



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LI]

SATURDAY, FEBRUARY 20, 2010/PHALGUNA 01, 1931

Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

THE INDIAN INSTITUTE OF TEACHER EDUCATION, GUJARAT BILL, 2010.

GUJARAT BILL NO. 4 OF 2010.

A BILL

to establish the Institute of Teacher Education to promote teachers' development of integral personality, wide vision of nationalism and internationalism, and to fulfill their role as exemplars, as friends, philosophers and guides, as scientists, psychologists, artists and technologists and above all as ideal communicators who can spread uplifting influence by the processes of awakening, inspiration and contagious enthusiasm, also to promote new trends of syntheses of the East and the West and agents of change from old to the new and to confer the status of a University thereon and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Indian Institute of Teacher Education, Gujarat Act, 2010.
- (2) It extends to the whole of the State of Gujarat.
- (3) 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.

Short title, extent
and
commencement.

V.Ex.-4-1

4-1

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

- (a) 'Academic Council' means the Academic Council of the University established under section 22;
- (b) 'Collaboration' means collaborative academic activity of the University with other Universities, other academic institutions (local, regional, national or international) and other research, educational, teaching, training institutions and organizations;
- (c) 'College' means college of learning and training maintained by or recognized, affiliated or approved as such by the University;
- (d) 'Executive Council' means the Executive Council of the University constituted under section 20;
- (e) 'Fee' means collection made by the University from the students for different purposes under different heads including tuition fee and development charges and the collection which is non-refundable;
- (f) 'Finance Committee' means the Finance Committee of the University constituted under section 25;
- (g) 'General Council' means the General Council of the University constituted under section 18;
- (h) 'Institute' means the Indian Institute of Teacher Education, Gujarat, a University established and incorporated under section 3.
- (i) 'Institution' means an institution which is a part of the University or it is associated with and admitted to the privileges of the University;
- (j) 'prescribed' means prescribed by rules, regulations, Statutes or, as the case may be, Ordinances made by or under this Act;
- (k) 'Regulations' means the Regulations made under section 34;
- (l) 'Research Council' means the Research Council of the University constituted under section 28;
- (m) 'Standing Committee' means the Standing Committee of the University constituted under section 37.

CHAPTER II

ESTABLISHMENT AND INCORPORATION OF UNIVERSITY

3. (1) There shall be established and incorporated a University by the name of 'the Indian Institute of Teacher Education, Gujarat'. Establishment and incorporation of University.
- (2) The Chancellor, the Vice-Chancellor, the members of the General Council, the Executive Council and the Academic Council, Registrar and all other persons who may hereafter become such officers so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of 'the Indian Institute of Teacher Education, Gujarat'.
- (3) The University shall be a body corporate by the name aforesaid, having perpetual succession and common seal with power, subject to the provisions of this Act, to acquire and hold property, to contract and shall, by the said name, sue and be sued.
- (4) In all suits and other legal proceedings by or against the University, the pleading shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.
4. The headquarters of the University shall be at Gandhinagar or at such other place, as the State Government may, by notification in the *Official Gazette*, specify. Headquarters of University.
5. The objects of the University shall be as follows :- Objects of University.
- (1) to provide new structures to programmes of teachers' education and to provide to the country and even to the world at large new types of teachers who can find their home anywhere and everywhere and who have abilities, -- linguistic and professional, -- so as to serve the highest interests of the contemporary children who have new psychology and new demands to find and create new future.
- (2) to develop in particular, integrated courses of teachers' education that can be pursued by students, combining subjects of humanities, sciences, arts, crafts and technology along with those related to philosophy and psychology of education and pedagogy.
- (3) to study and undertake research in the works of pioneering educationists of Gujarat, India as also of other parts of the world, who have underlined the need for holistic education so as to derive guidance from the same;

- (4) to establish and conduct institutions, centres and facilities for research in philosophy of education, psychology of education and sociology of education in the light of the lessons of Indian pedagogy, as also of the progressive researches in education that underline child-centred holistic education and methodologies appropriate to the promotion of freedom and discipline and skill-oriented and value-oriented education;
- (5) to evolve and implement a new programme of teacher education that will enhance -
 - (a) the synthesis of scientific realism and creative imagination;
 - (b) multilingual abilities;
 - (c) proficiency in pedagogy of high level achievements in various subjects and efflorescence of cognitive, co-native and effective faculties;
 - (d) mastery over new methodologies of education that blend advanced teaching instruments and subtle psychological sensibilities;
 - (e) proficiency in curriculum development in respect of various subjects of studies as also in respect of methodologies of testing students' performance, integral development of personality, and character that is committed to pursuit of nationalism, and highest welfare of humanity in terms of synthesis of Liberty, Equality and Fraternity;
 - (f) multisided physical education, healthcare and promotion of the international system of sports and games as also the spirit of youthfulness, adventure, and readiness to participate in services related to defence of peace and international understanding;
 - (g) nurturing exemplary character and competent abilities of communication that can awaken, inspire and enthuse the students;
 - (h) understanding of pupils in respect of their gifts and challenges that they confront in the process of their progress and harmonious and integral growth;
 - (i) development of capacity to meet the challenges of explosion of knowledge and of constant changes in the roles of teachers; and

(j) promotion of general knowledge and wide vision of the development of future.

- (6) to promote the indigenous tradition of teacher-student relationship (*Guru-Shishya parampara*) in various fields of humanities, arts, crafts, sciences, technologies and yoga (psychological and physical education);
- (7) to publish and disseminate results of advanced research relating to teachers' education for purposes of advancement of capacities to teach and learn among professional teachers as also among parents, social educators and social workers;
- (8) to promote national and international cooperation in teachers' education as also in the development of teaching-learning material through online programmes, documentaries, musical and dramatic programmes and films;
- (9) to undertake, conduct and promote any programme that will enhance the highest aims of pedagogy and synthesis of knowledge-systems and internationalism.
- (10) to promote the fundamental duties laid down in article 51A of the Constitution of India;
- (11) to foster in the University highest purposes of education of the body, life and mind as also of the human spirit in its integrity;
- (12) to recover the lights from lessons of ancient wisdom in the context of modern development;
- (13) to establish facilities, programmes and activities of research, education, training and extension services that promote the highest aims of teacher education;
- (14) to introduce and nurture innovations in the education system so as to reflect India's spiritual knowledge, robust intellectuality and inexhaustible creativity;
- (15) to study and derive lessons from the ongoing experiments of education and to foster all the valuable innovative work and promote the same for larger expansion and utilization.

6. The powers and functions of the University shall be as follows :-

- (1) to administer and manage the University and ensure efficient working of the centres, colleges and institutions related to research, education, training and extension services for the furtherance of the objects of the University;

Powers and functions of University.

- (2) to regulate conduct and enforce discipline among the employees of the University and to take such measures as may be deemed necessary;
- (3) to prepare guidelines manuals and methodology for assessing performance of students, teachers and others related to the University, and to determine paradigms for quality assurance, processes and mechanisms in harmony with those developed by the National Commission for Teacher Education;
- (4) to establish, conduct and promote centres, such as –
 - (i) Centre of Research
 - (ii) Centre of Education
 - (iii) Centre of Training
 - (iv) Centre of Extension Services, and
 - (v) such other centres and institutions as may be necessary and to provide for facilities, including those relating to pedagogy for scientific discoveries and inventions, pedagogy for fine arts, pedagogy for crafts, promotion of NSS and NCC, promotion of scouts and guides, multi-linguistic capacities (Gujarati, Sanskrit, French, English, Hindi, Tamil, Arabic, Spanish, etc.) development of curricular, co-curricular and extracurricular hobbies, puppetry, exhibitions, unending education, museum studies, library and film studios, etc.
- (5) to confer and award degrees diplomas, and certificates and provide for lectures, instruction and training for students as also for continuing education courses;
- (6) to confer honorary degrees or other academic distinctions;
- (7) to develop academic relationship with primary and secondary schools which satisfy the needs and standards of the University and to empower them to receive the benefits of the results of the work of the University, and gradually to the entire education system of the State;
- (8) to create in the University campus as also elsewhere in the State, centres of education, research, training and extension services which will embody and crystallize the results of the work conducted by the University or elsewhere, and to spread benefits of the work of these centres to the entire system of teacher education in the State, and for that purpose to prepare teaching-learning materials;

- (9) to set up, conduct and promote, under the responsibility of the Centre of Research, various councils for research in subjects, as follows:
- (i) new roles of contemporary teachers;
 - (ii) Art and Science of nurturing gifted children;
 - (iii) Art and Science of care of the weak and of those who are psychologically and physically challenged;
 - (iv) special problems of childhood, adolescence and youth;
 - (v) philosophy and psychology of education in the light of indian pedagogy and contemporary development;
- (10) to set up, promote and conduct under the control and management of Centre of Research, several departments of research, instruction and communication in regard to themes, not so generic as those for the councils of research, but more specific and special such as those of :
- i) unity of knowledge and interdisciplinary studies;
 - ii) new techniques of communication;
 - iii) curriculum development : ordinary courses, advanced studies and specialized courses;
 - iv) Indian and World history;
 - v) multilingualism and Indian and international languages;
 - vi) comprehensive physical education;
 - vii) village reconstruction;
 - viii) value-oriented education; and
 - ix) techno-pedagogy; etc.
- (11) to set up, conduct and promote a department of research in testing and evaluation and to support the requirement of creating a new system of testing services for the following purposes :-
- (i) removing from the students the fear of the examination so that tests are available by means of computer technology as and when the students are ready for the them, and even individually;
 - (ii) replacing the test of memory by the test of comprehension;
 - (iii) organizing tests for development of attitudes, aptitudes, personality, sterling qualities of character, and value oriented and skill oriented development, as also tests of physical fitness;
- (12) to establish, conduct and promote under the centre of extension services a centre for continuing education and of telecasting programmes of social education throughout the State, which will stimulate all-round interest in the promotion of the teacher

education formal, non-formal and informal, including methods of education through visits to museums and organization of exhibitions, and publications of brochures, pamphlets, occasional papers and other materials for the promotion of themes of teachers' education;

- (13) to undertake, organize and conduct programmes for the purposes of teachers' training for those who are to be engaged in work of teaching in various schools and institutions and to provide them a general programme of introduction to philosophy of teacher education and to the philosophy of holistic education, as also elementary courses related to the lessons of history, with special reference to Indian culture, its underlying spirituality, robust intellectuality and inexhaustible vitality;
- (14) to undertake, organize and conduct, under its Centre of Education, educational programmes for the University students admitted for various programmes of teacher education as also those engaged in research for M.Phil., Ph.D. and doctoral programmes relating to teacher education;
- (15) (a) to provide for instruction, extension, teaching and training in such branches or learning and courses of study as the University may, from time to time, determine;
- (b) to conceive, design, conduct and promote under the auspices of its Centre of Education, for candidates having in their background successful twelve year school education, high level integrated five year courses in Teacher Education leading to the degrees of M.A. (Education), M.Sc. (Education), M.Com. (Education), M.Ed.(Humanities), M.Ed.(Science), M.Ed.(Fine Arts), M.Ed. (Crafts), M.Ed. (Commerce), M.Ed. (Vocational Education), M.Ed. (Value-oriented Education) and such other courses of general or specialised nature or else four year integrated courses leading to the degrees, such as those of B.A., B.Ed.; B.Sc., B.Ed.; B.Com, B.Ed., provided that the courses shall be of general or specialised nature, including specialisation in teaching languages, history, geography, economics, political science, logic, philosophy, psychology, etc., and such other four years or five years integrated courses have special component of physical education (theoretical and Practical) with specialisation in *yogic asanas* and *pranayama-gymnastics-athletics-aquatics* and games (indian and western) and exposure to or participation in activities of NSS, NCC and Scouts and Guides provided that these courses will have as their component parts foundational courses consisting of elements such as those of general knowledge, fundamental duties, indian culture, value-oriented education, skill-oriented education, and introduction to the global world, etc.;

(c) to develop specialised departments, under the auspices of the Centre of Education, which will conceive, design, conduct and promote foundational courses, core courses and elective courses for full time candidates of the University, covering a wide range of subjects of humanities, sciences, fine arts, commerce as also those that will aid teaching in schools such of the subjects or topics that are relevant to home science, agriculture, horticulture, floriculture, multiple vocational courses, rural arts and crafts, philosophy of education, psychology of rational, aesthetic and ethical education, and philosophy and psychology of spiritual and integral education, prenatal and early childcare, philosophy of rights for children, technology for children, science for children, children's literature, fundamental duties, education for the gifted children, education for psychologically and physically challenged children, children's rights, children's films, students' counselling, problems of curriculum development, problems of rural reconstruction, etc.;

(d) to provide interrelated connections amongst the following areas in all the integrated courses of teachers' education :-

- Area 1: Theoretical, Experiential and Experimental Foundations of Education.
- Area 2 : Curriculum and Pedagogy.
- Area 3 : Practicum Courses and School Internship.

(e) to conceive, design, conduct and promote under the auspices of its Centre for Training various short-term or long-term courses for pre-service or in-service training programmes centred on specific specialties or topics;

(f) to organise under its Centre of Training several specialised in-service training courses so as to serve those -

- (i) who need to migrate to a foreign country, and
- (ii) such other groups of candidates or teachers who have special needs for training;

(g) to conceive, design, conduct and promote, under the auspices of its Centre for Extension Services, such programmes that are devoted to spreading in the society Science and Art of Pedagogy, as also Art and Science of Living, and lessons of Culture through various methods of instruction and publication of pamphlets and brochures, and other audio-visual material, specially designed to serve the parents to play the demanding new roles to become more and more competent teachers, and to enhance the causes of the aims of continuing education and lifelong education;

- (h) to permit its own facilities such as laboratories, film studios, and exhibitions for legitimate use by the public at large;
- (16) to create posts of Executive Officers, Directors, Professors, Associate Professors and Assistant Professors, and other members of academic and non-academic staff of equivalent responsibility, teaching or non-teaching academic posts of the University with the prior approval of the Executive Council and to prescribe the qualifications in accordance with the guidelines of the University Grants Commission or All India Council for Technical Education and other national statutory bodies and make appointments thereto; as well as to create non-teaching skilled, administrative, ministerial and other posts and to prescribe the qualifications and pay-scales with prior approval of the State Government and to make appointments thereto;
- (17) to appoint or recognize persons working in any other University or organization as adjunct professors, adjunct associate professors, adjunct assistant professors, visiting professors of the University for specified periods; and to facilitate mobility of academic members within the University and to other Universities;
- (18) to designate a University centre or institution, to monitor, periodically inspect and evaluate the academic performance of various Centers, Colleges and Institutions for ensuring proper standards of research, education, training, extension services, teaching and adequate library, laboratory, hostel and other academic facilities, in accordance with the guidelines, if any, laid down by the University Grants Commission, NCTE or by the Executive Council;
- (19) to make special provisions for the benefit of the University education to be made available to Socially and Educationally Backward Classes and communities particularly from rural and tribal areas;
- (20) to supervise, control and regulate the conduct and discipline and periodical assessment of the performance of the students and employees;
- (21) to establish teachers' education and training institutions of innovative education and to provide for education and training for implementation of the educational innovations;
- (22) to endeavour to enrich the present system of teacher education so as to make it more responsive to the ideals of Indian Nationalism and Internationalism;

- (23) to develop new system of teacher education as supplementary or alternative to existing system of teacher education for purposes of achieving higher goals of excellence;
- (24) to co-operate or collaborate with any other University, including any foreign University, Institution, Authority or Organization for research, educational, training and advisory services, as also for expansion of extensive services;
- (25) to borrow funds for the purposes of the University on the security of the property of the University, subject to the prior approval of the State Government;
- (26) to receive funds for collaboration programmes from foreign agencies subject to rules and regulations of the Central Government and State Government in that behalf;
- (27) to organize and undertake extra-mural teaching and extension services;
- (28) to fix, demand and receive fees and other charges;
- (29) to supervise, control and regulate admission of students;
- (30) to establish, organize, maintain, manage and supervise and control the functioning of centres, departments, institutions, generally, and in particular, laboratories, film studios, libraries, museums, computer centres and equipment;
- (31) to implement the national literacy and adult education programme through teachers and students on voluntary basis in the University system and to evolve measures to give due emphasis to the efforts and performance of the students in this area in addition to their normal academic performance, and also to evaluate the performance of the teachers in this area;
- (32) to hold and manage trusts and endowments and institute and award fellowships, scholarships, studentships, medals and prizes for teachers and students of the University;
- (33) to receive grants, subventions, subscriptions, donations and gifts for the purpose of the University and consistent with the objects for which the University is established and to allocate and disburse grants out of the fund to institutions and courses recognized by it for the purpose of developing them so as to promote teacher education;
- (34) to consult and obtain concurrence of the various bodies in respect of recognition and accreditation granted by the statutory boards and Universities for the purpose of arriving at

equivalence of the course, programmes and evaluation system established by it with the existing standards of education; and

- (35) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or promotion of the objects of the University.

Modes of research. 7. The University shall conduct its research programmes by employing various means as may be prescribed by the Statutes.

Jurisdiction of University. 8. The territorial jurisdiction of the University shall extend to the whole of the State of Gujarat.

University open to all irrespective of religion, race, caste, sex or opinion. 9. (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 grounds only of religion, race, caste, sex, place of birth or political or other opinion :

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

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to religion, race, caste, sex or political or other opinion in order to entitle him to be admitted as a teacher or to hold any office 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 benefaction thereof.

CHAPTER III OFFICERS OF UNIVERSITY

Officers of University. 10. The following shall be the officers of the University, namely :-

- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Registrar;
- (iv) The Finance and Accounts Officer; and
- (v) such other officers as may be declared by the Statutes to be the officers of the University.

Chancellor. 11. (1) The Governor of Gujarat shall be the Chancellor of the University. He shall, by virtue of his office, be the head of the University.

(2) The Chancellor shall have the following powers and functions :

- (a) The Chancellor, when present, shall preside at the Convocation of the University and may issue direction to the Vice-Chancellor to convene the meeting of any authority of the University for specific purposes.
- (b) The Chancellor, in the interests of the University, may direct the Standing Committee to look into the matter of disqualification of any member of the University, authority, body or committee, the conduct of any nominated or appointed or co-opted member if he thinks it is against the smooth functioning of the University.

12. (1) The Vice-Chancellor shall be appointed by the State Government in consultation with the Chancellor in the manner stated hereunder :- Vice-Chancellor.

(2) (a) There shall be a Search Committee constituted by the State Government consisting of three members, to be nominated by the State Government to recommend suitable names, for appointment of Vice-Chancellor. The member of the Search Committee shall be from any one or more of the following categories, namely :

- (i) an eminent educationist;
- (ii) a retired Judge of the High Court of Gujarat;
- (iii) a retired Chief Secretary/Additional Chief Secretary of the Government of Gujarat;

The State Government shall nominate one of them as the Chairman of the Committee.

(b) The members nominated for the committee shall be the persons who are not connected with the University or any institution of the University.

(3) The committee appointed under sub-section (2) shall begin the process of recommending the panel of names for the appointment of the Vice-Chancellor, at least four months before the probable date of occurrence of the vacancy of the post of the Vice-Chancellor and shall complete within the time limit as may be fixed by the Chancellor. The State Government may extend the time limit if in the exigency of the circumstances, it is necessary so to do :

Provided that the period so extended shall not exceed three months in the aggregate.

(4) The committee shall consider and recommend the names of persons who possess the following qualification for the post of Vice-Chancellor:

- (a) leadership in any field of teacher education and development with the experience of having served in a university or an educational institution for not less than ten years and is renowned for research or creative work as evidenced through publications or guidance provided to research students of a University or College or leadership provided to the field of humanities, science, fine-arts and crafts, technology, medicine, industry; or
- (b) leadership in the field of administration as evidenced through service of ten years of experience as a Registrar in a University or as a Principal of a college or in a research academy or a Research Council under the State or the Central Government;

(5) The search committee shall recommend a panel of three suitable persons for the consideration of the Chancellor for being appointed as the Vice-Chancellor. The names shall be in alphabetical order without any preference being indicated. The report may be accompanied by detailed write-up suitability for each person included in the panel.

(6) The State Government shall, in consultation with the Chancellor, appoint one of the persons included in the panel referred to in sub-section (5) as the Vice-Chancellor of the University.

**Terms and
conditions of
appointment of
Vice-
Chancellor.**

13. (1) The Vice-Chancellor shall hold office for a term of five years from the date he enters upon his office or till attaining the age of sixty-five years, whichever is earlier and shall not be eligible for re-appointment.

- (2) (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) of section 12 to that office -

the Dean, as nominated by the Vice-Chancellor, shall carry on the current duty of the office of the Vice-Chancellor.

(3) The Vice-Chancellor shall be a whole-time salaried officer of the University and his pay, allowances, emoluments and other terms and conditions of service shall be such as may be prescribed.

(4) The Vice-Chancellor may, by writing under his signature addressed to the Chancellor, after giving one month's notice, resign his

office and such resignation shall take effect from the date of acceptance of his resignation by the Chancellor.

(5) The Vice-Chancellor may be removed from his office if the Chancellor in consultation with the State Government, is satisfied that the incumbent,

- (a) has become insane and stands so declared by a competent court;
- (b) has been convicted by a court for any offence involving moral turpitude;
- (c) has become an undischarged insolvent and stands so declared by a competent court;
- (d) has been physically unfit and incapable of discharging functions due to protracted illness or physical disability;
- (e) has willfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the services as prescribed by the State Government or has abused the powers vested in him or if the continuance of the Vice-Chancellor in the office is detrimental to the interests of the University;
- (f) is a member of, or be otherwise associated with, any political party or any organization which takes part in politics, or is taking part in, or subscribing in aid of, any political movement or activity;

Provided that the Vice-Chancellor shall not be removed from his office unless an opportunity of being heard is given to him.

14. (1) The Vice-Chancellor shall be the principal academic and executive officer of the University responsible for the efficient functioning and development of academic programmes of the University. He shall oversee and monitor the administration of the academic programmes and general administration of the University to ensure efficiency and good order of the University.

**Powers and
functions of
Vice-
Chancellor.**

(2) He shall be entitled to be present, with the right to speak, at any meeting of any authority or body of the University, but shall not be entitled to vote thereat, unless he is the Chairman or a member of that authority or body.

(3) It shall be the duty of the Vice-Chancellor to ensure that the directive of the State Government, if any, and the provisions of the Act, the Statutes, the Ordinances and the Regulations are strictly observed

and that the decisions of the authorities, bodies and committees which are consistent with the Act, the Statutes, the Ordinance or the Regulations are properly implemented.

(4) The Vice-Chancellor may take suitable action in case of any emergency, in interest of the University:

Provided that, where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date on which he receives notice of such action, an appeal to the Executive Council.

(5) The Vice-Chancellor shall be the appointing and disciplinary authority for Registrar, Finance and Accounts Officer, Members of the Academic Staff of the University and officers of the University of the rank of Assistant Registrar and of the rank equivalent thereto and above.

(6) The Vice-Chancellor shall place before the Executive Council a report of the work of the University periodically.

(7) The Vice-Chancellor shall have the right to cause an inspection to be made by such person or persons or body of persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipments, hostels maintained or recognized by the University, and of any institution of the examinations, teachings and other work conducted by or on behalf of the University, and to cause an inquiry to be made in a like manner regarding any matter connected with the administration, finance, and academic activity of the University.

(8) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by or under this Act.

Registrar. 15. (1) The Registrar shall be appointed by the Vice-Chancellor on the recommendations of the standing committee.

(2) The qualification, salary, emoluments, other perks and allowances and the terms and conditions of service of the Registrar shall be such as may be prescribed by the Statutes.

(3) The Registrar shall be a full-time salaried officer of the University and shall work directly under the superintendence, direction and control of the Vice-Chancellor.

(4) Appointment of the Registrar shall be for a term of five years and he shall be eligible for re-appointment for further term of five years.

(5) When the post of Registrar remains vacant for any reason or when the Registrar is, by reason of illness or absence or any other cause, unable to perform the duties of his office, the Vice-Chancellor shall

appoint a senior officer of the University to officiate as the Registrar until the Registrar resumes duty.

(6) The Registrar shall be the *ex-officio* Secretary of the General Council, Executive Council and Academic Council.

(7) The Registrar shall be the appointing and the disciplinary authority of the employees of the University other than the teachers, non-vacation academic staff and officers of the rank of Assistant Registrar and other officers holding posts equivalent thereto or above.

(8) Subject to the decision of the authorities of the University, the Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University.

(9) The Registrar shall be the custodian of the records, the common seal and such other property of the University as the Executive Council may commit to his charge.

(10) The Registrar shall exercise such other powers and perform such other duties as prescribed by Statutes or assigned to him, from time to time, by the Vice-Chancellor.

16. (1) The Finance and Accounts Officer shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such duties, as may be prescribed by the Statutes. **Finance and Accounts Officer.**

(2) The qualification, salary, allowances, emoluments, other perks and facilities and terms and conditions of service, the tenure of the Finance and Accounts Officer shall be such as may be prescribed by the Statutes.

(3) When the office of the Finance and Accounts Officer is vacant or when the Finance and Accounts Officer is, by reasons of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) The Finance and Accounts Officer shall –

(a) exercise general supervision over the funds of the University and shall advise as regards its financial policy; and

(b) perform such other financial functions as may be assigned to him by the Executive Council.

CHAPTER IV AUTHORITIES OF UNIVERSITY

Authorities of 17. The following shall be the authorities of the University, University. namely :-

- (i) The General Council;
- (ii) The Executive Council;
- (iii) The Academic Council;
- (iv) The Finance Committee; and
- (v) such other authorities of the University as may be declared by the Statutes, to be the authorities of the University.

General 18. (1) The General Council shall be the apex authority of the Council. University.

(2) The General Council shall consist of the following members, namely:

- (i) the Chancellor, who shall be the Chairperson of the General Council;
- (ii) the Vice-Chancellor;
- (iii) the Minister-in-charge of Education (Primary, Secondary, Adult), Higher and Technical Education, Gujarat State or his nominee;
- (iv) the Minister-in-charge of Women and Child Welfare, Gujarat State or his nominee;
- (v) the Executive Chairperson, Gujarat Educational Innovations Commission;
- (vi) the Chairman, University Grants Commission or his nominee;
- (vii) the Chief Secretary, Government of Gujarat;
- (viii) the Secretary to the Government of Gujarat, Education Department or his nominee not below the rank of Deputy Secretary;
- (ix) the members of Gujarat Educational Innovations Commission;
- (x) the Secretary to the Government of Gujarat, Primary Education or his nominee not below the rank of Deputy Secretary;

- (xi) the Secretary to the Government of Gujarat, Women and Child Development Department or his nominee not below the rank of Deputy Secretary;
 - (xii) the Chairman, National Council for Teacher Education or his nominee;
 - (xiii) the Commissioner of Higher Education, Gujarat State or his nominee not below the rank of Joint Director;
 - (xiv) the Commissioner of Schools, Gujarat State or his nominee not below the rank of Joint Director;
 - (xv) the Director, Gujarat Council of Educational Research and Training, Gandhinagar;
 - (xvi) the Chairman, Gujarat Secondary and Higher Secondary Education Board, Gandhinagar;
 - (xvii) all directors of the University;
 - (xviii) the Director-General, NCC Headquarters, Ahmedabad;
 - (xix) the State Chief Commissioner, Gujarat State, Bharat Scouts and Guides;
 - (xx) two leaders of experimental or innovative Education to be nominated by the State Government;
 - (xxi) all members of Executive Council;
 - (xxii) five persons to be nominated by the State Government, who shall include distinguished educationist, scholars, social workers or representatives of industry and professions;
 - (xxiii) the Registrar shall be the Member-Secretary of the General Council.
- (3) The term of members other than the *ex-officio* members shall be five years.
- (4) The General Council shall meet at least once during a calendar year.
- (5) The quorum shall not be less than one-third of the total number of members of the General Council.

Powers and
functions of
General
Council.

19. The General Council shall have the following powers and functions, namely :-

- (1) to approve and endorse the University's strategic plan, calendar, and monitor the University's performance periodically;
- (2) to prepare and submit annual report to the State Government on the affairs of the University generally, and in particular on management of the University's resources;
- (3) to determine the academic awards, degrees, diplomas, certificates, concessions of fee, awards of Fellowships and Studentships to be offered by the University in consultation with the Academic Council; and
- (4) to exercise such other powers and perform such other functions as may be necessary for the efficient functioning of the University.

Executive Council. 20. The Executive Council shall be the chief executive body of the University and shall consist of the following members, namely :-

- (i) the Vice-Chancellor, *ex-officio* Chairperson;
- (ii) the Secretary to the Government of Gujarat, Education Department or his nominee not below the rank of Deputy Secretary;
- (iii) the Secretary to the Government of Gujarat, Finance Department or his nominee not below the rank of Deputy Secretary;
- (iv) the Commissioner of Higher Education, Gujarat State or his nominee not below the rank of Joint Director;
- (v) two members of the Academic Council to be nominated by the Vice-Chancellor;
- (vi) four members to be nominated by the State Government from amongst the members of the General Council;
- (vii) the Finance and Accounts Officer;
- (viii) the Registrar shall be the Member-Secretary.

21. The Executive Council shall have the following powers and functions, namely :-

**Powers and
functions of
Executive
Council.**

- (a) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (b) to determine the form of a common seal for the University and provide for its custody and use;
- (c) to accept trusts, bequests, donations and transfer of any movable or immovable property on behalf of the University;
- (d) to transfer by sale, or otherwise, any movable property on behalf of the University;
- (e) to borrow, lend or invest funds on behalf of the University on the recommendation of the Finance Committee;
- (f) to lay down policy for administering funds at the disposal of the University for specific purposes;
- (g) to make provisions for buildings, premises, furniture, apparatus and other means needed for the conduct of the work of the University;
- (h) to hold, control and arrange for administration of assets and properties of the University;
- (i) to approve the annual accounts and the budget estimates received from the Finance Committee;
- (j) to lay down terms and conditions of service and other guidelines approved by the State Government from time to time; and lay down the procedure for appointment of University/college teachers and non-vacation academic staff and fix their emoluments and norms of workload, conduct and discipline;
- (k) to create posts of University teachers, officers, non-vacation academic staff and other employees of the University, subject to prior approval of the State Government;
- (l) to exercise such other powers and perform such other functions as may be necessary for the efficient functioning of the University.

Academic Council. 22. The Academic Council shall consist of the following members, namely :-

- (i) the Vice-Chancellor, *ex-officio* Chairpers
- (ii) all the Directors of the University;
- (iii) all the Professors of the University or Heads of Institutions of the rank of Professors;
- (iv) the Heads of recognized and approved colleges or institutions;
- (v) all the Scholars nominated in the Councils of Research;
- (vi) all Fellows of the University;
- (vii) three students nominated by the Vice-Chancellor on the basis of their excellence in regard to their outstanding performance in any of the academic and extra-curricular activities in the immediate preceding year;
- (viii) the Registrar shall be the Member-Secretary.

Powers and functions of Academic Council. 23. The Academic Council shall have the following powers and functions, namely :-

- (1) to recommend to the Executive Council for the institution of degrees, diplomas, certificates, as also their equivalence, if required, with the degrees, diplomas, certificates of the other Universities, recognized Boards of Studies and examinations and also recommend other academic distinctions;
- (2) to make proposal to the Executive Council for the institution of fellowships, travelling fellowships, scholarships, studentships, medals and prizes and make regulations for their award;
- (3) to grant affiliation and recognition to colleges or institutions;
- (4) to accord recognition to institutions of research or specialized studies on the recommendations of the committees appointed by the General Council;
- (5) to advise the University on all academic matters and submit to the Executive Council the details of the academic calendar and feasibility reports on academic programmes;
- (6) to determine research areas as well as promote research in the University;

- (7) to suggest academic appointments;
- (8) to recommend for the visiting professors;
- (9) to propose, organize special seminars, conferences and workshops;
- (10) to implement the resolutions adopted by the Executive Council in respect of academic and research programmes and other activities;
- (11) to constitute committees for specific purposes, in such manner as may be determined by it, and may designate one of its members as Chairperson of the committee;
- (12) to consider and adopt the annual report, annual accounts and audit report and forward them to the Executive Council for approval;
- (13) to delegate any of its powers, except the power to make, amend or repeal Ordinances, to such officer or authority of the University or a committee appointed by it, as it thinks fit;
- (14) to make recommendations to the Executive Council with regard to the creation, abolition or classification of teaching, research and supervisory and advisory posts in the University and qualifications, emoluments and the duties attached thereto;
- (15) to formulate, modify or revise schemes for the organizations of the centres, council and departments of research, colleges, or other organization and specialized institutes, and to assign to them their respective subjects and also to report to the Executive Council for its approval;
- (16) to consider proposals submitted by the departments, centres, councils and other recognized colleges;
- (17) to make recommendations to the Executive Council in regard to the appointment of examiners and fixation of their fees, emoluments and travelling and other expenses;
- (18) to make arrangements for the conduct of examinations and to fix dates for such examinations;
- (19) to declare the results of examinations, or to appoint committees or officers for declaration of such result, and to make recommendations regarding the conferment or grant of degrees, honours, diplomas, certificates, titles and marks of honour;

- (20) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for carrying out the provisions of this Act and the Regulations.

Meetings of Academic Council. 24. (1) The Academic Council shall meet as many times as may be necessary, but at least once in six months.

(2) The Vice-Chancellor shall preside at the meeting of the Academic Council.

(3) The Academic Council shall meet at such time and at such place and with such period of notice and shall observe such rules of procedure in regard to transaction of its business at its meeting, including the quorum at such meeting as may be prescribed;

(4) When any urgent action is required, the Vice-Chancellor may, with the approval of the majority of the members of the Academic Council, permit the business to be transacted by circulation among the members of the Academic Council. The action so taken as approved by circulation shall be placed before the next meeting of the Academic Council.

Finance Committee. 25. (1) The Finance Committee shall consist of the following members, namely :-

- (i) The Vice-Chancellor,
- (ii) The Registrar,
- (iii) The Finance and Accounts Officer,
- (iv) One member of the Executive Council, to be nominated by it,
- (v) One member, to be nominated by the State Government.

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

(3) A member nominated by the Executive Council shall cease to be a member of the Finance Committee, if he ceases to be a member of the Executive Council.

Powers and functions of Finance Committee. 26. (1) The Finance Committee shall have the following powers and functions, namely :-

- (a) to examine and scrutinize the annual budget of the University and to make recommendations on financial matters to the Executive Council;
- (b) to consider all proposals for new expenditure and to make recommendations to the executive council;

- (c) to consider periodical statement of accounts and to review the finances of the University from time to time, to consider annual accounts and balance sheet of the University and audited statements and audit reports, and to make recommendations thereon to the Executive Council;
 - (d) to advise and to make recommendations to the Executive Council on any financial matters affecting the University, either on its own motion or on reference from the Executive Council.
- (2) The Finance Committee shall meet at least once in every six months. Three members of the Finance Committee shall form the quorum for a meeting.
- (3) The Vice-Chancellor shall preside at the meetings of the Finance Committee.
- (4) The annual report of the University shall be prepared under the direction of the Finance Committee and shall be submitted along with its comments to the Executive Council on or before such date as may be prescribed and shall be considered by the Executive Council at its annual meeting.

27. A person shall be disqualified for being appointed or for being a member of any of the authorities of the University, if he –

**Disqualifications
for membership
of authorities of
University.**

- (a) is of unsound mind and stands so declared by a competent court;
- (b) is an undischarged insolvent and stands so declared by a competent court;
- (c) has been convicted of any offence involving moral turpitude;
- (d) is conducting or engaging himself in private tuitions or private coaching classes;
- (e) has been punished for indulging in or promoting unfair practices in the conduct of any examination in any form;
- (f) discloses or causes to disclose to public, in any manner whatsoever, any confidential matter, in relation to examination, the knowledge of which he has come to be in possession, due to his official position.

CHAPTER V RESEARCH COUNCILS

- Constitution and functions of Research Council.** 28. (1) There shall be set up under the control of the centre of research, various councils for research as may be necessary, for research in the various subjects related to teacher education.
- (2) Each Research Council shall consist of the Vice-Chancellor as its Chairman and the Director who shall be of the rank of the professor and shall act as the Member-Secretary.
 - (3) Each Research Council shall consist of four Scholars nominated by the Chairman, Vice-Chairman and Member-Secretary and approved by the Academic Council.
 - (4) The Scholars shall be eminent educationists in the subject for which the council is constituted and their role shall be to bring to the council their expert advice so as to promote research work of the council.
 - (5) The Scholars in each council shall not be entitled to any salary or emoluments but shall be entitled to a fee as may be prescribed by the regulations of the University for attending the meeting as also facilities for travel, transport and accommodation for each of their visits that they may be required to perform.
 - (6) The Council shall meet at such time and place, and shall observe such rules of procedure with regards to transaction of its business at the meeting as may be deemed necessary by it.
 - (7) For research in the research councils, there shall be a provision of fellowships which shall consist of not more than twenty-five fellows.
 - (8) The Fellows shall be selected by a committee appointed by the Academic Council :

Provided that twelve of the fellowships shall be awarded for junior research fellows enrolled in the University for M.Phil. and Ph.D. research work:

Provided further that one Fellow shall be awarded a national fellowship to the selected from among eminent educationists and the remaining twelve fellowships shall be awarded as senior fellowships to eminent educationists of the rank of Associate Professors and Assistant Professors of the University.

- (9) Each Fellow shall carry out research in any subject related to the themes of councils of research and deliver lectures in the University whenever so required.
- (10) The term of a Fellow shall be of two years within which he shall write a thesis of fellowship on the subject assigned to him:
- Provided that the Academic Council may extend the term by one year.
- (11) The salary and allowances payable to a Fellow shall be such as may be determined by the regulations of the University in accordance with the scheme of Fellowships of the University Grants Commission.

CHAPTER VI FINANCE

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

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

- (i) any contribution or grant made by the State Government, Central Government or an agency of the Central Government;
- (ii) any bequests, donations, endowments or other grants made by any private individual or institution;
- (iii) income received by the University from all the sources including income from fees and charges; and
- (iv) amounts received from any other source.

(3) The University Fund shall be kept in any 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.

(4) The University Fund shall be utilized for such purposes of the University and in such manner as may be prescribed by the Statutes.

30. Notwithstanding anything contained in this Act or the regulations, whenever the University receives funds from any Government or other agencies sponsoring a scheme to be executed by the University, - **Fund of sponsored scheme.**

- (1) the amount received shall be kept by the University in separate account and shall be utilized for the purpose of the scheme; and

- (2) the staff required to execute such scheme shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organization.

Accounts, Audit and Annual Report. 31. (1) The annual accounts and balance sheet of the University shall be prepared under the direction of the Executive Council and shall, every year, be audited by the auditors appointed by the State Government.

(2) The annual accounts, the balance sheet and the audit report shall be considered by the Executive Council at its annual meeting and it may, by resolution make recommendations with reference thereto and communicate the same to the Finance Committee.

(3) A copy of the annual accounts and the balance sheet together with the audit report thereon shall be submitted by the University to the State Government along with the statement of action taken by the University on the said report.

(4) Any observations made by the State Government on the annual accounts shall be brought to the notice of the University and the compliance report on such observations shall be submitted to the State Government.

(5) The Executive Council shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year. The annual accounts and financial estimates shall be considered by the General Council shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year. The annual accounts and financial estimates shall be considered by the General Council at its annual meeting and may be passed with such modifications as the General Council may deem fit.

CHAPTER VII

STATUTES, ORDINANCES AND REGULATIONS

Statutes. 32. (1) Subject to the provisions of this Act, the Executive Council may make the Statutes to provide for all or any of the following matters, namely :-

- (i) conferment and withdrawal of honorary degrees and other academic distinctions;
- (ii) holding of convocation to confer degrees and diplomas;
- (iii) powers, duties and functions of the officers of the University;

- (iv) constitution, powers and duties of the authorities of the University;
- (v) institution and maintenance by the University, of departments, institutes of research or specialized studies, post-graduate centres in affiliated colleges and hostels;
- (vi) acceptance and management of bequests, donations and endowments;
- (vii) manner of utilization of the University Fund;
- (viii) registration of graduates and maintenance of a register of registered graduates;
- (ix) manner and rules of procedure in regard to transaction of business at the meetings including the quorum of the meeting, of the authorities of the University and for the transaction of business;
- (x) qualifications of professors, readers, lecturers and teachers in approved and recognized institutions;
- (xi) the maximum number of students to be admitted in a centre, school and institution;
- (xii) suitable and adequate physical facilities such as buildings, laboratories, library books, equipments required for teaching and research, hostels, etc.;
- (xiii) to conduct various research programmes;
- (xiv) qualifications, salary, allowances, emoluments and other terms and conditions of service of the Registrar and the Finance and Accounts Officer;
- (xv) manner of appointment of the Finance and Accounts Officer;
- (xvi) preparation of the financial estimates for the ensuing year;
- (xvii) all other matters which by or under this Act are to be or may be prescribed by the Statutes;

(2) The Statutes may be made, amended or repealed by the Executive Council in the manner hereinafter provided.

(3) The Executive Council may take into consideration the draft of Statutes either of its own motion or on a proposal made by any other authority of the University. The Executive Council, if it thinks

necessary, may also obtain the opinion of any officer, authority or body of the University in regard to any draft Statutes which is before it for consideration:

Provided that where any draft Statutes pertains to academic matters, the Executive Council shall obtain the opinion of the Academic Council before considering the same.

(4) 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.

(5) No Statute passed by the Executive Council shall be valid or shall come into force until assented to by the Chancellor.

(6) Notwithstanding anything contained in the foregoing provisions, the Chancellor, on the advice of the State Government direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Executive Council fails to implement such a direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such direction, make or amend the Statutes suitably as advised by the State Government.

Ordinances. 33. (1) Subject to the provisions of this Act, the Executive Council may make the Ordinances to provide for all or any of the following matters, namely :-

- (i) the 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 approved and recognized institutions and hostels;
- (viii) rules to be observed and enforced by approved and recognized institutions in respect of transfer of students;

- (ix) mode of execution of contracts or agreements for, or on behalf of the University;
- (x) all other matters which, by or under this Act may be required to be provided.

(2) The Executive Council may make, amend or repeal Ordinances in the manner hereinafter provided.

(3) No Ordinance concerning the matters referred to in clauses (i) to (viii) of sub-section (1), or any other matter connected with the maintenance of the standards of teaching and examinations within the University, shall be made by the Executive Council unless a draft thereof has been proposed by the Academic Council.

(4) The Executive Council shall not have the power to amend any draft proposed by the Academic Council under sub-section (3), but may approve the draft Ordinances or either reject or return it to the Academic Council for reconsideration, in whole or in part, together with any amendments which the Executive Council may suggest.

(5) All Ordinances made by the Executive Council shall have effect from such date as it may direct, but every Ordinance so made shall be submitted to the Chancellor within a period of two weeks. The Chancellor shall have the power to direct the Executive Council, within four weeks of the receipt of the Ordinances, to suspend its operation, and he shall, as soon as possible, inform the Executive Council of his objection to it. He may, after receiving the comments of the Executive Council, either withdraw the order suspending the Ordinances or reject the Ordinances, and his decision shall be final.

34. Subject to the provisions of this Act, the Executive Council may **Power to make** make Regulations consistent with the provisions of this Act to provide **regulations.** for all or any of the following matters, namely :-

- (i) constitution of committees for specific purposes, and members and Chairperson of such committee under sub-section (11) of section 23;
- (ii) time, place and period of the meetings of the Academic Council and rules of procedure for transaction of business at such meetings, including the quorum of the meeting under sub-section (3) of section 24;
- (iii) fee for attending the meeting and facilities for travel, transport and accommodation for visits in discharge of function under sub-section (5) of section 28;

- (iv) salary, allowances payable to the Fellow, in accordance with the scheme of Fellowships of the University Grants Commission under sub-section (11) of section 28;
- (v) all other matters which, by or under this Act may be required to be provided.

CHAPTER VIII SUPPLEMENTARY PROVISIONS

Prior approval of State Government. 35. (1) The University may with the prior approval of the State Government—

- (a) create any post of a member of the academic or a non-academic staff of the University and the pay and allowances thereof;
- (b) divert the use of any earmarked fund for a purpose other than that for which it was originally earmarked;
- (c) transfer any immovable property belonging to it;

(2) The University may incur expenditure from the University Fund and development fund, if any, established by the University for the purpose of—

- (i) initiating and maintaining any self-financed academic course, and
- (ii) development work,

with the prior approval of the State Government, if such expenditure imposes financial liability on the State Government.

(3) Notwithstanding anything contained in any Statutes, Ordinances and Regulations, the State Government may lay down a standard code for recruitment and conditions of service of academic and non-academic staff of the University.

Power of State Government to give directions. 36. (1) Where in the opinion of the State Government, the affairs of the University or institution are carried on in a manner detrimental to the object of the establishment of the University or to its finances or to public interest, the State Government may cause to be made a full and complete investigation into the affairs of the University or institution by appointing a committee for this purpose.

(2) The committee shall, within a period of one month or such period as the State Government may specify, make a report to the State Government containing recommendations as to the actions to be taken

on the affairs of the University or institution, and steps to prevent carrying on the affairs in the aforesaid manner.

(3) If the State Government is satisfied that it is desirable to take actions as recommended by the committee, it may issue such directions to the University or institution as may be appropriate in the circumstances.

(4) Where the University or college or institution fails to carry out any direction given by the State Government, it may withhold the grant to the University or institution.

37. (1) There shall be a Standing Committee of the University **Standing** for the purpose of selection for the posts of professors or such other post **Committee.** as may be prescribed.

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

- (a) a retired Judge of the Supreme Court of India or a retired Chief Justice of the Gujarat High Court or an eminent leader of Industry or Commerce or Management, to be nominated by the Chancellor of the University;
- (b) a retired Chief Secretary, Government of Gujarat, to be nominated by the State Government;
- (d) a former Vice-Chancellor of a University in Gujarat, to be nominated by the State Government;

The State Government shall nominate one of them as the Chairperson of the Committee.

(3) For the selection for appointment to the posts of the Registrar and Professors, there shall be a search committee consisting of :-

- (a) the Vice-Chancellor, *ex-officio* Chairman; and
- (b) two members nominated by the Academic Council.

(4) The search committee shall recommend to the standing committee, three names of suitable candidates along with their bio-data. After scrutinizing the bio-data and, if necessary, after interview of the concerned candidates, the standing committee may select one of them and recommend to the Executive Council for appointment on the concerned post.

(5) The terms and conditions, the tenure of service and salary, allowances, perks and other facilities of the members of the committee shall be such as may be prescribed by or under this Act.

Resignation from membership and filling up of casual vacancy. 38. (1) A member of any authority, other than an *ex-officio* member, may resign by writing under his signature, addressing to the Chancellor. The person shall cease to be a member upon his resignation being accepted by the Chancellor.

(2) If a person nominated, appointed or co-opted to any authority or body remains absent without prior permission of the authority or body for three consecutive meetings; he shall be deemed to have vacated his membership and shall cease to be a member.

Indemnity. 39. No suit shall be instituted against or other legal proceedings shall lie against or no damages shall be claimed from, the University, the authority or officer of the University, in respect of anything which is in good faith done or purported to have been done in pursuance of this Act or the regulations.

Officers, members of authorities, bodies and employees of University to be public servant. 40. All officers, members of the authorities, committees or bodies, members of the academic staff of the University and other employees of the University, shall be deemed, when acting or purporting to act in pursuance of any of the provision of this Act, to be public servant within the meaning of section 21 of the Indian Penal Code. XLV of 1860.

Power of State Government to make rules. 41. (1) The State Government may, by notification in the *Official Gazette*, make rules generally for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely :-

- (i) the pay, allowances, emoluments and other terms and conditions of service of the Vice-Chancellor under sub-section (3) of section 13;
- (ii) to lay down a standard code for recruitment and conditions of service of academic and non-academic staff of the University under sub-section (3) of section 35;
- (iii) such other post for which standing committee of the University shall make selection under sub-section (1) of section 37;
- (iv) the terms and conditions, the tenure of service and salary, allowances, perks and other facilities of the members of the standing committee under sub-section (5) of section 37;

(3) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as may be after they are made and shall be subject to rescission by the State Legislature or to

such modification as the State Legislature may make during the session in which they are so laid or the session immediately following.

42. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Act as appears to it to be necessary or expedient for removing the difficulty: Power to remove difficulties.

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

(2) Every order made under this section shall be laid as soon as may be after it is made, before the State Legislature.

CHAPTER IX TRANSITORY PROVISIONS

43. Notwithstanding anything contained in this Act, the first Vice-Chancellor shall be appointed by the State Government as soon as practicable after the commencement of this Act for a period not exceeding two years and on such terms and conditions as the State Government thinks fit. Appointment of first Vice-Chancellor.

44. Notwithstanding anything contained in section 16, the first Registrar shall be appointed by the State Government as soon as practicable after the commencement of this Act for a period not exceeding two years and on such terms and conditions as the State Government thinks fit. Appointment of first Registrar.

45. (1) It shall be the duty of the first Vice-Chancellor- Transitory powers of first Vice-Chancellor.

(a) to give recognition to institutions, if any, as far as possible consistent with the provisions of the Act; and

(b) to make arrangements for constituting the General Council, 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*, direct.

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

(a) subject to the provisions of this Act, -

- (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 constitution of 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*.

Extra ordinary powers of first Vice-Chancellor. 46. The first Vice-Chancellor appointed under section 43 shall have the following 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;
- (e) to appoint any committee as he may think fit, to discharge such of its 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.

47. (1) At any time after the commencement of this Act, until such time as the authorities of the University shall commence to exercise their functions, - **First appointment of officers of University.**

(a) the Vice-Chancellor with the previous sanction of the State Government may appoint any officer of the University;

(b) till the Executive Council is constituted, the teachers of the University may be appointed by the Advisory Committee referred to in sub-section (2) of section 45 with the approval of the State Government on the recommendation of the Selection Committee consisting of the following persons, namely :-

(i) the Vice-Chancellor,

(ii) a nominee of the State Government,

(iii) three experts to be appointed out of a panel of experts drawn by the Advisory Committee.

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

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

STATEMENT OF OBJECTS AND REASONS

With a view to provide new structures to programmers of teacher education with the abilities and professionals to serve the highest interest of the contemporary children it is aimed to develop integrated courses of teacher education that can be pursued by studies of combining subjects of humanities, science, arts, crafts and technology alongwith other related philosophy and psychology of education and pedagogy. It is proposed to establish a University namely the Indian Institute of Teacher Education Gujarat for the purpose. The proposed Institute shall study and undertake research in the works of pioneering educationalists of Gujarat, India as also of other parts of the world who have underlined the need of holistic education so as to derive guidance from the same.

The Bill seeks to achieve the aforesaid objects.

The following notes on clauses explain, in brief, some of the important provisions of the Bill.

Chapter I.- Clause 1 provides for the short title, extent and commencement of the Act.

Clause 2 provides for certain terms used in the Bill.

Chapter II.- This Chapter contains **Clauses 3 to 9** which relate to establishment and incorporation of the University by the name 'Indian Institute of Teacher Education, Gujarat', its headquarters, territorial jurisdiction, objects, powers and functions of the University.

Chapter III.- This Chapter relates to officers of the University. **Clauses 10 to 16** of this chapter provide for the Chancellor, Vice-Chancellor, the Registrar and the Finance and Accounts Officers of the University. It also provides for the qualifications, conditions of service, powers and functions of the officers of the University.

Chapter IV.- This Chapter relates to authorities of the University. **Clauses 17 to 27** of this chapter provide for the authorities of the University such as General Council, the Executive Council, the Academic Council and the Finance Committee and also provide for the constitution, powers and functions and also provide for disqualifications for being a member of the said authorities of the University.

Chapter V.- This chapter contains **clause 28** which relates to the constitution and function of Research.

Chapter VI.- This Chapter contains **Clauses 29 to 31** which relate to Finance of the University. It provides for the University Fund, Fund of the Sponsored Scheme, annual accounts, audit and annual report of the University.

Chapter VII.- This Chapter contains *Clauses 32 to 34* which relate to the Statutes, Ordinances and Regulations. The Executive Council has been empowered to make Statutes, Ordinances and Regulations of the University.

Chapter VIII.- This Chapter contains *Clauses 35 to 42* relating to following supplementary provisions:-

- (i) *Clause 35* provides that the University shall be required to obtain prior approval of the State Government in certain cases which involve financial implications;
- (ii) *Clause 36* provides for the powers of State Government to give directions in the affairs of the University;
- (iii) *Clause 37* provides for the constitution of the Standing Committee and the search committee for selection for the post of professors, Director General or Assistant Director General or such other post;
- (iv) *Clause 38* provides for the resignation from membership and filling up of casual vacancy;
- (v) *Clause 39* provides for the usual indemnity for the acts done in good faith by the officers and employees of the University;
- (vi) *Clause 40* provides that the officers, members of authorities, and employees of University shall be public servant within the meaning of section 21 of the Indian Penal Code;
- (vii) *Clause 41* empowers the State Government to make rules, by notification in the *Official Gazette*, generally for carrying out the purposes of the Act and particularly for the matters as specified therein;
- (viii) *Clause 42* provides for the powers of the State Government to remove difficulties arising within two years from the date of the commencement of the Act.

Chapter IX.- This Chapter contains *Clauses 43 to 47* relating to following transitory provisions:-

- (i) *Clause 43* provides for the appointment of the first Vice-Chancellor of the University;
- (ii) *Clause 44* provides for the appointment of the first Registrar of the University;
- (iii) *Clause 45* provides for the transitory powers of the first Vice-Chancellor;
- (iv) *Clause 46* provides for the extra ordinary powers of the first Vice-Chancellor;
- (v) *Clause 47* provides for the first appointment of the officers of the University.

RAMANLAL VORA,

FINANCIAL MEMORANDUM

This Bill proposes to create and establishing the Teacher University in the State of Gujarat. The University will work for the work of development in integral personality, wide vision of nationalism and internationalism and to fulfill their role as exemplars, friends, philosophers and guides, as scientists, psychologist, artists and technologists and above all as ideal communicators who can spread uplifting influence by the processes of awakening, inspiration and contagious enthusiasm, also to promote new trends of syntheses.

The University will be provided fund by the State Government. Sub-clause (2) of clause 29 of the Bill provides that the University so incorporated shall be run by the grant from the State Government, Central Government and the agency of the State Government. Accordingly, the University will be provided the fund by the State Government.

The non-recurring expenditure will be approximately Rs. 50 crores (rupees fifty crores) and recurring expenditure will be Rs. 2 crores (two crores per annum) out of the Consolidated Fund of the State for which adequate budgetary provision is made.

This Bill, if enacted and brought into force, would involve the expenditure as aforementioned.

RAMANLAL VORA,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative powers in the following respects: -

Clause 1.—Sub-clause (3) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the remaining provisions of the Act shall come into force.

Clause 4.— This clause empowers the State Government to specify such other place to be the headquarters of the University.

Clause 7.— This clause empowers the Executive Council to prescribe by Statutes, to employ various means for conduct of the research programmes by the University.

Clause 10.— Sub-clause (v) of this clause empowers the Executive Council to declare by Statutes, such other officers to be the officers of the University.

Clause 13.-- Sub-clause (3) of this clause empowers the State Government to prescribe by rules, the pay, allowances, emoluments and other terms and conditions of service of the Vice-Chancellor.

Clause 14.-- Sub-clause (8) of this clause empowers the State Government to prescribe by rules, the other powers to be exercised and the other functions to be performed by the Vice-Chancellor.

Clause 15.- (i) Sub-clause (2) of this clause empowers the Executive Council to prescribe by Statutes, the qualification, salary, emoluments, other perks and allowances, the terms and conditions and the tenure of service of the Registrar;

(ii) sub-clause (10) of this clause empowers the Executive Council to prescribe by Statutes, the other powers and duties of the Registrar.

Clause 16.-- (i) Sub-clause (1) of this clause empowers the Executive Council to prescribe by Statutes, the manner of appointment of the Finance and Accounts Officer and powers and duties of the Finance and Accounts Officer;

(ii) sub-clause (2) of this clause empowers the Executive Council to be prescribe by Statutes, the qualification, salary, emoluments, other perks and allowances, the terms and conditions and the tenure of service of the Finance and Accounts Officer.

Clause 17.-- Sub-clause (v) of this clause empowers the Executive Council to declare by Statutes, such other authorities to be the authorities of the University.

Clause 23.- (i) Sub-clause (2) of this clause empowers the Executive Council to prescribe by Regulations, for awarding and institution of fellowships, travelling fellowships, scholarships, studentships, medals and prizes;

(ii) sub-clause (11) of this clause empowers the Executive Council to prescribe by Regulations, to constitute committees for specific purposes, and members and Chairperson of such committee.

Clause 24.-- Sub-clause (3) of this clause empowers the Executive Council to prescribe by Regulations, the time, place and period of the meetings of the Academic Council and rules of procedure in regard to transaction of its business to be observed at such meetings, including the quorum of the meeting.

Clause 26.-- Sub-clause (4) of this clause empowers the Executive Council to prescribe by Statutes, the date on or before which the annual report of the University shall be submitted to the Executive Council for its consideration.

Clause 28.-- (i) Sub-clause (5) of this clause empowers the Executive Council to prescribe by Regulations, the fee for attending the meeting by the scholars and also facilities for travel, transport and accommodation for each of their visits in discharge of his function;

(ii) sub-clause (11) of this clause empowers the Executive Council to prescribe by Regulations, the salary and allowances payable to the Fellow, in accordance with the scheme of Fellowships of the University Grants Commission.

Clause 29.-- Sub-clause (4) of this clause empowers the Executive Council to prescribe by Statutes, the manner in which the University Fund shall be utilised for the purposes of the University.

Clause 31.-- Sub-clause (5) of this clause empowers the Executive Council to prescribe by Statutes, the date by which the financial estimates for the ensuing year shall be prepared by the Executive Council.

Clauses 32 to 34.-- These clauses empower the Executive Council to make Statutes, Ordinances and Regulations for the matters specified therein and such other matters which by or under this Act.

Clause 35.-- Sub-clause (3) of this clause empowers the State Government to lay down a standard code for recruitment and conditions of service of academic and non-academic staff of the University.

Clause 37.- (i) Sub-clause (1) of this clause empowers the State Government to prescribe by rules, such other post for which standing committee of the University shall make selection;

(ii) sub-clause (5) of this clause empowers the State Government to prescribe by rules, the terms and conditions, the tenure of service and salary, allowances, perks and other facilities of the members of the standing committee.

Clause 41.-- This clause empowers the State Government to make rules, by notification in the *Official Gazette*, generally for carrying out the purposes of the Act and particularly for the matters as specified therein.

Clause 45.-- (i) Para (b) of sub-clause (1) of this clause empowers the State Government to specify, by notification in the *Official Gazette*, such longer period, not exceeding one year, for constituting the General Council, the Executive Council, the Academic Council and other authorities of the University by the first Vice-Chancellor;

(ii) sub-clause (3) of this clause empowers the State Government to direct, by notification in the *Official Gazette*, the date or dates on which the authorities constituted by the First Vice-Chancellor shall commence to exercise their functions.

The delegation of legislative powers, as aforesaid, is necessary and is of a normal character.

Gandhinagar,
Dated the 20th February, 2010.

RAMANLAL VORA,

By order and in the name of the Governor of Gujarat,

Gandhinagar,
Dated the 20th February, 2010.

H. D. VYAS,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs
Department.