice-Chancellor;

(iii) The Director of Higher Education and if he is unable to stand. the officer designated under clause (ii) in paragraph (B) of Class I of section 16:

(iiia) The Director of Technical Education and if he is unable to attend, the officer designated under clause (iii) of paragraph (B) of Class I of sub-section (1) of section 16;

(iiib) The Director of Health and Medical Services and Medical Education and if he is unable to attend, the officer designated under clause (iv) of paragraph (B) of Class I of sub-section (1) of section 16];

(iv) Two members to be elected by the Principals of affiliated degree colleges and heads of recognised institutions, from amongst themselves;

(v) One member to be elected by the teachers elected to the Senate under section 16(1), Class II (A) (iii), from amongst themselves;

(vi) one member to be elected by the Heads of the University Departments from amongst themselves;

(vii) five persons elected by the Senate from amongst its members who are not Principals, teachers, heads of the University Departments, head masters, head of recognised institutions and secondary teachers;

(viii) two persons elected by the Academic Council from amongst its members one of whom shall be a Dean :

Provided that a member elected under clauses (iv) to (viii) shall cease to hold office as such member if he ceases to be a member of

the Senate, or a Dean, or a teacher, or a head of the University Department or a Principal or a member of the Academic Council, as the case may be.

² [(ix) 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.

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

1. These clauses were substituted for clauses (ii) and (iii) by Guj. 10 of 1982, Sch., Sr. No. 5(6) (a).

2. Clause (ix) was inserted by Guj. 10 of 1982, Sch., Sr. No. 5(6) (b).

20. Powers and duties of the Syndicate :-

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

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

(ii) to enter into, vary, carry out and cancel contracts on behalf of the University in the exercise or performance of the powers and duties assigned to it by the Act and the Statutes, in consultation with the Finance Committee, if any, and the Legal Committee, if any, appointed by the Syndicate;

(iii) to determine the form, 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 frame the annual financial estimates of the University and to submit them to the Senate;

(vi) after the financial estimates are voted by the Senate

(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 provisions for buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University;

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

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

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

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

(xii) to institute and manage

(a) Printing and Publication Department,

(b) University Extension Boards,

(c) Information Bureaux, and

(d) Employment Bureaux;

(xiii) to make provision

(a) for extra-mural teaching and research,

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

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

(xv) to recognise hostels and to provide housing accommodation for University teachers and to other employees;

(xvi) to register high schools situate outside the State of Gujarat as may be provided by the Statutes;

(xvii) to arrange for and direct the inspection of affiliated colleges, recognised institutions, approved institutions and hostels, to issue

instructions for maintaining their efficiency and or ensuring proper conditions of employment for members of their staff, and in case of disregard of such instructions, to modify the conditions of their affiliation or recognition or take such other steps as it deems proper;

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

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

(xx) to recommend to the Senate the conferment of honorary degrees, and academic distinctions in the manner prescribed by the Statutes;

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

(xxii) to appoint teachers and servants of the University, fix their emoluments, if any, and define their duties and the conditions of their prervice and discipline;

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

(xxiv) ¹[to fix remuneration of examiners] and to arrange for the conduct of and for publishing the results of the University examinations and other tests;

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

(xxvi) to make, amend and cancel the Ordinances;

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

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

(2) The Syndicate shall make a report to the Senate about all

acceptances 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.

² [(3A) The exercise of the powers by the Syndicate under clause (xxii) of sub-section (1), in so far as they relate to the laying down and regulating salary scales and allowances of teachers and servants of the University, shall be subject to the approval of the State Government.]

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

1. These words were substituted for the words "to appoint examiners, to fix then remuneration" by Guj. 10 of 1982, Sch., Sr. No. 5(7)(a).

2. Sub-section (3-A) was inserted by Guj. 10 of 1982. Sch. Sr. No. 5(7)(b).

21. The Academic Council :-

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

(i) The Vice-Chancellor Ex-officio chairman;

¹ [(ii) The Pro-Vice-Chancellor;]

(iii) The Deans of Faculties;

(iv) One member other than the Dean elected by each Faculty from amongst its members;

(v) Two members nominated by the Syndicate from amongst its own members.

(2) The term of office of the members of the Academic Council other than ex-officio members shall be three years.

1. Clause (ii) was substituted *ibid.* Sch., Sr. No. 5(8).

22. 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 of the University.

(2) Without prejudice to the generality of the foregoing provision and subject to such conditions as may be prescribed by or under the provisions

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

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

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

(iv) to promote research within the University;

(v) to approve proposals for allocating subjects to the Faculties;

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

(vii) to approve and recommend to the Senate proposals for the institution of professorships, readerships, lecturerships and any other posts of teachers required by the University and for prescribing the duties and fixing the emolument of such posts;

(viii) to approve and recommend to the Senate proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(ix) to approve Regulations regarding the examinations of the University and the conditions on which students shall be admitted to such examinations;

(x) to approve Regulations prescribing equivalence of examinations;

(xi) to approve Regulations prescribing the manner for granting exemptions from approved courses of studies in the University or in affiliated colleges for qualifying for degrees, diplomas and other academic distinctions;

(xii) to recommend to the Syndicate affiliations of colleges;

(xiii) 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;

(xiv) generally to advise the University on all academic matters.

23. Faculties and their functions :-

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

(2) Each Faculty shall consist of:

(i) such of the members of the Senate as are assigned to the Faculty by the Syndicate;

(ii) the Chairman of the Boards of studies for the subjects with which the Faculty is concerned; and

(iii) one member elected by each such Board of Studies from, amongst its members other than the Chairman:

Provided that no member of the Senate shall be assigned to more than one Faculty.

(3) A teacher in a subject included in more Faculties than one shall, within one month from the date on which he becomes a member of the Senate, select by intimation in writing to the Registrar, any one of such Faculties to which he wishes to be assigned. If he fails to make such selection, the Syndicate shall assign to him any one of such Faculties. A selection or assignment so made shall be irrevocable for the entire term of his relationship.

(4) All Faculties shall be located at the headquarters of the University :

Provided that in respect of any of the Faculties the State Government after consulting the University may, by notification in the Official Gazette, direct that the Faculty specified in the notification shall be located at such place outside the headquarters of the University as may be specified in the notification and thereupon the Faculty shall be located accordingly.

24. Powers and duties of the Faculty :-

(1) The Faculty shall have the general control and power of regulation of, and be responsible for, the maintenance of standards of teaching and examinations of the University for the subjects

assigned to the Faculty.

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

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

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

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

(iv) to make proposals for promoting research within the University;

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

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

(vii) to make proposals for the institution of professorships, readerships, lecturership and any other posts of teachers required by the University and for prescribing the duties and fixing the emoluments of such posts;

(viii) to make proposals for the institution of fellowships, travelling fellowships, scholarships, studentship, exhibitions, medals and prizes and to make Regulations for their award;

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

(x) to make Regulations prescribing equivalence of examinations;

(xi) to make Regulations prescribing the manner for granting exemption from approved courses of studies in the University or in affiliated colleges for qualifying for degree, diplomas and other distinctions;

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

Ordinances and Regulations; and

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

25. Deans of Faculties :-

(1) There shall be a Dean of each Faculty who shall be elected by the Faculty from amongst its members, provided that he is a member of the Senate and also a teacher or a Principal.

(2) The Dean shall hold office for a term of three years and shall be eligible for re-election for a further term of three years.

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

(i) he shall be the chairman of the Faculty and shall preside at its meetings:

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

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

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

(v) he shall inspect and guide the University Departments, affiliated colleges, recognised institutions and approved institutions in respect of subjects under the Faculty;

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

(vii) he shall recommend to the Syndicate for approval, proposals for the programmes of visiting teachers and for the exchange of teachers.

26. Boards of studies :-

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

(2) Subject to the provisions of sub-section (3) each Board shall consist of:

- (i) the head of the University department, if any, in the subject;
- (ii) heads of the departments in the special subjects taught at degree level in the colleges and recognised institutions;
- (iii) not more than three experts in the subject coopted by the members of the Board.

(3) Each Board shall consist of at least four members :

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

(4) The chairman of the Board shall be elected by the members of the Board, from amongst the members specified in clauses (i) and (ii) of sub- section (2). The person to be elected as Chairman shall, as far as possible be a person qualified to teach post-graduate courses.

(5) The powers and duties of a Board of Studies shall be as follows :

- (i) to recommend courses of studies in the subject;
- (ii) to recommend and prescribe where necessary, books for study in the subject;
- (iii) to recommend programmes for extension services and research in the subject;
- (iv) to recommend organisation of seminars, refresher courses and workshops etc., to the Dean of the Faculty concerned.
- (v) to recommend programmes for experiments and research in the courses of studies prescribed in the subject;
- (vi) to recommend schemes for preparation and translation of books in the subject and suggest bibliography of books of study;
- (vii) to frame and propose Regulations pertaining to the course of studies and examinations in the subject;
- (vii) to review periodically the terminology current in the subject and
- (ix) such other powers and duties as may be prescribed by the

Statutes.

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

(7) The term of office of a Board of Studies shall be three years.

27. University Boards :-

The University may establish a Board of Extra-Mural Studies, a Board for Students' Welfare and a Board for Hostels and such other Boards as may be prescribed by the Statutes.

28. Constitution, powers, etc., of Boards :-

(1) The constitution, powers and duties of the Boards as are under this Act or as may be declared by the Statutes to be, authorities of the University shall be as prescribed by the Statutes.

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

CHAPTER 5

Statutes, Ordinances and Regulations

29. Statutes :-

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

(i) conferment of honorary degrees;

(ii) holding of convocations to confer degrees;

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

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

(v) institution and maintenance by the University of departments. institutes of research or specialised studies and hostels;

(vi) acceptance and management of bequests, donations and endowments;

(vii) registration of graduates and maintenance of a register of registered graduates;

(viii) procedure at meetings of the authorities of the University and for the transaction of their business;

(ix) qualifications of professors, readers, lecturers and teacher in affiliated colleges and recognised institutions;

(x) all matters which by this Act are to be or may be prescribed by the Statutes.

30. Making, amendment, operation and repeal of Statutes :-

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

(2) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal by the Syndicate.

(3) The Syndicate may propose to the Senate draft of any Statute to be passed by the Senate.

(4) Such draft shall be considered by the Senate at its next succeeding meeting. The Senate may approve such draft and pass the Statute or may reject it or return it to the Syndicate for reconsideration either in whole or in part together with any amendments which the Senate may suggest. After any draft so returned has been further considered by the Syndicate together with any amendments suggested by the Senate, it shall "be again presented to the Senate with the report of the Syndicate thereon and the Senate may then deal with the draft in any manner it thinks fit.

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

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

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

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

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

31. Ordinances :-

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

- (i) conditions under which students shall be admitted to courses of studies for degrees, diploma and other academic distinctions;
- (ii) conditions governing the appointment and the duties of examiners;
- (iii) conduct of examinations;
- (iv) recognition of teachers of the University;
- (v) conditions of residence, conduct and discipline of students of the University;
- (vi) recognition of hostels;
- (vi) inspection of affiliated colleges, recognised institutions, approved institutions and hostels;
- (viii) rules to be approved and enforced by colleges and recognised institutions and approved institutions in respect of transfer of students;
- (ix) mode of execution of contracts or agreement for. or on behalf of the University;
- (x) matters which by this Act or the Statutes are to be or may be provided for by the Ordinances; and
- (xi) generally all matters for which provision is, in the opinion of the Syndicate, necessary for the exercise of the powers conferred or the performance of the duties imposed upon the Syndicate by this Act or the Statutes.

32. Making of Ordinances :-

(1) Ordinances shall be made by the Syndicate:

Provided that no Ordinance concerning the matters referred to in clauses (i) to (iv) of section 31 or any other matters connected with the maintenance of the standards of teaching and examinations within the University shall be made unless a draft of the same has been proposed by the Academic Council.

(2) The Syndicate shall not have power to amend any draft

proposed by the Academic Council under sub-section (1) but may reject it or return it to the Academic Council for reconsideration, either in whole or in part together with any amendments which the Syndicate may suggest.

(3) All Ordinances made by the Syndicate shall except as provided by this Act, have effect from such date as it may direct, but every Ordinance so made shall be laid before the Senate and shall be considered by the Senate at its next succeeding meeting.

(4) The Senate shall have power by a resolution to cancel or to refer back but not to amend any such Ordinance. The resolution cancelling any such Ordinance shall be passed by a majority of not less than two-thirds of the members present at such meeting, the majority comprising not less than one-half of the members of the Senate.

(5) The Vice-Chancellor shall, on application of not less than one-third of the members of the Senate, suspend the operation of any such Ordinance until the Senate has considered it as provided In sub-section (3).

33. Regulations and Rules :-

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

(2) Any authority of the University specified in clauses (v) 10 (x) of section 15 may, subject to the approval of the Syndicate, make rules, consistent with this Act, the Statutes, Ordinances and Regulations providing for all matters solely concerning such authority.

CHAPTER 6

Affiliation, Recognition and Approval

34. Affiliation :-

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

(a) that the college will supply a need in the locality, having regard

to the type of education intended to be provided by the college, the existing provision for the same type of education made by other colleges in the neighbourhood, and the suitability of the locality where the college is to be established;

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

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

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

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

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

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

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

(i) that the college rules fixing the fees (if any) to be paid by the students have not been so framed as to involve such competition with any existing college in the same neighbourhood as would be injurious to the interests of education.

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

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

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

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

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

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

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

(6) As soon as possible 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 (3) 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).

35. 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 34 shall, so far as may be, be followed.

36. Recognition institutions of research and specialised studies :-

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

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

(a) constitution and personnel of the managing body;

(b) subjects and courses in regard to which recognition is sought;

(c) accommodation, equipment ¹ library facilities and the number of students for whom provision has been or is proposed to be made;

(d) the strength of the staff, their qualifications and salaries and the research work done by them;

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

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

(4) If the Syndicate decides to take the application into consideration it may direct a local inquiry to be made by a competent person or persons authorised by it in 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, 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 courses of instruction in respect of which the institution is recognised and make a report to that effect to the Academic Council and the Senate at their next succeeding meetings. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

1. These words were inserted by Guj. 32 of 1978, Sch. Sr, No. 5(a).

37. Approval of Institution :-

(1) The Syndicate shall have the power after consultation with the

Academic Council, to approve an institution as an "approved institution" for specialised studies, laboratory work, internship, research or other academic work approved by the Academic Council under the guidance of a single qualified teacher.

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

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

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

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

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

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

(4) If the Syndicate decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorised by it in 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 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 courses of instruction in respect of which the institution is approved and make a report to that effect to the Academic Council and the Senate at their next succeeding meetings. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

38. Inspection of colleges and reports :-

(1) Every affiliated college, recognised institution and approved institution shall furnish such reports, returns and other information as the Syndicate, after consulting the Academic Council, may

require to enable it to judge the efficiency of the college or institution.

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

(3) The Syndicate may call upon any college or institution so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (1) of section 34 and sub-section (2) of section 36, or as the case may be, sub-section (2) of section 37.

39. Withdrawal of affiliation :-

(1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (1) of section 34 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

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

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

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

(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, record its opinion in the matter :

Provided that no resolution of the Senate recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of two-third of the members present at a meeting of the Senate, such majority comprising 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 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.

(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 grounds for such withdrawal or modification shall be stated in the order.

40. Withdrawal of recognition :-

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

(2) A motion for such withdrawal or suspension shall be initiated only in the 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 authorised by the Syndicate in this behalf, and after such further inquiry as may appear to it to be necessary, and after consulting the Academic Council, shall make a report to the Senate if the Syndicate decides that the recognition should be withdrawn or suspended. No such report for withdrawal or suspension shall be made unless a resolution to that effect is supported by at least two-thirds of the members present at the meeting of the Syndicate.

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

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

41. Withdrawal of approval :-

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

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

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

42. Postgraduate teaching :-

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

(2) For the purpose of organising and coordinating the postgraduate instruction, teaching and training in the University Area, there shall be constituted a Board to be known as the Board of University Teaching. The constitution, powers and duties of the Board shall be as prescribed by the Statutes.

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

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

CHAPTER 8

Enrolment and Degrees

43. Qualifications for enrolments of student of the University :-

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

(i) the Secondary School Certificate Examination 'fin the eleventh standard or the Higher Secondary School Certificate Examination,]
¹[conducted by the Gujarat Secondary Education Board] in such subjects and with such standards of attainments as may be prescribed by the Statutes, or

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

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

2 [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 stu

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

1. These words were substituted for the word 'conducted by the Secondary School Certificate Examination Board' by Guj.18 of 1975 Sch., Sr. No. 5(2).

2. The proviso was added by Guj. 32 of 1978, Sch. Sr. No. 5(b).

44. Residence of students :-

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

45. Degrees, diplomas and other academic distinctions :-

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

46. Honorary degree :-

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

47. 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 diploma or degree if he has been convicted by a court of law of any offence which in the opinion of the Syndicate and the Senate, is a serious offence involving moral turpitude or if he has been guilty of scandalous conduct.

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

CHAPTER 11

Committees

52. 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.

52A. Officers and employees to be public servants :-

¹ Every officer and employee of the University shall be deemed to be a public servant within the meaning of section 71 of the Indian Penal Code.

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

1. Section 52-A was inserted by Guj. 19 of 1980, Sch., Sr. No. 5.

53. Section :-

¹ [x x x]

1. Section 53, deleted by Guj. 1 of 1988.

54. Pension, insurance and provident fund :-

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

by the Statutes.

54A. Provident fund to be deposited in Government Treasury :-

(1) Where the University has established a provident fund for the benefit of its

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

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

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

55. Election to be by system of proportional representation :-

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

56. Vacant of office :-

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

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

57. Filling of casual vacancies :-

When any vacancy occurs in the office of a member (other than an ex-officio member) of any authority or other body of the University

before the expiry of the term of office of such member, the vacancy shall be filled up, as soon as conveniently may be, by the election, nomination, appointment or cooption, as the case may be, of a member who shall hold office so long only as the member in whose place he has been elected, nominated, appointed or co-opted, would have held it, if the vacancy had not occurred :

Provided that, if the vacancy be of an elected member of the Senate and occurs within six months preceding the date on which the term of office of member expires, the vacancy shall not be filled.

58. Proceedings not invalidated by vacancies :-

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

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 any Statute, Ordinance, Regulation or Rule, or

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

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

(b) it may be referred to the State Government if

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

(ii) if twenty members of the Senate 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 this Act and the statutes, Ordinance, Regulations and Rules framed thereunder.

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

Deleted by Guj. 26 of 1978, Sch.]

CHAPTER 9A

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, 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-

(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 instruction, 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 Committees :-

(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 the 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

48E. Section :-

(1) 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.]

CHAPTER 10

Finance

49. University Fund :-

(1) The University shall establish a fund to be called the University Fund.

(2) The following shall form part of or be paid into, the University Fund:

(a) any contribution or grant by the State Government, the Union Government, or the University Grants Commission:

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

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

(3) The University Fund shall be kept in any 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 purposes or invested in . securities authorised by the Indian Trusts Act, 1882, (II of 1882) at the discretion of the Syndicate.

50. Annual accounts and financial estimates :-

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

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

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

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

51. Annual report :-

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

CHAPTER 11

Supplementary Provisions

52. Conditions of service :-

Save as otherwise provided by or under this Act, every salaried officer and teacher of the University shall be appointtd 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.

52A. Officers and employees to be public servants :-

¹ Every officer and employee of the University shall" be deemed to be a public servant within the meaning of section 71 of the Indian Penal Code.

Explanation. For the purposes of this section any person who is appointed by the University for a specified period, or for a specified work of the University, or who receives any remuneration by way of

compensatory allowance or fee for any work done from the University Fund shall be deemed to be an officer or employee of the University while he is performing, and in relation to all members relatable to the performance of, the duties and functions connected with such appointment or work,]

1. Section 52-A was inserted by Guj. 19 of 1980, Sch., Sr. No. 5.

53. Section :-

¹ [x x x]

1. Section 53, deleted by Guj. 1 of 1988.

54. Pension, insurance and provident fund :-

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

54A. Provident fund to be deposited in Government Treasury :-

(1) Where the University has established a provident fund for the benefit of its

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

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

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

55. Election to be by system of proportional representation :-

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

56. Vacant of office :-

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

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

57. Filling of casual vacancies :-

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

Provided that, if the vacancy be of an elected member of the Senate and occurs within six months preceding the date on which the term of office of member expires, the vacancy shall not be filled.

58. Proceedings not invalidated by vacancies :-

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

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 any Statute, Ordinance, Regulation or Rule, or

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

(a) it may be referred to the State Government if it relates to a

matter specified in clause (1), and

(b) it may be referred to the State Government if

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

(ii) if twenty members of the Senate 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 this Act and the statutes, Ordinance, Regulations and Rules framed thereunder.

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

Deleted by Guj. 26 of 1978, Sch.]

CHAPTER 12

Transitory Provisions

61. Completion of courses of student in colleges affiliated to the Gujarat University :-

Notwithstanding anything contained in this Act, or the Statutes, Ordinances and Regulations 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 courses of studies of the Gujarat University,

62. Appointment of first Vice-Chancellor :-

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

Government thinks fit.

63. Appointment of 1[first Pro-Vice-Chancellor] :-

Notwithstanding anything contained in section 12, the State Government shall appoint the ¹ [first Pro-Vice-Chancellor]. for a period not exceeding three years and on such terms and conditions as the State Government thinks fit.

1. These words were substituted for the words "first Rector", *ibid.*, S. 15(ii)

64. Appointment of first Registrar :-

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

65. Transitory powers of first Vice-Chancellor :-

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

(a) to give recognition to institutions, if any, as far as possible consistently with the provisions of section 36, and

(b) to make arrangements for constituting the Senate, the Syndicate, the Academic Council and other authorities of the University, within six months after the date of his appointment or such longer period not exceeding one year as the State Government may, by notification in the Official Gazette, direct.

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

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

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

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

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

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

66. 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 four years and on such conditions as the appointing authority thinks fit :

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

67. 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 four years such appointments as may be necessary to enable this Act or any part thereof to be brought into force,

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

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

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

If any difficulty arises as to the first constitution or reconstitution 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.

69. Amendment of Bom. L of 1949 :-

In the Gujarat University Act, 1949, (Bom. L of 1949) in Schedule, the entries at serial numbers 10 to 15 (both inclusive) shall be deleted.

SCHEDULE 1

SCHEDULE

[See section 2(16)] 1. Amreli District. 2. Bhavnagar District excluding the Bhavnagar University area; 3. Jamnagar District. 4. Junagadh District. 5. Rajkot District. 6. Surendranagar District.
