

(r) to advise on programmes for greater co-operation and interaction and exchange of university teachers, college teachers and the teachers of university departments;

(s) to initiate inter-university programme for various activities related to teaching, research and extension in the field of higher education;

(t) to take into consideration various suggestions, advises and specific recommendations for making academic, administrative, governance and financial synergy more conducive for growth and sustenance of quality in colleges, educational institutions and universities, and to devise mechanisms to bring them into practice;

(u) to devise and implement approaches for enhancing of knowledge and use of technology in teaching-learning processes for teachers;

(v) to create platform for academicians with experience in education and research that would form a core for reforms and also operating mechanism in academic frame-work, course work, delivery methodologies, evaluation of students;

(w) to make recommendations regarding performance based appraisal system using key performance indicators for principals, heads of institutions and departments and academic performance indicators for teachers in the university and institutions of higher education;

(x) to recommend necessary steps to restructure institutions of higher learning whose performance is consistently poor in the areas of academic, governance and infrastructure;

(y) to interact with national and global assessment and accreditation agencies and to carry systemic total quality assessment and programme-wise assessment processes in colleges, educational institutions and universities;

(z) to create a data base of teachers, academic and industry experts, colleges, educational institutions and universities in the State;

(za) to create a data base of Indian students by making use of the unique identification number when they join a college at entry level;

(zb) to establish information collection and data creation cell for foreign students;

(zc) to keep information on annual financial estimates of the universities, their generation of finances through other streams, research and development, consultancy, training-cum-skills development programmes, special programmes for foreign students and any other similar activities and to devise various streams for generation of financial resources so as to strengthen their financial position;

(zd) to take steps and recommend to the State Government and to the universities the steps that may be taken to remove the regional imbalance, and to make higher education available to backward classes, rural and tribal communities, women and any such specified groups;

(ze) to review co-operation and interaction among all educational institutions in the State for sharing of academic and other support infrastructure and suggest ways and means to make it more efficient and effective;

(zf) to review the approach and methods adopted by the colleges and universities, both public and private, for integrating education with social development and to study the impact of such an approach on social development and suggest ways and means to make it more efficient and effective;

(zg) to consider the report of the Maharashtra State Rashtriya Uchchar Shiksha Abhiyan Council, made under sub-section (4) of section 78;

(zh) develop the vision plan with specific annual outcomes keeping in view the goals of academic excellence, administrative reforms and financial improvements.

(2) There shall be Board of Management to carry out the functions and duties of Commission as under:-

- |  |                         |
|--|-------------------------|
| (a) Minister, Higher and Technical Education   | - Chairperson;          |
| (b) Minister of State, Higher and Technical Education  | - Vice-Chairperson;     |
| (c) Secretary, Higher Education and Technical Education<br>Department  | - Member;               |
| (d) Eminent Educationist of National and Global Repute<br>nominated by the Chancellor  | - Member;               |
| (e) Advisor, Planning and Co-ordination  | - Member;               |
| (f) Advisor, Quality and Excellence Assurance  | - Member;               |
| (g) Advisor, Open Education Resources and Teacher<br>Training  | - Member;               |
| (h) Advisor, Networking and Support Services   | - Member;               |
| (i) Advisor, Finances and Resources Generation   | - Member;               |
| (j) Advisor, Examination and Evaluation  | - Member;               |
| (k) one renowned Industrialist nominated by Chancellor   | - Member;               |
| (l) one Vice-Chancellor of Public Universities nominated<br>by Chancellor  | - Member;               |
| (m) one Professional Expert from the field of Finance,<br>Accounting, Legal and other allied area nominated by<br>Chancellor | - Member;               |
| (n) one Principal of NAAC accredited A graded College<br>with proven excellence nominated by Chancellor                      | - Member;               |
| (o) one Professor from University or College nominated<br>by Chancellor  | - Member;               |
| (p) the Director of Higher Education   | - Member;               |
| (q) the Director of Technical Education  | - Member;               |
| (r) the Chief Executive Officer of Commission  | - Member-<br>Secretary. |

(3) There shall be a Secretariat of the Commission which shall be responsible for administration of the Commission and for execution of the policies, plans and recommendations of the Commission. The Secretariat shall consist of the Chief Executive Officer, other officers and staff as may be required.

(4) The Chief Executive Officer of the commission shall be appointed by the Government and work directly under the superintendence, direction and control of the State Government.

(5) The emoluments, terms and conditions of service qualification and mode of appointment of the Chief Executive Officer and the staff of the Secretariat shall be such as may be determined by the State Government.

(6) The Chief Executive Officer shall,-

(i) be the principal executive officer of the Secretariat of the Commission responsible for carrying out all functions and duties of the Commission;

(ii) lead, oversee and monitor the administration and entire activities of the Secretariat and the Commission;

(iii) be responsible for execution of the policies, plans and recommendations of the Commission;

(iv) establish technology driven operational mechanism for execution of policies, plans and recommendations of the Commission;

(v) establish linkages and co-ordination with Vice-Chancellors of public and private universities, principals and management of all educational institutions in the State;

(vi) convene meeting of the Commission as per the directions of the Chancellor;

(vii) convene seminars, workshops, meetings as may be necessary to fulfill and carry out the function and duties of the Commission;

(viii) prepare annual financial estimates and statement of financial requirements for the Commission for submission to the Department of Higher Education;

(ix) prepare annual report, annual audit reports of the Commission;

(x) get accounts of the Secretariat and the Commission audited regularly;

(xi) be the appointing and disciplinary authority of the officers and other staff of the Secretariat working under him;

(xii) prepare rules of terms and conditions of service for employees of the Secretariat;

(xiii) exercise such other functions, powers and duties as may be conferred upon him by the Chancellor;

(xiv) do all such activities so as to fulfill objectives, functions and duties of the Commission;

(xv) undertake any other task as may be assigned by the Commission and the State.

(7) The selection and appointment of Advisors on the Board of Management shall be as specified by the State Government by an order published in the *Official Gazette*.

(8) Nothing in this section shall empower the Commission to carry out any executive functions in the management of the affairs of the university.

78. (1) There shall be a Council to be called as the Maharashtra State Rashtriya Uchhatrar Shiksha Abhiyan Council (hereinafter referred to as "RUSA").

Maharashtra  
State  
Rashtriya  
Uchhatrar  
Shiksha  
Abhiyan  
Council.

(2) The Council under sub-section (1) shall be a body corporate, having perpetual succession and a common Seal and may by the name sue or be sued.

(3) The State Government may, by notification in the *Official Gazette* specify the composition, functions and responsibilities of the council under sub-section (1), which shall be in conformity with the guidelines of RUSA of the Government of India :

Provided that, every such notification shall be laid as soon as may be, after it is issued, before each House of the State Legislature.

(4) The Council under sub-section (1) shall forward a yearly report of its activities, to the Commission under section 76.

## CHAPTER VII

### GRIEVANCES OF TEACHERS AND EMPLOYEES

79. (1) There shall be a Grievances Committee in each university to deal with all types of grievances ; except grievances against the State Government including its officials, of teachers and other employees of the university, affiliated and autonomous colleges and recognized institutions, other than those managed and maintained by the State Government, Central Government or a local authority; which are not within the jurisdiction of the University and College Tribunal.

Grievances  
Committee.

(2) The university shall establish a Grievances Redressal Cell headed by the officer of the university not below the rank of the Assistant Registrar for providing administrative assistance to the Grievances Committee.

(3) The Grievances Committee shall consist of the following members, namely :-

(a) retired Judge not below the rank of the District Judge, nominated by the Vice- Chancellor - Chairperson ;

(b) one Dean, nominated by the Vice-Chancellor;

(c) Chancellor's nominee on the Management Council;

(d) Registrar;

(e) one teacher belonging to Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes and one non-teaching employee nominated by the Senate from amongst its members;

(f) Law Officer of the University - Member-Secretary.

(4) The nomination of a retired Judge as the Chairperson and of a Dean as the member of the Grievances Committee, shall be for such period, not exceeding three years in aggregate, as the Vice-Chancellor may from time to time, in each case decide.

(5) The retired Judge nominated as the Chairperson of the Grievances Committee shall be entitled for remuneration and conveyance charges, as may be determined by the university.

(6) The Grievances Committee shall hear, settle and decide grievances as per the law, as far as may be practicable, within three months, from the date of filing of the complaint.

(7) It shall be lawful for the Grievances Committee to entertain and decide grievances or complaints relating to service of the employees, which are not within the jurisdiction of the Tribunal, after giving reasonable opportunity of being heard to both the parties.

University  
and College  
Tribunal.

**80.** (1) There shall be one or more university and college tribunals for one or more universities in the State, governed by this Act as well as the Maharashtra Agricultural Universities (Krishi Vidyapeeths) Act, 1983, the Maharashtra Animal and Fishery Sciences University Act, 1998 and the Maharashtra University of Health Sciences Act, 1998, for adjudication of disputes between the employees of these universities and their respective university and between the employees of the affiliated or autonomous colleges or recognized institutions of these universities, other than those managed and maintained by the State Government, Central Government or local authority and their respective managements, with regard to the matters specified in sub-section (1) of section 81.

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of  
1983.  
Mah.  
XVII  
of  
1998.  
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X of  
1999.

(2) The Tribunal shall consist of the Presiding Officer, to be appointed by the State Government.

(3) A person shall not be qualified to be appointed as a Presiding Officer of a Tribunal, unless,-

(a) he is or has been a Judge of High Court; or

(b) is qualified to be appointed as a Judge of High Court:

Provided that, a person to be appointed under clause (b) shall be from amongst the panel of three persons recommended by the Chief Justice of High Court of Judicature at Bombay.

(4) The appointment of a person as a Presiding Officer of the Tribunal shall be on a full time basis and for such period not exceeding three years in aggregate, as the State Government may, from time to time, in each case decide.

(5) The remuneration and other conditions of service of the Presiding Officer shall be as determined by the State Government.

(6) The university shall make available to the Tribunal such ministerial staff as may be necessary for the discharge of its functions under this Act.

(7) All expenditure on account of the remuneration, pension, provident fund contribution, leave allowance and other allowances and facilities which may be admissible to the Presiding Officer and the staff placed at his disposal shall be borne by the university or universities in such proportion as the State Government may by order specify.

(8) The Presiding Officer may, by writing under his signature resign from his office and shall cease to hold his office on the acceptance of his resignation by the State Government or from the date of expiry of thirty days from the date of resignation, whichever is earlier.

(9) If any vacancy other than a temporary vacancy, occurs in the office of Presiding Officer of a Tribunal, the State Government shall, as soon as possible but in any case within three months, appoint another qualified person to fill the vacancy. In case of a temporary vacancy, the State Government may give the charge to the Presiding Officer of the other Tribunal until the Presiding Officer resumes duty. Any proceedings pending before the former Presiding Officer may be continued and disposed of by his successor from the stage at which they were when the vacancy occurred.

**81.** (1) Notwithstanding anything contained in any law or contract for the time being in force, any teacher or other employee in the university governed by this Act or in affiliated college or recognized institution of any of these universities, other than that managed and maintained by the State Government, Central Government or a local authority, who is-

Right of  
appeal.

(a) dismissed or removed or whose services are otherwise terminated or who is compulsorily retired or who is reduced in rank by the university or management and who is aggrieved; or

(b) aggrieved by the decision of the Grievances Committee established under this Act;

shall have a right of appeal and any appeal against any such order or decision shall lie to the Tribunal:

Provided that, no such appeal shall lie to the Tribunal in any case where the matter has already been decided or pending before a Court or Tribunal on the date of commencement of this Act or where the order of dismissal, removal, otherwise termination of service, compulsory retirement or reduction in rank, or decision of the Grievances Committee was passed at any time before the date on which this Act comes into force and in which case the period for filing an appeal has expired.

(2) Such appeal shall be made by the employee to the Tribunal, within thirty days from the date of receipt by him of the order of dismissal, removal, otherwise termination of services, compulsory retirement or reduction in rank, or of decision of the Grievances Committee, as the case may be:

Provided that, where such order was made before the date of commencement of this Act, such appeal may be made if the period of thirty days from the date of receipt of such order or decision has not expired.

(3) Notwithstanding anything contained in sub-section (2), the Tribunal may entertain an appeal made to it after the expiry of the said period of thirty days, if it is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

(4) Every appeal shall be accompanied by a fee as prescribed which shall not be refundable and shall be credited to the university fund:

Provided that, it shall be lawful for the State Government to revise, by notification in the *Official Gazette*, such fees as it may deem fit, from time to time.

General  
power and  
procedure of  
Tribunal.

**82.** (1) For the purposes of hearing and disposal of appeals, the Tribunal shall have the same powers as are vested in an appellate court under the Code of Civil Procedure, 1908, and shall also have the power to stay the operation of any order against which an appeal is made, on such conditions as it may think fit to impose and such other powers as are conferred on it by or under this Act.

V of  
1908.

(2) The Presiding Officer of the Tribunal shall decide the procedure to be followed by the Tribunal for the disposal of its business including the place or places at which and the hours during which it shall hold its sittings.

(3) Every appeal shall be decided as expeditiously as possible. In every case, endeavor shall be made by the Tribunal to decide an appeal within three months from the date on which the Tribunal receives it. If the Tribunal is unable to dispose of any appeal within this period, it shall record the reasons therefor.

Powers of  
Tribunal to  
give  
appropriate  
relief and  
directions.

**83.** (1) On receipt of an appeal, where the Tribunal after giving reasonable opportunity of being heard to both parties, is satisfied that the appeal does not pertain to any of the matters specified in sub-section (1) of section 81 or is not maintainable, or there is no sufficient ground for interfering with the order of the university or management or decision of the Grievances Committee, it may dismiss the appeal.

(2) Where the Tribunal, after giving reasonable opportunity to both the parties of being heard, decides in any appeal that the order of dismissal, removal, otherwise termination of service, compulsory retirement or reduction in rank, or the decision of the Grievances Committee, was in contravention of any law, contract or conditions of service for the time being in force or was otherwise illegal or improper, the Tribunal may set aside the order of the university or the management, or decision of the Grievances Committee, as the case may be, partially or wholly, and direct the university or the management,-

(a) to reinstate the employee on the same post or on a lower post as it may specify;

(b) to restore the employee to the rank which he held before reduction or to any lower rank as it may specify;

(c) to give arrears of emoluments, dues and other monetary benefits to the employee for such period as it may specify;

(d) to award such lesser punishment as it may specify in lieu of dismissal, removal, otherwise termination of service, compulsory retirement or reduction in rank, as the case may be;

(e) where it is decided not to reinstate the employee or in any other appropriate case, to give such sum to the employee, not exceeding his emoluments for six months, by way of compensation, regard being had to loss of employment and possibility of getting or not getting suitable employment thereafter, as it may specify; or

(f) to give such other relief to the employee and to observe such other conditions as it may specify, having regard to the circumstances of the case.

(3) It shall be lawful for the Tribunal to recommend to the State Government that any dues directed by it to be paid to the employee may be deducted from the grant payable to the university or, as the case may be, the management and be paid to the employee directly.

(4) Any direction issued by the Tribunal under sub-section (2) shall be communicated to both parties in writing and shall be complied with by the university or management within the period specified in the direction, which shall not be less than two months from the date of its receipt by the university or management.

**84.** Notwithstanding anything contained in any law or contract for the time being in force, the decision of the Tribunal on an appeal entertained and disposed of by it shall be final and binding on the employee and the university or management, as the case may be, and no suit, appeal or other legal proceeding shall lie in any court or before any other Tribunal or authority, in respect of the matters decided by the Tribunal.

Decision of Tribunal to be final and binding.

**85.** (1) If the university or management, as the case may be, fails, without any reasonable cause, to comply with any direction issued by the Tribunal under section 83 within the period specified in the direction, or within such further period as may be allowed by the Tribunal, the university or management, as the case may be, shall on conviction, be punished-

Penalty to management for failure to comply with directions of Tribunal.

(a) for the first contravention, with fine which may extend to one lakh rupees:

Provided that, in the absence of special and adequate reasons to the contrary to be recorded in the judgment of the Tribunal, the fine shall not be less than ten thousand rupees;

(b) for the second and subsequent contraventions, with fine which may extend to five lakh rupees for each such contravention:

Provided that, in the absence of special and adequate reasons to the contrary to be recorded in the judgment of the Tribunal, the fine shall not be less than five thousand rupees:

Provided further that, when the direction issued by the Tribunal is not complied with, within the period stipulated in the direction or within such further period as allowed by the Tribunal, and when the contravention is a continuing one, the convicted person shall be punished with a further fine of rupees five hundred per day during which such contravention continues after conviction.

(2)(a) Where the university or, as the case may be, management committing the contravention under this section is a society, every person who at the time such contravention has been committed, was in charge of and was responsible to the society, for the conduct of the affairs of the society, as well as the society, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:



Provided that, nothing contained in this sub-section shall render any person liable to the punishment, if he proves that the contravention was committed without his knowledge or that he had exercised all the diligence to prevent commission of such contravention.

(b) Notwithstanding anything contained in clause (a), where the contravention has been committed by a society and it is proved that the contravention has been committed with the consent or connivance of, or is attributable to any neglect on the part of the Management Council of the university or any president, chairperson, secretary, member, principal or manager or other officer or servant of the society, such Management Council, president, chairperson, secretary, member, principal or manager or other officer or servant concerned, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly.

*Explanation.-* For the purposes of this section, society means a society registered under the Societies Registration Act, 1860 or a public trust registered under the Maharashtra Public Trusts Act, or any other body corporate, and includes an association or body of persons, by whatever name called, under whose management one or more colleges or institutions are conducted and admitted to the privileges of the university.

XXI  
of  
1860.  
XXIX  
of  
1950.

#### CHAPTER VIII

#### ADMISSIONS, EXAMINATIONS, EVALUATION AND OTHER MATTERS RELATING TO STUDENTS

Admissions. **86.** Subject to the reservation policy of the State Government for the weaker sections of the society, admissions to all courses in the university departments, affiliated colleges and recognized institutions shall be made on the basis of competitive merit in accordance with the rules, if any, made by the State Government and published in the *Official Gazette*, or Ordinances made by the university:

Provided that, where model rules have been framed by the State Government in the interest of students throughout the State, the university shall adopt the same and such rules shall be published by the university before the commencement of the academic session:

Provided further that, having regard to the maintenance of discipline, the authority concerned shall have the power to refuse admission to a student, except at the entry point of any academic programme.

Disputes  
relating to  
admission.

**87.** All the disputes relating to admissions to University Departments, affiliated colleges or recognized institutions shall be adjudicated by the University Students Grievance Redressal Cell as per sub-clause (b) of sub-section (2) of section 56.

Examinations  
and  
evaluation.

**88.** Before the end of each academic year, the university shall prepare and publish a schedule of examinations for the next academic year and choice based credit system of evaluations for each and every course where ever applicable, conducted by itself or by any affiliated college or recognized institutions within its jurisdiction

and shall strictly adhere to the schedule. Failing which the concerned authority or officer of the university shall have to make a reasoned report to Chancellor's Office within thirty days and the directions or decisions of the Chancellor in this regard shall be final and binding.

*Explanation. I.-* "Schedule of Examinations" means a table giving details about the time, day and date of the commencement of each paper which is a part of a scheme of examinations and shall also include the details about the practical examinations.

*Explanation. II.-* "Choice based credit system" means an evaluation wherein modules taken by students shall be assessed immediately upon completion of required academic work as a part of continuous assessment or at the end of a semester:

Provided that, in case the university is unable to follow the said schedule due to reasons and circumstances beyond its control it shall, as soon as practicable, submit a report to the Chancellor and to the State Government incorporating the detailed reasons for making a deviation from the published schedule.

**89.** The university shall strive to declare the results of every examination conducted by it within thirty days from the last date of the examination for that particular course and shall in any case declare the results latest within forty-five days thereof:

Declaration of results.

Provided that, if for any reasons whatsoever, the university is unable to finally declare the results of any examination and evaluation within the aforesaid period of forty-five days, Director, Board of Examinations and Evaluation shall prepare a detailed report incorporating the reasons for such delay submit the same through Vice-Chancellor to Chancellor and to the State Government, and the direction of the Chancellor in this regard shall be final and binding.

**90.** No examination or evaluation or the results of an examination or evaluation shall be held invalid only for the reasons that the university has not followed the schedule as stipulated in sections 88 and 89, as the case may be.

Examinations and evaluation not invalid for non-compliance with Schedule.

**91.** The university shall frame appropriate Statutes, Ordinances and Regulations to ensure that the students selected to represent their classes, colleges or the university, as the case may be, for sports, culture and all other extra-curricular activities are selected entirely on the basis of merit, through open merit competition alone and on no other basis.

Sports and extra-curricular activities.

CHAPTER IX  
COMMITTEES AND COUNCILS

Committees  
and  
Councils.

**92.** The following shall be the Committees and Councils constituted under this Act, namely:-

- (i) Advisory Council;
- (ii) Finance and Accounts Committee;
- (iii) Internal Quality Assurance Committee;
- (iv) Knowledge Resource Committee;
- (v) College Development Committee;
- (vi) Purchase Committee;
- (vii) Students' Council;
- (viii) Buildings and Works Committee;
- (ix) Fee Fixation Committee; and
- (x) Alumina Committee.

Advisory  
Council.

**93.** (1) The Advisory Council shall consist of following members -

(a) to be nominated by the Chancellor,-

(i) An eminent industrialist who has proven wide experience in the changing scenario of opportunities for youth and global trends in academy-industry interaction-Chairman;

(ii) An eminent scientist of repute with experience of working with national and global entities that deal with policy and approaches in research and development-Member;

(iii) An eminent social leader who has experience of working with the masses and understands the linkages between education and social transformations-Member;

(iv) An eminent educationist who is conversant with new trends in the world of higher education-Member;

(v) An Information Communication Technology (ICT) expert who has wide experience at the national and international level in the higher and professional education-Member;

(b) *ex-officio* :

(vi) the Vice-Chancellor - Member;

(vii) the Pro Vice-Chancellor -Member- Secretary.

(2) The powers and duties of the Council shall be as follows:-

(i) to advise to the Vice-Chancellor through generation of reports and action plans in academic, research and development, administration, generation of financial resources and governance so as to make a University academically vibrant, administratively efficient and financially a strong system;

(ii) to devise a mechanism and approach for monitoring of the working of the University system as a whole and to keep track of the activities and provide information and critical analysis and comments on the progress and impact of the activities on the working of Universities and its identity in the Society;

(iii) to advise the University regarding strategic perspective planning;

(iv) to take up any other task that the Chairman of the Council shall find of importance for the growth of the University;

(v) to make periodic report on the development, progress, working of University to the Chancellor;

(vi) to keep track of various reforms and policies thereon as devised by the Commission.

(3) The Advisory Council shall meet at least two times in a year.

**94.** (1) There shall be a Finance and Accounts Committee to plan, coordinate and oversee the financial operations of the university. It shall examine the accounts, the progress of expenditure and all new proposals involving fresh expenditure in the light of the provisions available.

Finance and  
Accounts  
Committee.

(2) The Finance and Accounts Committee shall consist of the following members, namely:-

(a) the Vice-Chancellor-Chairperson;

(b) the Pro-Vice-Chancellor;

(c) the Director of Accounts and Treasuries or his representative, not below the rank of Deputy Director of Accounts and Treasuries;

(d) the Chancellor's nominee from the Management Council;

(e) one person from the Academic Council, nominated by the Vice-Chancellor;

(f) two experts nominated by the Management Council, one of whom shall be a Chartered Accountant who is an expert in the field of accounting and auditing and the other shall be an expert in the area of finance;

(g) the Registrar;

(h) the Finance and Accounts Officer - Member-Secretary.

(3) The quorum for a meeting of the committee shall be four.

(4) All members of the committee other than *ex-officio* members shall hold office for a term of five years and shall not be eligible for a second consecutive term.

(5) The committee shall meet at least four times in a year.

(6) The Finance and Accounts Committee shall,-

(a) examine and consider Annual Statement of Accounts, Audited final statement of accounts and Audit Report and its compliance report, and the annual financial estimates to be presented by the Finance and Accounts Officer and recommend the same to the Management Council and thereafter to the Senate for approval;

(b) examine the progress of expenditure and all new proposals involving fresh expenditure in the light of the provisions available;

(c) recommend to the Management Council the limits for the total recurring and non-recurring expenditure for the year, based on the income and resources of the university, including the proceeds of loans for productive work;

(d) recommend to the Management Council productive investment and management of university assets and resources;

(e) explore the possibilities of, augmenting further the resources for the development of the university;

(f) take necessary steps to have the university accounts audited by auditors appointed by the Management Council;

(g) advise the Management Council on matters related to the administration of the property and the funds of the university;

(h) ensure proper implementation of the orders issued by the State Government from time to time, in respect of funds, assets, and other resources received from the State Government;

(i) advise on financial matters referred to it by the Management Council, Academic Council or any other authority, body or committee or any officer of the university;

(j) report to the Vice-Chancellor any lapse or irregularity in financial matters which comes to its notice so that he may take suitable prompt actions after assessing the seriousness of the matter or refer it to the Management Council;

(k) ensure that the annual accounts of the university, colleges and institutions are open for audit by the auditors appointed by the State Government;

(l) study various reforms suggested by the Commission for management of financial resources, maintenance of accounts and use of modern technologies to enhance the efficiency in accounts maintenance and audit procedures;

(m) carry out any other functions and tasks as may be assigned by the university authorities.

Internal  
Quality  
Assurance  
Committee.

**95.** (1) There shall be an Internal Quality Assurance Committee in the university to plan, guide and monitor quality assurance and quality enhancement in all the academic activities of the university.

(2) The Internal Quality Assurance Committee in the university shall be constituted and function as per the guidelines of the University Grants Commission and State Government issued, from time to time.

(3) The Annual Quality Assurance Report shall be approved by the Management Council of the University for the follow up action for the necessary quality enhancement measures. The university shall regularly submit the Annual Quality Assurance Report to the National Assessment and Accreditation Council or other accreditation bodies.

(4) There shall be an Internal Quality Assurance Committee in each college and recognized institution that shall be constituted and function as per the guidelines of the University Grants Commission and State Government issued, from time to time.

(5) The colleges and recognized institutions shall regularly submit their Annual Quality Assurance Reports to the affiliating university, State level quality assurance bodies and national accreditation bodies.

(6) The university shall monitor the functioning of Internal Quality Assurance Committees in the colleges and recognized institutions within its jurisdiction.

**96.** (1) There shall be a Knowledge Resource Committee for administering, organizing and maintaining the Knowledge Resource Centre, print and electronic material and related services of the university.

Knowledge  
Resource  
Committee.

(2) The Knowledge Resource Committee shall consist of the following members, namely :-

(a) the Vice-Chancellor - Chairperson;

(b) one Dean of faculty, nominated by the Vice-Chancellor;

(c) one head of the university department or university institution nominated by the Vice-Chancellor;

(d) two members nominated by the Vice-Chancellor, of whom one shall be from industry and the other shall be librarian from a national level organization;

(e) the Registrar;

(f) the Finance and Accounts Officer;

(g) the Director Knowledge Resource Center - Member - Secretary.

(3) All nominated members of the Knowledge Resource Committee, other than the *ex-officio* members, shall hold office for a period of three years.

(4) The Knowledge Resource Committee shall meet at least three times in a year.

(5) The Knowledge Resource Committee shall,-

(a) provide for proper organization and support for the functioning of the Knowledge Resource Centre, documentation services and maintenance of records in analogue and digital form;

(b) provide the approach and operational plan for modernization and improvement of Knowledge Resource Centre and documentation services in both analogue and digital format;

(c) recommend to the Academic Council fees and other charges for the services and use of the Knowledge Resource Centre by students and others;

(d) prepare the annual budget and proposal for development of the Knowledge Resource Centre for approval of the Management Council;

(e) submit the annual report on the functioning of the Knowledge Resource Centre to the Vice-Chancellor;

(f) establish a network with regional, national and international libraries and information centers;

(g) hold the information pertaining to all administrative, governance, academic and other documents and information and data pertaining to the working of colleges, university departments or institutions and administrative offices of the university and related to assessment and accreditation of colleges, recognized institutions and the university;

(h) undertake any other task as may be assigned by the university authorities so as to carry out objectives of the Knowledge Resource Centre.

College  
Development  
Committee.

**97.** (1) There shall be a separate College Development Committee for every affiliated, autonomous, empowered autonomous college or recognized institution, consisting of the following members, namely :-

(a) Chairperson of the management or his nominee *ex-officio* Chairperson;

(b) Secretary of the management or his nominee;

(c) one head of department, to be nominated by the principal or the head of the institution;

(d) three teachers in the college or recognized institution, elected by the full-time amongst themselves out of whom at least one shall be woman;

(e) one non-teaching employee, elected by regular non-teaching staff from amongst themselves;

(f) four local members, nominated by the management in consultation with the principal, from the fields of education, industry, research and social service of whom at least one shall be alumnus;

(g) Co-ordinator, Internal Quality Assurance Committee of the college;

(h) President and Secretary of the College Students' Council;

(i) Principal of the college or head of the institution-Member-Secretary.

(2) For a college or institution managed and maintained by the State Government, the College Development Committee shall consist of the following members, namely:-

(a) Principal of the college or head of the institution - Chairman.

(b) Joint Director designated by the Director of Higher Education, *ex-officio* Member;

(c) three teachers in the college or recognized institutions, elected by the full-time approved teachers from amongst themselves;

(d) one non-teaching employee, elected by the regular non-teaching staff from amongst themselves;

(e) four local members, nominated by the Director of Higher Education in consultation with the principal, from the fields of education, industry, research and social service and having minimum post-graduate degree of whom at least one shall be alumnus;

(f) Co-ordinator, Internal Quality Assurance Committee of the college, *ex-officio*;

(g) President and Secretary of the College Students Council ; and

(h) one head of department, nominated by the principal or the head of the institution-Member-Secretary.

(3) The College Development Committee shall meet at least four times in a year.

(4) Elected and Nominated members shall have a term of five years from the date of election or nomination. If any vacancy occurs in the office of such member, the vacancy shall be filled within three months by the Principal and the member so appointed shall hold office for the residual term for which the earlier member shall have held the office if the vacancy had not occurred.

(5) The College Development Committee shall,-

(a) prepare an overall comprehensive development plan of the college regarding academic, administrative and infrastructural growth, and enable college to foster excellence in curricular, co-curricular and extra-curricular activities;

(b) decide about the overall teaching programmes or annual calendar of the college;

(c) recommend to the management about introducing new academic courses and the creation of additional teaching and administrative posts;

(d) take review of the self-financing courses in the college, if any, and make recommendations for their improvement;

(e) make specific recommendations to the management to encourage and strengthen research culture, consultancy and extension activities in the college;

(f) make specific recommendations to the management to foster academic collaborations to strengthen teaching and research;

(g) make specific recommendations to the management to encourage the use of information and communication technology in teaching and learning process;

(h) make specific recommendations regarding the improvement in teaching and suitable training programmes for the employees of the college;

(i) prepare the annual financial estimates (budget) and financial statements of the college or institution and recommend the same to the management for approval;

(j) formulate proposals of new expenditure not provided for in the annual financial estimates (budget);

(k) make recommendations regarding the students' and employees' welfare activities in the college or institution;

(l) discuss the reports of the Internal Quality Assurance Committee and make suitable recommendations;

(m) frame suitable admissions procedure for different programmes by following the statutory norms;

(n) plan major annual events in the college, such as annual day, sports events, cultural events, etc.

(o) recommend the administration about appropriate steps to be taken regarding the discipline, safety and security issues of the college or institution;

(p) consider and make appropriate recommendations on inspection reports, local inquiry reports, audit report, report of National Assessment and Accreditation Council, etc.;



(q) recommend the distribution of different prizes, medals and awards to the students;

(r) prepare the annual report on the work done by committee for the year ending on the 30th June and submit the same to the management of such college and the university;

(s) perform such other duties and exercise such other powers as may be entrusted by the management and the university.

Purchase  
Committee.

**98.** (1) There shall be a Purchase Committee for dealing with all matters pertaining to all purchases of the university, in respect of such items where individual cost of each item exceeds rupees ten lakhs at a time.

(2) The committee shall consist of the following members, namely:-

(a) the Vice-Chancellor - Chairperson;

(b) the Pro-Vice-Chancellor;

(c) Chancellor's nominee on Management Council;

(d) two heads of university departments or university institutions nominated by the Management Council;

(e) one member of the Management Council nominated by the Council from amongst the elected members of the Council;

(f) one expert, nominated by the Vice-Chancellor preferably in the area of Material Management from the Industry;

(g) the Registrar ; and

(h) the Finance and Accounts Officer-Member-Secretary.

(3) During the absence of the Finance and Accounts Officer, the Registrar shall act as the Secretary of the Committee.

(4) The Purchase Committee shall invite the head of the university department or university institution, for which the purchases are to be made.

(5) All members of the committee, other than *ex-officio* members shall hold office for a term of three years and shall not be eligible for a second consecutive term in the same university.

(6) All matters pertaining to all purchases of the University in respect of such items where individual cost of each item is not more than rupees ten lakhs at a time, shall be as prescribed by the Statutes.

(7) The powers and duties of the Purchase Committee and the procedure for its meetings shall be as prescribed by the Statutes.

Students  
Council.

**99.** (1) There shall be a University Students Council as specified in clause (b) of sub-section (4), a university department Students Council for the departments of the university and a college Students Council for each conducted college or institution of the University and each affiliated college, to look after the welfare of the students and to promote and co-ordinate the extra-curricular activities of different student's associations for better corporate life. The Councils shall not engage in political activities.

(2) The University Department Students Council shall consist of the following members, namely :-

(a) President, elected by an electoral college consisting of students who are engaged in full time studies in all university departments;

(b) Secretary, elected by an electoral college consisting of students who are engaged in full time studies in all university departments;

(c) one lady representative, elected by an electoral college consisting of students who are engaged in full time studies in all university departments;

(d) one representative belonging to Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes, elected by an electoral college consisting of students who are engaged in full time studies in all university departments;

(e) one student from each department, elected by an electoral college consisting of students who are engaged in full time studies in that department;

(f) one student each from (a) National Service Scheme, (b) National Cadet Corps, (c) Sports and (d) Cultural activities, nominated by the Vice-Chancellor from the students who are engaged in National Service Scheme, National Cadet Corps, Sports and Cultural activities, respectively, on the basis of prescribed criteria;

(g) Director, Students Development shall be an *ex-officio* member.

(3) The College Students Council for each institution, conducted college or affiliated college shall consist of the following members, namely :-

(a) President, elected by an electoral college consisting of students who are engaged in full time studies in that college;

(b) Secretary, elected by an electoral college consisting of students who are engaged in full time studies in that college;

(c) one lady representative, elected by an electoral college consisting of students who are engaged in full time studies in that college;

(d) one representative belonging to Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta-Jatis*) or Nomadic Tribes or Other Backward Classes, by rotation, elected by an electoral college consisting of students who are engaged in full time studies in that college;

Provided that the University shall decide the category of reservation for each college for the purpose of this clause by drawing lots;

(e) one student from each class, elected by an electoral college consisting of students who are engaged in full time studies in that class;

(f) one student each from (a) National Service Scheme, (b) National Cadet Corps, (c) Sports and (d) Cultural activities, nominated by the Principal from the students who are engaged in National Service Scheme, National Cadet Corps, Sports and Cultural activities, respectively, on the basis of prescribed criteria;

(g) one senior teacher as coordinator of the Students Council appointed by the principal of the college and Director, Sports and Physical Education, NSS Programme Officer and NCC Officer as permanent invitees.

(4) (a) There shall be University Students Association consisting of the following members, namely :-

(i) Presidents of the University Department Students Council and each College Students Council;

(ii) Secretaries of the University Department Students Council and each College Students Council;

(iii) Lady representatives of the University Department Students Council and each College Students Council;

(iv) Student representatives, belonging to Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes of the University Department Students Council and each College Students Council.

(b) The University Students Council shall consist of the following members, namely :-

(i) President, elected by the members of University Students Association from amongst themselves;

(ii) Secretary, elected by the members of University Students Association from amongst themselves;

(iii) one Lady Representative, elected by the members of University Students Association from amongst themselves;

(iv) one Representative belonging to Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes or Special Backward Category, by rotation, elected by the members of University Students Association from amongst themselves;

(v) one student each from (a) National Service Scheme, (b) National Cadet Corps (c) Sports and (d) Cultural activities nominated by the President of the University Students' Council in consultation with the Director, Students Development from amongst the students of the University Departments and affiliated colleges who are engaged in National Service Scheme, National Cadet Corps, Sports and Cultural activities respectively on the basis of prescribed criteria;

(vi) Director Board of Student Development, Director Sports and Physical Education, Director Board of Lifelong Learning and extension shall be permanent invitees.

(5) The first meeting of the University Students Council shall be presided over by the Vice-Chancellor and shall be attended by such other officers as he may deem fit.

(6) A student shall be eligible to be, or continue to be, a member of any of the Students Councils, only if he is enrolled as a full time student.

(7) During the period of election no person, other than a student on the rolls of college or institutions or University, shall be permitted to take part in the election process in any capacity. Any student or a candidate violating this condition shall be liable for disciplinary action against him in addition to the revocation of his candidature.

(8) The budget, frequency of meeting of the University Department Students Council, Students Council for each institution, conducted college or affiliated college and University Students Council shall be as may be prescribed by the Statutes.

(9) The election of the student members of the Students Councils shall be made every year, as soon as possible after the commencement of the academic year, on a date as may be prescribed. The term of office of the elected student members shall begin with effect from the date of election and shall extend up to the last day of the academic year, unless they have, in the meantime, incurred any of the disqualifications specified by or under the Act, and shall then expire.

(10) One third of the members of the Students Council shall constitute the quorum. The procedure for conduct of business of the meetings and such other matters shall be such as may be prescribed by the Statutes. The Council shall meet at least once in every three months.

(11) The procedure for election, the powers and duties, authority for the conduct of election, mechanism for conduct of such elections, code of conduct for the candidates and election administrators and grievances redressal mechanism in respect of such election shall be such as may be specified by the State Government, by orders published in the *Official Gazette*.

(12) The provisions of this sections shall come into effect from such date after issuing the order under sub-section (11), as specified by the State Government in such order.

<sup>1</sup>[99A. Notwithstanding anything contained in section 99, for the academic year 2017-18, with regard to the constitution of Students' Council the following provisions shall apply :-

Temporary provisions for Constitution of Students' Council.

(1) There shall be a University Students' Council as specified in sub-section (4), a University Department Students' Council for the departments of the University and a Students' Council for each conducted college or institution of the University and each affiliated college, to look after the welfare of the students and to promote and co-ordinate the extracurricular activities of different students' associations for better corporate life. The Councils shall not engage in political activities.

(2) (a) The University Department Students' Council shall consist of the following members, namely :—

- (i) Vice-Chancellor — President;
- (ii) Director of Students' Development — Chairman;
- (iii) Director of Sports and Physical Education;
- (iv) Director of National Service Scheme;

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1. Section 99A was added by Mah. 27 of 2018, s. 4.

(v) One student from each university department who has shown academic merit at the preceding degree examination and is engaged in full time studies in a university, institution or department or conducted college, nominated by the Vice-Chancellor;

(vi) Two lady students nominated by the Pro-Vice-Chancellor and if there is no Pro-Vice-Chancellor, the Vice-Chancellor shall nominate two lady students.

(b) the Students Council for each institution, conducted college or affiliated college shall consist of the following :—

(i) Principal-Chairman;

(ii) One lecturer, nominated by the Principal;

(iii) Teacher in charge of National Cadet Corps;

(iv) National Service Scheme Programme Officer;

(v) One student from each class, who has shown academic merit at the examination held in the preceding year and who is engaged in full-time studies in the college, nominated by the Principal;

(vi) Director of Sports and Physical Education, if any;

(vii) One student from each of the following activities, who has shown outstanding performance, nominated by the Principal, namely :—

(1) Sports;

(2) National Service Scheme and Adult Education;

(3) National Cadet Corps;

(4) Cultural Activities;

(viii) Two lady students nominated by the principal :

Provided that, two of the students from the categories (vii) and (viii) shall be those belonging to the Scheduled Castes or Scheduled Tribes or De-notified Tribes (Vimukta Jatis) or Nomadic Tribes or Other Backward Classes.

(3) The student member's of both these Councils shall elect, from amongst themselves, the Secretary of their respective Council.

(4) (a) There shall be University Students' Council consisting of not more than fifteen persons, nominated through selection, from amongst Secretaries of the respective councils under sub-section (3), as prescribed by the Statutes existing immediately prior to the date of commencement of this Act :

Provided that, at least one seat each be reserved for students belonging to—

(i) Scheduled Castes;

(ii) Scheduled Tribes;

(iii) De-notified Tribes (Vimukta Jatis) or Nomadic Tribes;

(iv) Other Backward Classes; and

(v) One seat for women students,

remaining seats being distributed district-wise :

Provided further that, for the purpose of nomination through selection details based on academic performance, participation in National Cadet Corps, National Service Scheme and Adult Education, Cultural Activities or such other activities

as may be prescribed by the Statutes existing immediately prior to the date of commencement of this Act.

(b) The University Students' Council so formed shall elect its own President and Secretary.

(c) Every meeting of the University Students' Council shall be presided over by the Vice-Chancellor and shall be attended by such other officers as may be prescribed.

(5) A student shall be eligible to be, or continue to be, a member of any of the Students' Council, only if he is enrolled as a full time student.

(6) The nomination of the student members of the Students' Council shall be made for the academic year 2017-2018 on the date to be fixed by the Management Council. The term of office of the nominated student members shall begin with effect from the date of nomination and shall extend upto the last day of the academic year, unless they have, in the meantime, incurred any of the disqualifications specified by or under the Act; and shall then expire.

(7) One third of the members of the Council shall constitute the quorum. The rules and procedure for conduct of business of the meetings and such other matters shall be such as may be prescribed. The Council shall meet at least once in every three months.]

**100.** (1) There shall be a Buildings and Works Committee to carry out several minor and major infrastructure development activities of the university efficiently and in a time bound manner.

Building and  
Works  
Committee.

(2) The Buildings and Works Committee shall consist of the following members namely :-

(a) the Vice-Chancellor - Chairperson;

(b) the Pro - Vice - Chancellor;

(c) Chancellor's nominee on the Management Council;

(d) Chief Engineer of the Public Works Department in charge of the region in which the university is situated, or his nominee not below the rank of Executive Engineer from that region;

(e) one eminent engineer, nominated by the Vice-Chancellor from the private sector;

(f) an eminent Architect, nominated by the Vice-Chancellor from the private sector;

(g) the Registrar;

(h) the Finance and Accounts Officer;

(i) the Executive Engineer of the University-Member-Secretary.

(3) All members of the committee, other than *ex-officio* members shall hold office for a term of five years and shall not be eligible for a second consecutive term.

(4) If any vacancy occurs in the office of a member, the same shall be filled within one month by the Vice-Chancellor and the member so appointed shall hold office for the residual term for which the earlier member shall have held the office if the vacancy had not occurred.

(5) The Buildings and Works committee shall,-

(a) under direction and overall superintendence of the Management Council, be responsible for the execution of all types of works, including major works to be executed through the agency of the Public Works Department;

(b) accord administrative approval and financial sanction, subject to availability of funds in the budget, to the maintenance work;

(c) recommend and obtain administrative approval and expenditure sanction of the Management Council in respect of all minor and major works;

(d) recommend to the Management Council through the Finance and Accounts Committee, a 'Programme of Works' to be executed in the ensuing year, specifying maintenance works, minor works and major works, separately;

(e) prepare a panel of ten to twelve Architects and other specialized consultants of proven experience and merit for the university works and get the same approved by Management Council. Such panel shall be subject to the approval of the Chancellor who may make such modifications in it as he deems fit;

(f) on getting administrative approval and expenditure sanction of the Management Council to minor and major works, to get the plans and estimates of such works prepared from the Executive Engineer of the university or the Architect selected for a project, borne on the panel of approved Architects of the university;

(g) maintain a list of approved contractors on the basis of their technical experience and financial capability for execution of maintenance works and minor works;

(h) be responsible for making technical scrutiny as may be considered necessary by it;

(i) be responsible, after careful scrutiny, for the acceptance of tenders received for maintenance works and major works;

(j) exercise general supervision over the work of the technical staff of the university, and in particular, ensure that essential records and data are maintained up-to-date and that the rejected tenders are retained for a reasonable period;

(k) ensure that the Executive Engineer of the university certifies the completion of works in accordance with the designs finally approved by the architect, if appointed, in respect of maintenance works and minor works;

(l) associate and deliberate with the consulting Architects, as and when necessary;

(m) settle rates not covered by the tender and settle claims and disputes with contractors in respect of maintenance works and minor works :

Provided that, the rates or claims or disputes shall be settled by the Public Works Department in respect of major works entrusted to that Department, subject to the condition that if the decision in respect of any such claims or disputes is likely to cause excess over the approved estimated cost of the project, prior sanction of the Management Council shall be obtained to such an excess amount;

(n) exercise such other powers and perform such other duties as may be conferred upon it by the Statutes.

(6) The Chairperson of the committee shall, in respect of maintenance and minor works, have the power to sanction the payment of monthly Running Account Bills of a work, subject to such bill having been examined by the Architect, where appointed, and certified as 'fit for payment' by the Executive Engineer of the university. The bills so paid shall be put up for approval of the committee at its next meeting.

(7) If there are reasonable grounds for the Chairperson of the committee to believe that there is an emergency which requires immediate action to be taken, he may exercise the powers of the committee. Such cases shall be reported by the Chairperson at the next meeting of the committee.

(8) Procedure for the execution of all types of works in the university and procedure for conduct of business at the meetings of the committee shall be as prescribed by the Statutes.

**101.** (1) There shall be a Fee Fixation Committee to work out the real cost of delivery of each and every under-graduate and post-graduate courses or programmes run by the university, colleges and recognized institutions, other than autonomous colleges and autonomous institutions and those managed and maintained by the State Government, Central Government and local authorities.

Fee fixation  
Committee.

(2) The Fee Fixation Committee shall decide the tuition fees, other fees and charges for various courses or programmes as recommended by the board of Deans, and recommend it to the academic Council for approval.

(3) The Fee Fixation Committee shall consist of the following members, namely :-

(a) a retired Vice-Chancellor or an eminent educationist having wide experience in the field of education, who shall not be connected with the university or any college or institution under its jurisdiction as the Chairperson;

(b) the Dean of the faculty concerned;

(c) Chancellor's nominee on the Management Council;

(d) one finance expert nominated by the Vice-Chancellor, preferably a Chartered Accountant, not connected with the university or college or institutions under its jurisdiction;



(e) one legal expert nominated by the Vice-Chancellor, not connected with the university or college or institution under its jurisdiction;

(f) Registrar or his nominee not below the rank of Deputy Registrar - Member Secretary.

(4) The quorum for a meeting of the committee shall be three.

(5) All members of the committee, other than *ex-officio* members shall hold office for a term of five years and shall not be eligible for a second consecutive term.

(6) Notwithstanding anything contained above, the State Government may evolve the Statutory Mechanism of fixation and regulation of fees which shall be binding on different types of colleges and recognized institutions as specified by the State Govt. in this regard.

(7) The tuition fees, other fees, and charges for various courses or programmes as recommended by fee fixation committee and finally approved by the Academic Council shall be applicable in general. Provided that, any college or recognized institution other than autonomous college and autonomous institution and those managed and maintained by the State Government, Central Government and Local Authorities which intends to charge different fees other than those prescribed and approved by Academic Council may submit the proposal to the fee fixation committee and the fee fixation committee shall decide the tuition fee, other fees and charges for the specific course or programme for such college or institution on the basis of assessment and evaluation of different additional facilities provided by such applicant college or recognized institutions. The decision of fee fixation committee in this regard shall be final and binding on the applicant college or institution.

(8) The committee shall meet at least twice a year to examine and consider the fee fixation proposals on the basis of the norms as prescribed in Ordinance, and shall hold as many meetings as needed. The committee shall decide tuition fees, other fees and charges for various courses or programmes, at least six months before the commencement of academic year.

Selection  
and  
appointment  
of  
university  
teachers.

**102.** (1) Subject to the provisions of this Act, Statutes and Ordinances, the Vice-Chancellor shall appoint according to the order of merit and recommendations made by the selection committee, a university teacher.

(2) The selection committee for making recommendations for appointment of university teachers shall consist of the following members:-

(a) the Vice-Chancellor or the Pro-Vice-Chancellor upon directions of the Vice-Chancellor-Chairman;

(b) one person, not below the rank of professor, nominated by the Chancellor;

(c) the Dean of the Faculty concerned as a Member Secretary;

(d) the Head of the university department or a head of the concerned School of multidisciplinary institution, nominated by the Vice-Chancellor;

(e) not less than three experts nominated by the Management Council out of a panel of not less than six names of experts not connected with the university recommended by the Academic Council, who have special knowledge of the subject for which the teacher is to be selected;

(f) one person not below the rank of Professor or Principal belonging to Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes, nominated by the Chancellor;

(g) one principal who is a member of Management Council to be nominated by the Management Council;

(h) Director, Higher Education or his nominee not below the rank of Joint Director;

(i) Director, Technical Education or his nominee not below the rank of Joint Director :

Provided that, a head referred to in clause (d), who is an Associate Professor shall be a member of the selection committee for the selection to the Assistant Professor.

(3) Every post of a university teacher, to be filled by selection, shall be duly and widely advertised, according to the draft approved by the Vice-Chancellor, together with particulars of the minimum and additional qualifications, as prescribed, the emoluments and number of posts to be filled, the number of posts which are reserved for the members of the Scheduled castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes, to be determined by the Vice-Chancellor on the recommendation of the Board of University Department and Inter Disciplinary Studies, and reasonable time, shall be allowed within which the applicants may, in response to the advertisement, submit their applications.

(4) The date of the meeting of every selection committee shall be so fixed as to allow a notice of at least thirty days of such meeting, be in given to each member; and the particulars of each candidate shall be sent to each member of the selection committee so as to reach him at least seven days before the date of meeting :

Provided that, for the post of professor, the selection committee may in preference to the candidates who have applied and appeared before it, recommend for appointment, with all the requisite details, the name of any other person who may not have applied or appeared before it, but who is duly qualified and has to his credit exceptionally high academic achievements or proficiency in the specialization or has extraordinary academic contribution, to be recorded in writing.

(5) The quorum to constitute a meeting of every selection committee shall be four members, of whom at least two shall be persons nominated under clause (e) of sub-section (2).

(6) If, on petition by any person directly affected, or *suo motu*, the Chancellor, after making or having made such inquiries or obtaining or having obtained such explanations, including explanations from the teachers whose appointments are likely to be affected, as may be or may have been necessary, made by any authority or officer of the university at any time was not in accordance with the law at that time in force, the Chancellor, may, by order, notwithstanding anything contained in the contract relating to the conditions of service of such teacher, direct the Vice-Chancellor to terminate his appointment after giving him one month's notice or one month's salary in lieu of such notice, and the Vice-Chancellor shall forthwith comply and take steps for a fresh selection to be made. The person whose appointment has been so terminated shall be eligible to apply again for the same post.

(7) Any order made by the Chancellor, under the last preceding sub-section shall be final and a copy of the order shall be served on the teacher concerned by the Vice-Chancellor within three days from its receipt.

(8) It shall be the duty of the Vice-Chancellor, to ensure that no payment whatsoever is made to any person, by way of salary or allowance, from the funds of the university, for any period after the termination of his services, and any authority or officer authorizing or making any such payment shall be liable to reimburse the amount so paid to the university.

(9) The Vice Chancellor shall before proceeding to fill in the vacancies of aided University Teachers in accordance with the prescribed procedure shall ascertain from Director of Higher Education whether there is any suitable person available on the list of surplus aided University teachers as maintained by the Director of Higher Education for absorption in other Universities and in the event of such aided teacher being available, the Vice-chancellor shall appoint that teacher.

Filling  
temporary  
vacancies of  
university  
teachers.

**103.** (1) Where an appointment is to be made on a temporary vacancy of teacher of the university because of resignation, leave or any reason, whatsoever, the appointment shall be made, if the vacancy is for a period of more than one year, on the recommendation of the selection committee in accordance with the provisions of section 102. The quorum for the selection committee shall be three :

Provided that, if, the vacancy is for a period of less than one year or if, the Vice-Chancellor is satisfied that in the interest of teaching, it is necessary to fill in the vacancy immediately, he may make the appointment of person duly qualified, for a period not exceeding one year on the recommendation of a local selection committee.

(2) Local selection committee shall consist of the following members, namely:-

(a) the Vice-Chancellor, Chairperson;

(b) the Dean of the faculty concerned;

(c) the head of the department concerned;

(d) one expert nominated by the Vice-Chancellor :

Provided that, where the head of the department is also the Dean, the Vice-Chancellor shall nominate two persons instead of one;

(e) one member, belonging to Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes or Special Backward Category, not below the rank of Principal or Professor nominated by the Vice-Chancellor;

(f) one principal or professor who is a member of Management Council to be nominated by the Management Council;

(g) the Director, Higher Education or his nominee, not below the rank of Joint Director of Higher Education; and

(h) the Director, Technical Education or his nominee, not below the rank of Joint Director of Technical Education:

Provided that, before the expiry of one year as aforesaid, the Vice-Chancellor shall take steps to fill up the post by appointment in accordance with the provisions of section 102.

**104.** The selection committee for selection of Principals of conducted colleges or directors or heads of university institutions or post-graduate centres or sub-centres maintained by the university, shall consist of the following members, namely:-

Appointment and selection of principal of conducted colleges.

(a) the Vice-Chancellor - Chairperson;

(b) Chancellor's nominee on the Management Council;

(c) two experts, nominated by the Management Council and one expert nominated by the Academic Council, who are not connected with the university, colleges or institutions under its jurisdiction;

(d) one member belonging to Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes or Other Backward Classes not below the rank of Principal or Professor nominated by the Vice-Chancellor;

(e) one principal who is a member of Management Council to be nominated by the Management Council;

(f) the Director, Higher Education or his nominee, not below the rank of Joint Director of Higher Education;

(g) the Director, Technical Education or his nominee, not below the rank of Joint Director of Technical Education.

**105.** (1) There shall be a selection committee for making recommendations of suitable candidates for appointment to the posts of-

Selection committees for officers and employees of university principals, teachers and other employees of affiliated colleges.

(a) Deans;

(b) Directors of Sub-Campuses of the university;

(c) Registrar;

(d) Director, Board of Examinations and Evaluation;

(e) Finance and Accounts officer;

(f) Director of Sports and Physical Education;

(g) Director of Innovation, Incubation and Linkages;

(h) Director of Lifelong Learning and Extension.

(2) The Selection Committee shall consist of-

- (a) the Vice-Chancellor, Chairperson;
- (b) the Chancellor's nominee on the Management Council;
- (c) two experts having special knowledge in the field related to the post to be filled, who are not connected with the university or affiliated college or recognized institution under its jurisdiction, nominated by the Chancellor;
- (d) one person belonging to Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*) or Nomadic Tribes, or Other Backward Classes, not below the rank of Principal or Professor nominated by the Vice-Chancellor;
- (e) one elected principal or teacher who is a member of Management Council to be nominated by the Management Council,;
- (f) the Director of Higher Education or his nominee, not below the rank of the Joint Director of Higher Education;
- (g) the Registrar, Member-Secretary :

Provided that, where he himself is a candidate for the post then in such case, the Pro-Vice-Chancellor shall be the Member-Secretary.

(3) All posts, mentioned in sub-section (1) shall be duly and widely advertised.

(4) The date of the meeting of every selection committee shall be so fixed as to allow a notice of at least thirty days of such meeting, being given to each member; and the particulars of each candidate shall be sent to each member of the selection committee so as to reach him at least seven days before the date of meeting.

(5) In case of appointment to the post referred to in sub-section (1), if, on petition by any person directly affected, or *suo motu*, the Chancellor, after making or having made such inquiries or obtaining or having obtained such explanations, including explanations from the person whose appointments are likely to be affected, as may be or may have been necessary, made by any authority or officer of the university at any time was not in accordance with the law at that time in force, the Chancellor, may, by order, notwithstanding anything contained in the contract relating to the conditions of service of such person, direct the Vice-Chancellor to terminate his appointment after giving him one month's notice or one month's salary in lieu of such notice, and the Vice-Chancellor shall forthwith comply and take steps for a fresh selection to be made. The person whose appointment has been so terminated shall be eligible to apply again for the same post.

(6) Any order made by the Chancellor, under the last preceding sub-section shall be final and a copy of the order shall be served on the person concerned by the Vice-Chancellor within three days from its receipts.

(7) It shall be the duty of the Vice-Chancellor, to ensure that no payment whatsoever is made to any person, by way of salary or allowance, from the funds of the university, for any period after the termination of his services, and any authority or officer authorizing or making any such payment shall be liable to reimburse the amount so paid to the university.

(8) The Selection Committee and mode of appointment of other officers of the university shall be prescribed by the State Government in the *Official Gazette*.

(9) The management of any affiliated college shall before proceeding to fill in vacancies of aided teachers and other aided employees in accordance with the prescribed procedure shall ascertain from the Director of Higher Education whether there is any suitable person available on the list of aided surplus persons maintained by the Director of Higher Education for absorption in other colleges and in the event of such person being available, the management shall appoint that person in accordance with the direction issued by Director of Higher Education:

Provided that, this process of absorption of surplus teachers and other employees shall be applicable to only aided teachers and aided other employees.

(10) The Selection Committee, selection process and mode of appointment of principals and teachers of affiliated colleges and recognized institutions shall be as per the guidelines, directions of the University Grants Commission as may be prescribed by the State Government in the *Official Gazette*.

**106.** In addition to the committees constituted under this Act, the authorities of the university may appoint committee with suitable terms and reference for any specific task, and such committee shall consist of members of the same authority constituting such a committee and also of such other persons as that authority may nominate.

Other  
Committees.

## CHAPTER X

### PERMISSION, AFFILIATION AND RECOGNITION

**107.** (1) The university shall prepare a comprehensive perspective plan for every five years and get the same approved by Commission. Such plan shall be prepared for the location of colleges and institutions of higher learning in a manner ensuring comprehensive equitable distribution of facilities for higher education having due regard, in particular, to the needs of unserved and under-developed areas within the jurisdiction of the university. Such plan shall be prepared by the Board of Deans and shall be placed before the Academic Council and the Senate through the Management Council.

Perspective  
Plan.

(2) The perspective plan shall include the new courses and faculties to be permitted which shall be determined by studying the social and economic needs of the region, job opportunities available and requirements of the industry and should be as per policies of and in conformity with the plans of the State Government and the National Policy for Higher Education for achieving National and State objectives of higher access, equity, excellence, research, relevance and quality.

(3) The perspective plan shall make provision for the subjects, number of new divisions and satellite centres to be permitted to the colleges and institutions of higher learning in different regions after factoring in the demand for the same and shall be in conformity with the plans of and after the approval of Commission under section 76.

(4) While preparing the perspective plan preference shall be given to the districts where Gross Enrolment Ratio is less than the national average and also to the tribal, hilly and inaccessible areas besides quality benchmarks, inclusive growth, social relevance and value education.

(5) The university shall initiate a time bound programme to prepare an annual plan every year for the location of colleges and institutions of higher learning, in consonance with the perspective plan and shall publish it before the end of academic year preceding the year in which the proposals for the opening of new colleges or institutions of higher learning are to be invited.

(6) The University shall undertake the systematic field survey within the geographical jurisdiction of the University every five years regarding the requirements of the facilities of Higher Education, types of skills needed for the local industries, trade and commerce, aspirations of youth of the region, needs of socially and economically deprived youth like female students, backward and tribal communities and such other related factors. The university shall use the findings of such field survey and develop the scientific database while preparing the perspective plan of the university.

Conditions  
of  
affiliation  
and  
recognition.

**108.** (1) The management applying for affiliation or recognition, and the management whose college or institution has been granted affiliation or recognition, shall give the following undertaking and shall comply with the following conditions,

(a) that the provisions of the Act and Statutes, Ordinances and Regulations made thereunder and the standing orders and directions of the university and State Government shall be complied with;

(b) that there shall be a separate College Development Committee provided for an affiliated college as provided by section 97 of the Act;

(c) that the number of students admitted for courses of study shall not exceed the limits prescribed by the university and the State Government, from time to time;

(d) that there shall be suitable and adequate physical facilities such as buildings, laboratories, libraries, books, equipment required for teaching and research, hostels, gymnasium, etc. as may be prescribed;

(e) that the financial resources of the college or institution shall be such as to make due provision for its continued maintenance and working;

(f) that the strength and qualifications of teachers and non-teaching employees of the affiliated colleges and recognized institutions and the emoluments and the terms and conditions of service of the staff of affiliated colleges and recognized institutions shall be such as may be specified by the university and the State Government and which shall be sufficient to make due provision for courses of study, teaching or training or research, efficiently;

(g) that the services of all teachers and non-teaching employees and the facilities of the college to be affiliated shall be made available for conducting examinations and evaluation and for promoting other activities of the university;

(h) that the directions and orders issued by the Chancellor, Vice-Chancellor and other officers of the university in exercise of the powers conferred on them under the provisions of this Act, Statutes, Ordinances and Regulations shall be mandatorily complied with;

(i) that there shall be no change or transfer of the management or shifting of location of college or institution, without prior permission of the university;

(j) that the college or institution shall not be closed without prior permission of the university;

(k) that in the event of disaffiliation or de-recognition or closure of the college or institution under section 121, the management shall abide by and execute the decision of Academic Council regarding the damages or compensation to be recovered from management.

(2) No college or institution of higher learning which is part of another university shall be considered for affiliation or recognition, as the case may be, unless a "no objection certificate" is given by the parent university.

**109.** (1) The proposal for opening of new colleges or institutions of higher learning or for starting new courses of study, subjects, faculties, additional divisions or satellite centers, shall be invited and considered by the university.

(2) No application for opening a new college or institution of higher learning, which is not in conformity with the perspective plan prepared under section 107 shall be considered by the university.

(3) (a) The Management seeking a Letter of Intent for opening a new college or institution of higher learning shall apply in a prescribed format to the Registrar of the university before the last day of September of the year preceding the year in which the Letter of Intent is sought;

(b) only those applications complying with the requirements and received within the prescribed time limit, shall be accepted and considered by the university;

(c) all such applications received within the aforesaid prescribed time limit, shall be scrutinized by the Board of Deans and be forwarded to the State Government with the approval of the Management Council on or before 30th November of the year in which such application is received by the university. The university shall submit alongwith the application, its recommendation, duly supported by relevant reasons, as are deemed appropriate by the Management Council;

(d) out of the applications recommended by the university, the State Government may grant a Letter of Intent on or before 31st January of the immediately following year after the recommendations of the university under clause (c). The Letter of Intent may be granted to such institutions as the State Government may consider fit and proper in its absolute discretion, taking into account the relevant factors, the suitability of the management seeking Letter of Intent, state level priority with regard to location of institutions of higher learning, etc. The Letter of Intent shall be communicated by the State Government to the university, on or before the date specified in this clause :

Provided, however, that in exceptional cases and for the reasons to be recorded in writing any application not recommended by the university may be approved by the State Government for grant of a Letter of Intent to college or institutions of higher learning;

Procedure  
for  
permission  
for opening  
new college  
or new  
course,  
subject,  
faculty,  
division.



<sup>1</sup>[Provided further that, for the first academic year, immediately after the commencement of this Act with a view to facilitate the Universities to decide the applications for permission for opening of new College the dates referred to in clauses (a), (c) and (d) of sub-section (3) as specified in column (2) of the Table hereto shall be read as provided in column (3) of the said Table:-

*Table*

Clauses (1)	For the date existing provision (2)	Date for the Academic Year 2017-18 (3)
(a)	Last day of September of the Year.	15th December 2017
(b)	Before 30th of November of the Year	Before 15th January 2018
(c)	Before 31st January of the immediately following year.	Before 28th February 2018]

(e) such Letter of Intent granted by the State Government shall be valid up to 31st January of the next following year. The management shall have to comply with the necessary conditions mentioned in the Letter of Intent, within such period and submit compliance report to the university with the present status of the academic and infrastructure facilities and readiness to start the institutions with required documents for final approval;

(f) such compliance report received within aforesaid time-limit, shall be scrutinized by the Board of Deans and be forwarded to the State Government with the approval of the Management Council on or before, 1st day of May in which the compliance report has been received. The recommendation of the Board of Deans and approved by the Management Council shall be duly supported by relevant reasons as are deemed appropriate by Management Council :

Provided that, if the management fails to comply with the conditions of Letter of Intent, within the time limit as specified in clause (e), the Letter of Intent shall be deemed to have been lapsed :

Provided however that, in exceptional cases and reasons to be recorded in writing, the State Government may, on application by the management duly processed by the university, extend from time to time, the validity of Letter of Intent for further period which shall not exceed twelve months in the aggregate;

(g) after considering the report of the university under clause (f), the State Government may grant final approval to such management as it may consider fit and proper in its absolute discretion, taking into account the State Government's budgetary resources, and other relevant factors, the suitability of management seeking permission to open new institution, etc. The final approval under this clause may be granted on or before 15th June, of the year in which such new college or institutions are proposed to be started. Such approval from the State Government shall be communicated to the university. Approvals granted thereafter shall be given effect by the university only in the subsequent academic year:

1. This proviso was inserted by Mah. 27 of 2018, s. 5.

Provided however that, in exceptional cases and for the reasons to be recorded in writing any compliance report on the Letter of Intent, which is not recommended by the university, may be approved by the State Government.

(4) (a) The management seeking permission to start a new course of study, subjects, faculties, additional divisions or satellite centers shall apply in a prescribed format to the Registrar of the University before the last day of the September, of the year preceding the year in which the permission is sought;

(b) only those applications complying with the requirement and received within the prescribed time limit shall be accepted and considered by the university;

(c) all such applications received within the aforesaid prescribed time limit, shall be scrutinized by the Board of Deans and be forwarded to the State Government with the approval of Management Council on or before the 1st day of April of the year, with such recommendation duly supported by relevant reasons as are deemed appropriate by the Management Council;

(d) out of the applications recommended by the university, the State Government may grant permission on or before 15th June of the year to such institutions as it may consider fit and proper in its absolute discretion, taking into account other relevant factors, the budgetary resources of the State Government and other relevant factors, the suitability of the management seeking permission, etc. The permission shall be communicated by the State Government to the university, on or before the date specified in this clause :

Provided however that, in exceptional cases and for the reasons to be recorded in writing any application not recommended by the university may be approved by the State Government.

(5) No application shall be entertained directly by the State Government for grant of Letter of Intent, under sub-section (3) or final approval under sub-section (4), as the case may be.

(6) The application for starting new course of study, subject, faculty or additional division or satellite center by existing colleges or institutions of Higher learning, shall not be forwarded to the State Government by the university, if,-

(a) they have not been accredited or re-accredited either from National Assessment and Accreditation Council or National Board of Accreditation even though they are eligible and due for being accredited or re-accredited as per the norms of accreditation agencies; and

(b) they have not complied with the conditions laid down by the State Government.

(7) Notwithstanding anything contained in this Act or any other law for the time being in force,-

(a) no management shall establish or open a new college or an institution of higher learning in the State, except with the prior permission of the State Government;

(b) no management shall start a new course of study or subjects, faculty, additional division or satellite centers except with the prior permission of the State Government.

*Explanation.*- For the purpose of this sub-section, the expressions “establish or open a new college or an institution of higher learning” and “start a new course of study, subject, faculty, additional division or satellite center” shall include establishing or opening of such college or institution of higher learning, and starting of any such course of study, subject, faculty, additional division, or satellite center, on the basis of no grant-in aid from the State Government.

(8) In case of extraordinary situations which warrant starting of new divisions of particular faculties, the State Government, with reasons to be recorded in writing, shall have the authority to declare and adopt the fast track system of grant of permission to start such new divisions and the norms and procedures related thereto :

Provided that, the procedure for grant of permission in such extraordinary situations shall be completed not later than 31st August of the Academic Year in which such new divisions are to be started :

Provided further that, the applications for starting of new divisions under the fast track system shall be duly processed by the university. On the compliance of necessary conditions, if the University recommends to the Government the proposal for starting such new divisions, then such permission shall be deemed to have been accorded by the State Government if no adverse communication of any nature is issued by the State Government upto 31st August of the Academic Year in which such new divisions are to be started.

(9) The State Government, for the purpose of giving effect to the provisions of sub-section (3) or sub-section (4), as the case may be, may by notification in the *Official Gazette*, lay down the procedure to be followed for the purposes under the said sub-sections.

Procedure  
for  
affiliation.

**110.** (1) On receipt of the permission from the State Government, the Academic Council of the university shall consider grant of first time affiliation to the new college or institution of higher learning or to the new courses of study, subjects, faculties, additional divisions, or satellite centers as the case may be.

(2) The Academic Council shall decide,-

- (a) whether affiliation should be granted or rejected;
- (b) whether affiliation should be granted in whole or part;
- (c) subjects, courses of study, the number of students to be admitted;
- (d) conditions, if any, which may be stipulated while granting or for granting the affiliation to be complied within reasonable time:

Provided that, in case of failure to comply with such conditions within such period, the affiliation granted shall be deemed to have been cancelled and no communication in this regard by the university to the management concerned shall be necessary.

(3) The Pro-Vice-Chancellor shall communicate the decision of Academic Council to the management with a copy to the Director of Higher Education, within one month from the date of communication of sanction by the State Government in respect of opening the new college or institution of higher learning or starting a new course of study, subjects, faculties or additional divisions, or satellite centers and if the application for affiliation is granted, alongwith an intimation regarding,-

(a) the courses of study, subjects, faculties or additional divisions for which affiliation is granted;

(b) the number of students to be admitted;

(c) the conditions, if any, subject to the fulfillment of which the affiliation is granted and time stipulated for compliance of such conditions.

(4) Where the college or institution is eligible and due for accreditation or re-accreditation, as the case may be, and such college fails to comply with the requirements of accreditation or re-accreditation, then no affiliation shall be granted by the university to such college or institution :

Provided that, nothing in this sub-section shall apply in respect of the affiliation for natural growth of the faculty, additional division, course of study, subject or satellite centre.

(5) No student shall be admitted by the college or institution unless the university has granted the affiliation to the college or institution of higher learning or to a new course of study, subject, faculty or additional division.

**111.** (1) The management of an institution actively engaged in conducting research or specialized studies for a period of not less than five years, and seeking recognition shall apply to the Registrar of the university before the last day of September of the year preceding the year from which the recognition is sought, with full information regarding the following matters, namely:-

Procedure  
of  
recognition  
of  
institutions.

(a) the constitution and personnel of the management;

(b) the subjects and courses of study and research Programmes for which recognition is sought;

(c) the accommodation, equipment and the number of students for whom provision has been made;

(d) the permanent, visiting and honorary staff of the institution, recognized for guiding research or recognizable for the purpose by the university; their experience, evidence of research work carried out at the institution, publications, report, monographs, books published by the institution;

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

(2) Only those applications complying with the requirements shall be accepted and considered by the university.

(3) All such applications shall be scrutinized by the Board of Deans. The Board of Deans may call for any further information, which it thinks necessary and shall ask the management to comply with the requirements.

(4) If the Board of Deans decides to consider the application, it shall cause an inspection by a committee of persons having specialized knowledge in the subject or field concerned, for physical verification of all requirements for grant of recognition.

(5) The committee shall visit the institution and submit a report thereof to the Board of Deans, with such recommendations duly supported by relevant reasons as are deemed appropriate.

(6) After considering the report of such inquiry, and making such further inquiry, as it may think necessary, the Board of Deans shall submit to the Vice-Chancellor the proposal to grant or reject the application, in part or in whole, with such recommendations duly supported by relevant reasons as are deemed appropriate and the report of the inquiry committee.

(7) The Vice-Chancellor shall after considering the proposal submitted by the Board of Deans, may, either grant or reject it. The decision of the Vice-Chancellor in this regard shall be final and binding.

(8) The Pro-Vice-Chancellor shall communicate the decision of the Vice-Chancellor to the management with a copy to the Director of Higher Education.

(9) The process laid down in sub-sections (1) to (8) shall be completed within six months.

Procedure  
for  
recognition  
of private  
education  
provider.

**112.** (1) The management of private skills education provider seeking recognition from the university to various degree, diploma, advanced diploma and certificate courses as prescribed by the University as per the National, State level policy regarding skill qualification and education framework and to the experts engaged for conducting such courses shall apply to the Registrar in the prescribed format, with full information on the programmes run by the private skills education provider and other data as sought in the format, before the last day of September of the year preceding the year from which the recognition is sought.

(2) Only those applications complying with the requirements and received within the prescribed time-limit, shall be accepted and considered by the university.

(3) All such applications shall be scrutinized by the Board of Deans. The Board of Deans shall inform the management the discrepancies in the application or documents submitted for seeking recognition, and shall ask the management to comply with the requirements.

(4) The Board of Deans after being satisfied with the authenticity of the private skills education providers shall cause an inspection by the committee of experts in skills education, industry and academia, for the purpose of grant of recognition.

(5) The committee shall visit the institution and submit a report thereof to the Board of Deans, with such recommendations duly supported by relevant reasons as are deemed appropriate.

(6) After considering the report of such inquiry, and making such further inquiry as it may think necessary, the Board of Deans shall submit to the Vice-Chancellor the proposal to grant or reject the application, in part or in whole, with such recommendations duly supported by relevant reasons as are deemed appropriate and the report of the inquiry committee.

(7) The Vice-Chancellor shall after considering the proposal submitted by the Board of Deans, may, either grant or reject it and the decision of the Vice-Chancellor in this regard shall be final and binding.

(8) The Pro-Vice-Chancellor shall communicate the decision of the Vice-Chancellor to the management.

(9) The time schedule for the process laid down in sub-sections (2) to (8) shall be published and completed by the University up to 30th April of the year, in which private skills education provider intends to start various degree, diploma, advance diploma and certificate courses.

(10) The recognition shall be valid for a period of five years. The procedure referred to in sub-sections (1) to (8) shall apply *mutatis-mutandis*, for continuation of such recognition, from time to time.

(11) The recognized private skills education provider shall conduct assessment, declare results and recommend to the University for Award of certificate, diploma, advanced diploma and degree for different programmes.

(12) The management desirous of closing down the institution providing private skills education shall apply to the Registrar on or before the first day of August of the preceding year, stating fully the grounds for closure, and pointing out the assets in the form of buildings and equipment, their original cost, the prevailing market value and the grants so far received by it either from the University Grants Commission, the State Government or from public funding agencies.

(13) On receipt of such an application, the Vice-Chancellor shall cause to make enquiries as it may deem fit, to assess and determine whether the private skills education provider be permitted to effect the closure. The Vice-Chancellor may examine whether the closure should be avoided by transferring it to another management.

(14) If the Vice-Chancellor decides to recommend the closure, the Board of Deans shall prepare and submit to the Management Council, a report on the extent of damages or compensation to be recovered from the management and whether the assets created utilizing the funds provided by the University Grants Commission, the State Government or other public funding agencies, be transferred to other management.

(15) The Vice-Chancellor shall, with prior concurrence of the Management Council, decide whether private skills education provider be permitted the closure.

(16) The procedure to give effect to the closure shall be in phases, so as to ensure that the students already admitted to the private skills education provider are not affected, and that the first year shall be closed first and no new admission shall be effected. The procedure to phase out the closure shall be such as may be prescribed.

Recognition  
to  
empowered  
autonomous  
skills  
development  
colleges.

**113.** (1) The management of the empowered autonomous skills development college applying for recognition shall give and comply with the following undertakings, namely:-

(a) that the provisions of this Act and Statutes, Ordinances and Regulations made thereunder and the standing orders and directions of the university shall be observed;

(b) that there shall be suitable and adequate physical facilities such as buildings, classrooms with modern delivery facilities, skills development laboratories with necessary equipment, if needed, library and knowledge access facilities, information and communication technology connectivity and other facilities as may be prescribed by the university;

(c) that the financial resources of the college shall be such as to make provision for its continued maintenance and working;

(d) that there shall be core academic and technical staff, as prescribed by the university, and the emoluments and the terms and conditions of services of the staff of the college shall be such as prescribed by the university;

(e) that there shall be linkages with the industries or businesses as may be necessary to give professional experiences and also a panel of experts from industries or businesses which shall work as visiting teachers or trainers as demanded by the various programmes of that college which intends to run;

(f) that the services of all teaching staff, visiting teachers or experts, supporting and technical staff and the facilities of the college shall be made available for conducting examinations, evaluation and for promoting other activities of the university;

(g) that there shall be no change or transfer of the management without previous permission of the university;

(h) that the college shall not be closed without permission of the university;

(i) that in the event of disqualification or de-recognition or closure of the college, the college shall continue to function and discharge its duties till last batch of student's registered for various programmes are trained, assessed or evaluated, their results are declared by the university and they are given appropriate certificate of completion of the programme.

(2) The management of college seeking recognition from the university shall apply to the Registrar of the university in the prescribed format, before the last day of September of the year preceding the year from which the recognition is sought, to various degree, diploma, advanced diploma and certificate courses as prescribed by the University as per the National, State level policy regarding skills qualification and education framework providing information on the programmes proposed to be conducted in college, which shall include relevant data on curriculum, delivery process, creation of necessary academic and skills training infrastructure, linkages with appropriate industries or business, faculty and experts with their academic qualifications and domain experience and other supporting information on assessment of students and the financial details of the college seeking recognition.

(3) Only those applications complying with the requirements and received within the prescribed time-limit, shall be accepted and considered by the university.

(4) All such applications shall be scrutinized by the Board of Deans and a report thereof be forwarded to the Vice-Chancellor and the university shall inform the management, of the discrepancies in the application or documents submitted for seeking recognition and shall ask the management to comply with the requirements.

(5) The Board of Deans after being satisfied with the authenticity of the proposal, shall cause an inspection by the committee of experts in skills education, industry and academia for the purpose of grant of recognition.

(6) The committee shall visit the institution and submit a report thereof to the Board of Deans, with such recommendations duly supported by relevant reasons as are deemed appropriate.

(7) After considering the report of such inquiry, and making such further inquiry as it may think necessary, the Board of Deans shall submit to the Vice-Chancellor the proposal to grant or reject the application, in part or in whole, with such recommendations duly supported by relevant reasons as are deemed appropriate and the report of the inquiry committee.

(8) The Vice-Chancellor shall after considering the proposal submitted by the Board of Deans, may, either grant or reject it and the decision of the Vice-Chancellor in this regard shall be final and binding.

(9) The time schedule for the process laid down in sub-sections (2) to (8) shall be published and completed by the University up to 30th April of the year, in which empowered autonomous skills development college intends to start various degree, diploma, advance diploma and certificate courses.

(10) The Pro-Vice-Chancellor shall communicate the decision of the Vice-Chancellor to the management, on or before the 30th April of the year, in which the management desires to seek recognition.

(11) The recognition shall be valid for a period of five years. The procedure referred to in sub-sections (1) to (10) shall apply *mutatis-mutandis*, for continuation of recognition, from time to time.

(12) The recognized empowered autonomous skills development college shall conduct assessment, declare results and recommend to the university award of joint certificate, diploma, advanced diploma and degree for different programmes.

(13) The management desirous of closing down the empowered autonomous skills development college shall apply to the Registrar on or before the first day of August of the preceding year, stating fully the grounds for closure, and specifying the assets in the form of buildings and equipment, their original cost, the prevailing market value and the grants so far received by it either from the University Grants Commission, the State Government or from public funding agencies.



(14) On receipt of such an application, the Vice-Chancellor shall cause to make enquiries as it may deem fit, to assess and determine whether the college be permitted to effect the closure. The Vice-Chancellor may, examine whether the closure should be avoided by making provisions for transferring it to another management.

(15) If the Vice-Chancellor decides to recommend the closure, it shall prepare and submit to the Management Council, a report on the extent of damages or compensation to be recovered from the management and whether the assets created utilizing the funds provided by the University Grants Commission, the State Government or other public funding agencies, be transferred to other management.

(16) The Vice-Chancellor shall, with prior concurrence of the Management Council, decide whether the college be permitted the closure.

(17) The procedure to effect the closure shall be in phases, so as to ensure that the students already admitted to the college are not affected, and that the first year shall be closed first and no new admission shall be effected. The procedure to phase out the closure shall be such as may be prescribed.

Continuation of affiliation or recognition.

**114.** (1) The procedure prescribed in sub-sections (1) to (3) of section 110 shall apply, *mutatis-mutandis*, for the consideration of continuation of affiliation, from time to time.

(2) The procedure prescribed in section 111, for grant of recognition shall apply, *mutatis-mutandis*, for the consideration of continuation of recognition.

Extension of affiliation or recognition.

**115.** The affiliated college or recognized institution may apply for affiliation or recognition for additional courses of study. The university shall follow the procedure as prescribed in sections 108, 109, 110 and 111, so far as may be applicable.

Permanent affiliation and recognition.

**116.** The affiliated college or institution or recognized institution with at least five years standing as an affiliated or recognized institution shall apply for permanent affiliation or recognition. The Board of Deans shall consider and scrutinize the applications and make recommendation to the Academic Council. If the Academic Council is satisfied that the affiliated college or institution or recognized institution has fulfilled all the conditions of affiliation or recognition satisfactorily and has attained high academic and administrative standards as prescribed by the university and concerned regulatory bodies, from time to time, the Academic Council shall grant permanent affiliation or recognition to the college or institution, as the case may be.

Inspection of colleges and recognized institutions and report.

**117.** (1) Every affiliated college and recognized institution shall furnish such reports, returns and other particulars as the university may require for enabling it to judge the academic standards and standards of academic administration of the college or recognized institution.

(2) The Pro-Vice-Chancellor shall cause every university department or institution, affiliated college or recognized institution to be inspected, at least once in every three years, by one or more committees appointed by him in that behalf which shall consist of the following members, namely:-

(a) the Dean of the faculty concerned - Chairperson;

(b) one expert, not connected with the university or with any affiliated college or recognized institution under its jurisdiction, nominated by the Academic Council;

(c) one expert, to be nominated by the Management Council;

(d) one expert, to be nominated by the Senate:

Provided that, no member on such committee shall be connected with the management of college or institution concerned.

(3) The committee shall submit its report to the Pro-Vice-Chancellor for his consideration and for further action as may be necessary.

**118.** (1) The permission for shifting of location of a college or institution of higher learning only within the same district shall be granted.

Shifting  
college  
location.

(2) The Management Council of the university shall consider the points referred to in sub-section (3) before granting permission for shifting of location of a college.

(3) Permission shall be granted by the university after the concurrence of the State Government:

Provided that,-

(a) such shifting of location does not result in disturbing the educational development of the location from where the college is being shifted;

(b) such shifting to a new location is allowed only if such location is within the periphery of five kilometres of the location for opening a new college or institution of higher learning, as indicated in the annual perspective plan; and

(c) the infrastructure and other facilities in the new location are adequate as per the prescribed norms.

(4) If the college is being shifted from one location to another for reason of natural calamity, emergent permission shall be granted by the university and shall in due course of time be approved by the State Government.

**119.** The Management Council of the university shall consider the proposals for transfer of management of colleges and institutions, as prescribed in the Statutes subject to the permission of the State Government.

Transfer of  
management.

**120.** (1) If an affiliated college or recognized institution fails to comply with the conditions of affiliation or recognition as provided in section 108 or to allow the College Development Committee as provided in section 97 to function properly or to take action as per directions issued under the Act, or if it is conducting the college or recognized institution in a manner prejudicial to the interest of the university or the standards laid down by it, the Board of Deans may issue a notice to the management to show cause as to why the privileges conferred on the college or recognized institution by affiliation or recognition should not be withdrawn in part or in whole or modified.

Withdrawal  
of affiliation  
or  
recognition.

(2) The Board of Deans shall mention the grounds on which it proposes to take the action and shall send a copy of the notice to the principal of the college, or head of recognized institution. It shall also specify in the notice, the period, being a period which shall not be less than thirty days within which the management should file its written statement in reply to the notice.

(3) On receipt of such written statement or on expiry of the period specified in the notice issued under sub-section (1), the Board of Deans shall place before the Academic Council, the notice and the written statement, if any, with or without the motion for withdrawal or modification of such privileges.

(4) The Academic Council shall, having regard to the interest of students studying in the colleges or recognized institutions, shall recommend an action in this behalf to the Vice-Chancellor and the Vice-Chancellor shall pass the necessary order.

Closure of affiliated college or recognized institutions.

**121.** (1) No management of an affiliated college or recognized institution shall be allowed to close down the affiliated college or recognized institution without prior permission of the State Government.

(2) The management desirous of closing down the college or recognized institution shall apply to the university on or before the first day of August of the preceding year, stating fully the grounds for closure, and pointing out the assets in the form of buildings and equipment, their original cost, the prevailing market value and the grants so far received by it either from the University Grants Commission, the State Government or from public funding agencies.

(3) On receipt of such an application, the Academic Council shall cause to make inquiries as it may deem fit, to assess and determine whether the affiliated college or recognized institution be permitted to effect the closure. The Academic Council may examine whether the closure should be avoided by transferring it to another management.

(4) If the Academic Council decides to recommend the closure, it shall prepare and submit to the Management Council, a report on the extent of damages or compensation to be recovered from the management for the assets created utilizing the funds provided by the University Grants Commission, the State Government or other public funding agencies.

(5) The Academic Council shall, with prior concurrence of the Management Council and approval of the State Government decide whether the affiliated college or recognized institution be permitted the closure.

(6) The university may transfer the college or a recognized institution to another management with prior approval of the State Government and after following the procedure prescribed in that behalf.

(7) The procedure to effect the closure shall be in phases, to ensure that the students already admitted to the affiliated college or recognized institution are not affected, and that the first year shall be closed first and no new admissions shall be effected. The procedure to phase out the closure shall be such as may be prescribed.

(8) The procedure for closure of affiliated colleges, or recognized institutions, referred to in sub-sections (1) to (7) shall, *mutatis-mutandis* apply in the case of closure of faculties, courses of studies or satellite centres.

**122.** (1) A university department or institution, affiliated college or recognized institution may apply to the university for grant of autonomous status. The Management Council on the recommendation of the Academic Council may confer the autonomous status.

Autonomous university department or institutions, college or recognized institution.

(2) Autonomous university department or institution or affiliated college or recognized institution shall function with the objectives of promoting academic freedom and scholarship on the part of teachers and students which are essential to the fostering and development of an intellectual climate conducive to the pursuit of scholarship and excellence.

(3) The autonomous university department or institution or affiliated college or recognized institution, may constitute its authorities or bodies and exercise the powers and perform the functions and carry out the administrative, academic and other activities of the university, as may be prescribed by the Statutes.

(4) The autonomous university department or institution or affiliated college or recognized institution may prescribe its own courses of study, evolve its own teaching methods and hold examinations and tests for students receiving instruction in it, and recommend the university for award degrees, diplomas or certificates, after following the procedure as prescribed in the Statutes. The autonomous university department or institution or affiliated college or recognized institution shall have full academic and administrative autonomy subject to the provisions of this Act and Statutes and the guidelines issued by the University Grant Commission, from time to time.

**123.** (1) Affiliated autonomous colleges that are identified by University Grants Commission as College with Potential for Excellence or College of Excellence which have a high level grade to be prescribed by the State Government through *Official Gazette* may apply to the university for grant of empowered autonomous status. The Management Council on the recommendation of the Academic Council may confer the empowered autonomous status upon such college.

Empowered autonomous colleges.

(2) Norms and procedure for grant of the empowered autonomous status and continuation thereof, shall be as may be prescribed by the Statutes.

(3) The empowered autonomous college may constitute its authorities or bodies and exercise the powers and perform the functions and carry out the administrative, academic, financial and other activities of the university, as may be prescribed by the Statutes.

(4) The empowered autonomous college shall enjoy all such privileges in addition to the privileges enjoyed by autonomous college as may be prescribed by the statutes and guidelines of State Government and University Grants Commission.

**124.** (1) A group of affiliated autonomous colleges or recognized institutions of the same management or educational society which includes the colleges or institutions, identified by the University Grants Commission as Potential for Excellence or College of Excellence or which have a high level grade to be prescribed by the State Government through *Official Gazette* may apply to the university for grant of status of empowered autonomous cluster institutions. The Management Council on the recommendation of the Academic Council may confer the status of empowered autonomous cluster institutions upon such group of colleges or institutions.

Empowered autonomous cluster institutions.

(2) Norms and procedure for grant status of empowered autonomous cluster institutions and continuation thereof, shall be as may be prescribed by the Statutes.

(3) The empowered autonomous cluster institutions may constitute its authorities or bodies and exercise the powers and perform the functions and carry out the administrative, academic, financial and other activities of the university, as may be prescribed by the Statutes and guidelines of State Government and University Grants Commission.

## CHAPTER XI

### ENROLMENT, DEGREES AND CONVOCATIONS

Post-graduate teaching and research.

**125.** All post-graduate instruction, teaching, training, research, research collaborations and partnerships, shall normally be conducted within the university area by the university, affiliated colleges and the recognized institutions in such manner as may be prescribed.

Enrolment of students.

**126.** A person to be enrolled as student of the university shall possess such qualifications and fulfill such conditions as may be prescribed.

Disciplinary powers and discipline amongst students.

**127. (1)** All powers relating to discipline and disciplinary action in relation to the students of the university departments and institutions and colleges maintained by the university, shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may, by an order, delegate all or any of his powers under sub-section (1), as he deems fit, to such other officer as he may nominate in that behalf.

(3) The Vice-Chancellor may, in the exercise of his powers, by an order, direct that any student or students be expelled or rusticated for a specified period, or be not admitted to a course or courses of study in conducted college, institution or department of the university for a specified period, or be punished with fine, as prescribed by the university, or be debarred from taking an examination or evaluation conducted by the department, conducted college or institution maintained by the university for a specified period not exceeding five years or that the result of the student or students concerned in the examination or evaluation in which he or they have appeared, be cancelled :

Provided that, the Vice-Chancellor shall give reasonable opportunity of being heard to the student concerned, if expulsion is for a period exceeding one year.

(4) Without prejudice to the powers of the Vice-Chancellor, the principals of conducted colleges, heads of university institutions and the heads of departments of the university shall have authority to exercise all such powers over the student in their respective charge as may be necessary for the maintenance of proper discipline.

(5) Provisions as regards discipline and proper conduct for students of the university and the action to be taken against them for breach of discipline or misconduct, shall be as may be prescribed by the Statutes, which shall apply to the students of all its conducted colleges and university departments or institutions, affiliated colleges and recognized institutions.

(6) Statutes relating to discipline and proper conduct for students, and the action to be taken against them for breach of discipline or misconduct, shall also be published in the prospectus of the university, affiliated college or recognized institution and every student shall be supplied with a copy of the same. The principals of the colleges and heads of the institutions, maintained by the university and affiliated colleges, may, prescribe additional norms of discipline and proper conduct, not inconsistent with the Statutes, as they think necessary and every student shall be supplied with a copy of such norms.

(7) At the time of admission, every student shall sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and the other officers and authorities or bodies of the university and the authorities or bodies of the conducted colleges, affiliated colleges and recognized institutions, and shall observe and abide by the Statutes made in that behalf and in so far as they may apply, the additional norms made by the principals of conducted colleges and heads of university institutions and affiliated colleges.

(8) All powers relating to disciplinary action against students of an affiliated college or recognized institution not maintained by the university, shall vest in the principal of the affiliated college or head of the recognized institution, and the provisions of the sub-sections (6) and (7) including the Statutes made thereunder, shall *mutatis-mutandis* apply to such colleges, institutions and students therein.

**128.** (1) The Management Council may institute and confer such degrees, diplomas, certificates and other academic distinctions as may be recommended by the Academic Council.

Degrees,  
diplomas,  
certificates  
& other  
academic  
distinctions.

(2) The Management Council may institute and confer post-doctoral degrees such as D.Sc. and D.Litt. - by Research, as may be recommended by Academic Council.

(3) The Chancellor may, on the recommendation of the Management Council and the Academic Council, supported by a majority of not less than two-third members of each such authority, present at its meeting, such majority comprising not less than one-half of the members of each such authority, withdraw the degree or diploma or certificate or any other academic distinction permanently or for such period as the Chancellor thinks fit, if such a person is convicted by a court of law for any offence involving moral turpitude or has been found to have sought admission to any degree or diploma or certificate course by fraudulent means or has been found to have obtained such degree or diploma or certificate or any other academic distinction by fraudulent means. No such action under this section shall be taken unless the person concerned is given an opportunity to defend himself.

**129.** (1) The Management Council may consider and recommend to the Senate the conferment of an honorary degree or other academic distinction on any person, without requiring him to undergo any test or examination or evaluation, on the ground solely that he, by reason of his eminent position, attainments and public service, is a fit and proper person to receive such degree or other academic distinction, and such recommendation shall be deemed to have been duly passed if supported by a majority of not less than two-thirds of the members present at the meeting of the Senate, being not less than one-half of its total membership:

Honorary  
Degree.

Provided that, the Management Council shall not entertain or consider any proposal in that behalf without the Vice-Chancellor having obtained the previous approval of the Chancellor.

(2) The Management Council may take a decision on the proposal of the Senate:

Provided that, the Senate shall not entertain or consider any proposal in that behalf without the Vice-Chancellor having obtained prior approval of the Chancellor.

Convocation.

**130.** The convocation of the university shall be held at least once during an academic year in the manner prescribed by the Statutes for conferring degrees, post-graduate diplomas or for any other purpose.

Registered graduates.

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

(a) who are graduates of the university;

(b) who are graduates of the parent university from which corresponding new university is established :

Provided that, the graduates registered in the parent university as registered graduates but residing in the jurisdiction of the new university will have to apply for registration, as registered graduates, to the new university and once registered with the new university, they will automatically cease to be the registered graduates of the parent university.

(2) A person who -

(a) is of unsound mind and stands so declared by a competent Court; or

(b) is an un-discharged insolvent; or

(c) is convicted for an offence involving moral turpitude; or

(d) has obtained a degree by fraudulent means; or

(e) is a registered graduate of any other university established by law in the State, shall not be qualified to have his name entered in the register of graduates, or be a registered graduate.

(3) Every person who intends to be a registered graduate shall make an application to the Registrar in such form and make payment of such fees as may be prescribed by the Statutes.

(4) The Vice-Chancellor shall, after making such inquiry as he thinks fit, decide whether the person is entitled to be a registered graduate. If any question arises whether a person is entitled to have his name entered in the register of graduates or be a registered graduate or is not qualified to be a registered graduate, it shall be decided by the Vice-Chancellor after making such inquiry as he thinks fit and his decision shall be final.

(5) From amongst the persons registered as registered graduates, an electoral college shall be constituted for election of members of the Senate under clause (t) of sub-section (2) of section 28, and for that purpose, an electoral roll shall be prepared as prescribed by publishing a public notice, requiring the registered graduates desirous of enrolling themselves in such electoral roll to fill in the prescribed form for such enrolment.

**132.** (1) The Vice-Chancellor may, on the recommendation of the Management Council, supported by a majority of not less than two-third of its members present at its meeting, such majority comprising not less than one-half of its members, remove the name of any person from the register of graduates for such period as the Vice-Chancellor thinks fit, for any of the reasons mentioned in sub-section (2) of section 131.

Removal of name from register of graduates.

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

## CHAPTER XII

### UNIVERSITY FUNDS, ACCOUNTS AND AUDIT

**133.** (1) The annual financial estimates (budget) of the university for ensuing financial year shall be prepared by the Finance and Accounts Officer under the direction of the Finance and Accounts Committee, at least two months before the commencement of the financial year.

Annual financial estimates.

(2) The Finance and Accounts Officer shall thereafter forward copies of annual financial estimates (budget) as approved by the Management Council and the Senate to the Chancellor, the Maharashtra State Commission for Higher Education and Development and the State Government.

(3) The Financial year of the university shall be the same as that of the State Government.

**134.** (1) The university shall establish the following funds, namely :-

University funds.

(a) general fund;

(b) salary fund,-

(i) for all posts approved by the State Government;

(ii) for all other posts separately;

(c) trust fund;

(d) development and programme fund;

(e) contingency fund;

(f) any other fund which, in the opinion of the university, is deemed necessary to establish.

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

(a) non-salary contribution or grant, received from the State Government or Central Government or University Grants Commission;

(b) all incomes of the university from any source whatsoever, including income from fees, other fees and charges;

(c) any sums borrowed from the banks or any other agency, with the permission of the State Government;

(d) sums received from any other source or agency.



(3) The salary fund shall consist of all amounts received from the State Government, Central Government or University Grants Commission or any other endowment or contribution received towards full or part payment of the salary and allowances. No amount from this fund shall be utilized for the purpose other than payment of salary and allowances.

(4) All income or moneys from trusts, bequests, donations, endowments, sventions and similar grants shall form part of the trust fund.

(5) (a) The development and programme fund of the university shall consist of all infrastructure development grants received from the State Government, all contributions made by the University Grants Commission for development and research grants received from other funding agencies of the Central Government, United Nations and its affiliates, other international agencies, industry, banks and financial institutions or any person or institution;

(b) no amount from this fund shall be appropriated to any other fund of the university or expended for any other purpose;

(c) the development and programme fund shall be utilized in the manner consistent with the object of the programme and as per guidelines of the funding agency on expenditure and audit, to be granted and approved by the Management Council.

(6) The university shall have and maintain a contingency fund under a separate head of the university accounts which shall be used only for the purpose of meeting any unforeseen expenditure.

(7) Surplus money at the credit of these funds, including accruals thereto, which cannot immediately or at any early date be applied for the purposes aforesaid shall, from time to time, be deposited in the Nationalized or Scheduled Banks or invested in any other Equity or securities issued by the Corporations having financial participation of the State Government.

Annual  
accounts  
and audit.

**135.** (1) The accounts of the University shall be maintained on the basis and principles of double entry accounting system, and the method of accounting to be followed shall be the mercantile system by following the Maharashtra Universities Account Code as prescribed by State Government.

(2) The accounts of the university shall be audited at least once every year and in any case within four months of the close of the financial year by the auditors appointed by the Management Council from amongst the firms of Chartered Accountants whose partners have no interest in any of the authorities or affairs of the university. The university shall comply with the remarks and discrepancies as shown in the audit report in any case within one month of the receipt of such audit report, audited accounts shall be published by the university and a copy thereof, together with the copy of the auditor's report shall be submitted to the Chancellor and the State Government within one year of the close of the financial year.

(3) The audited accounts shall be published by the university and a copy thereof, together with the copy of the auditor's report and compliance report shall be submitted to the Chancellor and the State Government and shall be submitted for approval before the senate in any case within six months from the close of the financial year.

(4) The State Government shall cause the audited annual accounts of the university, received by it, to be laid before each House of the State Legislature.

(5) The State Government shall provide for conduct of the test audit or full audit of the accounts of the university at regular intervals by the auditors appointed by the State Government.

**136.** (1) The Board of Deans shall prepare the Annual Report containing the administrative, academic, research and development and other activities of the university, colleges and institutions under its jurisdiction, for each academic year and submit it to the Management Council for consideration. The Senate shall discuss and approve the Annual Report as received from the Management Council. Such report as approved by the Senate shall be submitted to the Chancellor and the State Government, within one year from the conclusion of the academic year.

Annual Report.

(2) The State Government shall cause the Annual Report to be laid before each House of the State Legislature.

#### CHAPTER XIII

#### **SPECIAL PROVISIONS FOR SHREEMATI NATHIBAI DAMODAR THACKERSEY WOMEN'S UNIVERSITY**

**137.** (1) In addition to the other provisions of this Act and Statutes, the provisions set out in this section shall apply to the Shreemati Nathibai Damodar Thackersey Women's University.

Special provisions for Shreemati Nathibai Damodar Thackersey Women's university.

(2) The territorial limits, within which the powers conferred upon the university by this Act shall be exercised, shall comprise the entire State :

Provided that, the university may, subject to such conditions and restrictions as it and the State Government may think fit to impose, admit any women's educational institution in any other territory to the privileges of the university, with the approval of the Government concerned.

(3) Any female student from any part of the State of Maharashtra or any other territory may register as a private student of the university or join correspondence course or any other external degree or diploma course of the university.

(4) Any society, association or body in the State seeking affiliation or recognition by the university to the college or institution started or conducted by it exclusively for women students need not seek the permission of any other university in the area of which the college or the institution, as the case may be, is to be or is located. On an application of any such society or association or body, the university may, notwithstanding anything contained in any other law for the time being in force, grant the affiliation, with the previous sanction of the State Government, or the recognition, as the case may be, without seeking permission of any other university in the area of which the college or institution, as the case may be, is to be or is located.

(5) The university may, in the interest of women's education, start or conduct a college or research institution in any territory outside the State of Maharashtra, with the approval of the Government concerned.

(6) No educational institution affiliated to or recognized by the university shall be associated in any way with, or seek admission to any privileges of, any other university established by law, except, with the permission of the university and the State Government.

(7) The Senate of the university shall have the following additional members, namely:-

(a) two representatives of women's educational associations or bodies in the State of Maharashtra, nominated by the Vice-Chancellor;

(b) two representatives of women's educational associations or bodies from outside the State admitted to the privileges of the Shreemati Nathibai Damodar Thackersey Women's University, nominated by the Vice-Chancellor;

(c) one representative of women's educational associations or bodies in other territories, nominated by the Vice-Chancellor.

(8) The university shall have powers to draw up Statutes or Ordinances or Regulations or to undertake other activities, such as running schools, polytechnics, etc.

(9) No member of the Board of Examinations or the Committees of the University shall be appointed as paper setter, examiner, moderator or referee except with the written approval of the Board under exceptional circumstances to be recorded in writing.

#### CHAPTER XIV

#### MISCELLANEOUS

Authorities and officers responsible for damages.

**138.** (1) It shall be the duty of every authority or body and officer of the university to ensure that the interests of the university are duly safeguarded.

(2) If it is found that a damage or loss has been caused to the university by any action on the part of any authority or body or officer of the university, not in conformity with the provisions of this Act, Statutes, Ordinances or Regulations, except when done in good faith, or any failure so as to act in conformity thereof, by willful neglect or default on its or his part, such damage or loss shall be liable to be recovered from the authority or body or the concerned members thereof, jointly or severally, or from the officer concerned, as the case may be, in accordance with the procedure prescribed by the Statutes.

Membership of State Legislature and of Parliament.

**139.** (1) A teacher or a non-teaching employee shall not be disqualified for continuing as such teacher or a non-teaching employee merely on the ground that he has been elected or nominated as a member of the Legislative Assembly or of the Legislative Council of the State or of the Parliament.

(2) A teacher or a non-teaching employee elected or nominated as a member of the Legislative Assembly or of the Legislative Council of the State, or of the Parliament shall be entitled to treat the period of his membership of the Legislative Assembly or of the Legislative Council or of the Parliament as on leave without salary and allowances.

(3) A teacher or a non-teaching employee referred to in sub-section (2) shall also be entitled to count the period of his membership of the Legislative Assembly or of the Legislative Council or of the Parliament for the purposes of pension, seniority and increments.

**140.** If any question arises regarding the interpretation of any provision of this Act, or of any Statutes, Ordinance or Regulation or Rule, or whether a person has been duly elected or appointed or nominated or co-opted as a member or is entitled to be a member of any authority or body of the university, the matter may, be referred, on petition by any person or body directly affected or *suomotu* by the Vice-Chancellor to the Chancellor, who shall after taking such advice as he thinks necessary, decide the question, and his decision shall be final :

Questions regarding interpretation and disputes regarding constitution of university authority or body, etc.

Provided that, such reference shall be made by the Vice-Chancellor upon a requisition signed by not less than one fourth members of the senate.

**141.** All acts and orders done or passed in good faith by the university or any of its officers, authorities or bodies, shall subject to the other provisions of this Act, be final; and accordingly, no suit or other legal proceedings shall be instituted against, or maintained, or damages claimed from the university or its officers, authorities or bodies for anything done or passed, or purporting to have been done or passed in good faith and in pursuance of the provisions of this Act and the Statutes, Ordinances and Regulations.

Protection of Acts and orders.

**142.** Subject to the provisions of this Act and the Statutes, any officer or authority of the university may, by order, delegate his or its powers, except the power to make Statutes, Ordinances and Regulations to any other officer or authority under his or its control, and subject to the condition that the ultimate responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating them.

Delegation of powers.

**143.** No act or proceeding of the Senate or the Management Council or the Academic Council or any other authority or anybody or committee of the university, including a committee appointed by the Chancellor for the appointment of a Vice-Chancellor, shall be deemed to be invalid at any time merely on the ground that -

Acts and proceedings not invalid merely on ground of defect in constitution, vacancies, irregularity in procedure, etc.

(a) any of the members of any such authority, body or committee are not elected, appointed, nominated or co-opted or for any other reason are not available to take office at the time of the constitution or to attend any meeting thereof or any person is a member in more than one capacity or there is any other defect in the constitution thereof or there are one or more vacancies in the offices of members thereof;

(b) there is any irregularity in the procedure of any such authority, body or committee not affecting the merits of the matter under consideration, and the validity of such act or proceeding shall not be questioned in any court or before any authority or officer merely on any such ground.

## CHAPTER XV

## ESTABLISHMENT OF NEW UNIVERSITIES

Issue of order providing for matters when a new university is constituted.

**144.** When any new university is constituted by a notification in the *Official Gazette* under sub-section (2) of section 3, or a cluster university under sub-section (6) of that section, the State Government may, notwithstanding anything contained in this Act, by one or more orders published in the *Official Gazette*, provide for all or any of the following matters, namely:-

(a) the appointment of the first Vice-Chancellor and other officers of the university and the term for which they shall be appointed;

(b) the constitution of the first Management Council and Academic Council in such manner as it thinks fit and the term for which it shall function;

(c) the continuance or application of such Statutes, Ordinances and Regulations with such modifications as it may specify :

Provided that, the Competent Authority of the new university shall adopt such statutes, ordinances and regulations, either *in toto* or with such modifications as deemed fit, within a period of two years from its establishment.

(d) the exercise of option by the registered graduates of any of the then existing universities to continue to remain registered graduates of the same universities or to get registered with the new university;

(e) the continuance or discontinuance of membership of the Management Council, the Academic Council and other authorities, bodies and committees of the existing universities constituted under this Act;

(f) the filling in the vacancies caused by discontinuance of the members of authorities or bodies or committees of the existing university;

(g) the continuance of affiliation of the colleges or the recognition of the institutions by the new university to which the area is added and discontinuance of the same by the existing university from which the area is carved out;

(h) the transfer of any of the employees of the existing university to the new university and the terms and conditions of service applicable to such employees or termination of the service of the employees of the existing university by giving such terminal benefits as the State Government deems fit :

Provided that, the terms and conditions of service of any employee so transferred shall not be varied to his disadvantage;

(i) transfer of assets, that is to say, the property, movable or immovable, right, interest of whatsoever kind acquired, and the liabilities and obligations incurred, before the issue of any such order; and

(j) such other supplemental, incidental and consequential provisions as the State Government may deem necessary.

CHAPTER XVI  
TRANSITORY PROVISIONS

**145.** Save as otherwise provided by or under this Act, every person holding office either as an officer or the employee, whether teaching or other employee, of any university on the date immediately before the commencement of this Act shall continue to hold office on the same terms and conditions as were applicable to him immediately before such date, and shall exercise such powers and perform such duties as are conferred on them by or under this Act.

Continuance of existing officers and employees of university.

**146.** <sup>1</sup>[(1) Every authority of an existing university shall, as soon as practicable, but not later than 31st May 2018, be reconstituted in accordance with the provisions of this Act. Every such authority shall, be deemed to be reconstituted with effect from such date as the Vice-Chancellor may, from time to time, specify by notification.]

Provisions relating to continuance and constitution of authorities.

(2) Every person holding office as a member of any authority immediately before the commencement of this Act shall, on the date of such commencement, continue to hold the said office and the authority with such members shall exercise the powers and perform the duties conferred on it by or under this Act, until the date on which the authority is deemed to be re-constituted or a period of six months from the date of commencement of this Act expires, whichever is later.

(3) On the date on which any authority is deemed to be re-constituted or on which a period of six month expires, whichever is earlier, every member of an authority of an existing university who is continued in office under this section shall be deemed to have vacated his office.

(4) If on the date of commencement of this Act, any authority or body cannot be constituted in accordance with the provisions of this Act, the Vice-Chancellor may, after approval of the Chancellor take such measures for interim constitution of such authority or body.

(5) The term of such authority or body constituted under sub-section (4) shall be for a period of one year from its constitution or till such authority or body is duly constituted under this Act, whichever is earlier.

(6) For the removal of doubt, it is hereby declared that on expiry of a period of one year of the interim constitution of such authority or body, such authority or body shall cease to function.

Mah.  
XXXV  
of  
1994.

**147.** (1) On and from the date of commencement of this Act, the Maharashtra Universities Act, 1994 shall stand repealed.

Repeal and savings.

(2) Notwithstanding the repeal of the said Act,-

(a) any person holding office immediately before the commencement of this Act as Vice-Chancellor of the university shall, on such commencement, continue to hold the said office till his term of office as Vice-Chancellor of that university would have expired had he continued to be as such unless he ceases to be the Vice-Chancellor by reason of death, resignation or otherwise before the expiry of his term of office as aforesaid and shall exercise all the powers and perform all the duties conferred and imposed on the Vice-Chancellor of the respective university by or under this Act;

<sup>1</sup>. Sub-section (1) was substituted by Mah. 27 of 2018, s. 6.

(b) all colleges which stood affiliated to the university immediately before the commencement of this Act, shall be deemed to be affiliated to that university under this Act till their affiliation is withdrawn by that university under this Act;

(c) all other educational institutions which were entitled to any privileges of the university shall be entitled to similar privileges of that university;

(d) all property, movable or immovable, and all rights, interest of whatsoever kind, powers and privileges of the university shall stand transferred to and shall, without further assurance, vest in, that university and be applied to the objects and purposes for which that university is constituted;

(e) all benefactions accepted or received by the university and held by it immediately before the commencement of this Act, shall be deemed to have been accepted or received or held by that university under this Act, and all the conditions on which such benefactions were accepted or received or held shall be deemed to be valid under this Act, notwithstanding that such conditions may be inconsistent with any of the provisions of this Act;

(f) all debts, liabilities and obligations incurred before the commencement of this Act, and lawfully subsisting against the university, shall be discharged and satisfied by that university;

(g) any will, deed or other document made before the commencement of this Act, which contains any bequest, gift, term or trust in favour of the university shall be deemed to have been made thereunder and for the purposes of this Act in favour of that university;

(h) all references in any enactment or other instruments issued under any enactment to the university before the commencement of this Act, shall be deemed to have been construed under and for the purposes of this Act;

(i) the appointment of examiners validly made under the said Act and subsisting immediately before the commencement of this Act, shall be deemed to have been made under and for the purposes of this Act for the respective university, and such examiners shall continue to hold office and to act until fresh appointments are made under this Act;

(j) the teachers, who were recognized teachers of the university under the said Act immediately before the commencement of this Act, shall be deemed to be recognized teachers of that university under and for the purposes of this Act and shall continue to be such recognized teachers until fresh recognitions are granted under this Act;

(k) the registered graduates, whose names were entered in the register of graduates maintained by the university immediately before the commencement of this Act, shall be deemed to be the registered graduates of that university under and for the purposes of this Act and the register so maintained and the registered graduates whose names are so entered therein, shall continue to be the register maintained by that university, and the registered graduates to be the registered graduates of that university;