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# **PART – A**

## **THE ACT**



सत्यमेव जयते

**LEGAL DEPARTMENT**

# **Bombay Act No. L of 1949**

## **The Gujarat University Act, 1949**

*(As modified upto the 30th June, 1992)*

PRINTED IN INDIA BY THE MANAGER, GOVERNMENT CENTRAL PRESS, GANDHINAGAR,  
PUBLISHED BY THE DIRECTOR, GOVERNMENT PRINTING, PUBLICATIONS  
AND STATIONERY, GUJARAT STATE, GANDHINAGAR..

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**LEGAL DEPARTMENT**

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# THE GUJARAT UNIVERSITY ACT, 1949

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# BOMBAY ACT NO. L OF 1949<sup>1</sup>

[THE GUJARAT UNIVERSITY ACT, 1949.]<sup>+</sup>

[23rd November, 1949.]

Amended by Bom. 19 of 1950:

Adapted and modified by the Adaptation of Laws Order. 1950.

Amended by Bom.	39 of 1951.
”	18 of 1953.
”	30 of 1954.
”	18 of 1956.
”	3 of 1958.
”	46 of 1959.

Adapted and modified by the Gujarat Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

Amended by Guj.	4 of 1961.
”	40 of 1963.
”	11 of 1970.
”	6 of 1973.*
”	18 of 1973.
”	22 of 1973.
”	23 to 1978.
”	31 of 1978.
”	32 of 1978.
”	1 of 1979.
”	9 of 1982.
”	10 of 1982.
”	9 of 1983.**
”	7 of 1986.***
”	22 of 1986.
”	23 of 1987.
”	1 of 1988.

## **An Act to establish and incorporate a teaching and affiliating University in the Province of Bombay to be known as the Gujarat University.**

WHEREAS it is expedient to establish and incorporate a teaching and affiliating University in the Province of Bombay to be known as the Gujarat University as a measure in the decentralization and reorganization of University education in the Province of Bombay; It is hereby enacted as follows:-

---

1. For Statement of Objects and Reasons, See Bombay Government Gazette, 1949. Part V. page 652.

+ This Act was extended to that part of the State of Bombay to which, immediately before the commencement of Bom. 46 of 1959, it did not extend (vide Bom.46 of 1959. s.2).

\* For Transitory provisions see section 55 of Guj. 6 of 1973 read with section 2 of Guj. 22 of 1973.

\*\* For Transitory provision sees. 3 of Guj. 9 of 1983.

\*\*\* For Extension of term of Executive Council, see 2 of Guj. 7 of 1986.

## CHAPTER I

## PRILIMINARY

Short title,<sup>8</sup>[ex-  
tent] and com-  
mencement.

1. (i) This Act may be called the Gujarat University Act, 1949.

<sup>1</sup>[(1A) It shall extend to the whole of the <sup>2</sup>[State of Gujarat]

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

(3) The <sup>3</sup>[State] Government may, by notification in the *Official-Gazette*, direct that all or any of the remaining provisions of this Act, shall come into force <sup>4</sup>[in the <sup>5</sup>[Bombay area of the State of Gujarat] on such date or dates as may be <sup>6</sup>[specified in the notification; and <sup>7</sup> [in the rest of the State of Gujarat] the State Government may, by like notification, published in the like manner, direct that all or any of the remaining provisions of this Act shall come into force therein on such other date or dates as may be specified in the notification].

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

<sup>9</sup>[(1) "Affiliated College" means a college affiliated under section 5 or 33;]

<sup>10</sup> [(1A) "approved institution" means an institution approved under section 35A;

(1B) "autonomous college" means a college which exercises the powers conferred on it under section 38B:

(1C) "autonomous recognized institution" means a recognized institution which exercises the powers conferred on it under section 38B;

(1D) "autonomous University Department" means a University Department which exercises the powers conferred on it under section 38B:]

(2) "College" means a degree college or an intermediate college;

- 
1. Sub-section (1A) was inserted by Bom. 46 of 1959, s. 3, Schedule.
  2. These words were substituted for the words "State of Bombay" by the Gujarat Adaptation of Laws(State and Concurrent Subjects) Order, 1960.
  3. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.
  4. These words were inserted by Bom. 46 of 1959, s. 3, Schedule.
  5. These words were substituted for the words "Pre-Reorganisation State of Bombay" by the Gujarat Adaptation of Laws (State and Concurrent Subjects) Order, 1960.
  6. This portion was substituted for the words "specified in the notification", by Bom. 46 of 1959, s. 3, Schedule.
  7. These words were substituted for the words "in that part of the State of Bombay to which it is extended by the Gujarat University (Extension) and Universities (Amendment) Act, 1959," by the Gujarat Adaptation of Laws {State and Concurrent Subjects) Order 1960.
  8. This word, was inserted by Bom. 46 of 1959, s. 3, Schedule.
  9. Clause (1) was substituted for the original by Bom. 30 of 1954, s. 9 (1).
  10. Clauses;(1A) to (1D) were inserted by Guj. 6 of 1973. s. (1).

1[(2A) "Constituent College" means a University College or an affiliated college made constituent under section 41;]

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

2[(3AA)' "Department" means a department designated as such by Ordinances with reference to a subject or a group of subjects;)

3[(3A) "Head Master" means the head of a High School;)

4[(3B) "Head of Department" means a teacher principally responsible for instruction, training or research in a department;)

(4) "High School" means a high school which has been recognized as a full fledged high school by the 5[Director of Education), 6[Gujarat State], or by an officer authorized by him in this behalf; or a high school situate outside the 7[State of Gujarat) which has been registered by the University;

(5) "Hostel" means a unit of residence for students maintained or recognized by the University under this Act;

(6) "Intermediate College" means an affiliated college other than a degree college;

(7) "Principal" means the head of a college;

(8) "Recognized institution" means an institution for research or specialized studies other than an affiliated college and recognized as such by the University;

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

(10) "Secondary Teachers" means such class of teachers imparting instruction in High Schools as may be declared to be secondary teachers by the Statutes;

8[(11) "Statutes", "Ordinances", "Regulations" and "Rules" mean respectively the Statutes, Ordinances, Regulations and Rules of she University made under this Act;] -

(12) "Teachers" means professors, readers, lecturers and such other persons imparting instruction in the University, an affiliated college or 9[a recognized or approved institutions) as may be declared to be teachers by the Statutes;

- 
1. Clause (2A)-was inserted by Bom. 30 of 1954. s.9(2).
  2. Clause (3AA) was inserted by Guj. 6 of 1973, s. 3(2).
  3. Clause (3A) was inserted by Bom. 30 of 1954. s. 9(3).
  4. Clause (3B) was inserted by Guj. 6 of 1973. s. 3(3).
  5. These words were substituted tor the words "Director of Public Instruction" by Bom. 18 of 1953. s. 3. and Second Schedule.
  6. These words were substituted for the words "Bombay State" by the Gujarat Adaptation of Laws (State and Concurrent Subjects) Order, 1960.
  7. These words were substituted for the words "State of Bombay", *ibid.*
  8. Clause (11) was substituted by Guj. 6 of 1973. s. 3(4)
  9. These words were substituted for the words."a recognised institution", *ibid.*, s. 3(5).

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

(14) "University" means the Gujarat University constituted under this Act;

(15) "University Area" means the areas specified in the [Schedule 1];

"(15A) "University College" means a college which the University may establish or maintain under this Act or a college transferred to the University and maintained by it;]

(16) "University Department" means any college, post-graduate or research institution or department maintained by the University.

## CHAPTER II.

### THE UNIVERSITY.

Incorporation  
of the  
University

3. (1) The Vice-Chancellor <sup>3</sup>[the Pro-Vice-Chancellor of the University] and [the members] of the <sup>5</sup>[Court], the <sup>6</sup>[ 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 Gujarat University".

(2) The University shall have perpetual succession and a common seal and shall 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 have become vested in or been acquired by it for the purposes (of the University, to raise loans upon the securities of its assets] and to contract and to do all other things necessary for the purposes of this Act:

<sup>8</sup>[Provided that the power to raise loans upon the security of its assets shall be exercised after obtaining previous permission of the State Government.]

Powers of the  
University

<sup>9</sup>[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 :—

- 
1. These word and figure were substituted for the word "schedule" by Guj. 6 of 1973, 3 (6).
  2. Clause (15A) was inserted by Bom. 30 of 1954 s 9(4)
  3. These words were, substituted for the words "the Vice-chancellor of the University" by Guj. 10 of 1982. s.2, sch. 1. Sr. No. 2(1).
  4. These words were substituted for the words "the member" by Bom. 18 of 1953, s. 3 and Second Schedule.
  5. This word was substituted for the word "Senate" by Guj. 6 of 1973, s. 2(1).
  6. This word was substituted for the word "Syndicate", *ibid* s. 2(2).
  7. These words were substituted for the words "of the University" by Guj. 40 of 1969. s.2, Sch., Sr. No. 1(1)(l).
  8. This proviso was added, *ibid*, Sr. No. 1(1) (ii).
  9. Section 4 was substituted by Guj. 6 of 1978 s.4.

- (1) to provide for instruction, including correspondence courses, teaching and training in such branches of learning and courses of study as it may think fit, to make provision for research, advancement, and dissemination of knowledge, and to conduct special undergraduate courses for talented students;
- (2) to make such provision as would enable affiliated colleges, recognised institutions and approved institution to undertake specialisation of studies;
- (3) to establish, maintain, take over by agreement and manage colleges, departments, centres and institutes of research or specialized studies;
- (4) to organise common laboratories, libraries, museums and other equipments for teaching and research;
- (5) to establish within the University area or outside that area such field stations, specialized laboratories and other units for research and instructions as are necessary for the furtherance of its objects;
- (6) to create such teaching, administrative and other posts as the University may deem necessary from time to time and to make appointments thereto;
- (7) to institute professorships, readerships, lecturerships and other posts of teachers required by the University;
- (8) to appoint or recognize persons as professors/readers, or lecturers or otherwise as teachers of the University;
- (9) to guide teaching and research work in colleges, University Departments, University centres and recognized institutions;
- (10) to lay down, the courses of instruction for the various examinations;
- (11) to institute degrees, diplomas and other academic lilies and distinctions;
- (12) to hold examinations or tests and confer degrees and diplomas on, and grant certificates to, persons who—
  - (a) have pursued approved courses of study in the University or in an affiliated college, unless exempted therefrom, in the manner prescribed by the Statutes, Ordinances, Regulations and Rules and have passed the examinations or tests 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 Statutes;
- (14) to grant such diplomas to, and to provide such lectures, instruction and training to, persons who are not enrolled 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 submit to the State Government proposals for conferment of autonomy on any affiliated college or a University college, or a University Department or a recognised institution entitling it to privileges in the matters of admission of students, prescribing the courses of study, imparting instruction, teaching and training in the courses of study, the holding and conduct of examinations and the powers to make necessary rules for the purpose;

(19) to recommend to the State Government withdrawal of autonomy conferred on any affiliated college, recognized institution or a University College or Department;

(20) 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;

(21) 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;

(22) 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 in the affiliated colleges, and recognised and approved institutions;

(23) to provide for the establishment and recognition of Students' Unions or associations of teachers, academic staff or other employees of the University, affiliated colleges and recognized institutions;

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

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

(25) to hold and manage trusts and endowments;

(26) to institute and award fellowships, travelling fellowships, scholarships, Studentships, medals, prizes and other awards;

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



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

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

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

(31) to establish, maintain and manage hostels;

(32) to recognize hostels not maintained by the University, to inspect such hostels and to withdraw recognition therefrom;

(33) 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;

(34) to take disciplinary action against the students of the University and to impose such punishments upon them as may be deemed fit for breach of discipline or misconduct, 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;

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

(36) co-ordinate, supervise, regulate control the conduct of under graduate teaching and instruction in the affiliated colleges and to undertake the same in University colleges;

(37) to institute and manage—

(a) Printing and Publication Department,

(b) University Extension Boards,

(c) Information Bureaux, and

(d) Employment Bureaux;

(38) to make provision—

(a) for Continuing Education, Audit Education, Extra-Mural Teaching, Extension Services and other recognised educational activities;

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

(c) for Students' Unions; and

(d) for sports and athletic activities;

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

(40) to make arrangement for training for competitive examination lor recruitment of services under the Union and State Governments;

(41) 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 the media of instruction and examination;

(42) 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:

(43) 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;

(44) 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;

(45) to do all such other 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, situate within the University area shall save with the sanction of the 1[State] Government, be associated in any way with, or seek admission to am privileges of, any other University established by law.

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

(3) With effect from such date all educational institutions admitted to the privileges of the University of Bombay and situate within the university area shall be deemed to be admitted to the privileges of the University, and the University shall, as far as may be possible and consistent with this Act, admit such institution to all such privileges as they had from the University of Bombay immediately before such date.

(4) Any educational institution in the 2[State] of Bombay situate outside the University area or in other territories outside the 2[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.

---

1. This word was substituted for the word "Provincial" by the Adaptation of laws Order, 1950.

2. This word was substituted for the word "Province", *ibid*.

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

6. (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, or study on the sole ground of sex, race, creed, class, 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 institution exclusively for women or reserve for women or members of classes and communities which are educationally backward places for the purposes of admission as students in any institution maintained by the University.

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, class, religious belief or profession of 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. (?) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment of any institution, college or hostel maintained, recognised by, or affiliated to the University, of the teaching and other work conducted by the University, and of the conduct of examination 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,

Inspection and inquiry

(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 make upon the 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 direction.

---

1. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

2. The word "title" was deleted by Guj. 6 of 1973, s. 5.

3. This word was substituted for the word "syndicate", *ibid*, 2(2).

4. This word was substituted for the word "senate", *ibid*, s. 2(1).

(5) The <sup>1</sup>[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 <sup>2</sup>[Pro-Vice-Chancellor, <sup>3</sup>[\* \*] (iv) The Deans of Faculties, (v) The Registrar, <sup>4</sup>[\* \*] <sup>5</sup>[ (v-a) The University Librarian, and],
- (vi) 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. (I) The <sup>6</sup>[Governor of Gujarat] for the time being 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 <sup>7</sup>[Court] and shall, when present, preside at meetings of the <sup>7</sup>[Court] and at any convocation of the University.

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

The Vice-  
Chancellor.

<sup>8</sup>[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).

(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 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-Chancellors of all the Universities established by law in the State of Gujarat.

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1. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.
  2. This word was substituted for the word "Rector" by Guj. 6 of 1973-, s 6(a)
  3. The words "if any" were deleted by Guj. 10 of 1982, s.2, Sch. Sr. No. 2(2).
  4. The word "and" was deleted by Guj. 6 of 1973. s.6(b).
  5. Item (v-a) was inserted, *ibid.*, s. 6(c).
  6. These words were substituted for the words "Governor of Bombay" by the Gujarat Adaptation of Laws (State and Concurrent Subject) Order. 1960.
  7. This word was substituted for the word "Sanate" by Guj. 6 of 1973, s. 2(1).
  8. This section was substituted by Guj. 23 of 1978. s. 2.

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 <sup>1</sup>[Court] and any convocation of the University. He shall be ex-officio member and the Chairman of the <sup>2</sup>[Executive Council] and of the Academic Council. He shall be present, with the right to speak, at any meetings 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 <sup>1</sup>[Court], the <sup>2</sup>[Executive Council] and the Academic Council. 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 Act, the Statutes, Ordinances and Regulations are faithfully observed and he shall have all powers necessary for this purpose.

(4)(a) In any emergency which in the opinion of the Vice-Chancellor requires that immediate action should be taken, he shall take such action as he deems necessary and shall at the earliest opportunity <sup>3</sup>[thereafter furnish information regarding his action] to such officer, authority or body as would have in the ordinary course dealt with the matter

(b) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University such person shall be entitled to prefer an appeal through the said officer, authority or body to the <sup>2</sup>[Executive Council] within fifteen days from the date on which such action is communicated to him.

(5) The Vice-Chancellor shall give effect to the orders of the <sup>2</sup>[Executive Council] regarding the appointment, dismissal, suspension and punishment of the persons in the service of the University or teachers of the University or regarding the recognition or withdrawal of the recognition of any such teacher and shall exercise general control over the affairs of the University. He shall be responsible for the discipline of the University in accordance with this Act, the Statutes and Ordinances.

<sup>4</sup>[(5A)(a) Subject to the provisions contained in sub-section (4) and notwithstanding anything contained in sub-section (5) where the Vice-Chancellor after making such inquiry as he deems fit is of opinion that the execution of any order or resolution of an authority specified in or declared under section 15, or the doing of anything which is about to be done or is being done by or on behalf of the University: -

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1. This word was substituted for the word "Senate" by Guj. 6 of 1973, s. 2(1).
  2. These words were substituted for the word "Syndicate", *ibid.*, s.2 (2).
  3. These words were substituted for the words "thereafter report his action" by Guj. 10 of 1982, s. 2, Sch., Sr. No. 2(4)(a).
  4. Sub-section (5A) was inserted, *ibid.*, Sr. No. 2(4)(b). "

ERRATA  
To  
THE GUJARAT UNIVERSITY  
ACT, 1949. (Bom. L of 1949)  
(Reprint Published in the year 1992)

In the Act, for pages **11** and **12**, read the following pages: -

<b>1949 : Bom. L]</b>	<b>Gujarat University Act, 1949</b>	<b>11</b>
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<sup>1</sup> [Provided that in any case where for any reason whatsoever a person is not nominated under this sub-clause: -

- (a) by the Executive Council and the Academic Council jointly, or
- (b) by the Vice-Chancellors,

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

- (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 the Statute, select three persons whom it considers fit for being appointed as 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 a Vice-Chancellor would cease to hold that office on account of attaining the age of 65 years before completion of the terms of three years.

(4) The vice-chancellor shall hold office for term of three years and he shall be eligible for re-appointment 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, <sup>2</sup>[shall be such as may be determined by the State Government]:

Provided that such emoluments or such terms and conditions shall not, during the currency of the term of the holder of that office, be varied to his disadvantage without his consent. (6) (a) During the leave or absence of the Vice-Chancellor, or (b) in the event of a permanent vacancy in the office of the Vice-Chancellor, until an appointment is made under sub-section (1) to that office,

<sup>3</sup>[the Pro-Vice-Chancellor], and in the absence of <sup>3</sup>[the Pro-Vice-Chancellor], one of the deans nominated by the Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor].

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1. This proviso was added by Guj. 23 of 1987, s. 2.
2. These words were substituted for the words "shall be such as may be prescribed by the Statute" by Guj. 10 of 1982, s. 2, Sch., Sr. No. 2(3)(a).
3. These words were substituted for the words "the Pro-Vice-Chancellor, if any", *ibid.*, Sr. No. 2(3)(b).

(i) is inconsistent with the provisions of this Act or of any statute, ordinance, rule or regulation, or

(ii) is not in the interest of the University, or

(iii) is likely to lead to breach of peace; he may forward a copy of the order or resolution, or, as the case may be, refer the doing of the thing, with a statement of reasons, to the authority which made the order or passed the resolution or proposes to do the thing for reconsideration by that authority as to whether the said order or resolution may not be rescinded, or revised or modified in the manner stated by him, or the doing of the thing be refrained from.

(b) Where the authority after reconsideration revises or modifies the order or the resolution in the manner stated by the Vice-Chancellor, then notwithstanding anything contained in clause (e) such revised or modified order or resolution shall revive from the date of such revision or modification.

(c) Where the authority revises or modifies the order or resolution in such manner as is 'inconsistent with the manner stated by the Vice-Chancellor, the Vice-Chancellor shall refer the matter to the State Government for its decision.

(d) The State Government may, on such reference, being made, revise or modify the order or resolution or direct that the order or resolution shall continue to be in force with or without modification permanently or for such period as it may specify :

Provided that the order or resolution shall not be revised or modified or continued by the State Government without giving the concerned authority a reasonable-opportunity of showing the cause against the order, . . . . . ■

(e) The order, resolution or, as the case may be, the doing of thing, shall remain in abeyance from the date of the action of the Vice-Chancellor of forwarding the copy of order or resolution or of making reference under clause (a) till the date of the order of the State Government under clause (d).]

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, ordinances and Regulations.

Pro-Vice-  
Chancellor.

<sup>1</sup>[12. (i) The Pro-Vice-Chancellor shall be appointed by the State Government from amongst three persons recommended by the Vice-Chancellor.

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

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 :

(3) The Pro-Vice-Chancellor shall be a whole time salaried officer and his emoluments and conditions of service, shall be such as shall be determined by the State Government:

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

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1. This section was substituted by Guj. 10 of 1982, s. 2. Sch., Sr. No. 2 (5).

(4) The Pro-Vice-Chancellor shall be the principal inspecting officer of the University and shall exercise such of the powers and perform such of the duties of the Vice-Chancellor as the Vice-Chancellor may either specially or generally confer or impose on, him with the approval of the Executive Council.

(5) The Pro-Vice-Chancellor shall, in the absence of the Vice-Chancellor, or in the event of his being unable to perform the duties of his office, exercise all the rights and powers and discharge all the functions and duties-of the Vice-Chancellor.

(6) The Pro-Vice-Chancellor shall preside—

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

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

The Registrar. 13. The Registrar shall be a whole time salaried officer and shall act as the Secretary of the [Court] of the 2[Executive Council] and of the Academic Council. He shall be appointed by the "[Executive Council] 3[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.

Other officers. 14. The, powers and duties of the officers of the University referred to in clause (vi) of section 8 shall be such as may be prescribed by the Statutes, Ordinances and Regulations.

## CHAPTER IV

### AUTHORITIES OF THE UNIVERSITY.

Authorities of University. <sup>4</sup>[15. The following shall be the authorities of the University, namely

- (i) The Court,
- (ii) The Executive Council,
- (iii) The Academic Council,
- (iv) The Faculties,

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1. This word was substituted for the word "Senate" by Guj. 6 of 1973, s. 2(1).  
 2. These words were substituted for the words "Syndicate", *ibid.*, s. 2(2)  
 3. These words were substituted for the words "in accordance with the Statutes to be framed in (his behalf and his emoluments", *ibid.*, s. 9.  
 4. This section was substituted. *ibid.*, s. 10.



(v) The Boards of University Teaching and Research,  
 (vi) The Boards of Studies,  
 (vii) The Board of Extra-Mural Studies,  
 (viii) The Board for Students Welfare,  
 (ix) The Board for Hostel's Management,  
 (x) The Academic Planning Board,  
 (xi) Such other bodies of the University as may be declared by the Statutes to be the authorities of the University.]

<sup>1</sup>(16) (7) The Court shall consist of the following members, namely :—

The Court.

*Class I-Ex-Officio members,*

(A) University Officers—

- (i) The Chancellor,
- (ii) The Vice-Chancellor,
- (iii) Ex-Vice-Chancellors of the University residing in the State,
- (iv) The Pro-Vice-Chancellor, 2 \* \* \*
- (v) The Registrar,
- (vi) The University Librarian;

(B) Others—

(i) <sup>3</sup>[The Director of Higher Education, or an officer not below the rank of a Joint Director of Higher 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;

<sup>4</sup>[(iii) The Director of Health and Medical services and. Medical Education or an officer not below the. rank of a Joint Director of Health and Medical Services and Medical Education designated by such Director;

(iv) 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;

(v) The Director of Food and Drugs Control Administration, or an officer not below the rank of a Joint Director of Food and Drugs Control Administration designated by such Director;

(vi) The Chairman of the Gujarat Secondary Education Board.]

*Class II—Ordinary Members.*

(A) Elected as specified below :—

(i) two members by the Gujarat Legislative Assembly from amongst, its members ;

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1. Section 16 was substituted by Guj. 6 of 1973. s.11.  
 2. The words "if any" were deleted by Guj. 10 of 1982, s. 2. Sch., Sr. No. 2(6)(a).  
 3. This clause was substituted, *ibid.*, s.2. Sch. Sr. No. 2(6)(b)(i).  
 4. These clauses were substituted for clauses (iii) to (v). *ibid.*, s. 2. Sch. Sr. No. 2(6)(b)(ii).

(ii) one member by each of the following bodies from amongst its members, namely :-

- (a) The Municipal Corporation of the City of Ahmedabad,
- (b) The Chamber of Commerce, Ahmedabad,
- (c) The Registered Trade Unions in the University area in the manner specified in the Statutes,

(iii) one member by Head Masters of secondary schools within the University area from amongst themselves in the manner specified in the Statutes;

(iv) one member by secondary teachers of high schools excluding head masters thereof within the University area from amongst themselves in the manner specified in the Statutes;

(v) one member each elected facultywise by registered graduates in each of the Faculties from-amongst themselves in the manner specified in the Statutes :

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

(vi) 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;

(vii) Three members by the governing bodies of colleges affiliated to the University in the manner specified in the Statutes, as follows:-

(a) one member by the governing bodies of such colleges situated within the limits of the City of Ahmedabad as constituted under the Bombay Provincial Municipal Corporations Act, 1949, and

(b) two members of the governing bodies of such colleges situated outside the limits of the City of Ahmedabad;

(viii) forty-two members by teachers of affiliated colleges (excluding Deans of Faculties and Principals of Colleges) of whom fourteen shall be teachers having teaching experience of less than ten years in a college or in any University established by law in the State from amongst themselves in the manner specified in the Statutes :

(a) such number of Principals of affiliated colleges, not exceeding thirty five, as may be fixed in the proportion of one for every four Principals of such colleges, from amongst themselves in the manner specified in the Statutes.

(B) (i) Twelve students to be elected in the manner specified in the Statutes, as follows, namely.

(a) one member each elected by post-graduate students of each of the Faculties of Arts, Science and Commerce from amongst themselves,

(b) one member-each elected by undergraduate students of each of the Faculties of Arts, Science and Commerce from amongst themselves,

(c) five members elected Faculty-wise from amongst themselves by post graduate and under-graduate students of each of the Faculties other than the Faculties of Arts, Science and Commerce". .

Provided that if the number of such Faculties exceeds five, the Faculties shall be suitably grouped in five groups in the manner specified in the Statutes for the purpose of electing five such members,

(d) one member elected by the Gujarat University Vidyarthi Sansad from amongst those members of the Sansad who are students :

Provided that where a student has been a member for any two academic years, he shall not be eligible for re-election thereafter,

(ii) one representative of the members of non-teaching staff of the University, affiliated colleges, recognised institutions and approved institutions to be elected in the manner specified in the Statutes :

Provided that for the purpose of election of Ordinary members a person entitled to stand as a candidate or to vote in more than one constituency shall before such date as may be appointed by the statutes, elect the constituency from which he desires to stand as a candidate or to vote at the election and shall not be entitled to stand or vote in more than one constituency.

(C) Two members 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 such sum of rupees as may be specified in the Statutes —

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

(b) to, or for 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 of electing members 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.

(D) (i) Twelve members nominated by the Chancellor as follows, namely :—

(a) four Deans of faculties,

(b) three Professors of University Departments,

(c) three University teachers other than professors of University Departments,

(d) two heads of recognised institutions :

Provided that the nomination of such members by the Chancellor shall be made by rotation from amongst the class of persons eligible for nomination,

(ii) eight members nominated by the Chancellor from amongst distinguished educationists, social workers, representatives of backward communities, women and such other class of persons.

(2) The term of office of elected members other than those referred to in clause (i) of paragraph (B) in class II and of the nominated members referred to in paragraph (D) in class II shall be five years and of the Members referred to clause (i) of paragraph (B) in class II shall be for one academic year :

Provided that every person elected under paragraph (A) or paragraph (B) in Class II or nominated under clause (i) of paragraph (D) in Class II shall continue to hold office of a member of the Court so long only as he is a member, of the electing body or, as the case may be, bodies or is a Principal or a headmaster or a secondary teacher of a high school or a teacher or a student, or Dean of Faculty or Professor of University Department, or University teacher or a head of, a recognised institution, as the case may be.]

Meetings of  
the <sup>1</sup>[Court].

17. (1) The <sup>1</sup>[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 <sup>1</sup>[Court].

(2) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by <sup>1</sup>[Court].

Powers and  
duties of Court.

[118. 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:—

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

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1. This word was substituted for the word "Senate" by Guj. 6 of 1973, s. 2(1).

2. Section 18 was substituted, *ibid*, s. 12.

- (2) to suggest steps to be taken by the authorities of the University, in pursuance of the policy decided upon by the Court;
- (3) to suggest the establishment of new areas of teaching and research;
- (4) to institute, confer or grant on the recommendations of the Executive Council and the Academic Council, degrees, diplomas and certificates;
- (5) to confer, on the recommendations of the Executive Council and the Academic Council, honorary degrees, or other academic distinctions;
- (6) to make, amend or repeal Statutes;
- (7) to consider, record, cancel or refer back, but not to amend, Ordinances;
- (8) to consider and pass resolutions on the annual reports, annual accounts and financial estimates;
- (9) to consider the annual audited accounts and to make suggestions thereon, if any;
- (10) 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;
- (11) to elect office-bearers and authorities as provided in this Act and the Statutes;
- (12) to elect members to the various authorities of the University as prescribed by the Statutes;
- (13) to make provision relating to the use of Gujarati or Hindi (in Devnagari script) or both as media of instruction and examination;
- (14) to institute on the recommendations of the Executive Council and the Academic Council, any Departments and Faculties in the University;
- (15) to submit to the State Government, on the recommendation of the Executive Council, proposals for conferment of autonomy on any affiliated college or a recognized institution or a University Department or University college entitling it to privileges in the matters of admission of students prescribing the courses of study, imparting instruction, teaching and training in the courses of study, the holding and conduct of examinations and the powers to make necessary rules for the purpose;
- (16) to recommend to the State Government withdrawal of autonomy conferred on any affiliated college, recognized institution or a University college or Department;
- (17) to sanction the transfer of any immovable property on the recommendation of the Executive Council;
- (18) to exercise such other powers and perform such other duties as are or may be conferred or imposed upon it by or under this Act.]

The Executive Council.

<sup>1</sup>19 (1) The Executive Council shall consist of the following member, namely :—

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

(ii) The Pro-Vice-Chancellor, if any;

(iii) <sup>2</sup>[The Director of Higher Education], and if he is unable to attend, the officer designated under clause (i) of paragraph (B) of Class I of sub-section (1) of section 16;

<sup>3</sup>[(*iiia*) The Director of Technical Education, and *ii.* he is unable to attend, the officer designated under clause (ii) of paragraph (B) of Class I of sub-section (1) of section 16;

(*iiib*) The Director of Health and Medical Services and Medical Education and if he is unable to attend, the officer designated under clause (iii) of paragraph (B) of Class I of subsection 16;]

(*iv*) One Dean of a Faculty nominated by the Vice-Chancellor, by rotation from amongst the Deans of Faculties;

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

(*vi*) Two University Professors elected by the Court from amongst its members;

(*vii*) Three Principals of affiliated colleges elected by the Court from amongst its members;

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

(*ix*) Three teachers of affiliated colleges, other than Principals, elected by the Court from amongst its members;

(*x*) Two members of the Academic Council who are teachers elected by the Academic Council from amongst the members of the Court;

(*xi*) Two persons, not being teachers nominated by the Chancellor from amongst the members of the Court;

<sup>4</sup>[(*xia*) Four persons nominated by the 'State Government from amongst distinguished educationists, teachers, social workers and such other class of persons, irrespective of whether they are members of the Court;]

(*xii*) One representative of the governing bodies of affiliated colleges elected by the Court from amongst its members:

Provided that a member nominated under clause (*iv*) or (*xi*) or elected under clauses (*v*) to (*x*) and (*xii*) 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 Professor, 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.]

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1. This section was substituted by Guj. 6 of 1973. s.13.
  2. These words were substituted for the words "The Director of Education" by Guj. 10 of 1982, s. 2, Sch., Sr. No. 2(7)(a).
  3. These clauses were inserted, *ibid.*, Sr. No. 2(7)(b).
  4. This clause was inserted, *ibid.*, Sr. No. 2(7)(c).

<sup>(1)</sup>[20. (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 :—

Powers and duties of the Executive Council.

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

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

(vi) (a) to adopt the 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 finances, accounts and investments of the University;

(xii) to institute and manage—

(a) Printing and Publication Department,

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1. This section was substituted by Guj. 6 of 1973. s. 14.

(b) University Extension Boards,

(c) information Bureaux,

(d) Employment Bureaux,

(xiii) to make provision—

(a) for extra-mural teaching and extension courses *and* research and other recognized education activities,

(b) for Continuing Education and Adult Education,

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

(xiv) to manage and maintain colleges, departments, institute 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 instructions as are necessary for the furtherance of the objects of the University;

(xvi) to recognize hostels, to inspect such hostels and to withdraw recognition the refrom;

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

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

(xix) to affiliate colleges and to approve the institutions as may be provided by Statutes;

(xx) to arrange for, and to direct, the inspection of affiliated colleges, recognised and approved institutions and hotels to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment, including salary scales a ad allowance;; for the members of their teaching, other academic and non-teaching staff;

(xxi) (a) to recognise institutions of research or specialised studies;

(b) to withdraw, either in whole or in part, or to modify the rights conferred on a college by affiliation or on an institution by recognition or approval;

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



(xxii) to recommend to the Court on the advice of Academic Council the conferment of autonomy on any affiliated college, a University College, 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, teaching and training in the courses of study, the holding and conduct of examinations and the powers to make necessary rules for these purposes;

(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 and recognised or approved institution:

(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 and University departments, and recognised and approval institution 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 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, and define their duties and conditions of service and to take disciplinary action] against them;

(xxx) to recognise 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:

(xxxi) <sup>1</sup>[to fix remuneration of examiners] and to arrange for the conduct and publication of result of University examinations and other test;

(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;

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1. These words were substituted for the words "to appoint examiners, to for their recommendation" by Guj. 10 of 1982. s. 2. Sch., Sr. No. 2(S)(a).

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

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

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

(xxxviii) to lay down and regulate salary scale, allowances and conditions of service of officers, members of the 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 non teaching staff of affiliated colleges and recognised or approved institution;

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

(xii) 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 purposes not repugnant to this Act;

(xiii) 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;

(xiiii) 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 power 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 (xxi), (xxvi) to (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.

<sup>1</sup>[(3A) The exercise of the powers by the Executive Council under clauses (xxxviii) and (xxxix) of sub-section (1) in so far as they relate to the laying down and regulating salary scales and allowances of officers, members of the teaching, other academic and non-teaching staff of the University, affiliated colleges and recognised or approved institutions, shall be subject to the approval of the State Government.

(4) The Executive Council may by Ordinance appoint committees to carry out its administrative work and define their constitution, functions and tenures.

(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.]

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1. This sub-section was inserted by Guj. 10 of 1982, s. 2. Sch., Sr. No. 2(8)(b).

<sup>1</sup>[21. (1) The Academic Council shall consist of the following members, namely :- Academic Council

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

<sup>2</sup>[(ii) The Pro-Vice-Chancellor,]

(iii) The Deans of Faculties;

(iv) five representatives of University Professors and Heads of University Departments elected by them from amongst themselves, in the manner specified in the Statutes;

(v) Two persons nominated by the Executive Council from amongst its members;

(vi) Not more than eighteen Chairman of Boards of Studies nominated by the Vice-chancellor by rotation, in the manner specified in the Statutes;

(vii) Two representatives of Heads of recognised institutions elected by them from amongst themselves, in the manner specified in the Statutes :

Provided that a member specified in any of the clauses (iii) to (vii) shall cease to hold office as such member if he ceases to be a Dean of a Faculty, a University Professor, Head of a University Department, a member of the Executive Council, the Chairman of a Board of Studies or, as the case may be, a Head of a recognised Institution.

(2) As soon as the Academic Council is constituted under sub-section (1) it may co-opt as its additional member two eminent persons who are experts in any of the subjects taught in the University, whether they are or are not connected to 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 and members specified in clause (vi) shall be three years and that of the members specified in clause (vi) shall be one year.*

22. (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.

<sup>3</sup>[(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;

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1. This section was substituted by Guj.: 6 of 1973, s. 15. 2. This clause was substituted by Guj. 10 of 1982, s. 2Sch., Sr. No. 2(9). 3. Sub-section (2) was substituted for the original by Guj. 6 of 1973, s. 16.

(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 University Departments, Institutions of Research and specialised studies, libraries, laboratories and museums;

(vii) to approve and to recommend proposals for the institution of professorships, readerships, lectureships and any other posts of teachers required by the University and for prescribing the duties of such post:

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

(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, conferment and grant 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 an institution;

(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 powers and perform such other duties as may be conferred or imposed on it by or under this Act, Statutes and Ordinances.)



(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 establishment of departments, institutes of research and specialised studies, libraries, laboratories, and museums concerned with the Faculty;

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

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

(ix) to make Regulations for the minimum teaching work for every subject and the minimum laboratory work and any other prescribed work to be done by students or 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 this Act, Statutes, Ordinances and Regulations; and

(xii) Generally to advise the University, on all academic matters pertaining to the courses of study in the Faculty.]

Deans of Faculties

24. (i) There shall be a Dean of each Faculty who shall be elected by the Faculty from amongst its members<sup>1</sup> \* \* \* \* \*

2[1A) The Dean shall hold office for a term of three years and shall be eligible for being re-elected to that office for a further term of three years only;

(1B) The Dean shall exercise such powers and perform such functions and duties as may be prescribed by the statutes.]

(2) The Dean of each Faculty shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to that Faculty.

Boards of University Teaching and Research.

3[24.A (I) For the purpose of organizing and co-ordinating the post-graduate instruction, teaching and training in the University area there shall be such number of Boards of University Teaching and Research, and dealing with such subjects as may be prescribed by the Statutes.

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1. The portion beginning with the words "who are members of the Senate" and ending with the words "by the Statutes" were deleted by Guj. 6 of 1973, s. 19(1).  
 2. Sub-sections(1A) and (1B) were inserted, *ibid.*, s. 19(2).  
 3. Section 24A was inserted, *ibid.*, s. 20.

(2) The constitution of each of these Boards and the term of office of its members shall be such as may be prescribed by the Statutes.

(3) Subject to such conditions as may be prescribed by or under the provisions of this Act, a Board of University Teaching and Research shall exercise the following powers and perform the following duties, namely:-

(i) to maintain standards of Post-graduate teaching and Research;

(ii) to advise the Boards of Studies regarding any trends in post-graduate syllabi, instructions and any other developments;

(iii) to make recommendations regarding the admission to, and evaluation of Research Degrees;

(iv) In make recommendations regarding the regulations of Ph.D. Degrees;

(v) to make recommendations regarding the qualifications and number of the post-graduate teachers and Research Guides or Supervisors;

(vi) to approve the subjects of research and to suggest panels of names of examiners for research thesis;

(vii) to make any other recommendations regarding organisation, co-ordination and improvement of post-graduate teaching and Research in the University as a whole: ]

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

1[<sup>2</sup> (2) The constitution of each Board and the term of office of its members shall be such as may IK- prescribed by the Statutes.]

(3) The Chairman shall be elected by the members of the Board from amongst themselves.]

3 \* \* \* \* \*

<sup>oo</sup> [(5) Subject to such conditions as may be prescribed by or under the provisions of this Act and Statutes, the Boards of Studies shall exercise the following powers and perform the following duties, namely:-

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

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

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1. Sub-sections (2) and (3) were substituted by Guj. 4 of 1961. s.3.
  2. Sub-section (2) was substituted by (Guj. 6 of 1973. s. 21 (1).
  3. Sub-section (4) was deleted, *ibid.*, s. 21 (2).
  4. These sub-sections were substituted for sub-section (5), *ibid.*, s. 21 (3).

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

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

(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;

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

(ix) to prepare panels of examiners for the subject at 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 Statutes

(6) Any two *or* more Boards may, and, at the request the Executive Council or the Academic Council or the Dean of the Faculty, shall meet 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.]

University  
Boards.

26.(1) The University shall establish a Board of Extra-Mural Studies, a Board for Students' "[Welfare, a Board for Hostels', Management, an Academic Planning Board and such other Boards] as may be prescribed by the Statutes'.

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

Other  
authorities.

27. The constitutions, 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.

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1. These words were substituted for the words "Welfare and such other Boards" by Guj. 6 of 1973, s. 22 (1).  
2. These words were substituted for the words "as prescribed by the Ordinances", *ibid.*, s. 22 (2).



CHAPTER V.  
STATUTES, ORDINANCES AND REGULATIONS.

28. Subject to such conditions as may be prescribed by or under the provisions of this Act. Statutes, 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 of specialized 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 recognised institutions;

<sup>1</sup>[(ix) The maximum number of students to be admitted in a College;]

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

29. (1) The Statutes may be made by the <sup>1</sup>(Court] or may be amended, repealed or added to by Statutes made by the <sup>2</sup>[Court] in the manner hereinafter provided.

Statutes, their making  
amendment, repeal  
and operation

3[(1AA) Notwithstanding anything contained in sub-section (1), the Statutes in Schedule IA shall, on the commencement of the Gujarat University (Amendment) Act, 1978, be deemed to be the Statutes providing for matters for which provisions have been made in the said Schedule;

Guj. 23 of  
1978.

Provided that the Court shall be competent to amend, repeat or add to, any of these Statutes in the manner hereinafter provided at any time, after the commencement of the said Act. subject however to the condition that no such Statute shall be amended, repealed or added to, before the Vice-Chancellor is appointed for the first time after such commencement.]

4[(1A) Notwithstanding anything contained in sub-section (1), the Statutes in Schedule II shall, on the commencement of the Gujarat University (Amendment) Act, 1972, be deemed to be Statutes providing for the constitution of the authorities of the University specified in clauses (v), (vi), (vii), (viii), (ix) and (x) of section 15 and for other matters for which provisions have been made in the said Schedule:

Guj. 6 of  
1973.

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1. Clause (ix) was inserted by Guj. 6 of 1973. s. 23-  
2. This word was substituted for the word "Senate", *ibid.*, s. 2(1).  
i. Sub-section (1AA) was inserted by Guj. 23 of 1978. s. 3.  
4. Sub-section (1A) was inserted by Guj. 6 of 1973. s. 24.

Provided that the Court shall be competent to amend, repeal or add to any of these Statutes in the manner hereinafter provided at any time after the commencement of the said Act, subject however, to the condition that no such Statutes relating to the appointment of any officer or constitution of any authority of the University shall be amended, repealed or added to before any such officer is appointed or any such authority is constituted for the first time after such commencement.]

1[(1B) Notwithstanding anything contained in sub-section (1) and Statute 173 or any other Statutes of the University relating to the qualifications for enrolment as the students of the University, Statutes in Schedule III shall, on the commencement of the Gujarat University (Second Amendment) Act, 1978, be deemed to be Statutes, providing for the qualifications for enrolment as the students of the University, under section 42:

Guj.31 of  
1978.

Provided that the Court shall be competent to amend, repeal or add to, any of these Statutes in the manner hereinafter provided at any time after the commencement of the said Act, subject however to the condition, that no such Statute shall be amended, repealed, or added to, before the enrolment of the students of the University in the academic year immediately after such commencement.]

(2) The <sup>2</sup>[Court] may take into consideration the draft of a Statute either of its own motion or on a proposal by the <sup>3</sup>[Executive Council].

(3) The <sup>3</sup>[Executive Council] may propose to the <sup>2</sup>[Court] draft of any Statute to be passed by the <sup>2</sup>[Court].

(4) Such draft shall be considered by the <sup>2</sup>[Court] at as its next succeeding meeting. The <sup>2</sup>[Court] may approve such draft and pass the Statute or may reject it or return it to the <sup>3</sup>[ Executive Council] for reconsideration either in whole or in part together with any amendments which the <sup>2</sup>[Court] may suggest. After any draft so returned has been further considered by the <sup>3</sup>[Executive Council] together with any amendments.suggested by the <sup>2</sup>[Court], it shall be again presented to the <sup>2</sup>[Court] with the report of the <sup>3</sup>[Executive Council] thereon and the <sup>2</sup>[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 <sup>3</sup>[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 <sup>2</sup>[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 <sup>3</sup>[Executive Council].

(6) Every Statute passed by the <sup>2</sup>[Court] shall be submitted to the Chancellor who may give or withhold his assent thereto or refer it back to the <sup>2</sup>[Court] for consideration.

(7) No Statute passed by the <sup>2</sup>[Court] shall have validity until assented to by the Chancellor.

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1. Sub-section (1B), was inserted by Guj. 31 of 1978. s. 2.  
2. This word was substituted for the word "Senate" by Guj. 6 of 1973. s. 2 (1).  
3. These words were substituted for the word "Syndicate", *ibid.*, s. 1(2).

30. Subject to such conditions as may be prescribed by or under the provisions of this Act, the <sup>1</sup>[Executive Council ] may make Ordinances to provide for all or any of the following matters:—

(i) conditions under which students shall be admitted to courses of studies for degrees, <sup>2</sup>\* diplomas and other academic distinctions;

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

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

(iv) conduct of examinations;

(v) recognition of hostels;

(vi) recognition of teachers of the University;

(vii) inspection of affiliated colleges, <sup>3</sup>[recognised and approved institutions] and hostels;

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

(ix) rules to be observed and enforced by colleges and <sup>3</sup>[recognised and approved institution] in respect of transfer of students.

(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 provisions is, is; the opinion of the '(Executive Council], necessary for the exercise of the powers conferred or the performance, of the duties imposed upon the <sup>1</sup>[Executive Council] by this Act for the Statutes.

31. (1) Ordinances shall be made by the <sup>1</sup>(Executive Council]:

Making of  
Ordinances

Provided that no Ordinance concerning the matters referred to in clauses (i), (iii), (iv) and (vi) of section 30 or any other matter connected with the maintenance of the standards of teaching and examination within the University shall be made unless a draft of the same has been proposed by the Academic Council.

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

(3) All Ordinances made by the <sup>1</sup> [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 <sup>4</sup>[Court] and shall be considered by the <sup>4</sup>[Court] at its next succeeding meeting.

(4) The <sup>4</sup>[Court] shall have power by a resolution to cancel or to refer back but not to amend any such Ordinance. **The resolution canceling any such Ordinance shall be passed by**

1. These words were substituted for the words "Syndicate" by Guj. 6 of 1973. s. 2(2).

2. The word "titles' was deleted, *ibid.*, s. 25(1).

3. These words were substituted for the words "recognised institutions", *ibid.*, s. 25(2).

4. These words were substituted for the word "Senate", *ibid.*, s. 2(1).

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 <sup>1</sup>[Court].

(5) The Vice-Chancellor shall, on the application of <sup>2</sup>[not less than one-third of the members] of the <sup>1</sup>[Court], suspend the operation of any such Ordinance until the <sup>1</sup>[Court] has considered it as provided in sub-section (3).

Regulations  
and Rules.

32. (1) <sup>3</sup>[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 for all other matters solely concerning itself.

(2) Any authority of the University specified <sup>4</sup>[in clauses (v) to (xi)] of section 15 and any other Board of the University may, subject to the approval of the <sup>5</sup>[Executive council], make rules, consistent with this Act, the Statutes, Ordinances and Regulations, providing for all matters solely concerning such authority or Board.

<sup>6</sup>(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.

### <sup>7</sup>[AFFILIATION, RECOGNITION AND APPROVAL.]

Affiliation

<sup>8</sup>[33. (1) A college applying For a affiliation to the University shall send a letter of application to the- Registrar, not later than 31st March of the year preceding the year in which the college is proposed to be started:

Provided that, on the recommendation of the Vice-Chancellor, the Executive Council may, if it is satisfied that there are special reasons to do so, after recording such reasons, entertain a letter of application sent to the Registrar after 31<sup>st</sup> March. .

(2) On receipt of the letter, the Executive Council shall, in consultation with the Academic Council and after giving to the College an opportunity of stating its case, determine before 31st July following the month of March in the year first aforesaid whether the college will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision for the same type of education made by other colleges in the neighbourhood and the suitability of the locality where the college is to be established; and communicate the decision to the College before the said 31st July.

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1. This word was substituted for the word "Senate" by Guj. 6. 1973. s. 2. (1).
  2. These words were substituted for the words "not less than forty members", *ibid.*, s. 26.
  3. These words were substituted for the words "The Academic Council may, subject to the approval of the Syndicate", *ibid.*, s. 27(1).
  4. These words, brackets and letters were substituted for the words, brackets and letters "in clauses (iv) to (vii). *ibid.*, s. 27(2).
  5. These words were substituted for the word "Syndicate", *ibid.*, s. 2(2).
  6. Sub-section (3) was added, *ibid.*, s. 27(3).
  7. This heading was substituted for the heading "AFFILIATION AND RECOGNITIONS". *ibid.*, s. 28.
  8. Section 33 was substituted, *ibid.*, s. 29.

(3) If any question arises as to the interpretation of the expression "a need in the locality" occurring in sub-section (2) the question shall be referred by the Executive Council to the Vice-Chancellor for his decision, which shall be final.

(4) (a) Where the Executive Council determines under sub-section (2) that there is no need of the college in the locality or that the college will not supply the need of a college in the locality the college may make an appeal to the State Government against such determination before 30th September of the same year and the decision of the State Government shall be final.

(b) The State Government shall decide the appeal under clause (a) and communicate the decision to the college before 31st December of the same year.

(5) On receipt of the Communication of decision that the College will supply a need in the locality the college shall be required to fulfil the following conditions, namely:-

(a) that the college (other than a Government college or a college maintained by the Government) shall within such period, as may be determined by the Executive Council, be under the management of a governing body which shall include amongst its-members, the Principal of the college, a representative of the University to be nominated by the Vice-Chancellor and three representatives of the teachers of the college and atleast one representative each of the members of the non-teaching staff and the students of the college, to be elected respectively from amongst such teachers, members of the non-teaching staff and students:

(b) 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 institution, teaching or training to be undertaken by the college;

(c) that the building in which the college is or is to be located is suitable and that provision, has been or shall 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;

(d) that due provision is made or shall be made for a library;

(e) where affiliation is sought in any branch of experimental science, that arrangements have been or shall 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;

(f) that due provision is made as far as circumstances permit, for the residence of the Principal and other members of the teaching staff in or near the college or the place provided for the residence of students;

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

(h) 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;

(i) that for recruitment of the Principal and members of the teaching staff of the college (other than a Government college or a college maintained by Government) 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 members;

(j) 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;

(k) such other conditions as may be specified in the statutes in accordance with the provisions of this Act.

(6) On receipt of communications from the college that the conditions referred to in sub-section (5) have been fulfilled, the Executive Council shall—

(a) direct an inquiry so be made by a competent person or persons as to whether the conditions and the minimum requirement for a affiliation have been fulfilled by the college;

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

(c) take after considering the report of the inquiry under clauses (a) and (b) and after consultation with the Academic Council a decision on the question whether the application should be granted or refused, either in whole or in part. before 31st January of the year next after the year in which the letter of application for affiliation is sent, stating the result of any enquiry under clauses (a) and (b) :

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.

(7) Where the application or any part thereof is granted the order of the Executive Council shall specify the courses of the instructions in respect of which the college is affiliated and , where the application or any part thereof is refused the grounds of such refusal shall be stated.

(8) Where an application of a college or a part of such application is refused under sub-section (7) the college may make an appeal to the State Government against such refusal and the decision of the State Government in such appeal shall be final.

(9) An application under sub-section (1) may be withdrawn at any time.

Guj. 6 of 1973.

(10) Notwithstanding anything contained in the foregoing provisions of this section, any college situate within the University area which immediately before the commencement of the Gujarat University (Amendment) Act, 1972 is affiliated to any other University established by law, may, at any time after such commencement, send to the Registrar a letter of application for affiliation to the University and on receipt of such letter, if the Executive Council is satisfied, after such inquiry as it deems fit, that the minimum requirements for affiliation are to a reasonable extent complied with by such college, it may alter consultation with the Academic Council and with the previous sanction of the State Government, grant affiliation to such college in such courses of instruction as it deems fit, subject to the fulfilment of the conditions referred to in sub-section (5) within such period as may be specified in the order granting affiliation.]

Guj. 6 of 1973.

<sup>1</sup>[33A. (1) Every college (other than a Government college or a college maintained by the Government) affiliated before the commencement of the Gujarat University (Amendment) Act, 1972 (hereinafter in this section referred to as “such commencement”) --

Certain affiliated Colleges to be under management of governing bodies and to have Selection Committees.

(a) shall be under the management of a governing body which shall include amongst its members the Principal of the college, a representative of the University nominated by the Vice-Chancellor, and three representatives of the teachers of the college and at least one representative each of the members of the non-teaching staff and the students of the college, to be elected respectively from amongst such teachers, members of the non-teaching staff and students, and

(b) that for recruitment of the Principal and members of the teaching staff of a 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.

(2) Every college referred to in sub-section (1) shall,—

(a) within a period of six months after such commencement, constitute or reconstitute its governing body in conformity with sub-section (1), and

(b) as and when occasion first arises after such commencement, for recruitment of the Principal and teachers of the college, constitute or reconstitute its selection committee so as to be in conformity with sub-section (1).

(3) The provisions of sub-section (1) shall be deemed to be a condition of affiliation of every college referred to in sub-section (1)

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1. Section 33A was inserted by Guj. 6 of 1973, s. 30.

Extension of  
affiliation

34. Where a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed by section 33 shall, so far as may be, be followed.

Recognition of  
institutions  
of research and  
specialized  
studies.

35. (1) The <sup>1</sup>[Executive Council] shall have the power, after consultation with the Academic Council, to recognize as a recognised institution any institution of research or specialized studies other than a college.

(2) An institution applying for recognition under this section 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, <sup>2</sup>[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 <sup>1</sup>[Executive Council] may call for any further information which it may deem necessary.

<sup>3</sup>(4) If the <sup>1</sup>[Executive Council] decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorized 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 <sup>1</sup>[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 <sup>1</sup>[Executive Council] shall specify the subject and courses of instruction in respect of which the institution is recognised. Where the Application or any part thereof is refused, the grounds of such refusal shall be stated].

Approval of  
institutions.

<sup>5</sup>[35A. (1) The Executive Council shall have the power after consultation with the Academic Council, to approve an institution as an approved institution for specialized studies, laboratory work, internship, research or other academic work approved by the academic Council under the guidance of a qualified teacher.

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1. These words were substituted for the word "Syndicate" by Guj. 6 of 1973. s. 2(2).
  2. These words were substituted for the word "equipment", *ibid.*, s. 31 (i).
  3. Sub-section (4) was substituted for the original by Bom. 30 of 1954. s. 18.
  4. The words "and make a report to that effect to the Academic Council and the Senate at their next succeeding meeting" were deleted by Guj. 6 of 1973, s. 31. (ii).
  5. Section 35A was inserted, *ibid.*, s. 32.



(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. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.]

36. (1) Every <sup>1</sup>[affiliated college, recognised institution and approved institution] shall furnish such reports, returns and other information as the <sup>2</sup>[Executive Council] after consulting the Academic Council may require to enable it to judge of the efficiency of the college or institution.

Inspection of colleges and report.

<sup>3</sup>[(1A) (a) There shall be an inspection committee consisting of the Pro-Vice-Chancellor, if any, as the chairman and such other members as may be appointed by the Executive Council in accordance with the Statutes. .

(b) On a direction by the Executive Council in that behalf, it shall be the duty of the inspection committee to inspect an affiliated college; or as the case may be, a recognised or approved institution and make a report to the Executive Council.]

<sup>4</sup>[(2) The Executive Council shall cause every such college or institution to be inspected from time to time by the inspection committee.]

1. These words were substituted for the words "affiliated college and recognized institution" by Guj. 6 of 1973. s.33(1).

2. These words were substituted for words "Syndicate", *ibid.*, s- 2(2).

3. Sub-section (1A) was inserted, *ibid.*, s. 33(2). ,

4. Sub-section (2) was substituted, *ibid.*, s. 33(3).

(3) The <sup>1</sup>[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 <sup>2</sup>[sub-section (5) of section 33, sub-section (2) of section 35 and sub-section (2) of section 35A.]

Withdrawal  
of affiliation.

37. (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 <sup>3</sup>[sub-section (5) of] section 33 of 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 <sup>1</sup>[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 <sup>1</sup>[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 such intimation on behalf of the college will be considered by the <sup>2</sup>[Executive Council]:

Provided that the period so specified may, if necessary, be extended by the <sup>2</sup>[Executive Council].

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3) the <sup>1</sup>[Executive Council] after considering the notice of motion, statement and representation, and after such inspection by any competent person or persons authorised by the <sup>1</sup>[Executive Council] in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council <sup>4</sup>[shall by a resolution withdraw, wholly or partially, or modify the rights conferred by affiliation:

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 to the matter.)

5\* \* \* \* \*

(7) <sup>6</sup>[Where by a resolution passed under sub-section (4)] the rights conferred by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated [in the resolution]

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1. These words were substituted for the word "Syndicate" by Guj. 6 of 1973. s. 2 (2).
  2. These words, brackets, figures and letter were substituted for the words, brackets and figures "Sub-section (1) of section 33 and sub-section (2) of section 35", *ibid.*, s. 33 (4).
  3. These words, brackets and figure were substituted for the words, brackets and figure "sub-section (1) of *ibid.*, s. 34(1).
  4. These words and proviso were substituted for the words "shall make a report to the senate", *ibid.*, s. 34(2).
  5. Sub-sections (5) and (6) were deleted, *ibid.*, s. 34(3).
  6. These words, brackets and figure were substituted for the words, brackets and figure. "Where by an order made under sub-section (6) *ibid.*, s. 34(4).
  7. These words were substituted for the words "in the order", *ibid.*, s. 34 (4) (b).

<sup>1</sup>[(8) Where a resolution withdrawing wholly or partially, or modifying the rights conferred by affiliation is passed under sub-section (4), a copy of the same shall be sent to the Principal of the college concerned who may make an appeal to the State Government against such resolution and the decision of the State Government in such appeal shall be final.

(9) 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 to be making persistent default in carrying out the conditions of affiliation.]

**38.** (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.

Withdrawal of  
Recognition

(2) A motion for such withdrawal or suspension shall be initiated only in the <sup>2</sup>[Executive Council]. The member of the <sup>2</sup>[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 <sup>2</sup>[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 <sup>2</sup>[Executive Council]:

Provided that the period so specified may, if necessary, be extended by the <sup>2</sup>[Executive Council].

<sup>3</sup>[(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 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 may by a resolution withdraw suspend recognition;

4\* \* \* \* \*

**<sup>5</sup>[38AA.** (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 conditions 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

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1. The Sub-sections (8) and (9) were added by Guj. 6 of 1973, s. 34(5).  
 2. These words were substituted for the word "Syndicate", *ibid.*, s. 2(2).  
 3. Sub-section (4) was substituted, *ibid.*, a. 35(1).  
 4. Sub-section (5) was deleted, *ibid.*, s. 35(2).  
 5. Section 28AA was inserted, *ibid.*, s.36.

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 be withdrawn or, as the case may be, suspended and make an order accordingly.]

Affiliated Colleges [recognized or approved institutions] to comply with provisions pertaining to medium of instruction.

<sup>1</sup>[38 (1) Every affiliated college and <sup>2</sup>[recognised or approved institution] shall in respect of the medium of instruction, teaching training and examination therein, comply with the provisions made in that behalf by this Act, and the Statutes, Ordinances and Regulations made under it.

(2) If any affiliated college <sup>3</sup>[or recognised or approved] institution contravenes the provisions of sub-section (1), then notwithstanding anything contained in the other provisions of this Act—

(a) the rights conferred on such college or institution by the affiliation, <sup>4</sup>[recognition approval] shall stand withdrawn from the date of such contravention, and

(b) such college or institution shall cease to be an affiliated college or <sup>2</sup>[recognised or approved institution] for the purposes of this Act.]

(3) Any dispute under sub-section (1) or (2) shall be referred to the Chancellor, The Chancellor shall decide the dispute and his decision shall be final.]

#### <sup>6</sup>[ CHAPTER VI—A.

#### AUTONOMOUS COLLEGES, AUTONOMOUS INSTITUTIONS AND AUTONOMOUS UNIVERSITY DEPARTMENTS-

Conferment of autonomy on colleges, etc. in certain matters.

38B. (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")

(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

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1. Section 38A was inserted by Guj. 4 of 1961, s. 4.  
 2. These words were substituted for the words "recognised institution" by Guj. 6 of 1973, s. 37 (1).  
 3. These words were substituted for the words "or recognised" *ibid.*, s. 37 (2)(a).  
 4. These words were substituted for the words "or recognition", *ibid.*, s. 37(2)(b).  
 5. These words were substituted for the words "and recognized institution", *ibid.*, s. 37 (2).  
 6. Chapter VI-A was inserted, *ibid.*, s. 32.

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 inquiry to be made by a competent person or persons authorised by the Executive Council in **this** behalf, and

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

(b) after consulting the Academic Council on the question whether the college, 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; and

(c) make a report to the Court on that question embodying in such report the result of the inquiries, the opinion of the Academic Council and the opinion recorded by it.

(3) On receipt of the report under sub-section (2), the Court shall, after such further inquiry, if any, as may appear to it to be necessary records its opinion on the question whether the college, institution or Department should be allowed autonomy in the specified matters.

(4) 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, the Executive Council and the Court relating thereto, to the State Government.

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

(6) Where the State Government sanctions the proposals, it shall by an order published in the *Official Gazette*, confer on the college, institution or Department specified in the proposals, power 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 examinations and powers to make the necessary rules for the purpose after consulting the Executive Council and such other powers as may have been specified in the proposals.

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

(8) In the case of an autonomous college, autonomous recognized 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  
Committees.

38C. (1) For the purpose of enabling it to exercise the powers conferred on it under section 38B, an autonomous college, autonomous recognised institution or autonomous University Department shall appoint a Standing Committee consisting of—

(i) the Principal of the college, or the head of the institution or the Department, as the case may be, as its *ex-officio* chairman;

(ii) Heads of the Departments in the special subjects taught at degree level in the college, institution or Department, as its *ex-officio* members, and

(iii) such other members not exceeding five as the college, institution or Department may think fit to appoint.

(2) The Standing Committee shall exercise such of the powers of the college, institution or Department under section 38B 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 functions 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 inspect  
tion of such col  
leges etc.

38D. (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 the inspection committee referred to in section 36 or by one or more competent persons authorised by it in this behalf.

Withdrawal of  
power of  
autonomous  
colleges etc.

38E. (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 38B, 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 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 make a report to the Court.

(3) On receipt of the report under sub-section (2) the Court shall, after such further inquiry, if any, as may appear to it to be necessary, record its opinion in the matter:

Provided that no resolution of the Court recommending the withdrawal of the powers conferred under section 38B shall be deemed to have been passed by it unless the resolution has obtained the support or two-thirds of the members present at the meeting of the Court, such majority comprising, not less than one-half of the members of the Court.

(4) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Executive Council and the Court 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 to the Court.

(5) Where in the case of an autonomous college, autonomous recognized institution or . autonomous University Department the rights conferred under section 38B are withdrawn by an order made under sub-section (4), 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 <sup>1</sup>[WITHIN THE UNIVERSITY AREA] AND FOR POST-GRADUATE TEACHING. .

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

Post-graduates teaching.

2\*                                      \*                                      \*                                      \*                                      \*

40. <sup>3</sup>[(1) The Court may determine that all instructions, teaching and training in courses of studies in respect of which the University is competent to hold examinations shall within the University Area be conducted by the University and shall be imparted by the teachers of the University and the Court shall communicate its decision to the State Government.]

<sup>4</sup>[Teaching within University area]

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1. These words were substituted for the words "WITHIN THE AHMEDABAD AREA" by Guj. 6 of 1973, s. 39.
  2. Sub-section (2) was deleted, *ibid.*, s. 40.
  3. Sub-section (1) was substituted, *ibid.*, s. 41 (1).
  4. This marginal note was substituted *ibid.*, s. 41 (4).

(2) On receipt of the communication under sub-section (1), the <sup>1</sup>[State] Government may, after making such inquiry as it thinks fit, by notification in the *Official Gazette*, declare that the provisions of <sup>2</sup>[section 41] shall come into force on such date as may be specified in the notification Constituent

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Constituent  
Colleges and  
Institution.

**41.** (1) All colleges <sup>4</sup>[within the University Area] which are admitted to the privileges of the Institutions. University under sub-section (3) of section 5 and all colleges within the said area which may hereafter be affiliated to the University shall be the constituent colleges of the University.

(2) All institutions <sup>4</sup>[within the University area] recognised under sections 35 and- 63 <sup>5</sup>[or approved under section 35A] shall be the constituent institutions of the University.

(3) No educational institution situate <sup>4</sup>[within the University Area] shall, save with the consent of the University and the sanction of the <sup>1</sup>[State] Government, be associated in any way with, or seek admission to any privileges of, any other University established by law.

(4) The relations of the constituent colleges and <sup>6</sup>[constituent, recognised or approved institutions] <sup>4</sup>[within the University Area] shall be governed by the Statutes to be made in that behalf, and such Statutes shall provide in particulars for the exercise by the University of the following powers in respect of the constituent degree colleges and constituent recognised institutions:-

(i) to lay down minimum educational qualifications for the different classes to 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 institution 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 college and institutions in regard to libraries, laboratories and other equipments for teaching and research;

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1. This word was substituted for the word "Provincial" by the Adaptation of Laws Order. 1950.

2. These word and figures were substituted for the words "the remaining sections of this Chapter" by Guj. 6 of 1973, s. 41(2). ..

3. This Explanation was deleted, *ibid.*, s. 41 (3).

4. These words were substituted for the words "within the Ahmedabad Area" *ibid.*, s. 42 (1).

5. These words, figures and letter were inserted, *ibid.*, s. 42(2).

6. These words were substituted for the words "constituent recognized institution", *ibid.*, s. 42 (3).



(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 constituent degree college or a constituent 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.

(5) Subject to the provisions of the Statutes [the Board of University Teaching and Research] shall organise and co-ordinate the institution, teaching and training [within the University area ].

## CHAPTER VIII

### ENROLMENT AND DEGREES.

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

(i) the Secondary School Certificate Examination<sup>3</sup> [in the eleventh Standard or the Higher Secondary School Certificate Examination]<sup>4</sup> [conducted by the Gujarat Secondary Education Board] in such subjects and with such standards of attainment 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<sup>5</sup> [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 possesses such further qualification, if any, as may be prescribed by the statutes:

Guj.6 of 1973. <sup>6</sup>[Provided that no Statute' shall be so made as to be inconsistent with the provisions of section 42A and any Statute in force immediately before the coming into force of the Gujarat University (Amendment) Act, 1972 shall, to the extent to which it is inconsistent with the said provisions, be void.]

<sup>7</sup>[Provided that a student who has passed Secondary School Certificate Examination in the tenth standard conducted by the Gujarat Secondary Education Board in such subjects and with such standards of attainment as may be prescribed by Statutes or any other examination prescribed as equivalent to the aforesaid examination may be enrolled as a student of the University for the purpose of such diploma courses as may be prescribed by Statutes.

Qualification for enrolment of students of the University.

1. These words were substituted for the words "the Board of University Teaching" by Guj. 6 of 1973, s. 42(4).

2. These words were substituted for the words "within the Ahmedabad area", *ibid.*, s. 42(1).

3. These words were inserted by Guj. 32 of 1978, s. 5. Sch., Sr. No: 2(a).

4. These words were substituted for the words "conducted by the Secondary School Certificate Examination Board" by Guj. 18 of 1973, s.59,Sch., Sr.No.2.

5. This word was substitute, for the word " Provincial" by the Adaptation of Laws Order, 1950.

6. This proviso was added by Guj.6 of 1973, s. 43.

7. This proviso was added by Guj. 32 of 1978, s. Sch., Sr. No. 2 (b).

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

Eligibility for enrollment without passing examination in English.

<sup>1</sup>[42A. No student shall be ineligible for enrolment as a student of the University merely on the ground that he has not passed the examination, which is. required to pass for such enrolment, with English as one of its subjects.]

Residence of students.

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

Degrees, diplomas and other academic distinctions.

<sup>2</sup>[44. The Court may on the recommendations 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..

45. <sup>3</sup>[On a recommendation of the Academic Council, if not less than] two-thirds of the members of the [Executive Council] recommend that an honorary degree, title 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, <sup>5</sup>[\*] or other academic distinction and when their recommendation is supported by a majority of not less than two-thirds of the members of the <sup>6</sup>[Court], present at a meeting of the <sup>6</sup>[Court], such majority comprising not less than one-half of the members of the <sup>6</sup>[Court], and the recommendation is conferred by the Chancellor the <sup>6</sup>[Court], may confer on such person the honorary degree, <sup>5</sup>[\*] or other academic distinction so recommended without requiring him to undergo any examination.

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

46. (1) The Chancellor may, on the recommendation of the <sup>4</sup>[Executive Council] and of the <sup>6</sup>[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 the onr-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 if he has been convicted by a Court of Law of any offence which, in the opinion . of the <sup>4</sup>[Executive Council] and the <sup>6</sup>[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.

#### <sup>7</sup>[CHAPTER IX

#### <sup>8</sup>[COMMITTEES.

Examiner's Committee

46A. (7) There shall be formed every year a committee for each faculty, for the purpose of drawing up the list for appointments to University examinations, consisting of—

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1. Section 42A was inserted by Guj. 6 of 1973, s.,41.
  2. Section 44 was substituted for the original, *ibid.*, s. 45.
  3. These words were substituted for the word's "If not less than", *ibid.*, s. 46 (i).
  4. These words were substituted for the word "Syndicate", *ibid.*, s. 2(2).
  5. The word "title" was deleted, *ibid.*, s. 46(ii).
  6. This word was substituted for the word "Senate", *ibid.*, s. 2(1).
  7. Chapter IX was substituted for the original. *ibid.*,s. 47.
  8. This portion was substituted for the heading "COMMITTEES" by Guj. 10 of 1982. s. 2, Sch., Sr. No. 2 (11).

- (i) the Pro-Vice-Chancellor; Ex-Officio Chairman,
- (ii) the Dean of the concerned Faculty,
- (iii) the Chairman of the Board of Studies, and
- (iv) two members of the Board of Studies nominated by the Vice-Chancellor for the year.

(2) The list of Examiners prepared by the Committee shall be placed through the Academic Council before the Vice-Chancellor for his approval who may either approve, or modify the same for reasons to be recorded in writing.

(3) The procedure to be followed by the Committee shall be such as may be prescribed by Statutes.]

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

Committee 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 such Committees, the term of office of members and the procedure to be followed by the Committees shall be such as may be prescribed by the Statutes,

47A. [Examiners' Committees] Deleted by Guj. 10 of 1982, s. 2, Sch., Sr. No. 2(12).

47 B. (1) There shall be formed 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 such Committees, the term of office of its members and the powers and functions of the Committees shall be such as may be prescribed by the Statutes.

47C. (2) Any of the authorities of the University referred to in section 15 may from time to time appoint such other Committees consisting of such members constituting the authority 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.

(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.

48. (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 <sup>1</sup>[State] Government.

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

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

(3) The University Fund shall be kept in any scheduled bank as-defined in the Reserve Bank of India Act, 1934 <sup>2</sup>[or in a co-operative bank approved by the State Government for the purpose or invested] in securities, authorized by the Indian Trusts Act 1882, as the discretion of the <sup>3</sup>[Executive Council].

Annual  
accounts and  
estimates.

49. (1) the, annual accounts of the University shall be prepared under the direction of the <sup>3</sup>[Executive Council] and shall be submitted to the <sup>1</sup>[State] Government for audit.

<sup>4</sup>{2) The <sup>3</sup>[Executive Council] shall, after the accounts are audited, submit a copy thereof along with a copy of the Audit Report to the <sup>5</sup>[Court] and to the State Government.]

(3) The <sup>3</sup>[Executive Council] shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year.

<sup>6</sup>{3A] The Executive Council shall, having regard to The Government grants that are likely to be available, finally prepare the financial estimates for the ensuing year.]

(4) The annual accounts and the financial estimates shall be considered by the <sup>5</sup>[Court] at its annual meeting and the <sup>5</sup>[Court] may pass resolution with reference thereto and communicate the same to the <sup>3</sup>[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 <sup>3</sup>[Executive Council] shall inform the <sup>5</sup>[Court] at its next meeting of the action taken by it or of its reasons for taking no action.

Annual  
Report.

50. The Annual Report of the University shall be prepared under the direction of the <sup>3</sup>[Executive Council] and shall be submitted to the <sup>5</sup>[Court] by or before such date as may be prescribed by the Statutes and shall be considered by the <sup>5</sup>[Court] at the annual meeting. The <sup>5</sup>[Court] may pass conditions thereon and communicate the same to the <sup>3</sup>[Executive Council] which may take such action as it thinks fit; and the <sup>3</sup>[Executive Council] shall inform the <sup>5</sup>[Court] at its next meeting of the action taken by it or of its reasons for taking no action.

1. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

2. These words were substituted for the words "or interest!" by Bom. 30 of 1954, s. 20.

3. These words were substituted for the word "Syndicate" by Guj. 6 of 1973, s. 2(2).

4. Sub-section (2) was substituted for the original by Bom. 46 of 1959, s.3 Sch.

5. This word was substituted for the word "Senate" by Guj. 6 of 1973, s. 2(1),

6. Sub-section (3A) was inserted, *ibid.*, s. 48.

## CHAPTER X].

## SUPPLEMENTARY PROVISIONS.

**51.** 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.

<sup>1</sup>[**51A.** (2) No member of the teaching, other academic and non-teaching staff of 2\*\*\*\* recognised or approved institution shall be dismissed or removed or reduced in rank except after inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges and until.

Dismissal, removal, reduction and termination of service of staff of college etc.

(a) he has been given a reasonable opportunity of making representation on any such penalty proposed to be inflicted on him, and

(b) the penalty to be inflicted on him is approved by the Vice-Chancellor or any other officer of the University authorised by the Vice-Chancellor in this behalf.

(2) No termination of service of such member not amounting to his dismissal or removal failing under sub-section (1) shall be valid unless—

(a) he has been given a reasonable opportunity of showing cause against the proposed termination, and

(b) such termination is approved by the Vice-Chancellor or any officer of the University authorised by the Vice-Chancellor in this behalf:

Provided that nothing in this sub-section shall apply to any person who is appointed for a temporary period only]

<sup>3</sup>[**51AA.** 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 of all matters relating to the performance of, the duties and functions connected with such appointment or work.]

**52.** [Tribunal of Arbitration.] Deleted by Guj. 1 of 1988, s. 18, Sch., Sr. No. 1(1).

1. Section 51A was inserted by Guj. 6 of 1973, s. 49.

2. The words "an affiliated college and" were deleted by Guj. 9 of 1982, s. 19, Sch. Sr. No. (1).

3. Section 51AA was inserted by Guj. 19 of 1980, s. 2, Sch. No. 2.

Reference of dispute between 4[\*\*\*] recognised or approved institution and its staff member to Tribunal of Arbitration.

<sup>1</sup>[52A. (1) Any dispute between the governing body and any member of the teaching, other academic and non-teaching staff of <sup>2</sup>\* \* \* recognised or approved institution which is connected with the conditions of service of such member shall, on a request of the governing body, or of the member concerned be referred to a Tribunal of Arbitration consisting of one member of nominated by the governing body of the college, or, as the case may be, the recognised or approved institution, one member nominated by the member concerned and an Umpire appointed by the Vice-Chancellor.

<sup>3</sup>[(2) 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 request made under sub-section (1) 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.]

X of 1940

Pension, Insurance and Provident Fund.

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

Provident Fund to be deposited in Government treasury.

<sup>5</sup>[53 AA.(1) where the University has established & provident fund for the benefit of its officers, teachers and other servants under section 53, such fund shall, notwithstanding any thing contained in any law for the time being in force, be deposited in the State Government treasury in accordance with such directions as the State Government may, from time to time, by an order in writing give and thereupon;—

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

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

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

XIX of 1952.

Pension Insurance and Provident fund of staff of college etc.

<sup>6</sup>[53A. (1) The governing body of an affiliated college and of a recognised institution shall make adequate provisions for the benefit of the members of the teaching, other-academic and of non-teaching staff of such college or institution in matters of insurance, pension and provident fund or for other benefits.

1. Section 52A was inserted Guj..6 of 1973, s.51.
2. The words "an affiliated college or" were deleted by Guj. 9 of 1982, s. 19, Sch. Sr. No. (2)(1).
3. This sub-section was substituted by Guj 1 of 1988. s. 18. Sch. Sr. no. 1 (2).
4. The words "affiliated college or" were deleted, *ibid*-. Sr. No. (2)(2).
5. Section 53AA was inserted by Guj. 11 of 1979), s. 2 Sch. Sr. no. 2.
6. Section 53A was inserted by Guj. 6 of 1973. s. 52.

(2) The subscriptions of a member of the teaching, other academic and non-teaching staff of an affiliated college or of a recognized institution, towards his provident fund and the contribution, if any, of the College or, as the case may be, of the institution towards the fund shall be deposited in such manner and within such time <sup>1</sup>[as the State Government may, by a general or special order, specify].

<sup>2</sup>[54. Every election to any authority of the University made under this Act and every recommendation for the nomination to the office, of the Vice-Chancellor under this Act shall be made by the system of proportional representation by means of a single transferable vote by ballot in such manner as may be prescribed by the Statutes.)

Election to be by system of proportional representation.

55. (1) Any member of any authority or body of the University may resign his office by letter addressed <sup>3</sup>[to the Vice-Chancellor through the Registrar and on the Vice-Chancellor \*accepting the resignation, the office of such member shall become vacant].

Vacating of office

(2) Any member of any authority or body of the University shall cease to be a member on his being convicted by a Court of Law of an offence which involves moral turpitude.

56. 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 :

Filling of casual vacancies.

Provided that, if the vacancy be of a elected member of the <sup>4</sup>[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.

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

Proceedings not in validated by vacancies.

<sup>5</sup>[58. Where any question arises as to—

(1) The interpretation of any provision of this Act, or of any Statute, Ordinance, Regulation or Rules, or

Disputes as to constitution of University authority or body.

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

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

(b) it shall be referred to the State Government if—

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

- 
1. These words were substituted for the words and figures beginning with the words "as may be prescribed by the Statutes" and ending with the words "State Government for such purpose by Guj. 23 of 1978, s. 4.
  2. Section 54 was substituted for the original by Bom. 30 of 1954, s. 21.
  3. These words were substituted for the words "to the Registrar" by Bom. 3 of 1958. s. 3.
  4. This word was substituted for the word "Senate" by Guj. 6 of 1973, s. 2(1).
  5. Section 58 was substituted by Guj. 9 of 1983. s.,2. Sch.. Sr. No. 2.

(ii) if twenty members of the Court so require, irrespective of whether it relates to a matter specified in clause (1) or clause (2), and the State Government shall after making such inquiry as it deems fit (including giving opportunity being heard where necessary) decide the question and, its decision shall be final.]

Protection of act and orders.

**59.** 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 the Act and the Statutes, Ordinances, Regulations and Rules framed thereunder.

Non-application of new section 51A, 52A and 53A to Government colleges.

<sup>1</sup>[**59A.** Nothing contained in sections 51A, 52A and 53 A shall apply to a college or institution owned or maintained by the Government.]

## CHAPTER XII

### TRANSITORY PROVISIONS.

Completion of courses of students in Colleges affiliated to the Bombay University

**60.** Notwithstanding anything contained in this Act or the Statutes, Ordinances and Regulations made thereunder any student of a college situate Within the University area and affiliated to the University of Bombay who immediately before the date on which section.5 came into force was studying or was eligible for any examination of the University of Bombay shall be. permitted to complete his course in preparation therefore, 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 University of Bombay.

Appointment of first Vice-Chancellor

**61.** Notwithstanding anything contained in section 10, the first Vice-Chancellor shall be appointed by the <sup>2</sup>[State] Government as soon as practicable after the passing, of this Act for a period not exceeding two years and on such terms and conditions as the <sup>2</sup>[State] Government thinks fit.

Appointment of first Rector.

<sup>3</sup>[**61A.** Notwithstanding anything contained in section 12, the State Government may appoint the first Rector for a period not exceeding two years from the date on which the Gujarat University. (Amendment) Act, 1950, comes into force and on such terms and conditions as the State Government thinks fit.]

Bom. XIX of 1950

Appointment of first Registrar

**62.** Notwithstanding anything contained in section 13, the first Registrar shall be appointed by the <sup>2</sup>[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 <sup>2</sup>[State] Government thinks fit.

Transitory Powers. Of first Vice-Chancellor.

**63.** (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 35, and

1. Section 59A was inserted by Guj. 6 of 1973. s. 53.
2. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.
3. Section 61A was inserted by Bom. 19 of 1950. s.4.



(b) to make arrangements for constituting the <sup>1</sup>[Court], the <sup>2</sup>[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 <sup>3</sup>[State] Government may, by notification in the *Official Gazette*, direct.

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

(a) subject to the provisions of the 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 <sup>3</sup>[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 Gazelle*.

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

First Apointment of  
the officers and  
teachers of the  
University.

(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 Public Instruction 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:

- 
1. This word was substituted for the word "Senate" by Guj. 6 of 1973, s. 2(1).
  2. These words were substituted for the word "Syndicate" *ibid.*, s (2).
  3. This word was substituted for the word. "Provincial" by the Adaptation of Laws Order.1950.

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

Extra ordinary powers of the First Vice-Chancellor.

**65.** The Vice-Chancellor appointed under section 61 shall have powers until the <sup>1</sup>[Executive the Council] commences to exercise it's 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 of the conduct of the work of the University,

(c) subject to the control of the <sup>2</sup>[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 appointment as may be necessary to enable this Act or any part thereof to be brought into force.

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

(f) generally to exercise all or any of the powers conferred on the <sup>1</sup>[Executive Council] by or under the provisions of this Act.

Removal by <sup>2</sup>[State] Government of difficulties at the commencement of the Act.

**66.** If any difficulty arises as to the first constitution or re-constitution authority of the University after the coming into force of this Act or otherwise in first giving effect to the provisions of this Act, the <sup>2</sup>[State] Government, as occasion may require, may by order do anything which appears to it necessary for the purpose of removing the difficulty.

<sup>3</sup>[SCHEDULE]

[See section 2(15).]

1. Ahmedabad District.

2. Kaira District (excluding the Sardar Patel University area comprising the area within the limits of Vallabh Vidyanagar in the Anand Taluka of that district and the area within a radius of five miles (eight kilometers) from the office of that University situated at Vallabh Vidyanagar.

3. Panchmahals District.

4[ \* \* \* ]

4[ \* \* \* ]

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1. These words were substituted for the word "Syndicate" by Guj. 6 of 1973. s. 2(2),  
 2. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.  
 3. These Schedules were substituted for the Original Schedule by Guj. 6 of 1973, s. 54.  
 4. These entries were deleted by Guj. 22 of 1986, s. 88.

6. Baroda District (excluding the Maharaja Sayajirao University of Baroda area comprising the limits of the City of Baroda and territories within a radius of Sen miles (sixteen kilometres) from the office of that University.)

<sup>1</sup>[\* \* \*]

8. Kutch District.

9. Gandhinagar District

<sup>2</sup>[SCHEDULE-IA

[ See section 29(IAA) ]

#### STATUTES OF THE UNIVERSITY.

1. *Definitions.*—In these Statutes—

(1) "Act" means the Gujarat University Act, 1949;

(2) "section" means a section of the Act;

(3) ail words and expressions used herein and defined in the Act shall have the meanings respectively assigned to them in the Act.

2: *Procedure for the appointment of the Vice-Chancellor.*— (1) At least five months before the date of expiry of the term of the Vice-Chancellor, the Registrar shall call a joint meeting of the Executive Council and the Academic Council for the purpose of nominating a member on the Committee to be appointed under sub-section (2) of section 10 for recommending the panel of the names for the Vice-Chancellor as required under sub-clause (i) clause (a) of the said sub-section (2)

(2) The Registrar shall, within 15 days from the date of the joint meeting referred to in clause (1) convene a meeting of the Vice-Chancellors of the Universities established by law in the Gujarat State for nominating a person on the said Committee for recommending the panel as required under sub-clause (i) of clause (a) of sub section (2) of section 10.

(3) The Registrar shall, within 10 days from the date of the meeting referred to in clause (2), communicate to the Chancellor the names of persons nominated at the meetings referred to in clauses (1) and (2) and request him to nominate a third person on the Committee and to designate one of them as the Chairman, and to communicate the appointment of the Committee, to its members. "

(4) Within 30 days after the appointment of the Committee by the Chancellor as mentioned in clause (3), the Registrar shall convene a meeting of the Committee at the place and time fixed in consultation with the Chairman of the Committee.

(5) The Registrar shall record the proceedings of the meeting and shall submit to the State Government, the names of the persons recommended by the Committee along with the particulars specified in clause (6) with the approval of the Chairman of the Committee, and the State Government shall announce the appointment of the Vice-Chancellor at least one month before the date of the expiry of the term of the Vice-Chancellor.

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1. This entry was deleted by Guj.22 of 1986. s. 88.

2. Schedule IA was inserted by Guj. 23 of 1978. s. 5.

(6) The particulars of the persons recommended by the Committee shall contain the following:—

- (i) The name with particulars of degrees, if any, and other academic distinctions.
- (ii) Place of residence.
- (iii) Birth date
- (iv) Literary activities, if any.
- (v) Administrative or teaching experience, if any.
- (vi) Other particulars, if any, e.g. public service, membership of public institution, and educational activities.]

#### SCHEDULE II'

[ See section 29(14). ]

#### STATUTE OF THE UNIVERSITY.

1. *Definitions.*—In these Statutes—

(1) "Act" means the Gujarat University Act, 1949;

(2) "Section" means a section of the Act;

(3) All words and expressions used herein and defined in the Act shall have the meanings respectively assigned to them in the Act.

2. *Officers of the University.*—(1) In addition to the officers specified in clauses (i) to (va) of section 8 of the Act, the following shall also be the officers of the University, namely :—

(a) The Dean of Students (Men),

(b) The Dean of Students (Women), who shall be a woman, and

(c) Such number of Wardens of the University Hostels for men and women as may be determined by the Vice-Chancellor.

(2) (a) The Dean of Students, which expression shall have reference to the Dean of Students (Men) and the Dean of Students (Women), shall be appointed from amongst persons who are, or who have been, teachers of the University, not below the rank of a Professor, by the Executive Council on the recommendation of the Vice-Chancellor. The Dean shall be a whole time employee of the University, shall hold office for a term of three years and shall be eligible for reappointment.

(b) The person who is appointed as the Dean of Students' shall continue to hold his lien on the substantive post held by him.

(c) When the office of the dean of Students is vacant or when the Dean of Students is, by reason of illness or absence for any other cause, unable to perform the duties of such office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(d) (i) The Dean of Students shall keep in constant touch with the students and, having acquainted himself with the problems and difficulties which be set them recommend to the University authority the steps to be taken to solve such problems and difficulties, and to reduce the legitimate grievances of the students.

(ii) He shall also recommend to provide for adequate amenities and facilities in a affiliated or University colleges, University Departments and recognised or approved institutions, for prosecution of studies of the students.

(iii) He shall act as a liaison between the Vice-Chancellor on the one hand and the students on the other.

(e) The Dean of Students (Women.) shall perform the duties specified in sub-clause (d) of clause (2) in relation to women students.

3. *Constitution of Boards of University Teaching and Research.*—(1) Each Board of University Teaching and Research shall consist of the following members, namely:-

(i) The Vice-Chancellor;

(ii) The Pro-Vice-Chancellor, if any;

(iii) All Heads of Post-Graduate Departments in The University relating to the subjects in the Faculties pertaining to the Board, who are Professors or Readers;

(iv) All Heads of Post-Graduate Departments of subjects not covered by item (iii);

(v) Five teachers including Principals belonging to different Faculties and imparting education in post-graduate courses to be nominated by the Vice-Chancellor;

(vi) Principals of Post-Graduate colleges and Heads of Recognised Institutions, if any, • recognised in respect of post- graduate courses of instruction, studies or research;

(vii) These persons renowned for their specialised knowledge in the subject, to be co-opted by the Board.

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

Provided that a person shall cease to be a member of the Board on his ceasing to hold the office by virtue of which he is such a member.

4. *Constitution of Boards of Studies.*—(J) Each Board of Studies shall consist of the following members, namely :—

(i) The Head of the University Department, if any, in the Subjects pertaining to the Board;

(ii) Persons not exceeding such number as may be determined by the Vice-chancellor to be appointed by the Faculties, by rotation, out of Heads of Departments of the affiliated colleges and recognised institutions where the subject pertaining to the Board is taught for degree course in the final year;

(iii) *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 pertaining to the Board, at the previous University examination;*

(iv) Two teachers to be co-opted by the Board, as follows, namely :—

(a) One teacher from the University Department, if any, in the subject pertaining to the Board,

(b) One teacher from any of the affiliated colleges where the subject pertaining to the Board is taught for degree course in the final year:

Provided that no person shall be co-opted from such a University Department or an affiliated college, the head of which is a member of the Board under item (i) or item (ii):

Provided further that where the member under item (i) or item (ii) or both is not a teacher of any branch of the subject pertaining to the Board, an additional teacher or teachers may be co-opted under paragraph (a) or paragraph (b) or both, as the case may be, of item (iv):

Provided also that in the case of a Board of studies pertaining to Medical Faculty the members shall be co-opted from Honorary teachers, if any, by rotation;

(v) Two members to be co-opted by the Board from any two of the following categories, namely :—

(a) A University Professor or a Reader of a University in the State.

(b) A University Professor of any other University outside the State,

(c) A person residing in the State who is well qualified in the subject pertaining to the Board. -

(d) A member of the Faculty with at least ten years' experience of teaching the subject pertaining to the Board:

Provided that the total number of members of the Board shall not be less than five and more than fifteen.

(2) The Chairman of the Board shall be elected by the members of the Board from amongst themselves.

(3) The term of office of all members other than the member falling under item (iii) of clause (1) shall be three years and that of the member falling under the said item (iii) shall be for one academic year:

Provided that a member shall cease to be a member of the Board on his ceasing to hold the office by virtue of which he is a member of the Board.

5. *Constitution and Powers of the Board of Extra-mural studies.*—(1) The Board of Extra-mural studies shall consist of the following members, namely :—

- (i) The Vice-Chancellor (Chairman);
- (ii) The Pro-Vice-Chancellor, if any;
- (iii) The Director of Education or his nominee;
- (iv) One representative each of (a) Gujarat Research Society, (b) Gujarat Vidya Sabha, (c) Gujarat Vidyapeeth; \*
- (v) Seven other members nominated by the Executive Council not less than three of whom shall be from the Academic Council;
- (vi) The member of the Court who is elected thereto by the registered trade Unions in the University area.

(2) The term of office of the members other than the *ex-officio* members referred to in items (i) to (iii) shall be three years :

Provided that a member shall cease to be a member of the Board on his ceasing to hold the office by virtue of which is a member of the Board.

(3) The Board of Extra-mural Studies shall have the following powers, namely :—

- (a) to make necessary arrangements for the extra-mural instructions and to make rules for this purpose;
- (b) to fix conditions for the admission of students and the payment of fees, if any;
- (c) to grant certificates to persons who have satisfactorily completed a course of lectures on some subject or subjects approved by the Board, and have passed an examination in it, if any, held by the Board.
- (d) to arrange for the writing and publication of popular books on topics of general interest.

6. *Constitution of the Board for Students' Welfare.*—(1) The Board for Students' Welfare shall consist of—

- (i) The Dean of Students (Men), *ex-officio*;
- (ii) The Dean of Students (Women), *ex-officio*;
- (iii) The Director of Physical Education, *ex-officio*;
- (iv) The Medical Officer of the University Health Centre, *ex-officio*;
- (v) The Chairman of the Board of Sports, if any, *ex-officio*;
- (vi) Senior most Commanding Officer of the N.C.C. in the University area;

(vii) One member nominated by the Executive Council from amongst its members;

(viii) One Head of a University Department and one Principal of an affiliated college to be nominated by the Executive Council;

(ix) Two college teachers interested in activities relating to welfare of students, of whom one shall be a woman to be nominated by the Vice-Chancellor;

(x) Fourteen representatives from amongst members of the Union of University Students, of the Unions of Students of affiliated colleges and Unions of Students of recognised or approved institutions out of which four shall be women:

Provided that—

(a) Seven representative including two women shall be students from University <sup>Bom. LIX</sup> colleges, University Departments, affiliated colleges and recognised or approved institutions <sub>of 1949</sub> situated within the limits of the City of Ahmedabad as constituted under the Bombay Provincial Municipal Corporations Act, 1949;

(b) Seven representatives including two women shall be students from affiliated colleges and recognised or approved institutions situated outside the limits of the City of Ahmedabad.

(xi) All student members of the Court; (xii) "The Registrar, ' *ex-officio* member Secretary.

(2) The Dean of Students (Men) or the Dean of Students (Women) shall be appointed by the Vice-Chancellor as the Chairman of the Board.

(3) The term of office of the members of the Board, other than the *ex-officio* members shall be three years:

Provided that a member shall cease to be a member of the Board on his ceasing to hold the office by virtue of which he is a member of the Board.

7. *Powers and Duties of the Board for Students' Welfare.*—The Board for Students' Welfare shall exercise the following powers and perform the following duties, namely :—

(1) to advise the Executive Council on—

- (a) medical examination of students,
- (b) physical training of students,
- (c) health, hygiene and dietetics of students;
- (d) social service camps,
- (e) study circles and reading clubs;
- (f) hobby clubs dramatic clubs, etc.
- (g) financial help-to poor students;
- (h) other youth activities;

(2) to frame budget proposals for the activities mentioned in clause (1) and to, recommend them to the Executive Council;



(3) to organize any of the activities mentioned in clause (1) at suitable places in the University area;

(4) to organise the University's Youth Festivals;

(5) to prepare, scrutinise and recommend schemes of Students' Welfare for obtaining grants from the State of the Union Government and for the utilisation of such grants;

(6) to arrange programmes for travels, hikes, mountaineering, etc.

(7) to organize workshops, seminars and camps for the students;

(8) to organize training for student workers;

(9) to help Student Unions of colleges in organising hobby centres, entertainment programmes, etc.;

(10) to organize guidance services for students;

(11) to appoint committees and to delegate to them such powers as may be necessary;

(12) to arrange for guidance to new students about the services and facilities available at the college;

(13) to organize and arrange for campus programmes in different colleges; and

(14) to organize such other student activities as the Board may deem fit.

8. *Constitution of the Board for Hostels' Management.*—(1) The Board for Hostels' Management shall consist of—

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

(ii) The Pro-Vice-Chancellor, if any *ex-officio*;

(iii) The Registrar, *ex-officio*, Member Secretary;

(iv) A Principal of an affiliated college nominated by the Executive Council from amongst its own members;

(v) The Deans of Students;

(vi) The Wardens of University Hostels for men and women students;

(vii) Two Principals of affiliated colleges having hostels, to be nominated by the Executive Council;

(viii) Two Wardens of Hostels of affiliated colleges, other than the colleges the Principals of which are nominated, to be nominated by the Vice-Chancellor.

(ix) The Medical Officer, if any, of the University;

(x) Two student representatives of the University Hostels (including one woman student);

(xi) Twelve student representatives to be nominated by the Vice- Chancellor from amongst student residing in Hostels.

(2) The term of office of the members of the Board, other than the *ex-officio* members, shall be three years :

Provided that a member shall cease to be a member of the Board on his ceasing to hold the office by virtue of which he is a member of the Board.

**9. Powers and duties of the Board for Hostels' Management.**—The Board for Hostels' Management shall exercise the following powers and perform the following duties, namely:—

(1) to recommend rules for the management of university and college hostels;

(2) to organize programmes of sports and games' for hostel students;

(3) to organise study circles, reading clubs and discussion groups for academic studies for, hostel students;

(4) to frame programmes of visits of educationists, public workers and other eminent persons to the hostels;

(5) to recommend schemes of guidance and counseling to hostel students;

(6) to recommend measures to ensure proper health, hygiene and dietetic of hostel students;

(7) to recommend measures to ensure proper living conditions in approved lodgings and recognised hostels;

(8) to arrange for inspection of university hostels and those attached to affiliated colleges as also other approved lodgings and recognised hostels;

(9) to recommend a pattern of corporate life to be adopted by the University and college hostels for the consideration of the Executive Council;

(10) to submit to the Executive Council for approval norms of accommodation, facilities and services in the University and college hostels and hostels recognised by the University;

(11) to evaluate the working of University, college and recognised hostels at the end of every academic year and submit its report of the Executive Council;

(12) to make proposals to the Executive Council for improvement in the conditions of University, college and recognized hostels, including their working and management.

**10. Constitution of the Academic Planning Board.**—(1) The Academic Planning Board shall consist of—

(i) The Vice-Chancellor, Chairman;

(ii) The Pro-Vice-Chancellor, if any;

(iii) Three University Professors belonging to different Faculties to be nominated by the Executive Council;

(iv)' Two distinguished persons having academic and administrative experience, to be nominated by the Vice-Chancellor;

(v) Three distinguished and experienced persons from industry and commerce, to be nominated by the Vice-Chancellor; and

(iv) The Registrar, *ex-officio* Member Secretary;

(2) The Board may co-opt on an *ad-doc* basis an expert on any subject.

(3) The term of office of the members of the Board, other than the *ex-officio* members, shall be three years :

Provided that a member shall cease to be a member of the Board on his ceasing to hold office by virtue of which is a member of the Board.

11. *Powers and duties of the Academic Planning Board.*— The Academic Planning Board shall advise and prepare long-term plans of the University, to generate new ideas and programmes and held the University in periodical evaluation of its work.

12. *Committee for selection of teachers of the University.*—(1) The Committee for selection of full time teachers of the University shall consists of—

(i) the Vice Chancellor, or *ex-officio* Chairman;

(ii) The Pro-Vice-Chancellor, if any :

Provided that—

(a) where a person is to be selected for the post of a Professor or a Reader three persons having special knowledge of the subject for which the Professor or Reader is to be appointed, to be selected by the Executive Council shall also be the members of the Committee, out of whom at least two shall be present at the time of interview of the candidates,

(b) where a person is to be selected for the post of a lecturer two persons having special knowledge of the subject for which the lecturer is to be appointed, to be selected by the Executive Council, shall also be the member of the Committee, out of whom at least one shall be present at the time of interview of the candidates,

(c) where a person is to be selected for the post of a tutor or demonstrator, such person not exceeding three, having knowledge of the subject for which the tutor or demonstrator is to be appointed as may be determined by the Vice-Chancellor, shall also be the members of the Committee.

(2) The Committee shall investigate the merits of the various candidates and report to the Executive Council the names of the persons, arranged in order of merit, whom it considers suitable for the vacant posts :

Provided that in the case of posts of Professors, the Committee may recommend eminent persons who may not have applied.

(3) The Executive Council shall make the final selection out of the persons so recommended, and where it makes the appointment otherwise than in accordance with the order of merit arranged by the Committee, the Executive Council shall record its reasons for doing so.

(4) If the Committee reports to the Executive Council the name of only one person and if the person so reported is not acceptable to the Executive Council, it shall refer the matter back to the Committee with reason for not accepting the name, and if the Committee reiterates its recommendation the case shall be submitted to the Chancellor for final orders.

**13. Committee for Appointment of Examiners:—(J)** The Committee appointment University Examinations for each Faculty shall consists of for—

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

(ii) The Pro-Vice Chancellor, if any:

(iii) The Dean of the Faculty;

(iv) The Chairman of the Board of Studies: and

(v) One member of the Board of Studies, nominated by the Vice-Chancellor for the particular year concerned. .

(2) The list of the examiners prepared by the Committee shall be placed before the Executive Council and the Academic Council. Where the Academic Council suggests, or the Executive Council makes, any change in the list, it shall, record reasons for the same.

(3) No member of the Committee or of the Executive Council shall be appointed as an examiner except by a resolution passed by a majority comprising not less than two-thirds of the total members of the Executive Council.

(4) A member of the Committee or the Executive Council who is appointed as an examiner shall not be eligible to receive remuneration exceeding R. 500 in any academic year.]

#### <sup>1</sup>| SCHEDULE III"

■ [ See section 29(IB) ]

#### STATUTES OF THE UNIVERSITY

1. *Definitions.*—In these Statutes,—

Bom-L of 1940

(1) "Act" means the Gujarat University Act, 1949;

(2) "section" means a section of the Act;

(3) all words and expressions used herein and defined in the Act shall have the meanings - respectively assigned to them in the Act. . . .

2. *Qualifications for enrolment as students of (the University.*— (1)(a) For admission to the Pre-University Class in the Faculties of Arts and Commerce, and the First Year Class for Diploma

in Fine Arts, a candidate shall have passed the Secondary School Certificate Examination in the Eleventh Standard conducted by the Gujarat Secondary Education Board or an examination considered by the University as equivalent thereto, in at least seven subjects :

Provided that a candidate who has not offered Algebra-Geometry at the aforesaid Secondary School Certificate Examination shall not be permitted to offer mathematics at the Pre-University Arts Examination.

(b) For admission to the Pre-University Science Class and the First Year Class for Diploma in - Pharmacy, a candidate shall have passed—

(i) the Secondary School Certificate Examination in the Eleventh Standard conducted by ' the Gujarat Secondary Education Board in at least seven subjects, 'out of which two subjects shall be—

(1) Algebra-Geometry and

(2) Physics-Chemistry or General Science; or

(is) an examination considered by the University as equivalent thereto:

Provided that he has passed that examination in subjects including—

(1) Algebra -Geometry and

(2) Physics-Chemistry or General Science.

(2) (a) For admission to the First Year B.A. Class, a candidate shall have passed the Higher Secondary School Certificate Examination conducted by the Gujarat Secondary Education Board or an examination considered by the University as equivalent thereto.

(b) For admission to the First Year B. Sc. Class or the First Year B.E. Class or First Year B. Pharm. Class, a candidate shall have passed the Higher Secondary School Certificate Examination, with science group of subjects, conducted by the Gujarat Secondary Education Board or an examination considered by the University as equivalent thereto.

(c) For admission to the First Year B. Com. Class a candidate shall have passed the Higher Secondary School Certificate Examination with Commerce group of subjects, conducted by the Gujarat Secondary Education Board or an examination considered by the University as equivalent thereto.

(d) For admission to the First M.B.B.S. Class or the First B.D.S. Class, a candidate,—

(i) shall have passed the Higher Secondary School Certificate Examination with science group of subjects, conducted by the Gujarat, Secondary Education Board or an examination considered by the University as equivalent thereto, and

(ii) shall, at the time of the admission, have completed the age of seventeen years or be of such age that he would complete that age. on or before the 31st. December of the year in which he is admitted to the First M.B.B.S. Class or, as the case may be, the First B.D.S. Class.

(3) (a) For admission to the First Year Diploma Course in Pharmacy, a candidate shall have passed the Secondary School Certificate Examination in the Tenth Standard with science group of

subjects conducted by the Gujarat Secondary Education Board or an examination considered by the University as equivalent thereto.

(b) For admission to the First Year Diploma Course in Fine Arts, a candidate shall have passed the Secondary School Certificate Examination in the Tenth Standard conducted by the Gujarat Secondary Education Board or an examination considered by the University as equivalent thereto.]

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1. Schedule III was inserted by Guj. 31 of 1978. s. 3.