

**Madhya Pradesh Makhanlal Chaturvedi Rashtriya  
Patrakarita Vishwavidyalaya Sansthan Adhiniyam, 1990**

**15 of 1990**

**[14 August 1990]**

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**Madhya Pradesh Makhanlal Chaturvedi Rashtriya  
Patrakarita Vishwavidyalaya Sansthan Adhiniyam, 1990**

**15 of 1990**

**[14 August 1990]**

An Act to establish and incorporate Makhanlal Chaturvedi Rashtriya Patrakarita Vishwavidyalaya Sansthan. Be it enacted by the Madhya Pradesh Legislature in the Forty-first Year of the Republic of India as follows :-- 1. Received the assent of the Governor on 14-8-1990; assent first published in the "Madhya Pradesh Gazette" (Extraordinary), dated 16-8-1990 at pp. 1905-1924.

**1. Short Title And Commencement :-**

(1) This Act may be called the Madhya Pradesh Makhanlal Chaturvedi Rashtriya Patrakarita Vishwavidyalaya Sansthan Adhiniyam, 1990.

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

**2. Definitions :-**

In this Act, unless the context otherwise requires :--

(i) "Academic Council" means the Academic Council of the Sansthan;

(ii) "Chairman" means the Chairman of General Council of the

Sansthan;

(iii) "Director General" means the head of the Sansthan;

(iv) "Executive Director" means the Executive Director of the Sansthan;

(v) "General Council" means General Council of Sansthan;

(vi) "Managing Committee" means Managing Committee of the Sansthan;

(vii) "Regulations" means the regulations of the Sansthan made under this Act;

(viii) "Schedule" means the Schedule appended to this Act;

(ix) "Sansthan" means the Makhanlal Chaturvedi Rashtriya Patrakarita Vishwavidyalaya Sansthan established under Section 3;

(x) "President" means the President of the Managing Committee constituted under Section 29.

### **3. Establishment And Incorporation Of Makhanlal Chaturvedi Rashtriya Patrakarita Vishwavidyalaya Sansthan :-**

(1) With effect from such date, as the State Government may, by notification, appoint, there shall be established in the State of Madhya Pradesh a Sansthan by the name of the Makhanlal Chaturvedi Rashtriya Patrakarita Vishwavidyalaya Sansthan, which shall consist of the General Council, the Academic Council and the Director General.

(2) The Sansthan shall be a body corporate by the name aforesaid, having perpetual succession and common seal with power, subject to the provisions of this Act, to acquire and hold property, to contract and shall, by the said name sue and be sued.

(3) In all suits and other legal proceedings by or against the Sansthan, the pleadings shall be signed and verified by the Director General and all processes in such suits and proceedings shall be issued to, and served on, the Director General.

(4) The headquarters of the Sansthan shall be at Bhopal.

### **4. Objects Of Sansthan :-**

The objects of the Sansthan shall be--

(i) to develop the Sansthan into a national centre of teaching, training and research of Journalism in Hindi;

(ii) to organise and conduct short term diploma, graduation and post-graduation courses, and award diplomas and degrees in Hindi Journalism;

- (iii) to organise refresher courses, roundtables, seminars and workshops for journalists of Hindi and other Indian languages with accent on regular and meaningful interaction between the Hindi and other Indian language journalism;
- (iv) to conduct short-term introductory and refresher graduation and post-graduation courses in Hindi and award diplomas and degrees in the disciplines of mass communication;
- (v) to organise seminars and workshops on subjects related to mass communication;
- (vi) to develop appropriate technology software for rural and tribal communication through research, training and publication;
- (vii) to bring out publications on journalism and mass communication in Hindi and other Indian languages;
- (viii) to take all necessary steps to achieve the above mentioned objectives.

## **5. Powers And Functions Of Sansthan :-**

The powers and functions of the Sansthan shall be--

- (i) to administer and manage the Sansthan and such centres for research, education and instructions as are necessary for the furtherance of the objects of the Sansthan;
- (ii) to provide for instructions in such branches of knowledge or learning pertaining to journalism, and mass communication as the Sansthan may think fit and to make provision for research and for advancement and dissemination of knowledge of journalism and mass communication;
- (iii) to organise and undertake extra-mural teaching and extension services;
- (iv) to hold examinations and to grant diplomas or certificates, and to confer degrees and other academic distinctions on persons subject to such conditions as the Sansthan may determine and to withdraw any such diplomas, certificates, degrees or other academic distinctions other than honorary degrees for good and sufficient reasons;
- (v) to confer honorary degrees or other distinctions in the manner laid down in the regulations;
- (vi) to fix, demand and receive fees and other charges;
- (vii) to institute and maintain halls and hostels and to recognise places of residence for the students of the Sansthan and to withdraw such recognition accorded to any such place or residence;
- (viii) to establish such special centres, specialised study centres or

other units for research and instructions as are, in the opinion of the Sansthan, necessary for the furtherance of its objects;

(ix) to create academic, technical, administrative ministerial and other posts and to make appointments thereto;

(x) to regulate and enforce discipline among the employees of the Sansthan and to take such disciplinary measures as may be deemed necessary in the manner laid in the regulations;

(xi) to institute professorships, associate professorships, assistant professorships, readerships, lecturerships, and any other teaching, academic or research posts required by the Sansthan;

(xii) to appoint persons as professors, associate professors, assistant professors, readers, lecturers and otherwise as teachers and researchers of the Sansthan;

(xiii) to institute and award fellowships, scholarships, prizes and medals;

(xiv) to provide for printing, reproduction and publication of research and other works and to organise exhibitions;

(xv) to sponsor and undertake research in all aspects of journalism and mass communications;

(xvi) to cooperate with any other organisation in the matter of education, training and research in journalism and mass communication for such purposes as may be agreed upon on such terms and conditions as the Sansthan may, from time to time, determine;

(xvii) to cooperate with institutions of higher learning in any part of the world having objects wholly or partially similar to those of the Sansthan by exchange of teachers and scholars and generally in such manner as may be conducive to the common object;

(xviii) to regulate the expenditure and to manage the accounts of the Sansthan;

(xix) to establish and maintain within the Sansthan premises or elsewhere, such class rooms, study halls, office and guest houses as the Sansthan may consider necessary and adequately furnish the same and to establish and maintain such libraries and reading rooms as may appear necessary for the Sansthan;

(xx) to receive grants, subventions, subscriptions, donations and gifts for the purpose of the Sansthan and consistent with the objects for which the Sansthan is established;

(xxi) to purchase, take on lease or accept as gifts or otherwise any land or building or works, which may be necessary or convenient for the purpose of the Sansthan and on such terms and conditions as it may think fit and proper and to construct or alter and maintain

any such building or works;

(xxii) to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the Sansthan, movable or immovable on such terms as it may think fit and proper without prejudice to the interest and activities of the Sansthan;

(xxiii) to draw and accept, to make and endorse, to discount and negotiate Government of India and other promissory notes, bills of exchange, cheques or other negotiable instruments, with the prior permission of the State Government;

(xxiv) to execute conveyances, transfers, reconveyances, mortgages, leases, licences and agreements in respect of property, movable or immovable including Government securities belonging to the Sansthan or to be acquired for the purpose of Sansthan;

(xxv) to appoint in order to execute an instrument or transact any business of the Sansthan, any person as it may deem fit;

(xxvi) to give up and cease from carrying on any classes or departments of the Sansthan;

(xxvii) to enter into any agreement with Central Government, State Government, the University Grants Commission or other authorities for receiving grants;

(xxviii) to accept grants of money, securities or property of any kind on such terms as may deem expedient;

(xxix) to raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the Sansthan or without any securities and on such terms and conditions as it may think fit and to pay out of the funds of the Sansthan, all expenses incidental to the raising of money, and to repay and redeem any money borrowed;

(xxx) to invest the funds of the Sansthan or money entrusted to the Sansthan in or upon such securities and in such manner as it may deem fit and, from time to time, transpose any investment;

(xxxi) to make such regulations as may, from time to time, be considered necessary for regulating the affairs and the management of the Sansthan and to alter, modify and to rescind them;

(xxxii) to constitute for the benefit of the academic, technical, administrative and other staff, in such manner and subject to such conditions as may be prescribed by the regulations, pensions, insurance, provident fund and gratuity as it may deem fit and to make such grants as it may think fit for the benefit of the employees of the Sansthan and to aid in establishment and support

of the associations, institutions, funds, trusts and conveyance calculated to benefit the staff and the students of the Sansthan; (xxxiii) to delegate all or any of its powers to the Director General, the Executive Director of the Sansthan or any committee or any sub-committee or to any one or more members of its body or its officers; and (xxxiv) to do all such other acts and things as the Sansthan may consider necessary, conducive or incidental to the attainment or enlargement of the aforesaid objects or any one of them.

## **6. Prohibition Of Discrimination In All Matters Connected With Sansthan :-**

The Sansthan shall not discriminate against any citizen of India on grounds of religion, race, caste, sex, place of birth, political or other opinion or any one of them in the exercise of powers or performance of functions conferred or imposed upon it by or under this Act.

## **7. Teaching In Sansthan :-**

(1) All recognised teaching in connection with the degree, diplomas and certificates of the Sansthan shall be conducted under the control of the Academic Council, by the teachers or guest faculty of the Sansthan, in accordance with the syllabus prescribed by the regulations.

(2) The courses and curricula and the authorities responsible for organising such teaching shall be such as prescribed by the regulations.

## **8. Visitor Of Sansthan :-**

(1) The Vice-President of India shall be the visitor of the Sansthan.

(2) The visitor--

(i) shall preside over the convocations;

(ii) shall have the right to visit and inspect the Sansthan and any of its activities;

(iii) may call for a report on any or all activities from the Director General which shall be submitted through the Chairman;

(iv) shall have the right to cause an inspection to be made by such person or persons as he may direct of the Sansthan and its activities and to cause an enquiry to be made in any matter related to the Sansthan;

(v) shall address the Director General with reference to any proposed inspection or enquiry and the result of the same. The Visitors views shall be communicated to the General Council and actions proposed to be taken in pursuance of the Visitors views.

(3) The General Council shall communicate through the Director General to the Visitor such action, if any, as it proposes to take or has been taken on the result of such inspection or enquiry.

## **9. Officers Of Sansthan :-**

The following shall be the Officers of the Sansthan :--

- (1) The Director General;
- (2) The Executive Director;
- (3) The Heads of Departments; and
- (4) Such other Officers as may be prescribed by the Regulations.

## **10. Director General :-**

(1) The Director General of the Sansthan shall be appointed by the General Council :

Provided that the First Director General shall be appointed by the Chairman.

(2) Subject to the specific and general directions of the General Council, the Director General shall exercise all powers of the Managing Committee in the management and administration of the Sansthan, that have been delegated to him by the Managing Committee.

(3) The Director General shall be a professional man from any branch of Journalism or mass communication with over twenty years experience at a senior level in public or private sector.

(4) The Director General shall--

(a) ensure that the provisions of this Act and the regulations are duly observed, and he shall have powers as are necessary for that purpose;

(b) convene the meetings of the General Council, and perform all other acts, as may be necessary to give effect to the provisions of this Act;

(c) represent the Sansthan, in suits or proceedings by or against the Sansthan, sign powers of attorney and verify the pleading or depute representatives for the purpose;

(d) have all powers relating to the proper maintenance of discipline in the Sansthan.

(5) If in the opinion of the Director General any emergency has



arisen which requires immediate action to be taken, the Director General shall take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer, authority, committee or other body as would have in the ordinary course dealt with the matter :

Provided that the action taken by the Director General shall not commit the University to any recurring expenditure for a period of more than six months and also that Director General shall not create any post or make any appointment without the sanction of the Managing Committee :

Provided further that where any such action taken by the Director General affects any person in the service of the Sansthan such person shall be entitled to prefer, within thirty days from the date on which such action is communicated to him, an appeal to the General Council.

(6) On receipt of a report under sub-section (5) if the authority, committee or body concerned does not approve of the action taken by the Director General it shall refer the matter to the Chairman whose decision thereon shall be final.

(7) The action taken by the Director General under sub-section (5) shall be deemed to be the action taken by the appropriate authority until it is set-aside by the Chairman on a reference made under sub-section (6) or is set-aside by the General Council on an appeal under sub-section (5).

(8) The Director General shall--

(i) decide the participation of staff and students in workshops/seminars and study tours;

(ii) make appointments to the non-officer cadres in a manner prescribed by the General Council;

(iii) have powers to take disciplinary action against staff of the Sansthan subordinate to him;

(iv) maintain high standards of education;

(v) finalise holdings of seminars/workshops, short-term refresher courses at the Sansthan.

(9) The Director General shall be the head of the Sansthan.

(10) The Director General shall be the convenor of the Academic Council and shall convene its meetings and maintain all records of the Academic Council.

(11) The Director General shall be responsible for carrying out decisions of the Academic Council.

## **11. Executive Director :-**

(1) The Executive Director of the Sansthan shall be appointed by the General Council:

Provided that the First Executive Director shall be appointed by the Chairman.

(2) The Executive Director shall exercise such powers and perform such duties of the Director General as the Director General may delegate to him.

(3) The Executive Director shall be a person who has experience of atleast twenty years on a responsible post in the field of administration.

(4) The Executive Director shall be the head of the general administration and financial administration of the Sansthan.

## **12. Heads Of The Departments :-**

(1) There shall be a Head of the Department for each of the Departments in the Sansthan.

( 2 ) The powers, function, manner of appointment and the conditions of service of the Heads of the Departments shall be such as may be prescribed by the regulations.

## **13. Other Officers And Employees :-**

(1) Subject to the regulations made for the purpose every other officer or employee of the Sansthan shall be appointed under a written contract setting out the conditions of service as prescribed by the regulations which shall be lodged with the Sansthan and a copy thereof furnished to the officer or employee concerned.

(2) Any dispute arising out of the contract between the Sansthan and any of its officers or employees shall, at the request of the officer or the employee concerned, at the instance of the Sansthan be referred to a Tribunal for arbitration consisting of three members appointed by the General Council as prescribed by the Regulations. The decision of the Tribunal shall be final and binding.

## **14. Authorities Of Sansthan :-**

The following shall be the authorities of the Sansthan--

- (i) the General Council;
- (ii) the Academic Council;
- (iii) the Managing Committee;
- (iv) The Finance Committee;

- (v) the Director General;
- (vi) the Executive Director; and
- (vii) such other authorities as may be declared by the Regulations to be the authorities of the Sansthan.

### **15. General Council :-**

(1) The General Council shall consist of the following persons, namely :--

- (i) Chief Minister of Madhya Pradesh; (ii) Minister-in-charge of Finance, Government of Madhya Pradesh;
- (iii) Minister-in-charge of Public Relations, Government of Madhya Pradesh;
- (iv) Minister-in-charge of Education, Government of Madhya Pradesh;
- (v) The Leader of the Opposition in the Madhya Pradesh Vidhan Sabha;
- (vi) A member of Parliament to be nominated by the Speaker of the Lok Sabha;
- (vii) A Rajya Sabha Member to be nominated by the Chairman of the Rajya Sabha;
- (viii) The Chairman, Press Council of India;
- (ix) One representative each from five States selected by the Chief Minister of Madhya Pradesh from amongst the persons nominated by the Chief Ministers of respective States;
- (x) a nominee of the Editors Guild belonging to Indian Language Press;
- (xi) a reputed mass communication expert to be nominated by the State Government;
- (xii) a reputed teacher of journalism to be nominated by the State Government;
- (xiii) a nominee of Public Relation Society of India;
- (xiv) Secretary, Public Relations, Government of Madhya Pradesh;
- (xv) the Chairman, Indian Institute of Mass Communication or his nominee;
- (xvi) a nominee of Ministry of Human Resources, Government of India;
- (xvii) Working Chairman, Makhanlal Chaturvedi Centenary National Committee;
- (xviii) a nominee of University Grants Commission;
- (xix) Director General of the Sansthan;
- (xx) Editor of the largest circulated Indian Language Newspaper in

India;

(xxi) Editor of the largest circulated Hindi Daily Newspaper in India;

(xxii) Secretary, Makhanlal Chaturvedi Centenary National Committee;

(xxiii) Editor of a Hindi Daily of Madhya Pradesh;

(xxiv) The Executive Director of the Sansthan;

(xxv) One nominee of Indian Newspaper Society belonging to Indian Language Press;

(xxvi) Two eminent public figures hailing from Madhya Pradesh to be nominated by the State Government;

(xxvii) Five Editors of Indian Language Press subject to the condition that not more than one shall be from one language to be nominated by the State Government;

(xxviii) One editor each of a reputed Hindi daily from five different States to be nominated by the Chief Minister of Madhya Pradesh;

(xxix) A Vice-Chancellor of a University of Madhya Pradesh to be nominated by the Chancellor.

(2) The General Council shall be the supreme authority of the Sansthan.

(3) The administration, management and control of the Sansthan and the income thereof shall be vested with the General Council which shall control and administer the property and funds of the Sansthan.

## **16. Chairman And Secretary :-**

(1) The Chief Minister of Madhya Pradesh shall be the Chairman of the General Council of the Sansthan.

(2) The Director General of the Sansthan shall be Secretary of the General Council.

## **17. Terms Of Office Of Members Of General Council :-**

(1) The term of office of the members of the General Council shall, subject to the provisions of sub-sections (2) and (3), be four years.

(2) Where a Member of the General Council becomes such member by virtue of the office or appointment he holds or is a nominated member, his membership shall terminate when he ceases to hold such office or appointment or as the case may be, his nomination is withdrawn.

(3) A member of the General Council shall cease to be a member, if he resigns or becomes of unsound mind, or becomes insolvent or is convicted of a criminal offence involving moral turpitude or if a

member, other than the Director General and the Executive Director, accepts a full time appointment in the Sansthan or if he fails to attend two consecutive meetings of the General Council without the leave of the Chairman.

(4) A member of the General Council may resign his office by a letter addressed to the Chairman and such resignation shall take effect as soon as it is accepted by the Chairman.

(5) Any vacancy in the General Council shall be filled either by appointment or nomination, as the case may be, of a person by the respective authority entitled to make the same and the person so appointed or nominated shall hold office so long only as the member in whose place he is appointed or nominated could have held office if the vacancy had not occurred.

### **18. Power Of General Council :-**

(1) The General Council shall have all the powers necessary for the administration or management of the Sansthan or for conducting its affairs, including the power to review the action of all other committees and shall exercise all powers of the Sansthan not otherwise provided in this Act.

(2) Without prejudice to the generality of the power conferred by sub-section (1), the General Council shall--

(a) recommend the broad policies and programmes of the Sansthan and suggest measures for improvement and development of the Sansthan.

(b) consider and pass the resolution on the annual report, the financial estimates and audit report of such accounts; and

(c) perform such other functions as it may deem necessary for the better functioning and administration of the Sansthan.

### **19. Meeting Of General Council :-**

(1) The General Council shall meet atleast twice a year. An Annual meeting of the General Council shall be held on a date to be fixed by the Chairman.

(2) The Chairman shall preside over the meetings. In the absence of the Chairman, the Council shall elect one of its members to preside.

(3) A report of the working of the Sansthan during the previous years, together with a statement of receipts and expenditure, the balance sheet as audited, and the financial estimate shall be presented by the Director General to the General Council at its

annual meeting.

(4) A meeting of the General Council shall be either ordinary or special.

(5) The date of every meeting shall be fixed by the Chairman or in his absence by the Director General.

(6) Notice of every meeting specifying the time and place thereof and the business to be transacted thereat shall be despatched to every member and exhibited at the office of the Sansthan 15 clear days before an ordinary meeting and 7 clear days before a special meeting :

Provided that if the notice is exhibited at the office of the Sansthan failure to serve it on any member shall not affect the validity of a meeting.

(7) No business other than the specified in the notice relating thereto shall be transacted at the meeting.

## **20. Power Of Chairman To Call Special Meeting :-**

The Chairman, or in any event as aforesaid, the Director General, may whenever he thinks fit call a special meeting, and shall be bound to do so within two weeks of the receipt of a written requisition by not less than 15 members of the General Council.

## **21. Adjournments :-**

Any meeting of the General Council, may, with the consent of a majority of the members present, be adjourned to any other date; but no business other than that leftover at the adjourned meeting shall be transacted at the next meeting.

A notice of such adjournment posted in the office of the Sansthan on the day on which the meeting is adjourned shall be deemed sufficient notice of the next ensuing meeting.

## **22. Decision Of Questions By Majority Of Votes :-**

Each member shall have one vote. Except as otherwise provided by or under this Act all the questions brought before any meeting of the General Council held under this Act shall be decided by a majority of the votes of the members present, and, in the case of an equality of votes, the presiding authority at the meeting shall have a second or casting vote.

## **23. Minute Book :-**

- (1) Minutes recording the proceedings at every meeting of the General Council and the names of the members present thereat shall be entered in the minute book and confirmed at the same or the next ensuing meeting by the person presiding.
- (2) A copy of the minutes of the proceedings of each meeting of the General Council shall be forwarded to the State Government within seven days of the meeting.
- (3) Minute books prescribed by this section shall be open at the office of the Sansthan at all reasonable time to the inspection of any member without payment.

#### **24. Powers And Functions Of General Council :-**

Without prejudice to Section 18, the General Council shall have the following powers and functions, namely :--

- (i) to appoint, from time to time, the Director General, the Executive Director and Head of the Departments of the Sansthan;
- (ii) to appoint professors, assistant/associate professors and other members of the teaching staff, as well as senior administrative staff as may be necessary, on the recommendations of the selection committee constituted by regulations for the purpose :

Provided that no action shall be taken by the General Council except in cases covered by the second proviso, in regard to the number, qualifications and emoluments of teachers, otherwise than the after consideration of the recommendations of the Academic Council:

Provided further that it shall not be necessary to constitute any selection committee for making appointments--

- (a) to any supernumerary posts; or
- (b) to the post of professor of a person of high academic distinction, eminence and professional attainment invited by the General Council to accept the post;
- (iii) to create administrative, ministerial and other necessary posts, to determine the number and emoluments of such posts, to specify minimum qualification for appointment to such posts and to appoint person to officer cadre posts on such terms and conditions of service as may be prescribed by the regulations made in this behalf, or to delegate the powers of appointments to such authority or authorities or officer or officers as it may think fit;
- (iv) to manage and regulate the finances, accounts investments, property, business and all other administrative affairs of the Sansthan and for that purpose to appoint such agents, as it may

think fit;

(v) to invest any money, belonging to the Sansthan including any unapplied income, in such stock, funds, shares, or securities, as it may, from time to time, think fit or in the purchase of immovable property in India, with the like power of varying such investments from time to time;

(vi) to transfer or accept transfer of any movable or immovable property with the permission of the State Government on behalf of the Sansthan;

(vii) to enter into, vary, carry out and cancel contracts on behalf of the Sansthan and for that purpose to appoint such officers as it may think fit;

(viii) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the Sansthan;

(ix) to entertain, adjudicate upon and if it thinks fit, to redress any grievances of the officers and teachers of the Sansthan, who may for the reason, feel aggrieved otherwise than by an act of a Court;

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

## **25. Constitution Of Standing Committee And Appointment Of Ad Hoc Committees By General Council :-**

(1) Subject to the provisions of this Act and the regulation made in this behalf the General Council may, by resolution, constitute such standing committees or appoint ad hoc committees for such purposes and with such powers as the General Council may think fit for exercising any power or discharging any function of the Sansthan or for enquiring into, reporting or advising upon any matter relating to the Sansthan.

(2) The General Council may co-opt such persons to a standing committee or an ad hoc committee as it may consider suitable and may permit them to attend the meetings of the General Council.

## **26. Academic Council :-**

(1) The Academic Council shall be the supreme academic body of the Sansthan and shall, subject to the provisions of this Act and of the regulation be responsible for, the maintenance of standards of instruction, education and examination of the Sansthan, and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the regulations. It shall have the right to advise the General Council on all academic



matters.

(2) The Academic Council shall consist of the following persons, namely :--

- (a) the Director General, who shall be the Convenor thereof;
  - (b) three persons from amongst the educationists of repute or men of letters or members of the learned professionals or eminent public men, who are not in the service of the Sansthan, nominated by the Chairman in consultation with the General Council;
  - (c) The Director, Public Relations, Government of Madhya Pradesh;
  - (d) A nominee of Editors Guild on the Managing Council;
  - (e) All the Heads of the Departments of the Sansthan;
  - (f) All professors other than the Heads of the Departments, if any;
  - (g) The Executive Director of the Sansthan;
  - (h) An Editor of a well-known Hindi daily to be nominated by the State Government;
  - (i) A teacher of journalism who is the member of the General Council; and
  - (j) A Mass Communication expert of Madhya Pradesh to be nominated by the State Government.
- (3) The term of the members other than ex-officio members shall be five years.

## **27. Powers And Duties Of Academic Council :-**

Subject to the provisions of this Act and the regulations, the Academic Council, shall, in addition to all other powers vested in it, have the following powers, namely :--

- (i) to report on any matter referred or delegated to it by the General Council;
- (ii) to make recommendations to the General Council with regard to the creation, abolition or classification of teaching posts and their duties and emoluments;
- (iii) to formulate and modify or revise schemes for the organisation of the faculties, and to assign to such faculties their respective subject and also to report to the General Council as to the expediency of the abolition or sub-division of any faculty or the combination of one faculty with another;
- (iv) to promote research within the Sansthan and to require from time to time, reports on such research;
- (v) to consider proposals submitted by the faculties;
- (vi) to make arrangements through regulations for the instruction and examination of persons other than those enrolled in the

Sansthan;

- (vii) to appoint committees for admission to the Sansthan;
- (viii) to recognise diplomas and degrees of other university and institutions and to determine their equivalence in relation to the diplomas and degrees of the Sansthan;
- (ix) to fix, subject to any conditions accepted by the General Council, the time, mode and conditions of the competition for fellowships, scholarships and other prizes, and to award the same;
- (x) to make recommendations to the General Council in regard to the appointment of examiners and, if necessary, their removal and the fixation of their fees, emoluments and travelling and other expenses;
- (xi) to make arrangements for the conduct of examinations and to fix dates for holding them;
- (xii) to declare the result of the various examinations, or to appoint committees or officers to do so, and to make recommendations regarding the conferment or grant of degrees, honours, diplomas, titles and marks or honour;
- (xiii) to award stipends, scholarships, medals and prizes and to make other awards in accordance with the regulations and such other conditions as may be attached to the awards;
- (xiv) to publish lists of prescribed or recommended textbooks and to publish syllabus of the prescribed courses of study;
- (xv) to prepare such forms and registers as are from time to time, prescribed by regulations; and
- (xvi) to perform in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of this Act and the regulations.

## **28. Procedure Of The Meeting Of The Academic Council :-**

- (1) The Academic Council shall meet as often as may be necessary, but not less than six times during an academic year.
- (2) One half of the total-number of members of the Academic Council shall form quorum for a meeting of the Academic Council.
- (3) Each member shall have one vote. Except as otherwise provided by or under this Act all questions brought before any meeting of the Academic Council held under this Act shall be decided by a majority of the votes of the members present, and, in the case of an equality of votes, the presiding authority at the meeting shall have a second or casting vote.
- (4) Every meeting of the Academic Council shall be presided over

by the Convenor or in his absence a member chosen by the meeting to preside on the occasion.

(5) If urgent action by the Academic Council becomes necessary, the Convenor of the Academic Council may permit the business to be transacted by circulation of papers to at least five members including the Executive Director. The papers shall be placed before the next meeting of the Academic Council for confirmation.

## **29. Managing Committee :-**

There shall be Managing Committee consisting the following :--

- (i) Chief Minister of Madhya Pradesh shall be the President of the Committee;
- (ii) the Minister in Charge of Finance, Government of Madhya Pradesh;
- (iii) The Director General of the Sansthan;
- (iv) the Secretary to Government, Madhya Pradesh, Public Relations Department;
- (v) The Executive Director of the Sansthan;
- (vi) Three members of the General Council to be nominated by the General Council.

## **30. Power And Duties Of The Managing Committee :-**

(1) The Manager of Committee shall consider and decide matters relating to administrative policy to the extent they are delegated to it by the General Council.

(2) The Managing Committee may delegate its powers, to the extent it decides, to the Director General.

## **31. Procedure Of The Meetings Of The Managing Committee :-**

(1) The meeting of the Managing Committee shall be called by the Director General but it shall meet at least once in three months.

(2) The term of office of member of the Managing Committee shall be similar to his/her term in the General Council.

(3) All decisions of the Managing Committee shall be taken by a majority of the members present.

(4) In the absence of the president, a meeting of the Managing Committee shall be presided over by a member of the Committee elected by it.

(5) The Director General shall give a seven days notice for

convening the meeting of the Committee.

### **32. Finance Committee :-**

(1) There shall be a Finance Committee constituted by the General Council consisting of the following, namely :--

- (a) The Director General of the Sansthan;
- (b) The Executive Director;
- (c) Secretary, Public Relations Department, Government of Madhya Pradesh or his nominee not below the rank of Deputy Secretary;
- (d) Two members of the General Council, to be nominated by the Chairman;
- (e) Secretary to Government, Madhya Pradesh, Finance Department or his nominee not below the rank of Deputy Secretary.

(2) The members of the Finance Committee shall be ex-officio.

(3) The functions and duties of the Finance Committee shall be as follows, namely ;--

- (i) to examine and scrutinise the annual budget of the Sansthan and to make recommendation on financial matters to the General Council;
- (ii) to consider the periodical statements of accounts and to review the finances of the Sansthan from time to time and to consider reappropriation statement and audit reports and to make recommendations to the General Council;
- (iii) to give its views and to make recommendations to the General Council on any financial question affecting the Sansthan either on its own initiative or on reference from the General Council or the Director General.

(4) The Finance Committee shall meet at least four times every year. Three members of the Finance Committee shall form the quorum.

(5) In case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

### **33. Selection Committee :-**

(1) The General Council shall constitute Selection Committees for making recommendation to the General Council for appointment to posts of professors, associate professors, teachers and other officer level staff.

(2) The Selection Committee shall consist of the following members :--

- (a) The Director General, who shall be the Convenor of the Committee;
  - (b) The Vice-Chancellor who is member of the General Council;
  - (c) Editors Guild representative in the General Council;
  - (d) The Head of the Department concerned, if any, provided he holds a post not lower than the level of the post for which the selection is to be made;
  - (e) two experts for selecting professors, associate professors and assistant professors to be nominated by the Academic Council;
  - (f) Secretary, Public Relations, Government of Madhya Pradesh.
- (3) The meeting of the Selection Committee shall be convened by the Director General whenever necessary. The Director General shall preside over the meeting of the Selection Committee.

#### **34. Funds Of Sansthan :-**

- (1) There shall be for the Sansthan a Fund which shall include :--
- (a) any contribution or grant made by the State Government;
  - (b) any contribution or grant made by the University Grants Commission or the Union Government;
  - (c) any contribution made by public sector undertakings;
  - (d) any bequests, donations, endowments or other grants made by private individuals or institutions;
  - (e) income received by Sansthan from fees and charges, and (t) amount received from any other source.
- (2) The amount in the said Fund shall be kept in a scheduled bank as defined in the Reserve bank of India Act, 1934 or may be invested in such securities authorised by the Indian Trusts Act, 1882, as may be decided by the General Council.
- (3) The said Fund will be operated by the Director General or senior officers of the Sansthan authorised for such purpose and in such manner as may be prescribed by regulations.

#### **35. Annual Accounts And Audit :-**

- (1) The Annual Accounts of the Sansthan shall be prepared under the direction of the General Council.
- (2) The accounts of the Sansthan shall be audited by the auditors, appointed by the General Council.
- (3) The State Government/the Union Government shall have the power to direct audit of the grants given by it for a specific purpose to the Sansthan.
- (4) The accounts when audited shall be published by the General

Council and a copy of the accounts together with the audit report shall be placed before the General Council and also shall be submitted to the State Government.

(5) The annual accounts shall be considered and passed by the General Council at its annual meeting.

### **36. Financial Estimates :-**

(1) The General Council shall approve before such date as may be prescribed by the regulations, the financial estimates for the ensuing year.

(2) The Director General may in case where the expenditure in excess of the amount provided in the budget is to be incurred or in cases of urgency for reasons to be recorded in writing, incur expenditure subject to such restrictions and conditions specified in the regulations. Where no provisions has been made in the budget in respect of such excess expenditure a report shall be made to the General Council at its next meeting.

(3) An annual report prepared by the Director General shall be submitted to the General Council at its annual meeting for its approval.

(4) The copies of the annual report shall be submitted to the State Government. The report shall be laid before the State Legislature as early as possible on its receipt by the State Government.

### **37. Execution Of Contracts :-**

All contracts relating to the management and administration of the Sansthan shall be expressed as made by the General Council, and shall be executed by the Director General.

### **38. Eligibility For Admission Of Students :-**

No student shall be eligible for admission to a course of study for a degree or diploma, unless he possesses such qualifications as may be prescribed by the regulations.

### **39. Residence Of Students :-**

The Sansthan shall maintain separate hostels for male and female students/participants of the courses run by it.

### **40. Honorary Degrees :-**

If two third or more of the members of Academic Council recommended that an honorary degree or academic distinction be conferred on any person on the ground that he is, in their opinion by reason of eminent attainment and position, fit and proper to receive such degree or academic distinction, the General Council may, by a resolution, decide that the same may be conferred on the person recommended.

#### **41. Withdrawal Of Degree Or Diploma :-**

(1) The General Council, may withdraw any distinction, degree, diploma or privilege conferred on or granted to any person other than an honorary degree by a resolution by the majority of not less than two thirds of the members of the General Council present and voting at the meeting, if such person has been convicted by a Court of law for an offence, which in the opinion of the General Council involves moral turpitude or if he has been guilty of gross misconduct.

(2) No action under this section shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.

(3) A copy of the resolution passed by the General Council shall be immediately sent to the person concerned.

(4) The decision of the General Council in such cases shall be final.

#### **42. Discipline :-**

(1) The Final authority responsible for maintenance of discipline among the students of the Sansthan shall be the Director General. His directions in that behalf shall be carried out by the Executive Director and Heads of the Department, hostels and institutions.

(2) Notwithstanding anything contained in sub-section (1) the punishment of debarring a student from the examination or rustication from the Sansthan or a hostel or an institution, shall be provisional till the next meeting of the Academic Council which shall be the final authority :

Provided that no such punishment shall be imposed without giving to the student concerned a reasonable opportunity to show cause against the action proposed to be taken against him.

#### **43. Sponsored Schemes :-**

Whenever the Sansthan receives funds from any Government, the

University Grants Commission or other agencies sponsoring a scheme to be executed by the Sansthan, notwithstanding anything in this Act and regulations--

(a) the amount received shall be kept by the Sansthan separately from the Sansthan fund and utilized only for the purpose of the scheme; and

(b) the staff required to execute the scheme shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organisation.

#### **44. Maintenance Grant To Sansthan :-**

The State Government shall give a maintenance grant of Rupees Twenty-five lakhs by June end every year to the Sansthan.

#### **45. Transfer Of Property :-**

The State Government may transfer to the Sansthan buildings, lands or any other property, whether movable or immovable for use and management by the Sansthan on such conditions and subject to such limitations as the State Government may deem fit for the purposes of this Act.

#### **46. Proceedings Of Sansthan Not Invalidated By Vacancies :-**

No act or proceeding of any authority, committee or council of the Sansthan shall be invalid merely by reason of--

(a) any vacancy in or defect in the constitution thereof; or

(b) any defect in the election, nomination or appointment of a person acting as a member thereto; or

(c) any irregularity in its procedure not affecting the merits of the case.

#### **47. Removal Of Difficulties :-**

(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order in writing, remove the same:

Provided that no such order shall be inconsistent with the provisions of this Act :

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

(2) Every order made under this section shall be laid on the table of



the Legislative Assembly.

**48. Transitory Provisions :-**

Notwithstanding anything in this Act and the regulations, the Director General may, with the previous approval of the Chairman and subject to the availability of funds, discharge all or any of the functions under this Act and the regulations and for that purpose may exercise any powers to perform any duties, which by this Act and the regulations are to be exercised or performed by any authority of the Sansthan until such authority comes into existence as provided by this Act and the regulations.

**49. Indemnity :-**

No suit, prosecution or other legal proceedings shall lie against and no damages shall be claimed from the Sansthan, the Director General, the authorities or officers of the Sansthan or any other person in respect of anything which is in good faith done or purporting to have been done in pursuance of this Act or any regulations made thereunder.

**50. Act To Have Overriding Effect :-**

The provisions of this Act and any regulations made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

**51. Power Of General Council To Make Regulation :-**

The General Council may make regulations, not inconsistent with this Act to provide for all the matters for which provision is required to be made under this Act by regulations :

Provided that the General Council shall not make any regulation affecting the status, powers or constitution of any authority of the Sansthan until such authority has been given an opportunity of expression of an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the General Council.