



## The Bhavnagar University Act, 1978

Act 26 of 1978

### Keyword(s):

Affiliated College, Approved Institution, College, Degree College, Department, Head Master, Hostel, Principal, Recognised Institution, Registered Institution, Registered Graduate, Secondary School, Teachers

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Separate paging is given to this Part in order that it may  
 be filed as a separate compilation.

**PART IV**

**Acts of the Gujarat Legislature and Ordinances promulgated and  
 Regulations made by the Governor.**

The following Act of the Gujarat Legislature having been assented to by the Governor on the 17th April, 1978 is hereby published for general information.

J. P. VASAVADA,

Deputy Secretary to the Government of Gujarat,  
 Legal Department.

**GUJARAT ACT NO. 26 OF 1978.**

(First published after having received the assent of the Governor in the "Gujarat Government Gazette" on the 18th April, 1978).

An Act to establish and incorporate a teaching and residential University at Bhavnagar to be known as the Bhavnagar University.

It is hereby enacted in the Twenty-ninth Year of the Republic of India as follows :—

**CHAPTER I.**

**PRELIMINARY.**

1. (1) This Act may be called the Bhavnagar University Act, 1978.

(2) This section shall come into force at once and the remaining provisions shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint; and different dates may be appointed for different provisions and any reference in any such provision to the date of the commencement of this Act shall be construed as reference to the date of the coming into force of that provision.

Short  
title and  
commence-  
ment.

**Definitions.**

2. In this Act, unless the context otherwise requires,—

- (1) "affiliated college" means a college affiliated under section 5 or 35 ;
- (2) "approved institution" means an institution approved under section 38 ;
- (3) "college" means a degree college or an affiliated college teaching any of the courses leading to a degree ;
- (4) "degree college" means an affiliated college which is authorised to submit its students to an examination qualifying for any degree of the University ;
- (5) "department" means a department designated as such by Ordinances with reference to a subject or a group of subjects ;
- (6) "head master" means the head of a Secondary School ;
- (7) "hostel" means a unit of residence for students maintained or recognised by the University under this Act ;
- (8) "Principal" means the head of a college ;
- (9) "recognised institution" means an institution recognised under section 37 ;
- (10) "registered graduate" means a graduate registered under the provisions of this Act ;
- (11) "secondary school" means a secondary school registered or deemed to have been registered under section 31 of the Gujarat Secondary Education Act, 1972 ;
- (12) "secondary teachers" means such class of teachers imparting instruction in secondary schools as may be declared to be secondary teachers by the Statutes ;
- (13) "Statutes", "Ordinances", "Regulations" and "Rules" mean respectively the Statutes, Ordinances, Regulations and Rules made under this Act and for the time being in force ;
- (14) "teachers" means professors, readers, lecturers and such other persons imparting instruction in the University or a University college, or an affiliated college or a recognised institution or an approved institution, as may be declared to be teachers by the Statutes ;
- (15) "teachers of the University" means teachers appointed or recognised by the University for imparting instruction on its behalf ;
- (16) "University" means the Bhavnagar University constituted under this Act ;

- (17) "University area" means the areas specified in Schedule I ;
- (18) "University centre" means a centre where post-graduate studies are imparted ;
- (19) "University college" means a college transferred to the University under section 67 and maintained by it or a college which the University may establish or maintain under this Act ;
- (20) "University department" means any post-graduate or research institution or department maintained by the University.

## CHAPTER II.

### THE UNIVERSITY.

3. (1) The Chancellor, the first Vice-Chancellor of the University and the first members of the Court, the Executive Council and the Academic Council of the University and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "The Bhavnagar University".

Incorporation  
of the  
University.

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

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

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

(4) The headquarters of the University shall be at Bhavnagar.

4. Subject to such conditions as may be prescribed by or under the provisions of this Act, the University shall have the following powers, namely :—

Powers of  
the  
University.

(1) to provide for instruction, teaching and training in such branches of learning and courses of study as it may think fit, and to make provision for research, advancement and dissemination of knowledge and to conduct special under-graduate courses for talented students ;

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

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

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

(5) to establish within the University area or outside that area such field stations, specialised laboratories and other units for research and instructions as are necessary for the furtherance of its objects ;

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

(7) to create such teaching, administrative and other posts as the University may deem necessary from time to time and to make appointments thereto ;

(8) to appoint or recognise persons as professors, readers or lecturers or otherwise as teachers of the University ;

(9) to lay down the courses of instruction for the various examinations;

(10) to guide teaching and research work in colleges, University departments, University centres and recognised institutions ;

(11) to institute degrees, diplomas and other academic titles and distinctions ;

(12) to hold examinations or tests and to confer degrees and diplomas on and grant certificates to persons who—

(a) have pursued approved courses of study in the University or in a University or affiliated college unless exempted therefrom, in the manner prescribed by the Statutes, Ordinances, Regulations and Rules and have passed the examinations prescribed by the University, or

(b) have carried on research under conditions prescribed by the Statutes, Ordinances, Regulations or Rules ;

(13) to confer honorary degrees or other academic distinctions in the manner laid down by the Statutes ;

(14) to grant such diplomas to, and to provide such lectures, instruction and training for, persons who are not enrolled as students of the University, as may be determined by the Statutes, Ordinances, Regulations and Rules ;

(15) to withdraw or cancel any degree, diploma or certificate conferred or granted by the University, in the manner prescribed by Statutes ;

(16) to associate or admit educational institutions with or to the privileges of the University by way of affiliation, recognition or approval ;

(17) to withdraw or modify either in whole or in part, affiliation, recognition or approval of educational institutions;

(18) to inspect colleges, recognised institutions and approved institutions, and to take measures to ensure that proper standards of instruction, teaching and training are maintained in them, and that adequate library and laboratory provisions are made therein ;

(19) to lay down and regulate the salary scales, allowances and other conditions of service of the members of the teaching, other academic and non-teaching staff of the University, affiliated colleges and recognised and approved institutions ;

(20) (a) to control and co-ordinate the activities of, and to give financial aid to University colleges, affiliated colleges, recognised institutions and approved institutions; and

(b) to regulate the fees to be paid by the students in affiliated colleges, University colleges, recognised and approved institutions ;

(21) to hold and manage trusts and endowments ;

(22) to institute and to award fellowships, travelling fellowships, scholarships, studentships, medals, prizes and other awards ;

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

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

(25) to make special provision for disseminating knowledge and promoting arts and culture, including holding of exhibitions ;

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

(27) to establish, maintain and manage hostels :

(28) to recognise hostels not maintained by the University, to inspect such hostels and to withdraw recognition thereof ;

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

(30) to take disciplinary action against the students of the University and to impose such punishments upon them as may be deemed fit for misconduct or breach of discipline within or outside the University, including the use of unfair means at an examination or in relation thereto by themselves or by any other persons or abetment thereof ;

(31) to co-ordinate, supervise, regulate and control the conduct of undergraduate teaching and instruction in colleges ;

(32) to conduct, co-ordinate, supervise, regulate and control post-graduate teaching and research work in the University Departments, University colleges, affiliated colleges and institutions recognised or approved by the University ;

(33) to institute and manage :—

(a) Printing and Publication Department,

(b) University Extension Boards,

(c) Information Bureaux, and

(d) Employment Bureaux ;

(34) to make provision for the following activities and activities allied thereto .—

(a) for Continuing Education, Adult Education, Extension Services, Extra Mural teaching and other recognised educational activities ;

(b) for physical education, National Cadet Corps, National Service Scheme, National Sports Organisation, Military training and such other recognised activities ;

(c) for students' unions; and

(d) for Sports and athletic activities ;

(35) to co-operate with other Universities, authorities or associations or any other public or private bodies in such manner and for such purpose as the University may determine ;

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

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

(38) to acquire, hold, manage and dispose of any property movable and immovable, including trust or endowed property within or outside the University area, for the purposes or objects of the University and to invest any funds representing such property in such manner as the University thinks fit ;

(39) to raise public loans on the security of the assets of the University for the purposes of the University, with the previous approval of the State Government ;

(40) to enter into any agreement for the incorporation in the University of any other institution and for taking over its rights, properties and liabilities and for any other purpose not repugnant to this Act ;

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

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

Jurisdiction  
and  
admission to  
privileges.

(2) Any such privileges enjoyed from the Saurashtra University before the date on which this Act comes into force by any educational institution situate within the University area shall be deemed to be withdrawn with effect from such date.

(3) With effect on and from such date all educational institutions admitted to the privileges of the Saurashtra University situate within the University area shall be deemed to be admitted to the privileges of the University, and such institutions shall, on and from such date cease to be associated with and to enjoy the privileges of the Saurashtra University and the Saurashtra University Act, 1965 shall thereupon cease to apply to them. The University shall, as far as may be possible and consistent with this Act, admit such institutions to all such privileges as they had from the Saurashtra University immediately before such date.

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1965.

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

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

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

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

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

7. (1) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment, of any institution,

Inspection  
and  
inquiry.



college or hostel maintained, recognised or approved by, or affiliated to, the University, of the teaching and other work conducted by the University, and of the conduct of examinations held by the University; and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Chancellor shall communicate to the Executive Council and to the Court his views with reference to the results of such inspection or inquiry and shall, after ascertaining the opinion of the Executive Council and the Court thereon, advise the University on the action to be taken.

(3) The Executive Council shall report to the Chancellor such action, if any, as it has taken or may propose to take upon results of the inspection or inquiry. Such report shall be submitted with the opinion of the Court thereon and within such time as the Chancellor may direct.

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

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

### CHAPTER III.

#### OFFICERS OF THE UNIVERSITY.

Officers of  
the  
University.

8. The following shall be the officers of the University, namely:—

- (i) The Chancellor,
- (ii) The Vice-Chancellor,
- (iii) The Deans of Faculties,
- (iv) The Registrar, and

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

The  
Chancellor.

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

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

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

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

The Vice-Chancellor.

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

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

(ii) one member to be nominated by the Chancellor.

(b) The Chancellor shall appoint one of the three members of the Committee as its Chairman.

(3) The Committee so appointed shall, within such time and in such manner as may be prescribed by Statutes, select three persons whom it considers fit for being appointed Vice-Chancellor and shall recommend to the State Government the names of the persons so selected together with such other particulars as may be prescribed by the Statutes:

Provided that as far as possible the Committee shall not select any such person who if appointed as Vice-Chancellor, would cease to hold that office on account of attaining the age of 65 years before completion of the term of three years.

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

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

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

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

(6) (a) During the leave or absence of the Vice-Chancellor, or

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

one of the Deans nominated by the Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor.

Powers of  
the Vice-  
Chancellor.

11. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at meetings of the Court and any convocation of the University. He shall be an *ex-officio* member and Chairman of the Executive Council, and of the Academic Council. He shall be entitled to be present with the right to speak, at any meeting of any other authority or body of the University, but shall not be entitled to vote thereat unless he is a member of that authority or body.

(2) The Vice-Chancellor shall have power to convene meetings of the Court, the Executive Council and the Academic Council and such other authority of the University of which he may be the Chairman. He may delegate this power to any other officer of the University.

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

(4) (a) If there are reasonable grounds for the Vice-Chancellor to believe that there is an emergency which requires immediate action to be taken, he shall take such action as he thinks necessary, and shall at the earliest opportunity thereafter, report in writing the grounds for his belief that there was an emergency, and the action taken by him, to such officer, authority or body as would have in the ordinary course, dealt with the matter.

(b) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University, such person shall be entitled to prefer within thirty days from the date on which such action is communicated to him, an appeal to the Executive Council.

(5) Where any matter is required to be regulated by the Statutes, Ordinances or Regulations, but no Statutes, Ordinances or Regulations are made in that behalf, the Vice-Chancellor may, when in his opinion there is an emergency requiring such matter to be promptly regulated regulate the matter by issuing such directions as he thinks necessary, and shall, at the earliest opportunity thereafter, place them before the Executive Council or other authority or body concerned for approval. He may, at the same time, initiate the necessary action for the purpose of making the Statutes, Ordinances or Regulations, as the case may be, required to regulate such matter.

(6) The Vice-Chancellor shall give effect to the orders of the Executive Council and shall exercise general control over the affairs of the University. He shall be responsible for the discipline of the University in accordance with this Act, Statutes and Ordinances.

(7) It shall be lawful for the Vice-Chancellor, as the principal executive and academic officer, to regulate the work and conduct of the officers, and of the teaching, academic and other employees of the University, in accordance with the provisions of this Act, the Statutes, Ordinances and Regulations.

(8) The Vice-Chancellor shall exercise such other powers and perform such other duties as are prescribed by the Statutes, Ordinances and Regulations.

12. The Registrar shall be a whole time salaried officer and shall act as the Secretary of the Court, of the Executive Council and of the Academic Council. He shall be appointed by the Executive Council in accordance with the recommendations made by the Selection Committee to be constituted by the Executive Council in the manner prescribed by Statutes and his qualifications, emoluments and conditions of service shall be determined by such Statutes. He shall exercise such powers and perform such duties as may be prescribed by the Statutes, Ordinances and Regulations.

The  
Registrar.

13. The powers and duties of the officers of the University referred to in clause (v) of section 8 shall be such as may be prescribed by the Statutes, Ordinances and Regulations.

Other  
Officers.

#### CHAPTER -- IV

##### AUTHORITIES OF THE UNIVERSITY.

14. The following shall be the authorities of the University, namely :—

Authori-  
ties of  
University.

- (1) The Court,
- (2) The Executive Council,
- (3) The Academic Council,
- (4) The Faculties,
- (5) The Board of Post graduate Teaching and Research,
- (6) The Boards of Studies,
- (7) such other Boards and bodies of the University as may be declared by the Statutes to be the authorities of the University.

15. (1) The Court shall consist of the following members, namely :—

The Court.

##### CLASS--I EX-OFFICIO MEMBERS

- (A) (i) The Chancellor,
- (ii) The Vice-Chancellor,
- (iii) Ex-Vice-Chancellors of the University residing in the State,
- (iv) The Registrar.
- (B) (i) The Director of Education, or an officer not below the rank of a Joint Director of Education designated by such Director ;
- (ii) The Director of Technical Education, or an officer not below the rank of a Joint Director of Technical Education designated by such Director ;
- (iii) The Director of Medical Education and Research or any officer in charge of Medical Education and Research;

- (iv) The Chairman of the Gujarat Secondary Education Board ;
- (e) The Director of Employment and Training, if any, or an officer not below the rank of a Joint Director of Employment and Training (designated by such Director;
- (C) (i) The Heads of the University Departments,
- (ii) Deans of Faculties;
- (iii) Principals of degree colleges;
- (iv) Heads of recognised institutions

#### CLASS-II-ORDINARY MEMBERS

(A) Elected as specified below : -

(i) Such number of members as is specified below against each Faculty by teachers (other than Heads of University Departments, Principals and Heads of recognised institutions) in the subject or subjects comprised in each such Faculty in the following manner as prescribed by Statutes;—

(a) Teachers in Arts (from amongst themselves)	2
(b) Teachers in Science (from amongst themselves)	2
(c) Teachers in Commerce (from amongst themselves)	2
(d) Teachers in Law (from amongst themselves)	1
(e) Teachers in Education (from amongst themselves)	1
(f) Teachers in Rural Studies (from amongst themselves)	1
(g) Teachers in each such additional Faculty as may be prescribed by the Statutes (from amongst themselves)	1

(ii) Two members, from amongst such teachers of the University Departments, who are not the Heads of those Departments;

(iii) One member from amongst such teachers of the recognised institutions, who are not the Heads of those institutions;

(iv) One member by each of the following bodies from amongst its members, namely:—

- (a) The Gujarat Legislative Assembly.
- (b) The Bhavnagar Municipality.
- (c) The Bhavnagar District Panchayat,
- (d) The Saurashtra Chamber of Commerce, Bhavnagar.,

(v) One member by head-masters of secondary schools situated within the University area from amongst themselves in the manner specified in the Statutes ;

(vi) One member by secondary teachers, other than head-masters of secondary schools, situate within the University area from amongst themselves in the manner specified in the Statutes;

(vii) One member each by —

(a) the Bar Council of the State of Gujarat from amongst its members,

(b) The Gujarat Medical Council, from amongst its members,

(c) The Institute of Engineers (India), Gujarat Centre, from amongst its members :

Provided that no person shall be elected to be a member of the Court by the Gujarat Medical Council if the University has no Faculty of Medicine or by the Institute of Engineers (India), Gujarat Centre, if the University has no Faculty of Engineering.

(viii) One member by the managements of colleges affiliated to the University in the manner specified in the Statutes ;

(ix) One member (other than teachers or secondary teachers or head-masters) elected Facultywise by registered graduates from amongst themselves in each Faculty in the manner specified in the Statutes :

Provided that the number of such members shall not exceed seven and if the number of Faculties exceeds seven, the Faculties shall be suitably grouped in seven groups in the manner specified in the Statutes for the purpose of electing seven such members ;

(x) One member to be elected in the manner specified by the Statutes from amongst themselves by donors each donating money or property of the value of not less than one lakh of rupees

(a) to, or for the purposes of, the University, or

(b) to, or for the purposes of, a college or institution affiliated to or recognised by the University,

irrespective of whether the donation was made before or after such affiliation or recognition:

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

*Explanation.*—For the purpose of this paragraph, the value of property means the market value of the property at the date of acceptance and the decision as to market value shall rest with the Executive Council and shall be final.

(B) (i) Four persons nominated by the Chancellor, from amongst distinguished educationists, scholars, social workers, women and representa-

tives of the minorities, backward communities and such other class of persons;

(ii) four members to be appointed by the Vice-Chancellor in the manner prescribed by Statutes as shown below :—

(a) two post-graduate students who are wholly engaged in the studies in the University, from the members of Faculties of the University,

(b) two under graduate students who are wholly engaged in the studies in a college, from the first five students in order of their merit in an examination held immediately before their appointment.

(2) No employee, other than a teacher, of the University, an affiliated college or a recognised or approved institution shall be eligible for the election to the Court.

(3) The term of office of the elected members and the members nominated by the Chancellor shall be five years.

(4) The term of office of the students referred to in clause (ii) of paragraph (B) of sub-section (1) shall be the academic year in which they are appointed.

Meetings  
of the  
Court.

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

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

Powers and  
duties of  
the Court.

17. Subject to such conditions as may be prescribed by or under the provisions of this Act, the Court shall exercise the following powers and perform the following duties, namely:—

(i) to consider and to decide matters of general policy relating to the progress and development of the University;

(ii) to suggest steps to be taken by the authorities of the University in pursuance of the policy decided upon by the Court;

(iii) to suggest the establishment of new areas of teaching and research;

(iv) to institute, confer or grant on the recommendations of the Executive Council and the Academic Council degrees, diplomas and certificates ;

(v) to confer, on the recommendations of the Executive Council and the Academic Council, honorary degrees or other academic distinctions ;

(vi) to make, amend or repeal Statutes ;

(vii) to consider, record, cancel or refer back, but not to amend, Ordinances ;

(viii) to consider and pass resolutions on the annual reports, annual accounts and financial estimates;

(ix) to consider the annual audited accounts and to make suggestions thereon, if any;

(x) to raise on the recommendation of the Executive Council public loans on the security of the assets of the University, with the previous approval of the State Government;

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

(xii) to elect members to the various authorities of the University as prescribed by the Statutes;

(xiii) to make provision relating to the use of Gujarati or Hindi (in Devnagari script) or both as media of instruction and examination ;

(xiv) to institute on the recommendations of the Executive Council and the Academic Council, any Departments and Faculties in the University;

(xv) to sanction the transfer of any immovable property on the recommendation of the Executive Council;

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

18. (1) The Executive Council shall be the executive authority of the University and shall consist of the following, namely :—

The Executive council.

(i) The Vice-Chancellor, *Ex-Officio* Chairman;

(ii) The Director of Education, and if he is unable to attend, the officer, designated under clause (c) of paragraph (B) of Class I of sub-section (1) of section 15;

(iii) One dean of a Faculty nominated by the Vice-Chancellor from amongst the Deans of Faculties, in the manner specified by the Statutes;

(iv) One Head of the University Department elected by the Court from amongst its members who are the Heads of University Departments;

(v) Three persons elected by the Court from amongst its members who are not teachers;

(vi) One Principal of a degree college elected by the Court from amongst its members ;

(vii) One teacher of the University Department, other than a Head of the University Department elected by the Court from amongst its members ;

(viii) Two teachers of the degree colleges, other than Principals, elected by the Court from amongst its members ;



(ix) One member of the Academic Council who is a teacher elected by the Academic Council from amongst the members of the Court ;

(x) One person, not being a teacher nominated by the Chancellor from amongst members of the Court ;

(xi) One representative of the donors and of managements of the affiliated colleges, elected by the Court from amongst its members :

Provided that a nominated member or an elected member shall cease to hold office as such member if he ceases to be a member of the Court or, as the case may be, of the Academic Council, or to be a Dean, a University teacher, a Principal or, as the case may be, a teacher.

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

**Powers  
and  
duties  
of the  
Executive  
Council.**

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

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

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

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

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

(v) to frame the annual financial estimates of the University and to place them before the Court for suggestions;

(vi) (a) to adopt annual financial estimates after considering the suggestions, if any, of the Court;

(b) to reduce the amount of any budget grant;

(c) to sanction the transfer of any amount within a budget grant from one minor head to another, or from a subordinate head under one minor head to a subordinate head under another minor head; and

(d) to sanction the transfer of any amount within a minor head from one subordinate head to another, or from one primary unit to another;

(vii) to make provision for buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University;

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

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

(x) to recommend to the Court, the raising of public loans on the security of the assets of the University with the previous approval of the State Government;

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

(xii) to institute and manage—

(a) Printing and Publication Department;

(b) University Extension Boards;

(c) Information Bureaux;

(d) Employment Bureaux; and

(e) Such other institutions or organisations as may be necessary for the functioning of the University;

(xiii) to make provision for the following activities and activities allied thereto —

(a) for Continuing Education and Adult Education;

(b) for extramural teaching and extension courses and research and other recognised educational activities;

(c) physical education, National Cadet Corps, National Service Scheme, National Sports Organisation, military training and such other recognised activities;

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

(xv) to establish within the University area or outside that area such field stations and specialized laboratories and such other units for research and instruction as are necessary for the furtherance of object of the University;

(xvi) to recognise hostels, to inspect such hostels and to withdraw recognition therefrom;

(xvii) to provide housing accommodation for University teachers and other employees, to the extent the finances of the University permit;

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

(xix) to recommend to the State Government to affiliate colleges;

(xx) to arrange for and to direct the inspection of affiliated colleges, recognised or approved institutions and hostels, to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment, including salary scales and allowances for members of their teaching, other academic and non-teaching staff, and in case of disregard of such instructions, to recommend modification of the conditions of their affiliation or recognition or to take such other steps as it may deem proper;

(xxi) to recommend to the State Government—

(a) the withdrawal, either in whole or in part, or to modify, the rights conferred on a college by affiliation;

(b) the withdrawal or reduction of a grant to a college which makes default in carrying out the conditions of affiliation;

(xxii) to withdraw recognition or approval of institutions or to modify the right conferred on an institution by recognition or approval;

(xxiii) (a) to control and co-ordinate the activities of, and to give financial aid to, affiliated colleges and recognised or approved institutions, and

(b) to regulate the fees to be paid by the students in affiliated colleges, recognised and approved institutions;

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

(xxv) to supervise and control the residence, conduct and discipline of the students of the affiliated colleges, University colleges, University Departments and recognised and approved institutions and to make arrangements for promoting their health and general welfare, and to take disciplinary action against the students;

(xxvi) to recommend to the Court, the institution and conferment or grant of degrees, diplomas and certificates, in the manner prescribed by the Statutes;

(xxvii) to recommend to the Court, the conferment of honorary degrees, and other academic distinctions in the manner prescribed by Statutes;

(xxviii) to institute and award fellowships, travelling fellowships, scholarships, studentships, medals, prizes and other awards;

(xxix) to appoint academic, administrative and other staff of the University, fix their emoluments, if any, and define their duties and the conditions of their service, and to take disciplinary action against them;

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

(~~xxx~~) to appoint examiners, to fix their remuneration and to arrange for the conduct and publication of the results of University examinations and other tests;

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

(~~xxxiii~~) to make, amend and cancel Ordinances;

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

(~~xxxv~~) to make such provision as will enable affiliated colleges and recognised or approved institutions to undertake specialisation of studies;

(~~xxxvi~~) to organize and make provision for common laboratories, libraries, museums and other equipment for teaching and research;

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

(~~xxxviii~~) to lay down and regulate salary scales, allowances and conditions of service of officers, members of teaching, other academic and non-teaching staff of the University;

(~~xxxix~~) to lay down and regulate the salary scales, allowances and conditions of service of the members of the teaching, other academic and non-teaching staff of affiliated colleges and recognised or approved institutions;

(xl) to recommend to the Court, the institution of new Departments and Faculties in the University;

(xli) to enter into any agreement for the incorporation in the University of any other institution and for taking over its rights, properties and liabilities and for any other purpose not repugnant to this Act;

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

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

(2) The Executive Council shall not transfer any immovable property in exercise of its powers under clause (ix) of sub-section (1) except with the previous sanction of the Court; and no transfer of immovable property which is not made with such previous sanction shall be binding on the University.

(3) The powers and duties under clauses (xix) to (xxii), (xxvi) to (xxviii), (xxx), (xxxiii) to (xxxvii) and (xl) of sub-section (1) shall not be exercised by the Executive Council except upon the recommendations made by the Academic Council.

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

(5) The Executive Council, shall make a report of every case of acceptance of property under clause (viii) of sub-section (1) to the Court.

The  
Academic  
Council.

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

- (i) The Vice-Chancellor, *Ex-Officio* Chairman;
- (ii) The Deans of the Faculties;
- (iii) Two persons nominated by the Executive Council, from amongst its members;
- (iv) One member, other than the Dean, elected by each Faculty from amongst its members;
- (v) Heads of the Post-Graduate Departments of the University;
- (vi) One representative of the Heads of recognised institutions to be elected from amongst themselves, in the manner specified by Statutes:

Provided that a member specified in any of the clauses (ii) to (vi) shall cease to hold office as such member, if he ceases to be a Dean of a Faculty, a member of the Executive Council, a member of the Faculty, Head of the Post Graduate Department of the University, or, as the case may, be, a Head of the recognised institution.

(2) As soon as the Academic Council is constituted under sub-section (1), it may co-opt as its additional members, two eminent persons who are experts in any of the subjects taught in the University, whether those persons are or are not connected with the University as its members, teachers or otherwise.

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

Powers  
and  
duties  
of the  
Academic  
Council.

21. (1) The Academic Council shall have the control and general regulation of, and be responsible for the maintenance of the standards of teaching and examinations with the University.

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

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

- (ii) to approve Regulations made by the Faculty concerned laying down special courses of study;
- (iii) to arrange for co-ordination of studies and teaching in affiliated colleges and recognised and approved institutions;
- (iv) to promote research within the University;
- (v) to approve proposals for allocating subjects to the Faculties;
- (vi) to make proposals for the establishment of Departments, Institutes of Research and specialised studies, Libraries, Laboratories and Museums;
- (vii) to recommend the institution of professorships, readerships, lecturerships and any other posts of teachers required by the University and for prescribing the duties of such posts;
- (viii) to recommend proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, and medals and other awards and to make Regulations for their award;
- (ix) to make Regulations regarding the examinations of the University and the conditions on which students shall be admitted to them;
- (x) to make and approve Regulations prescribing the equivalence of examinations;
- (xi) to approve Regulations prescribing the manner of granting exemption from approved courses of study in the University or in affiliated colleges for qualifying for degrees, diplomas and certificates;
- (xii) to recommend to the Executive Council the institution and conferment of degrees, diplomas and certificates in the manner prescribed by Statutes;
- (xiii) to recommend to the Executive Council the conferment of honorary degrees and other academic distinctions in the manner prescribed by Statutes;
- (xiv) to recommend to the Executive Council the institution of Departments and Faculties;
- (xv) to recommend to the Executive Council the affiliation of colleges and recognition or approval of institutions;
- (xvi) to refer any academic matter to the relevant University authority or body for consideration;
- (xvii) generally to advise the University on all academic matters; and
- (xviii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or, under this Act, statutes and ordinances.

**Faculties  
and their  
functions.**

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

(2) Each Faculty shall consist of-

(i) All Chairmen of the Boards of Studies for the subjects comprised in the Faculty;

(ii) Such of the members of the Court as are assigned to the Faculty by the Executive Council :

Provided that no member of the Court shall be assigned to more than one faculty;

(iii) the University professors of subjects comprised in the Faculty and not covered by clauses (i) and (ii);

(iv) One member to be elected by such of the members of the Boards of Studies for the subjects comprised in the Faculty as are students, from amongst themselves;

(v) One member who is a teacher to be elected by each Board of Studies from amongst its members other than the Chairman.

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

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

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

(5) The term of office of a member of a Faculty other than the member elected under clause (iv) of sub-section (2) shall be three years and that of the members elected under the said clause (iv) shall be for the academic year in which he is elected.

**Powers  
and duties  
of  
Faculties.**

23. (1) Each Faculty shall have the general control and power of regulation of, and be responsible for, the maintenance of standards of teaching and examinations of the University for the subject comprised in it.

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

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

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

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

(iv) to make proposals for promoting research in the subjects assigned to the Faculty;

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

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

(vii) to make proposals for the institution of professorships, readerships, lecturerships, and other posts of teachers in the Faculty and for prescribing the duties of persons occupying such posts;

(viii) to make proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, medals, prizes and other awards, and to make Regulations for their grant;

(ix) to make Regulations prescribing the minimum teaching work for every subject and the minimum laboratory work and any other prescribed work to be done by students for any subject in the Faculty;

(x) to make Regulations prescribing the manner of granting exemption from approved courses of study in the University or in affiliated colleges for qualifying for degrees, diplomas and certificates in the Faculty;

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

(xii) generally to advise the University in all academic matters pertaining to the courses of study in the Faculty.

24. (1) There shall be a Dean of each Faculty who shall be elected by the Faculty from amongst such of its members as are members of the Court, principals or teachers.

Deans of  
Faculties.

(2) The Dean shall hold office for a term of three years and shall be eligible for being re-elected to that office for one further term of three years only.



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

- (i) he shall be the Chairman of the Faculty and shall preside at its meetings;
- (ii) he may attend the meeting of any Board of Studies in the Faculty;
- (iii) he shall supervise and co-ordinate the work of the different Boards of Studies under the Faculty;
- (iv) he shall plan and organise seminars, refresher courses, and workshops pertaining to the subjects under the Faculty;
- (v) he shall inspect and guide University Departments, affiliated colleges, recognised institutions and approved institutions in respect of subjects under the Faculty; and in cases where he considers it necessary to do so, also make a report of such inspection to the Vice-Chancellor;
- (vi) he shall recommend to the Executive Council for approval, proposals for the programmes of visiting teachers and for the exchange of teachers;
- (vii) he shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to the Faculty.

**The Boards of Studies.**

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

(2) Each Board of Study shall consist of the following members, namely:—

- (i) Head of the University Departments, in the subject or each of the subjects with which the Board is concerned (hereinafter in this section referred to as "the subject") pertaining to the Board;
- (ii) Professors of the University Departments in the subject;
- (iii) One Reader and one Lecturer of the University Department in the subject to be nominated by the Vice-Chancellor in the manner specified by the Statutes;
- (iv) Head of the Department in the subject in the degree colleges, and recognized institutions;
- (v) One teacher in the subject from each of the degree colleges, teaching the subject, to be nominated by the Vice-Chancellor in the manner specified by the Statutes;
- (vi) A post-graduate student in the final year of the Master's Degree Course, who has obtained the highest number of marks in the subject at the previous examination held by the University;
- (vii) Not more than three experts in the subject to be co-opted by the Board from amongst those University teachers who do not belong to the class of teachers represented under any of the clauses (i) to (v) and who have

teaching experience of atleast five years in the subject, or from amongst persons who are qualified in the subject or who possess practical experience of the subject.

(3) Each Board shall consist of atleast four members:

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

(4) The Head of the University Department shall be the Chairman of the Board:

Provided that—

(a) where there are on the Board more than one University Department represented by its Head, the Head of such University Department as may be determined by the Vice-Chancellor shall be the Chairman of the Board;

(b) where there is no such Head of the University Department on the Board the Chairman shall be elected by such of its members as are qualified to teach post-graduate courses.

(5) The term of office of the members of the Board of Studies other than the student specified in clause (vi) of sub-section (2) shall be three years and that of the student member specified in the said clause (vi) shall be a period expiring on the expiry of the academic year in which he is appointed.

26. (1) The powers and duties of the Boards of Studies shall be as follows:-

(i) to recommend courses of studies in the subject or subjects with which the Board is concerned (hereinafter in this section referred to as "the subject");

(ii) to recommend and prescribe, where necessary, books for study in the subject;

(iii) to recommend programmes for extension services and research in the subject;

(iv) to recommend organization of seminars, refresher courses and workshops to the Dean of the Faculty concerned;

(v) to recommend programmes for experiments and research in the courses of study prescribed in the subject;

(vi) to recommend schemes for preparation and translation of books in the subject and suggest bibliographies of books for study;

(vii) to propose Regulations pertaining to the courses of study and examinations in the subject;

The powers  
and duties  
of the  
Boards of  
Studies.

(viii) to review periodically the terminology current in the subject;

(ix) to prepare panels of examiners for the subject at the different examinations including the panels of applicants who fulfil the qualifications laid down by the Academic Council for appointment as examiners and to suggest from among the panels, persons particularly suited for any branch or any paper of a subject;

(x) to bring to the notice of the relevant University authority important matters connected with examinations in the subject and also to address the Faculty concerned on any matters connected with the improvement of courses in the subject;

(xi) to exercise such other powers and perform such other duties as may be prescribed by the Statutes.

(2) Any two or more Boards may, and at the request of the Executive Council or the Academic Council or the Dean of the Faculty shall hold a joint meeting and make a joint report upon any matter which lies within the purview of both. In such cases the joint meeting shall elect its own Chairman and the quorum for such a joint meeting shall include the full quorum of each Board represented, no member present being counted more than once for the purpose of determining the quorum.

Board of  
Post Gra-  
duate Tea-  
ching and  
Research.

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

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

University  
Boards.

28. (1) The University may establish a Board of Extra-mural Studies, a Board for Hostels and Community Life, a Board for Students' Welfare, an Academic Planning Board, and such other Boards as may be prescribed by the Statutes.

(2) The constitution, powers and duties of each of the Boards established under sub-section (1) shall be such as may be prescribed by the Statutes.

Constitution,  
powers, etc. of  
other bodies.

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

## CHAPTER V.

### STATUTES, ORDINANCES AND REGULATIONS.

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

- (i) conferment of honorary degrees;
- (ii) holding of convocations to confer degrees;

- (iii) powers and duties of the officers of the University;
- (iv) constitution, powers and duties of the authorities of the University save as provided in this Act;
- (v) institution and maintenance by the University of departments, institutes of research or specialised studies and hostels;
- (vi) acceptance and management of bequests, donations and endowments;
- (vii) registration of graduates and maintenance of a register of registered graduates;
- (viii) procedure at meetings of the authorities of the University and for the transaction of their business;
- (ix) qualifications of professors, readers, lecturers and teachers in affiliated colleges and recognized institutions;
- (x) the maximum number of students to be admitted in a college;
- (xi) all matters which by this Act are to be or may be prescribed by the Statutes.

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

Making,  
amendment,  
operation  
and repeal  
of Statutes.

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

(3) The Executive Council may propose to the Court draft of any Statute to be passed by the Court.

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

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

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

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

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

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

**Ordinances.**

32. Subject to such conditions as may be prescribed by or under the provisions of this Act, the Executive Council may make Ordinances to provide for all or any of the following matters, namely:—

(i) conditions under which students shall be admitted to courses of studies for degrees, diplomas and other academic distinctions;

(ii) conditions governing the appointment and the duties of examiners;

(iii) conduct of examinations;

(iv) recognition of teachers of the University;

(v) conditions of residence, conduct and discipline of the students of the University;

(vi) recognition of hostels;

(vii) inspection of affiliated colleges, recognised institutions, approved institutions and hostels;

(viii) rules to be observed and enforced by colleges and recognised institutions and approved institutions in respect of transfer of students;

(ix) mode of execution of contracts or agreements for, or on behalf of, the University;

(x) all matters which by this Act or the Statutes are to be or may be provided for by the Ordinances; and

(xi) generally all matters for which provision is, in the opinion of the Executive Council, necessary for the exercise of the powers conferred or the performance of the duties imposed upon the Executive Council by this Act or the Statutes.

**Making of Ordinances.**

33. (1) Ordinances shall be made by the Executive Council :

Provided that no Ordinance concerning the matters referred to in clauses (i) to (iv) of section 32 or any other matter connected with the maintenance of the standards of teaching and examinations within the University shall be made unless a draft of the same has been proposed by the Academic Council.

(2) The Executive Council shall not have power to amend any draft proposed by the Academic Council under sub-section (1) but may refer it or return it to the Academic Council for reconsideration, either in whole or in part together with any amendments which the Executive Council may suggest.

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

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

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

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

**Regulations  
and Rules.**

(2) Any authority of the University specified in clauses (5) to (7) of section 14 may, subject to the approval of the Executive Council make Rules, consistent with this Act, the Statutes, Ordinances and Regulations, providing for all matters solely concerning such authority.

(3) All Regulations made by the Academic Council or any Faculty and all Rules made by any authority or Board shall have effect from such date as the authority making the Regulations or Rules, may direct:

Provided that a Regulation or a Rule which involves expenditure from the University Fund shall not be effective until it is approved by the Executive Council.

## CHAPTER VI.

### AFFILIATION, RECOGNITION AND APPROVAL.

35. (1) A college applying for affiliation to the University shall send a letter of application to the Registrar and shall satisfy the Executive Council and the Academic Council—

**Affiliation.**

(a) that the college will supply a need in the locality having regard to the type of education intended to be provided by the College, the existing provisions for the same type of education made by other colleges in the neighbourhood, and the suitability of the locality where the college is to be established;

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

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

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

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

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

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

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

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

(j) that for recruitment of the Principal and members of the teaching staff of the college there is a selection committee of the college which shall include—

(1) in the case of recruitment of the Principal, a representative of the University nominated by the Vice-Chancellor, and

(2) in the case of recruitment of a member of the teaching staff of the college, a representative of the University nominated by the Vice-Chancellor and the Head of the Department, if any, concerned with the subject to be taught by such member;

(k) that the college shall comply with the Statutes, Ordinances and Regulations providing for conditions of service including salary scales and allowances, of the teaching and other academic and non-academic staff of an affiliated college;

(l) such other conditions as may be specified in the Statutes in accordance with the provisions of this Act:

Provided that nothing in clause (j) shall apply to a Government college, a college maintained by Government or a college established and administered by minority whether based on religion or language.

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

(3) On receipt of a letter of application under sub-section (1) the Executive Council shall—

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

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

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

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

Provided that where the views of the Academic Council with regard to the affiliation of a college are not acceptable to the Executive Council, the Executive Council shall refer the matter again to the Academic Council, with or without its comments, and the Academic Council shall communicate again to the Executive Council its views with regard to the affiliation of the College.

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

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

(6) As soon as possible after the State Government makes its order, the Registrar shall submit to the Executive Council and the Academic Council a full report regarding the application, the action taken thereon under sub-sections (3) to (5) and of all proceedings connected therewith.

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

(8) Every college, not being a college established and administered by a minority whether based on religion or language, which immediately before the commencement of this Act was affiliated to the Saurashtra University and is on such commencement affiliated to the University, shall as



and when occasion first arises after such commencement for recruitment of the Principal and the teachers of the college, constitute or reconstitute its selection committee in conformity with the requirement mentioned in clause (j) of sub-section (1) as if the said college had been affiliated subject to the condition mentioned in the said clause (j).

Extension  
of  
affiliation.

36. Where a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed by section 35 shall, so far as may be, be followed.

Recognition  
of institutions  
of research and  
specialised  
studies.

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

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

(a) constitution and personnel of the managing body ;

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

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

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

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

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

(4) If the Executive Council decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorised by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the Executive Council shall, after obtaining the opinion of the Academic Council, grant or refuse the application or any part thereof. Where the application or any part thereof is granted, the Executive Council shall specify the subjects and courses of instructions in respect of which the institution is recognised and make a report to that effect to the Academic Council at its next succeeding meeting. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

38. (1) The Executive Council shall have the power after consultation with the Academic Council, to approve an institution as an approved institution for specialised studies, laboratory work, internship, research or other academic work approved by the Academic Council under the guidance of a single qualified teacher.

Approval of Institution.

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

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

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

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

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

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

(4) If the Executive Council decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorised by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the Executive Council shall after obtaining the opinion of the Academic Council, grant or refuse the application or any part thereof. Where the application or any part thereof is granted, the Executive Council shall specify the subjects and courses of instruction in respect of which the institution is approved and make a report to that effect to the Academic Council at its next succeeding meeting. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

39. (1) Every affiliated college, recognised institution and approved institution shall furnish such reports, returns and other information as the Executive Council after consulting the Academic Council, may require to enable it to judge the efficiency of the college or institution.

Inspection of colleges and report.

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

(3) The Executive Council may call upon any college or institution so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (1) of section 35, sub-section (2) of section 37, or, as the case be, sub-section (2) of section 38.

Withdrawal  
of affiliation.

40. (1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (1) of section 35 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

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

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

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

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Executive Council, after considering the notice of motion, statement and representation, and after such inspection by any competent person or persons authorised by the Executive Council in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall record its opinion in the matter:

Provided that where the views of the Academic Council with regard to the withdrawal or modification of the rights conferred by affiliation are not acceptable to the Executive Council, the Executive Council shall, before passing such resolution, refer the matter again to the Academic Council, with or without its comments and the Academic Council shall communicate again to the Executive Council its views in the matter.

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

(6) Where by an order made under sub-section (5) the rights conferred on any college by affiliation are withdrawn in whole or in part or modified the grounds for such withdrawal or modification shall be stated in the order.

(7) The Executive Council may, on recommendation of the Academic Council, recommend to the State Government withholding or reduction of a grant to an affiliated college which, on a report by an inspection committee or otherwise, is found making persistent default in carrying out the conditions of affiliation.

Withdrawal  
of recog-  
nition.

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

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

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

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

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Executive Council after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorised by the Executive Council in this behalf, and after such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall decide whether the recognition, should or should not be withdrawn or suspended, and pass a resolution accordingly.

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

Withdrawal  
of  
approval.

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

(3) On receipt of the explanation, if any, made by the institution in reply to the notice, and where no such reply is received, on the expiry of the period referred to in sub-section (2), the Executive Council shall, after consulting the Academic Council and after such inquiry, if any, as may appear to it to be necessary, decide whether the approval should or should not be withdrawn or as the case may be, suspended and make an order accordingly.

## CHAPTER VII.

### POSTGRADUATE TEACHING.

43. (1) Within the University area all postgraduate instruction, teaching and training shall be conducted by the University Departments and University Centres.

Post-  
graduate  
teaching.

(2) For the purpose of organising and coordinating the postgraduate instruction, teaching and training and research in the University area, there shall be constituted a Board to be known as the Board of Post-graduate Teaching and Research. The constitution, powers and duties of the Board shall be such as may be prescribed by the Statutes.

(3) All postgraduate departments shall ordinarily be located at the headquarters of the University.

## CHAPTER VIII.

### ENROLMENT AND DEGREES.

Qualifications for enrolment of student of the University.

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

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

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

(iii) any other examination prescribed as equivalent to the examinations referred to in clauses (i) and (ii),

and also possess such further qualifications, if any, as may be prescribed by the Statutes.

*Explanation.*—In this section “Higher Secondary School Certificate Examination” means the examination of the students in the twelfth standard.

Residence of students.

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

Degrees, Diplomas and other academic distinctions.

46. The Court may, on the recommendation of the Executive Council and the Academic Council, institute and confer such degrees, diplomas and other academic distinctions as may be prescribed by the Statutes.

Honorary degree.

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

Removal from membership of University and withdrawal of degree or diploma.

48. (1) The Chancellor may, on the recommendation of the Executive Council and of the Court supported by a majority of not less than two-thirds of the members of each body present at its meeting, such majority comprising not less than one half of the members of each body remove the name of any person from the register of graduates or withdraw from

any person a diploma or degree conferred upon him by the University, if he has been convicted by a court of law of any offence which in the opinion of the Executive Council and the Court is a serious offence involving moral turpitude or if he has been guilty of scandalous conduct.

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

## CHAPTER IX.

### COMMITTEES.

49. (1) There shall be Committees for selection of different classes of full time teachers of the University, including tutors and demonstrators.

Committees  
for  
selection of  
University  
teachers.

(2) No person shall be appointed as full time teacher of the University except on the recommendation of the Committee.

(3) The constitution of every such Committee, the term of office of its members and the procedure to be followed by it shall be such as may be prescribed by the Statutes.

50. (1) There shall be constituted every year a Committee for each Faculty for the purpose of drawing up the list for appointment to University Examinerships.

Examiners'  
Committees.

(2) The constitution of every such Committee, the term of office of its members and the procedure to be followed by it shall be such as may be prescribed by the Statutes.

51. (1) There shall be constituted as many Joint Consultative Committees for the purpose of promoting welfare of members of the non-teaching staff of the University, affiliated colleges and recognised institutions as may be deemed necessary by the University.

Joint  
Consultative  
Committees.

(2) The constitution of every such Committee, the term of office of its members and its powers and functions shall be such as may be prescribed by the Statutes.

52. (1) Any of the authorities of the University referred to in section 14 may from time to time appoint such other Committees consisting of such persons from amongst its members as the authority thinks fit and may refer or entrust, to any such Committee for inquiry and report or for opinion, any of the matters dealt with by the authority and may at any time discontinue or alter the constitution of any such Committee.

Other  
Committees.

(2) Notwithstanding anything contained in this Act, but subject to the approval of the appointing authority, it shall be lawful for a Committee appointed under sub-section (1) to co-opt such number of persons who are not members of the appointing authority as its members as it thinks fit.

## CHAPTER X.

## FINANCE.

University  
Fund.

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

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

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

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

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

(d) any sum borrowed from the Banks with the permission of the State Government.

5 of 1970.

(3) The University Fund shall be kept in any corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 or Scheduled Bank as defined in the Reserve Bank of India Act, 1934, or in a co-operative bank approved by the State Government for the purpose or invested in securities authorised by the Indian Trusts Act, 1882, at the discretion of the Executive Council.

II of  
1934.

II of  
1882.

Annual  
Accounts  
and  
financial  
estimates.

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

(2) The Executive Council shall, after the accounts are audited, submit a copy thereof along with a copy of the audit report to the Court and to the State Government.

(3) The Executive Council shall, having regard to the Government grants that are likely to be available prepare before such date as may be prescribed by the Statutes the financial estimates for the ensuing year.

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

Annual  
Report

55. The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and shall be considered by the Court at the annual meeting. The Court may pass resolutions thereon and communicate the same to the Executive Council which may take such action as it thinks fit, and the Executive Council shall inform the Court at its next meeting of the action taken by it or if no action is taken of its reasons for taking no action.

## CHAPTER XI.

## SUPPLEMENTARY PROVISIONS.

56. Save as otherwise provided by or under this Act, every salaried officer and teacher of the University shall be appointed under a written contract. The contract shall be lodged with the Registrar of the University and a copy thereof shall be furnished to the officer or teacher concerned.

Conditions  
of service.

XLV  
of  
1890.

57. Every officer and employee of the University shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Officers and  
employees  
to be  
public  
servants.

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

58. Any dispute arising out of a contract between the University and any officer or teacher of the University shall, on the request of the officer or teacher concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final and no suit shall lie in any Civil Court in respect of the matter decided by the Tribunal. Every such request shall be deemed to be submission to arbitration upon the terms of this section within the meaning of the Indian Arbitration Act, 1940 and the provisions of that Act shall apply accordingly.

Tribunal of  
Arbitration.

X of  
1940.

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

Pension,<sup>1</sup>  
Insurance  
and  
Provident  
Fund.

60. (1) It shall be the duty of every officer, teacher and other employee of the University to ensure that the interests of the University are duly safeguarded.

Officers  
responsible  
for damage

(2) If it is found that any damage or loss has been caused to the University by any unlawful act not done in good faith, on the part of any such officer, teacher or other employee, or by any wilful failure to act in conformity with the provisions of this Act, the Statutes, Ordinances, Regulations or Rules, or by any wilful neglect or default on his part, such damage or loss shall be liable to be recovered from him in accordance with the procedure prescribed by the Statutes.

61. Without prejudice to the provisions of section 60 or any other provisions of this Act, the Chancellor, may, by order in writing, annul, suspend or modify any resolution, order or proceeding of any officer or authority of the University which, in his opinion, is not in conformity with this Act, or the Statutes, Ordinances, Regulations or Rules :

Power to  
annul,  
suspend,  
etc. pro-  
ceeding of  
officers and  
authorities.



Provided that before making any such order, the Chancellor shall call on the officer or authority to show cause why such an order should not be made, and if any cause is shown within the time fixed by the Chancellor, he shall consider the same and decide, and his decision shall be final.

Election to be by system of proportional representation.

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

Vacating of office.

63. (1) The Vice-Chancellor may by writing under his hand addressed to the Chancellor resign his office.

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

(3) Any member of any authority or body of the University shall cease to be a member on his being convicted by a court of law of an offence which in the opinion of the Vice-Chancellor in the case of a member of the Court, and in the opinion of the Court in the case of a member of any other authority or body, involves moral turpitude.

Filling of casual vacancies.

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

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

Delegation of powers.

65. 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, Regulations and Rules, 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.

Acts and proceedings not invalidated merely on the ground of defect in constitution, vacancy, etc.

66. No act or proceeding of any authority or other body of the University shall, at any time, be deemed to be invalid on the ground only that it is not duly constituted, or that there is a defect in its constitution or reconstitution, or that there is a vacancy in the membership thereof; and the validity of any such act or proceeding shall not be questioned in any court or before any authority or officer merely on any such ground.

67. If any question arises regarding the interpretation of any provision of this Act, or of any Statute, Ordinance, Regulation or Rule, or as to whether a person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University the matter may, on a petition by any person or body directly affected or *suo motu*, be referred by the Vice-Chancellor, to the Chancellor and shall be so referred to the Chancellor if twenty members of the Court so require. The Chancellor shall, after taking such advice as he deems necessary, decide the question and his decision shall be final.

Disputes as to constitutions of the University authority or body.

68. All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and no suit shall be instituted against or damage claimed from the University or its authorities, bodies or Officers for anything purporting to be done in pursuance of this Act and the Statutes, Ordinances, Regulations and Rules framed thereunder.

Protection of acts and orders.

## CHAPTER XII

### TRANSITORY PROVISIONS

Guj.  
39 of  
1966.

69. (1) Notwithstanding anything contained in the Saurashtra University Act, 1965 or in the Statutes, Ordinances, Regulations, Rules and Orders made thereunder, the Colleges, Departments and the Centres specified in Schedule-II, shall, from the date of the commencement of this Act, cease to be the colleges, Departments or, as the case may be, centres of the Saurashtra University, and shall be transferred to and vest in the University.

Transfer of certain colleges, Departments and the Centres of the Saurashtra University to the University.

(2) The control and management of the colleges, Departments and centres referred to in sub-section (1) shall, with effect on and from the date of the commencement of this Act, stand transferred to the University and all properties and assets (whether movable or immovable) and liabilities of the Saurashtra University in relation thereto shall stand transferred to and vest in or devolve upon the University.

(3) Where before the date of the commencement of this Act, the Saurashtra University has made any contract in relation to the said colleges, Departments or Centres, such contracts shall be deemed to have been made by the University and any reference therein to the Saurashtra University shall be construed as reference to the University.

(4) Where immediately before the commencement of this Act, the Saurashtra University is a party to any legal proceedings with respect to any property and assets transferred to the University under this section or with respect to any of the rights, liabilities, or obligations of the Saurashtra University which have become the rights, liabilities and obligations of the University, the University shall be deemed to be substituted for the Saurashtra University as a party to those proceedings and the proceedings shall continue accordingly.

70. (1) Notwithstanding anything contained in section 69 the existing staff serving at the headquarters of the Saurashtra University at Bhavnagar and that serving in the colleges Departments and Centres, transferred to the University under section 69 shall be taken over and employed by the University on the same terms and conditions of service

University to absorb staff of colleges, Departments and centres transferred to it.

as may be applicable to them immediately before the date of such taking over, with effect from such date as the State Government may by notification in the *Official Gazette*, specify and every person so taken over and employed shall be subject to the provisions of this Act, Statutes, Ordinances, Regulations and Rules made thereunder :

Provided that the terms and conditions of service applicable immediately before the date of such taking over to any person so taken over, shall not be varied to his disadvantage except with the previous approval of the State Government.

Completion of courses of students in colleges affiliated to the Saurashtra University.

71. Notwithstanding anything contained in this Act, or the Statutes, Ordinances and Regulations made thereunder, any student of a college situated within the University area and affiliated to or established or maintained by the Saurashtra University who immediately before the date of commencement of this Act was studying or was eligible for any examination of the Saurashtra University shall be permitted to complete his course in preparation therefor and the University shall provide for such period and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the course of studies of the Saurashtra University.

Appointment of the first Vice-Chancellor. ]

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

Appointment of the first Registrar.

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

Transitory powers of the first Vice-Chancellor.

74. (1) It shall be the duty of the first Vice-Chancellor,—

(a) to give recognition to institutions, if any, as far as possible consistently with the provisions of section 37; and

(b) to make arrangements for constituting the Court, the Executive Council, the Academic Council and other authorities of the University,

within six months after the date of his appointment or such longer period not exceeding one year as the State Government may, by notification in the *Official Gazette*, specify.

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

(a) subject<sup>T</sup> to the provisions of this Act and the approval of the Chancellor,—

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

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

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

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

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

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

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

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

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

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

76. The Vice-Chancellor appointed under section 72 shall have powers until the Executive Council commences to exercise its functions;—

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

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

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

(d) with the sanction of the Chancellor, to make for a period not exceeding three years, such appointments as may be necessary to enable this Act or any part thereof to be brought into force,

First  
appointment  
of the  
officers and  
teachers of  
the  
University.

Extra  
ordinary  
powers of the  
first vice-  
Chancellor.

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

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

Prohibition of simultaneous membership of authorities of Saurashtra and Bhavnagar Universities.

77. Notwithstanding anything contained in the Saurashtra University Act, 1965, if any person who is a member of any of the authorities of the Saurashtra University immediately before the date of the commencement of this Act is chosen as a member of any of the authorities of the University established under this Act, then, such person's seat in the concerned authority of the Saurashtra University shall become vacant, unless he has previously resigned such seat :

Guj.  
39 of  
1965.

Provided that if such person is so chosen by nomination such person shall be entitled to exercise option, within a period of fifteen days of his being so chosen, whether he desires to retain his seat in the concerned authority of the Saurashtra University or to accept the seat in the authority of the University to which he is nominated.

Power to remove difficulty.

78. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of the commencement of this Act.

Amendment of Guj. 39 of 1965.

79. The Saurashtra University Act, 1965 shall stand amended in the manner and to the extent specified in Schedule-III.

Guj.  
39 of  
1965.

#### SCHEDULE I.

(See sections 2 (17) and 5).

The area comprising the limits of the Bhavnagar Municipal Borough, on the date of the coming into force of this Act.

#### SCHEDULE-II.

(See section 69).

- (1) Samaldas Arts College, Bhavnagar.
- (2) Sir P. P. Institute of Science, Bhavnagar.
- (3) M. J. College of Commerce, Bhavnagar.
- (4) Department of Chemistry, Saurashtra University.
- (5) Department of Mathematics, Saurashtra University.
- (6) Post-graduate Centre in Education, Saurashtra University.

- (7) Post-graduate Centre in Economics, Saurashtra University.  
 (8) Post-graduate Centre in Commerce, Saurashtra University.  
 (9) Post-graduate Centre in Gujarati, Saurashtra University.

SCHEDULE-III.

(See section 79)

(Amendments to the Saurashtra University Act, 1965).

Sr. No.	Extent of amendments.
1	2
1.	<p>In section 3, for sub-section (4), the following sub-section shall be substituted, namely:—            “(4) The headquarters of the University shall be located at Rajkot.”</p>
2.	<p>In section 8,            (1) for clause (iii), the following clause shall be substituted, namely:—            “(iii) the Pro-Vice Chancellor, if any;”            (2) clause (va) shall be deleted.</p>
3.	<p>In section 10, in sub-section (6); for the words “Pro-Vice-Chancellor and in the absence of the Pro-Vice-Chancellor” the words “Pro-Vice-Chancellor, if any, and in the absence of the Pro-Vice-Chancellor” shall be substituted.</p>
4.	<p>In section 11, in sub-section (1), for the words, figures and letter “Subject to the provision, of section 12A the Vice-Chancellor” the words “The Vice-Chancellor” shall be substituted.</p>
5.	<p>For section 12, the following shall be substituted, namely:—            “12. (1) (a) The Senate may, by resolution, decide that appointment shall or shall not be made to the office of the Pro-Vice-Chancellor.            (b) If the Senate decides under clause (a) that appointment shall be made to the office of the Pro-Vice-Chancellor, the Pro-Vice Chancellor shall be appointed by the Chancellor on the recommendation of the Vice-Chancellor. The Pro-Vice Chancellor shall be a whole time salaried officer and his emoluments and conditions of service shall be determined by the Statutes.            (2) The Pro-Vice-Chancellor shall be the principal inspecting officer of the University and his powers and duties shall be such as may be prescribed by the Statutes. He shall also exercise such powers and perform such duties as may be delegated to him by the Vice-Chancellor, and shall, in the absence of the Vice-Chancellor, preside at all meetings and exercise all the powers and perform all the duties of the Vice-Chancellor.”</p>

The Pro-Vice  
Chancellor.

Sr. No.	Extent of amendments.
1	2

6. Section 12A and 13A shall be deleted.
7. In section 16,—
- (1) in sub-section (1),—
- (a) under the heading “Class-I Ex-Officio Members,” in paragraph (A),—
- (i) for sub-clause (iv), the following sub-clause shall be substituted, namely:—
- “(iv) The Pro-Vice-Chancellor, if any.”;
- (ii) sub-clause (vi) shall be deleted;
- (b) under the heading “Class-II Ordinary Members”, in paragraph (A) in clause (iv),—
- (i) for item (a), the following shall be substituted, namely:—
- “(a) one member by the Municipal Corporation of the City of Rajkot”;
- (ii) item (aa) shall be deleted;
- (iii) in item (b), for the words “other Municipalities” the word “Municipalities” shall be substituted;
- (2) to sub-section (2), the following proviso shall be added, namely:—
- “Provided that the member referred to in item (aa), in clause (iv) in paragraph (A) in Class II Ordinary Members, elected by the Bhavnagar Municipality who may be holding office as such member immediately before the deletion of the said item (aa) by the amendments made to this Act by the Bhavnagar University Act, 1978 shall cease to hold such office on and from the date on which such amendments shall come into force.”.
- 8 In section 19, in sub-section (1), in clause (ii) for the words “The Pro-Vice-Chancellor” the words “The Pro-Vice-Chancellor, if any”, shall be substituted.
- 9 In Section 21, in sub-section (1), in clause (ii) for the words “The Pro-Vice-Chancellor” the words “The Pro-Vice-Chancellor, if any”, shall be substituted.

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Sr. No.	Extent of amendments
1	2
10. Section 60A shall be deleted.	
11. In the Schedule, for entry 2, the following entry shall be substituted namely:—	
“(2) Bhavnagar District excluding the Bhavnagar University area.”	

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**The Gujarat Government Gazette**  
**EXTRAORDINARY**  
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Separate paging is given to this Part in order that it may be filed  
as a Separate Compilation.

**PART IV**

**Acts of the Gujarat Legislature and Ordinances promulgated and  
Regulations made by the Governor.**

The following Act of the Gujarat Legislature having been assented to by the  
Governor on the 23rd February, 1987 is hereby published for general information.

J. P. VASAVADA,  
Secretary to the Government of Gujarat,  
Legal Department.

**GUJARAT ACT NO. 7 OF 1987.**

(First published, after having received the assent of the Governor in the  
"Gujarat Government Gazette" on the 25th February, 1987.)

AN Act further to amend the Bhavnagar University Act, 1978.

It is hereby enacted in the Thirty-eighth Year of the Republic of India as  
follows:—

1. This Act may be called the Bhavnagar University (Amendment) Act, 1987. Short title.
2. In the Bhavnagar University Act, 1978 (hereinafter referred to as "the Amendment  
principal Act") in the long title, for the words "and residential", the words "and  
affiliating" shall be substituted. of long  
title of  
Guj. 26 of  
1978.

Amendment  
of section 2  
of Guj. 26  
of 1978.

3. In the principal Act, in section 2,

(1) after clause (2), the following clauses shall be inserted, namely:—

“(2A) “autonomous college” means a college which exercises the powers conferred on it under section 42A;

(2B) “autonomous recognised institution” means a recognised institution which exercises the powers conferred on it under section 42A;

(2C) “autonomous University Department” means a University Department which exercises the powers conferred on it under section 42A;”;

(2) after clause (13), the following clause shall be inserted, namely:—

“(13A) “student” means a person studying in a college or a University Department;”;

(3) for clause (15), the following clause shall be substituted, namely:—

“(15) “teachers of the University” means teachers appointed by the University for imparting instruction in the University Departments;”;

(4) clause (18) shall be deleted.

Amendment  
of section 4  
of Guj. 26  
of 1978.

4. In the principal Act, in section 4,—

(1) in clause (10), for the words “University Departments, University Centres and recognised institutions”, the words “University Departments and recognised institutions” shall be substituted.;

(2) after clause (17), the following clauses shall be inserted, namely:—

“(17A) to submit to the State Government proposals for conferment of autonomy on any affiliated college or a University college or a University Department or a recognized institution entitling it to privileges in the matters of admission of students, prescribing the courses of study, imparting instruction in teaching and training in the courses of study, the holding and conduct of examinations and the powers to make necessary rules for the purpose;

(17B) to recommend to the State Government withdrawal of autonomy conferred on any affiliated college, recognized institution or a University college or Department;”.

5. In the principal Act, in section 7,—

(1) in sub-section (2),—

(a) the words “and to the Court” shall be deleted;

(b) the words “and the Court” shall be deleted;

(2) in sub-section (3), the words “with the opinion of the Court thereon and” shall be deleted.

Amendment  
of section 7  
of Guj. 26  
of 1978.

## 6. In the principal Act, in section 10,—

Amendment  
of section 10  
of Guj. 28  
of 1978.

(1) in sub-section (1), for the words "The Vice-Chancellor shall be appointed by the State Government", the words "The Vice-Chancellor shall be appointed by the Chancellor in consultation with the State Government" shall be substituted ;

(2) in sub-section (2), for clause (a), the following clause shall be substituted, namely:—

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

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

(ii) one member to be nominated by the Chancellor ;

(iii) one member to be nominated by the Chairman of the University Grants Commission";

(3) in sub-section (3), for the words "shall recommend to the State-Government the names of the persons so selected" the words shall recommend to the Chancellor the names of the persons so selected arranged in an alphabetical order" shall be substituted ;

(4) in sub-section (6), for the words "one of the Deans nominated by the Chancellor", the words "the senior professor nominated by the Chancellor" shall be substituted.

## 7. In the principal Act, in section 11, in sub-section (6A),—

Amendment  
of section 11  
of Guj. 28  
of 1978.

(1) in clause (c), for the words "the State Government for its decision", the words "the Chancellor for his decision" shall be substituted ;

(2) in clause (d),—

(i) for the words "The State Government", the words "The Chancellor" shall be substituted ;

(ii) in the proviso, for the words "the State Government", the words "the Chancellor" shall be substituted ;

(3) in clause (e), for the words "the State Government", the words "the Chancellor" shall be substituted.

Amendment  
of section  
11A of Guj.  
26 of 1978.

8. In the principal Act, in section 11A,—

(1) in sub-section (1), for the words, "the State Government", the words "the Chancellor" shall be substituted;

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

"(2) (a) The term of the office of Pro-Vice-Chancellor shall be co-terminus with that of the Vice-Chancellor.

(b) Subject to the provisions of clause (a), he shall be eligible for appointment to that office for a further term:

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

Amendment  
of section 14  
of Guj. 26  
of 1978.

9. In the principal Act, in section 14, after clause (6), the following clauses shall be inserted, namely:—

"(6A) The Finance Committee,

(6B) The Planning Board."

Amendment  
of section 15  
of Guj. 26  
of 1978.

10. In the principal Act, in section 15, in sub-section (1), under heading "CLASS II-ORDINARY MEMBERS",—

(1) in paragraph (A), clauses (iii), (viii) and (x) shall be deleted;

(2) after paragraph (B), the following paragraph shall be inserted, namely:—

"(C) (i) One member from amongst such teachers of recognised institutions who are not the Heads of those Institutions to be nominated by the Vice-Chancellor by rotation in the manner specified in the Statutes;

(ii) One member from the management of colleges affiliated to the University to be nominated by the Vice-Chancellor by rotation in the manner specified in the Statutes;

(iii) One member from the following donors to be nominated by the Vice-Chancellor by rotation in the manner specified by the Statutes, namely:—

Donors each donating money or property of the value of not less than one lakh of rupees—

(a) to, or for the purposes of, the University, or

(b) to, for or the purposes of, a college or institution affiliated to or recognized by the University irrespective of whether the donation was made before or after such affiliation or recognition:

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

*Explanation* - For the purposes of this paragraph the value of property means the market value of the property at the date of acceptance and the decision as to market value shall rest with the Executive Council and shall be final."

11. In the principal Act, for section 17, the following section shall be substituted, namely:--

Amendment  
of section 17  
of Guj. 26  
of 1978.

"17. Subject to the other provisions of this Act, the Court shall exercise the following powers and perform the following duties, namely:--

Powers and  
duties of  
the Court.

(a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University ;

(b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report on such accounts;

(c) to advise the Chancellor in respect of any matter which may be referred to it for advice; and

(d) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the Statutes."

12. In the principal Act, in section 18, in sub-section (1),--

Amendment  
of section 18  
of Guj. 26  
of 1978.

(1) for clauses (iv) to (viii), the following clauses shall be substituted, namely:--

"(iv) One Head of the University Department nominated by the Vice-Chancellor by rotation from amongst the members of the Court who are the Heads of the University Departments in the manner specified by the Statutes ;

(v) Two persons to be nominated by the Chancellor from amongst the members of the Court who are neither teachers nor students nor employe of any University or affiliated college or recognised or approved institution;

(vi) One University Professor to be nominated by the Vice-Chancellor by rotation from amongst the members of the Court, in the manner specified by the Statutes ;

(vii) One teacher of a University Department other than the Head of the University Department to be nominated by the Vice-Chancellor by rotations from amongst the members of the Court, in the manner specified by the Statutes ;

(viii) Two Principals of affiliated colleges to be nominated by the Vice-Chancellor by rotation from amongst such members of the Court who are Principals of affiliated colleges, in the manner specified by the Statutes;

(viii-a) One teacher of the affiliated college other than a Principal nominated by the Vice-chancellor by rotation from amongst such members of the Court who are teachers of affiliated colleges, in the manner specified by the Statutes ;”;

(2) clause (x) shall be deleted ;

(3) in clause (x-a), for the words “Four persons”, the words “Two persons” shall be substituted.

13. In the principal Act, in section 20, in sub-section (1),—

(1) after clause (i), the following shall be inserted, namely :—

“(ia) The Pro-Vice-Chancellor, if any, *ex-officio* ;”;

(2) clause (iii) shall be deleted ;

(3) for clauses (v) and (vi), the following clauses shall be substituted, namely:—

“(v) not more than five Head of the University Department to be nominated by the Vice-Chancellor by rotation, in the manner specified by the Statutes ;

(vi) One Head of the recognised institution to be nominated by the Vice-Chancellor by rotation from amongst the Heads of recognised institutions, in the manner specified by the Statutes ;”;

(4) for the proviso, the following proviso shall be substituted, namely:—

“Provided that a member specified in any of the clauses (ii) to (vi) shall cease to hold office as such member if he ceases to be a Dean of a Faculty, a member of a Faculty, a Head of the University Department or, as the case may be, a Head of the recognised institutions.”.

14. In the principal Act, in section 22,—

(1) in sub-section (2),—

(a) clause (ii) shall be deleted;

(b) for clauses (iv) and (v), the following clauses shall be substituted, namely:—

"(iv) One University reader of the subject comprised in the Faculty to be nominated by Vice-Chancellor by rotation, in the manner specified by the Statutes;

(v) One member who is a teacher to be nominated by the Vice-Chancellor by rotation from amongst the members of the Board of Studies other than the Chairman in the manner specified by the Statutes.";

(2) after sub-section (2), the following sub-section shall be inserted, namely:—

"(2A) As soon as the Faculty is constituted under sub-section (2), it may co-opt as its additional members two persons who are experts in the subject comprised in the Faculty, whether they are or are not connected with the University as its members, teachers or otherwise.";

(3) for sub-section (5), the following sub-section shall be substituted, namely:—

"(5) The term of office of a member of the faculty shall be three years."

15. In the principal Act, in section 24, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:—

Amendment  
of section 24  
of Guj. 26  
of 1978.

"(1) There shall be a Dean of each Faculty who shall be nominated by Vice Chancellor by rotation from amongst the Heads of the University Departments related to the subject comprised in the Faculty, in the manner specified by the Statutes.

(2) The Dean shall hold office for a term of three years."

16. In the principal Act, in section 25, in sub-section (4), in the proviso, for clause (b), the following clause shall be substituted, namely:—

Amendment  
of section 25  
of Guj. 26  
of 1978.

"(b) Where there is no such Head of the University Department on the Board, the Chairman shall be nominated by rotation by the Vice-Chancellor from amongst the other members of the Board in the manner specified in the Statutes."

17. In the principal Act, for section 31, the following section shall be substituted, namely:—

Substitution  
of section 31  
of Guj.  
26 of 1978.

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

Making,  
amendment,  
operations  
and repeal  
of statutes.

(2) The Executive Council may take into consideration the draft of a Statute either of its own motion or on a proposal by any other University authority.

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

(4) Where a draft of a Statute seeks to provide for academic matter or matters relating to discipline of teachers or students, the Executive Council shall, before passing such Statute, consult the Academic Council.

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

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

(ii) the Executive Council, before passing any such Statute take into consideration of its own motion, shall ascertain and consider the views of the officer, authority or Board concerned.

(6) Every Statute passed by the Executive Council shall be presented to the Chancellor who may give or withhold his assent thereto or refer it back to the Executive Council for reconsideration.

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

18. In the principal Act, for chapter VII, the following Chapters shall be substituted, namely:—



## "CHAPTER VI A

AUTONOMOUS COLLEGES, AUTONOMOUS INSTITUTIONS AND  
AUTONOMOUS UNIVERSITY DEPARTMENTS

42A. (1) Any affiliated college or University college or a recognised institution or a University Department may, by a letter addressed to the Registrar, apply to the Executive Council to allow the college, institution or, as the case may be, Department, to enjoy autonomy in the matters of admission of students, prescribing the courses of studies, imparting instructions and training, holding of examinations and the powers to make necessary rules for the purpose (hereinafter referred to as "the specified matters").

Conferment  
of autonomy  
on colleges  
etc. in  
certain  
matters.

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

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

(i) direct a local enquiry to be made by such body of persons authorised by the Executive Council in this behalf, out of whom at least one person shall be a representative of the University Grants Commission; and

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

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

(3) The Registrar shall thereupon submit the proposals for conferring such autonomy on such college, institution or Department and all proceedings, if any, of the Academic Council, and the Executive Council relating thereto, to the State Government.

(4) On receipt of the proposals and proceedings under sub-section (3), the State Government, after such inquiry as may appear to it to be necessary may sanction the proposals or reject the proposals.

(5) Where the State Government sanctions the proposals, it shall by an order published in the *Official Gazette* confer on the college, institution or Department specified in the proposals, powers to regulate the admission of students to the college, institution or, as the case may be, the Department, prescribing the course of studies in the college, institution or Department, the imparting of instructions, teaching and training in the course of studies, the holding of examination and such other powers as may have been specified in the proposals.

(6) A college, recognised institution or University Department exercising the powers under-section (5) shall be called an autonomous college, autonomous recognised institution or, as the case may be, autonomous University Department.

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

Standing  
Committee.

42B. (1) For the purpose of enabling it to exercise the powers conferred on it under section 42A, an autonomous college, autonomous recognised institution or autonomous University Department shall appoint a Standing Committee consisting of such members, including the Chairman, as may be prescribed by the Statutes.

(2) The Standing Committee shall exercise such of the powers of the college, institution or Department under section 42A as the college, institution or Department may delegate to it.

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

Autonomous  
colleges, etc.,  
to furnish  
reports etc.  
and, inspec-  
tion of such  
colleges, etc.

42C. (1) Every autonomous college, institution or Department shall furnish such reports, returns and other information as the Executive Council may require to enable it to judge the efficiency of the college, institution or Department.

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

Withdrawal  
of power of  
autonomous  
college, etc.

42D. (1) Where in respect of an autonomous college, institution or Department the Executive Council is of opinion that the efficiency of the college, institution or Department has so deteriorated that in the interest of education it is necessary to withdraw the powers conferred on the college, institution or Department under section 42A, the Executive Council shall send an intimation to that effect to the Principal of the college, or head of the institution or Department

stating that any explanation in writing submitted within the period specified in the intimation on behalf of the college, institution or Department will be considered by the Executive-Council :

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

(2) On receipt of the explanation or on the expiry of the period referred to in sub-section (1), the Executive Council, after considering the explanation, if any, and after such inspection by a competent person or persons authorised by the Executive Council in this behalf and such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall pass a resolution recommending the withdrawal of powers conferred under section 42A :

Provided that no resolution of the Executive Council recommending the withdrawal of the powers conferred under section 42A, shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at the meeting of the Executive Council such majority comprising not less than one-half of the members of the Executive Council.

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

(4) Where in the case of an autonomous college, autonomous recognised institution or autonomous University Department the rights conferred under section 42A are withdrawn by an order made under sub-section (3), the college, institution, or, as the case may be, the Department shall cease to be an autonomous college, institution or Department from the date specified in the order.

## CHAPTER VII

### ORGANISATION WITHIN THE UNIVERSITY AREA FOR POST-GRADUATE TEACHING

43. (1) All post-graduate instruction, teaching and training within the University area shall be conducted by the University at its Head-quarters. the Post-graduate teaching.

(2) Until the University establishes a department for post-graduate instruction, teaching and training in respect of any subject for the purpose mentioned in sub-section (1), it shall continue to maintain the University Centres existing immediately before the commencement of the Bhavnagar University (Amendment) Act, 1987 for such instruction, teaching and training in that subject.

*Explanation.*—For the purposes of this section, University Centre shall mean a Centre established by the University before the commencement of the Bhavnagar University (Amendment) Act, 1987 where post-graduate studies are imparted as determined by the Statutes, Ordinances and Regulations of the University made in this behalf.

43A. The relations of the affiliated colleges, University colleges and recognised or approved institutions within the University area shall be governed by the Statutes to be made in that behalf, and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the affiliated degree colleges and recognised institutions, namely:—

(i) to lay down minimum educational qualifications for the different classes of teachers and tutorial staff employed by such colleges and institutions and the conditions of their service;

(ii) to approve the appointments of the teachers made by such colleges and institutions;

(iii) to require each such college and institutions to contribute a prescribed quota of recognised teachers in any subject for teaching on behalf of the University;

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

(v) to require such colleges and institutions, when necessary, to confine the enrolment of students to certain subjects;

(vi) to levy contributions from such colleges and institutions and make grants to them; and

(vii) to require satisfactory arrangements for tutorial and similar other work in such colleges and institutions and to inspect such arrangements from time to time :

Provided that a degree college or recognised institution shall supplement such teaching by tutorial or other instruction, teaching or training in a manner to be prescribed by the Regulations to be made by the Academic Council.”.

19. In the principal Act, for Schedule I, the following shall be substituted, namely:—

#### “SCHEDULE I

(See sections 2 (17) and 5)

The area comprising the limits of the Bhavnagar District on the date of the coming into force of the Bhavnagar University (Amendment) Act, 1987.”

Guj.  
7 of  
1987.

Guj. 20. In the Saurashtra University Act, 1965, in the Schedule, entry 2 shall be deleted. Amendment  
of Guj. 39  
of 1965.

21. (1) (a) The Court, Executive Council, Academic Council and each Faculty of the Bhavnagar University functioning immediately before the commencement of this Act (hereinafter referred to as "such commencement") the constitution of which has been rendered inconsistent with the provisions of the principal Act as amended by this Act shall cease to so function from such commencement. Transitory  
Provision.

(b) The person who immediately before such commencement, holds office as a Dean of a Faculty under section 24 of the principal Act, and who has not been nominated to such office in conformity with the provisions of the said section 24 as amended by this Act, shall cease to hold that office.

(2) (a) The Vice-Chancellor shall make arrangement for constituting the Court, the Executive Council, the Academic Council and each Faculty of the University and for nomination of a Dean of the Faculty so constituted, as soon as possible.

(b) The Vice-Chancellor shall, with the assistance of the Advisory Committee consisting of not more than fifteen members nominated by the State Government and notwithstanding anything contained in section 31 of the principal Act as amended by this Act, but subject to the other provisions of the principal Act as amended by this Act and the approval of the Chancellor, make Statutes necessary for constituting the authorities mentioned in clause (a) and for nomination of a Dean of each Faculty.

(c) The Statutes made by the Vice-Chancellor under clause (b) shall have the same force and effect as the Statutes of the Executive Council assented to by the Chancellor under the principal Act as amended by this Act.

(3) Any privileges enjoyed from the Saurashtra University before such commencement by any educational institution situate within the University area shall be deemed to be withdrawn with effect from such commencement.

(4) With effect on and from such commencement all educational institutions admitted to the privileges of the Saurashtra University situate within the Bhavnagar University area shall be deemed to be admitted to the privileges of the Bhavnagar University, and such institutions shall on and from such commencement cease to be associated with and to enjoy the privileges of the Saurashtra University and the Saurashtra University Act, 1965 shall thereupon cease to apply to them. The Bhavnagar University shall, as far as may be possible and consistent with the principal Act as amended by this Act, admit such institutions to all such privileges as they had from the Saurashtra University immediately before such commencement.

Guj.  
39 of  
1965



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Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the Governor on the 23rd July, 1987 is hereby published for general information.

J. N. BHATT,  
Secretary to the Government of Gujarat,  
Legal Department.

### GUJARAT ACT No. 24 OF 1987

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 24th July, 1987)

An Act further to amend the Bhavnagar University Act, 1978.

It is hereby enacted in the Thirty-eighth Year of the Republic of India as follows :—

1. (1) This Act may be called the Bhavnagar University (Second Amendment) Act, 1987.

(2) It shall be deemed to have come into force on the 6th June, 1987.

Guj. 26 of 1978. 2. In the Bhavnagar University Act, 1978 (hereinafter referred to as "the principal Act"), in section 10, in sub-section (c), to clause (a) the following proviso shall be added, namely :—

Short title and commencement.

Amendment of section 10 of Guj. 26 of 1978.

"Provided that in any case where for any reason whatsoever a person is not nominated—

(a) under sub-clause (i) by the Executive Council and the Academic Council jointly, or by the Vice-Chancellors, or

(b) under sub-clause (ii) by the Chairman of the University Grants Commission.

it shall be lawful for the Chancellor to nominate a person to be a member of the Committee in any such case.";

Repeal and Savings.

3. (1) The Bhavnagar University (Amendment) Ordinance, 1987 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Guj.  
ord.  
2 of  
1987.



सत्यमेव जयते

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**PART IV**

**Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.**

The following Act of the Gujarat Legislature having been assented to by the Governor on the 5th March, 1991 is hereby published for general information.

R. M. MEHTA,  
Secretary to the Government of Gujarat,  
Legal Department.

**GUJARAT ACT NO. 3 OF 1991.**

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 6th March, 1991).

**AN ACT**

further to amend the Bhavnagar University Act, 1978.

It is hereby enacted in the Forty-second Year of the Republic of India as follows:—

1. This Act may be called the Bhavnagar University (Amendment) Act, 1991. Short title.
2. In the Bhavnagar University Act, 1978 (hereinafter referred to as "the principal Act"), in section 2, in clause (3), for the words "leading to a degree", the words "leading to a diploma or degree" shall be substituted. Amendment of section 2 of Guj. 26 of 1978.

Guj. 26 of 1978.



Amendment  
of section  
10 of Guj.  
26 of 1978.

3. In the principal Act, in section 10, in sub-section (6), after the words "in absence of the Pro-Vice-Chancellor", the words "one of the Deans or" shall be inserted.

Amendment  
of section  
20 of Guj.  
26 of 1978.

4. In the principal Act, in section 20, in sub-section (1),—

(1) after clause (vi), the following clause shall be inserted, namely:—

"(vii) two principals of colleges to be nominated by the Vice-Chancellor by rotation, in the manner specified by the Statutes";

(2) in the proviso,—

(a) for the brackets and figure "(vi)", the brackets and figure "(vii)" shall be substituted;

(b) for the words "or, as the case may be, a Head of the recognised institutions", the words, "a Head of the recognised institution or, as the case may be, a Principal of a College" shall be substituted.

Amendment  
of section  
30 of Guj.  
26 of 1978.

5. In the principal Act, in section 30, in clause (v), for the words "specialised studies", the words "specialised studies, Post-graduate centres in affiliated colleges" shall be substituted.

Substitution  
of section  
43 of Guj.  
26 of 1978.

6. In the principal Act, for section 43, the following section shall be substituted, namely:—

Post-  
graduate  
instruction,  
teaching and  
training.

"43. Within the University area all post-graduate instruction, teaching and training in such subjects as may be prescribed by the Statutes shall be conducted by the University or subject to control of the University by such affiliated colleges or institutions as may be prescribed by the Statutes."

Extra No. 1

REGISTERED No.L2/RNP/ G/GNR-84

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## PART IV

### Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 15<sup>th</sup> March, 2012, is hereby published for general information.

C. J. GOTHI,

Secretary to the Government of Gujarat,

Legislative and Parliamentary Affairs Department.

### GUJARAT ACT NO. 1 OF 2012.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 15<sup>th</sup> March, 2012).

#### AN ACT

further to amend the Bhavnagar University Act, 1978.

It is hereby enacted in the Sixty-third Year of the Republic of India as follows:-

1. This Act may be called the Bhavnagar University (Amendment) Act, 2012.

Short title.

Guj.26 of 1978. 2. In the Bhavnagar University Act, 1978 (hereinafter referred to as "the principal Act"), in the long title, for the words "Bhavnagar University", the words "Maharaja Krishnakumarsinhji Bhavnagar University" shall be substituted.

Amendment of  
long title of  
Guj. 26 of 1978.

**Amendment of section 1 of Guj.26 of 1978.** 3. In the principal Act, in section 1, in sub-section (1), for the words and figures "the Bhavnagar University Act, 1978", the words and figures "the Maharaja Krishnakumarsinhji Bhavnagar University Act, 1978" shall be substituted. Guj. 26 of 1978.

**Amendment of section 2 of Guj.26 of 1978.** 4. In the principal Act, in section 2, in clause (16), for the words "the Bhavnagar University", the words "Maharaja Krishnakumarsinhji Bhavnagar University" shall be substituted.

**Amendment of section 3 of Guj.26 of 1978.** 5. In the principal Act, in section 3, in sub-section (1), for the words "The Bhavnagar University", the words "Maharaja Krishnakumarsinhji Bhavnagar University" shall be substituted.

**Insertion of new section in Guj.26 of 1978.** 6. In the principal Act, after section 68, the following new section shall be inserted, namely:-

**Construction of reference to the Bhavnagar University Act, 1978 and the Bhavnagar University in existing laws, instruments, etc.** "68A. (1) As from the commencement of the Bhavnagar University (Amendment) Act, 2012 (hereinafter referred to as "the said Act"), any reference in any existing law or instrument or document-

- (i) to the expression "the Bhavnagar University Act, 1978" shall be construed as if it were a reference to "the Maharaja Krishnakumarsinhji Bhavnagar University Act, 1978", and
- (ii) to the expression "The Bhavnagar University" shall be construed as if it were a reference to "Maharaja Krishnakumarsinhji Bhavnagar University".

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

**Explanation.-** For the purpose of this section "existing law" means any enactment of a Legislature or any other competent authority in relation to matters specified in List II and List III in the Seventh Schedule to the Constitution of India as in force in any part of the State of Gujarat immediately before the commencement of the said Act and includes any statute, ordinance, rule, bye-law, regulation, order, notification, scheme, form or other instrument having the force of law made, prescribed or issued under any such enactment."