



REPORT  
of  
THE STATE-LEVEL COMMITTEE  
appointed to suggest a  
MODEL ACT

for  
the Universities in Maharashtra

November 1972

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**Sub. National Systems Unit**  
**National Institute of Educational**  
**Planning and Administration**  
**17-B, SriAurobindo Marg, New Delhi-110016**  
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1. Need for amendment to the existing University Acts

The question of amending the existing University legislation has been exercising the minds of educationists all over the country for more than a decade. It has come to the forefront in the past few years as a result of several new challenges facing the nation, such as the needs of an expanding economy and the establishment of an egalitarian democratic society. Besides, the conventional structure and processes of the educational system have been severely shaken by an unprecedented influx of students at all levels. Post-independence expansion of primary and secondary education has led to a steep increase in the enrolment in the institutions of higher education, drawn from different sections of society with varying backgrounds, attitudes and attainments. Two other reasons for the influx are a general social awakening and an explosion of expectations. This situation has brought about -

- (i) an increase in the number of affiliated colleges to an extent where the universities find it difficult to cope with their administrative problems;
- (ii) shortage of facilities such as buildings, equipment, libraries and student amenities;
- (iii) inadequate supply of qualified teachers;
- (iv) crowded classes which make it impossible for teachers to establish rapport with students and devote enough attention to those <sup>who</sup> are scholastically weak and socio-economically handicapped;

- (v) proliferation of colleges conducting stereotyped courses and resisting change;
- (vi) unmanageable size of some of the university bodies; and
- (vii) a general flabbiness in the organizational set-up of the universities.

In addition to these, the universities today have to meet problems arising from -

- (a) the need to contain, as much as possible, the global changes in thinking regarding the established patterns, processes and structures of education;
- (b) the modern concept of higher education which recognizes the needs and aspirations of society, while giving full scope for the development of talents and aptitudes of our youth;
- (c) the realization that higher education should no longer be a privilege of those who can afford it but should be available more to those who have the ability to profit by it;
- (d) the need to modernize and diversify education in the context of the political and socio-economic changes as well as the impact of science and technology;
- (e) the need to bring about qualitative improvement in higher education, particularly at the Post-graduate and research level;

- (f) the overall rise in the cost of maintaining institutions of higher education even at a minimum level of efficiency.

It is obvious that the structure and organizational processes of the universities would have to undergo modifications if they are to meet the various challenges which confront them, function in harmony with the spirit of the times, and cater to the needs of national development. In order to help the universities to fulfil their obligations, it is necessary to amend their Acts suitably and enable them to revise their Statutes, Ordinances and Regulations.

Action in this direction was initiated by the Ministry of Education, Government of India, in December, 1961, by appointing a committee under the chairmanship of Dr. D.S. Kothari, to consider broadly the organizational structure of the universities in India and to prepare the outline of a 'Model Act' suited to their role and functions in the present context of our fast developing society. The Maharashtra Government in its State Policy on Educational Reconstruction (1970) stated that "there is a need to modernize most of the existing University Acts by making suitable amendments". The Draft Bill has been formulated in the light of this perspective and on the basis of some of the recommendations made in this behalf by various commissions and committees.

## 2. Efforts at the Central level to amend existing Acts

In 1964, a committee set up by the Union Ministry of Education examined and reported on a Model Act for Universities. Soon after, the Education Commission (1964-66) made comprehensive recommendations on the re-organization of higher education.

including the governance of universities and colleges. These recommendations were first discussed in the Fifth Conference of Vice-Chancellors held on 11-13 September, 1967. The Vice-Chancellors agreed on the urgency of formulating a fresh policy related to the needs and aspirations of the country and reconsidering the structure and functions of the universities in India so as to bring them into accord with the new national situation.

At a subsequent conference held on 21-24 April 1969, a specific recommendation was made by the Vice-Chancellors that special committees be appointed to go into the question of governance of universities and colleges. The report of one of these committee, viz. Committee on the Governance of Universities, which was presided over by Dr. P.B. Gajendragadkar, became available in 1971. Earlier, in 1969, the State Government had communicated to the universities in the State its reactions to the report of the Committee on 'Model Act for Universities' and invited the comments of the universities thereon.

### 3. State Level Committee for Suggesting a Model Act

After considering the comments of the universities on the draft amending bills of the State Government based on the report of the Committee on 'Model Act for universities' and also the recommendations made by the Gajendragadkar Committee, the Government of Maharashtra appointed a State Level Committee (vide Appendices I and II), for "suggesting a Model Act for the Universities in the State", under the Chairmanship of Dr. A.J. Shaikh, Secretary, Education Department. The Draft Bill appended is the

result of a critical study of the relevant documents, the provisions of the existing Acts of the universities and a fresh appraisal of the situation obtaining in the field of higher education.

The committee has noted the far reaching significance of the latest recommendations of the Central Advisory Board of Education and of the conference of the Chief Ministers, accepting the 10+2+3 pattern of education as also the emphasis laid therein on universalisation of primary education, vocationalisation of secondary education and strengthening the quality of higher education. The recommendations regarding adoption of unorthodox methods, such as multiple entry points in higher education through correspondence courses, the open universities, sandwich courses and such other devices would require a considerable adjustment in the existing system of higher education and the pattern of university management.

#### 4. Objectives of the Draft Bill

(1) Background : The existing Acts of the six Universities in Maharashtra were passed in the following years :

Bombay	...	1953.	<i>Amended</i>
Nagpur	...	1964	(Re-enactment).
Poona	...	1948	
Marathwada	...	1958	
Shivaji	...	1962	
SNDT Womens'	...	1949.	

While the Nagpur University Act was reenacted in 1964, the Acts of the other five universities have undergone amendments from time to time.

(2) Objectives of the Draft Bill : The amendments in the Draft Bill appended herewith have been proposed, inter alia, so as to enable the universities to achieve the following objectives :

- (a) While ensuring the academic freedom of the university, its organizational structure should be suitably strengthened and made sufficiently flexible in order to enable it to fulfil its responsibilities in the context of the new approaches to higher education.
- (b) The ideal of excellence in higher education should be pursued more vigorously through appropriate measures.
- (c) Post-graduate studies and research should be planned and co-ordinated for maximum contribution to the socio-economic development of the area of the university, in particular, and of the State and the country as a whole.
- (d) Effective participation of students and teachers should be ensured, in an appropriate manner, for achieving the goals of higher education and leading to improved facilities for that purpose.



- (e) The principle of planned development should be adopted and practised in all activities of the university.
- (f) The image of the university as the guardian of knowledge, seeker of truth and mainspring of cultural values should be preserved.

While retaining the democratic structure of the various bodies and authorities of the university, a greater element of mutual participation and adjustment among the teachers and students of the university has been infused in the Draft Bill. Besides, the Draft Bill, for the first time, gives recognition to the need for the universities to have adequate financial freedom through suitable financing devices and for reducing their dependence on the State for financial sustenance.

##### 5. Some salient aspects of the Draft Bill

The Draft Bill provides the common core that should form part of the legislation for each university in the State. Though some variation in the pattern of the governance of universities is inevitable due to historical reasons and local conditions, and even desirable from the view point of experimentation and innovation, it is essential that a basic core of uniformity exists in all the University Acts in the State with a view to ensuring,

- (a) observance of national standards in higher education;
- (b) planned development;
- (c) prevention of inter-district and inter-regional imbalances;

- (d) contribution in an equitable manner to the good of society as a whole and particularly of the youth; and
- (e) promotion of inter-university mobility of students and teachers.

Together with the principle of academic autonomy for each university, therefore, the principle of a shared responsibility for academic, economic and social development by all the universities together and by each university and the State, has to govern the new legislative provisions included in the Draft Bill.

#### 6. Need for forward-looking enactment

Two more points in regard to the provisions in the Draft Bill need to be mentioned. Education is now looked upon - and rightly so - as an indivisible whole and not a sequence of mutually exclusive stages such as primary, secondary and higher, in so far as the total goals of its development and those of the development of the nation are concerned. That is why, institutions of higher education have to recast their organization and programmes in such a way that they are effectively dovetailed into those of the institutions of general and vocational education at all stages. Secondly, each university will have to prepare itself to participate in the socio-economic reconstruction visualized for the nation. An attempt has been made in the Draft Bill to provide for the attainment of these forward-looking objectives also.

## 7. Some significant amendments in the Draft Bill

Some significant amendments which figure in the Draft Bill may be mentioned below :

### Chapter I : Definitions

Among the definitions, the Committee has sought to make clear the distinction between "teachers appointed by the university" and "teachers recognized by the university".

### Chapter II : The University

As regards the use of terms for designating the general body and the executive body of the university, "Senate" and "Executive Council" have been preferred to "Court" and "Syndicate", respectively.

Power has been given to the University to grant autonomous status to university departments, colleges and recognized institutes on conditions to be prescribed by the Statutes.

The Draft Bill makes a specific provision for promoting the co-curricular and welfare activities of students by giving them scope for participation.

In order to enable the university to exercise effective control over colleges, provision has been made to empower the university to levy penalties on erring and recalcitrant institutions.

The Chancellor has been given adequate powers to ensure that the work of the university is conducted in strict conformity with the provisions of the Act, Statutes, Ordinances, etc.

### Chapter III : Officers of the University

The committee considered the various modes of appointment to the office of the Vice-Chancellor prevalent in the country, out of which two main alternatives came to the forefront for discussion. Shri G.P. Pradhan and Principal Ram Meghe held the view, that the Executive Council shall nominate two members not connected with the university and the State Government shall nominate the third member. The committee of the three members so constituted shall recommend to the Chancellor a panel of three names, from among whom, the Chancellor shall nominate the Vice-Chancellor. Other members of the committee held the view, that the Chancellor shall nominate the Vice-Chancellor.

It has been provided that the office of the Vice-Chancellor should be full-time and honorary, with an honorarium of Rs.1500/- p.m. along with perquisites of rent-free furnished accommodation and a chauffeur-driven car.

The Draft Bill provides that no person shall be more than 63 years of age at the time of appointment as Vice-Chancellor. It also provides that no person shall hold the office of the Vice-Chancellor for more than two consecutive terms.

### Chapter IV : Authorities of the University

#### (i) Senate

Two significant provisions regarding the composition of the Senate are that representation be given to students and that no elected or nominated member hold office for more than two consecutive terms.

(ii) Executive Council

Specific powers have been given to the Executive Council to set up a "University and College Development Finance Corporation" in collaboration with other universities in the State.

(iii) Faculties

Provision has been made for representation to students on the Faculties.

(iv) Boards of Inter-disciplinary Studies

The committee has recommended Boards of Inter-disciplinary Studies to enable the different Boards of Studies to evolve inter-disciplinary courses and studies.

(v) Board of University Teaching and Research

The powers and responsibilities of the Board of University Teaching and Research have been spelt out in greater detail than in any of the existing Acts. Provision has also been made for representation to students on the Board of University Teaching and Research.

(vi) Student Council

Provision has been made for constituting a Student Council as an authority of the University.

Chapter V : Statutes, Ordinances and Regulations

It has been provided that all Statutes shall be submitted to the Chancellor for assent and that no Statute shall be operative unless and until assented to by the Chancellor.

Chapter VI : Affiliation and Recognition

With a view to ensuring an equitable distribution of facilities of higher education to all areas in the State, the Draft Bill provides that a new institution of higher education shall be established only in accordance with the plans prepared by the State Government in this respect and that no local Enquiry Committee shall be appointed by the University until the application for affiliation receives clearance from the State Government.

Chapter IX : Committees

In addition to the committees provided for under the existing Acts, provision has been made in the Draft Bill for the establishment of an Academic Planning and Evaluation Committee.

Chapter X : Finance

Provision has been made for the establishment of a "University and College Development Finance Corporation", creation of a Contingency Fund and a Special Fund.

8. The Core of the Draft Bill

To sum up, the main purpose of this Draft Bill is to secure a uniformity of approach in the roles and functions as also in the instrumentation of the governance of the universities in the State, while leaving them enough scope to preserve and further nourish their special features. The Draft Bill envisages the continuance of the best elements in the traditions of different universities, within the overall context of the changing concepts of higher education vis-a-vis national needs and aspirations.

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APPENDIX I

Constitution of the State  
Level Committee for suggesting  
the Model Act for the Univer-  
sities in the State -

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GOVERNMENT OF MAHARASHTRA  
Education Department,  
Resolution No.USG 5872/U,  
Sachivalaya Annexe, Bombay-32.  
Dated: 17th April, 1972.

RESOLUTION: Government of Maharashtra have decided to set up a State Level Committee for a Model Universities Act for all Universities in the State after considering the report on the Model Act forwarded by the Government of India to the State Government and the recommendations made by the Gajendragadkar Committee appointed by the University Grants Commission in respect of the governance of the various universities. The Committee will be headed by Dr. A.U. Shaikh, I.A.S., Secretary, Education Department as its Chairman. The Committee will have the following members :

- (1) Shri T.V.Chidambaran, Registrar, Bombay University, Bombay
- (2) Prof. A.N. Kothare, Bombay University, Bombay
- (3) Prof. G.P. Pradhan, M.L.C., 926 (New) Sadashiv Peth, Poona-30
- (4) Shri W.H. Golay, Ex-Registrar, Poona University, Poona
- (5) Prof. Ram Krishna Meghe, M.L.C., Shivaji Nagar, Amraoti
- (6) Dr. S.V. Bhagwat, Registrar, Nagpur University, Nagpur
- (7) Smt. K.H. Bhansali, Registrar, S.N.D.T. University, Bombay

- (8) Dr.(Smt.) Usha. Ithape, Registrar, Shivaji University, Kolhapur
- (9) Shri V.K. Dhamankar, Registrar, Marathwada University, Aurangabad
- (10) Shri V.B. Parulkar, Retd. Dy. Secretary, Education Department.

The Director of Higher Education will act as a Member Secretary of the Committee and Shri M.H. Pimpalkhare, Dy. Director of Education (Headquarters) will act as Member-Assistant Secretary of the Committee.

The Committee will submit a Model Act within a period of two months.

2. Government is also pleased to sanction the creation of the following temporary posts in the office of the Director of Education, Maharashtra State, Poona for attending to the work of the Committee for a period of two months from the date of these orders:

- (1) One post of Junior Clerk in the scale of Rs.115-215
- (2) One post of Stenographer in the scale of Rs.180-400.

The incumbents of these posts should be held eligible for dearness and other allowances as per rules.

3. The Committee constituted under these orders should be treated as State Level Committee and non-official members of the Committee should be held eligible for T.A. and D.A. as admissible to members of State Level Committee as per rules of Section I of Appendix XL II-A of Bombay Civil Service Rules Vol.II for work in connection with the Committee. The members of the Legislative Council will be entitled to T.A. and D.A. as admissible to the



members of the Legislature. Local non-official members should be considered eligible for actual conveyance allowance subject to maximum of Rs. six per day.

4. Government is pleased to declare the Director of Education (Higher Education), Maharashtra State, Poona, as the Countersigning Officer in respect of travelling allowance and daily allowance bills of non-official members of the Committee.

5. The additional expenditure on account of clerical posts sanctioned under para 2 above, payment of T.A. and D.A. to non-official members of the Committee as well as contingent expenditure required to be incurred at the time of meetings of the committee on account of stationery, refreshments, etc. should be debited to the budget-head "28-Education-F-General-S-Direction-S (1) Director of Education" and should be met from the sanctioned grants under "28-Education" by reappropriation, if necessary.

6. This Resolution issues with the concurrence of the Finance Department vide its unofficial reference No.6369 765/S-3, dated 17-4-1972.

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

sd/- W.T. Deshmukh,  
Deputy Secretary to Government.

APPENDIX II

The Meetings of the Committee were held as under :

<u>Sr.No.</u>	<u>Date</u>	<u>Place</u>
1. ..	10-5-1972	Bombay
2. ..	<u>29-5-1972</u> 30	Bombay
3. ..	<u>14-7-1972</u> 15	Bombay
4. ..	<u>24-7-1972</u> 25	Bombay
5. ..	<u>10-8-1972</u> 11	Bombay
6. ..	<u>29-8-1972</u> 30	Bombay
7. ..	<u>13-9-1972</u> 14	Poona
8. ..	<u>3-10-1972</u> 4	Bombay
9. ..	<u>19-10-1972</u> 20	Bombay
10. ..	<u>15-11-1972</u> 16	Bombay

The Meetings of the informal drafting sub-committee consisting of Dr.(smt) Chitra Naik, Shri V.B. Parulkar, Shri W.H. Golay and Shri M.H. Pimpalkhare were held as under :

<u>Sr.No.</u>	<u>Date</u>	<u>Place</u>
1. ..	27 0 28 0 -7-1972 29 0	Poona
2. ..	14 0 15 0 -8-1972 16 0	Poona
3. ..	26 - 8- 1972	Poona
4. ..	3 0 4 0 -9-1972	Poona

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The Draft Bill

THE DRAFT BILL

CONTENTS

<u>Sr.No.</u>	<u>Chapter</u>	<u>Pages</u>
Chapter I	Preliminary ...	1 - 5
Chapter II	The University ...	6 - 17
Chapter III	Officers of the University	18 - 23
Chapter IV	Authorities of the University	24 - 51
Chapter V	Statutes, Ordinances and Regulations. ...	52 - 61
Chapter VI	Affiliation and Recognition	62 - 75
Chapter VII	Post-graduate Teaching ...	76
Chapter VIII	Enrolment and Degrees ...	77 - 79
Chapter IX	Committees ...	80 - 86
Chapter X	Finance ...	87 - 90
Chapter XI	Miscellaneous ...	91 - 101

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CHAPTER - I

PRELIMINARY

- Short title and Commencement 1. (1) This Act may be called the - University Act 1973.
- (2) The State Government, may, by notification in the Official Gazette, direct that this Act shall come into force on such date as may be specified in the notification.

- Definitions 2. In this Act, unless there is anything repugnant in the subject or context,
- (1) "Affiliated College" means a college affiliated under Section 38 and includes also a college deemed to be affiliated under Section 70.
- (2) "Affiliated Institution" means an institution teaching courses leading to a diploma, a certificate or any other academic distinction affiliated under Section 38.
- (3) "Autonomous College" means a college declared to be so in the manner prescribed by the Statutes;
- (4) "Autonomous Recognized Institute" means a recognized institute declared to be so in the manner prescribed by the Statutes;
- (5) "Autonomous University Department" means a University department declared to be so in the manner prescribed by the Statutes;
- (6) "College" means a conducted, constituent or affiliated college teaching courses of study leading to a degree;

(7) "Conducted College" means a college conducted by the University;

(8) "Constituent" means made constituent under the provisions of this Act;

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

(10) "Department" means a department designated as such by the Statutes with reference to a subject or a group subjects;

(11) "Director of Education" means the Director of Education, Maharashtra State;

(12) "Director of Higher Education" means the Director of Higher Education, Maharashtra State;

(13) "Head Master" means the head of a Secondary or a Higher Secondary School;

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

(15) "Higher Secondary School" means a higher secondary school which has been so recognized as a full-fledged higher secondary school by the Director of Education,

Maharashtra State, or by an officer authorized by him in that behalf, and includes a higher secondary school situated outside the State of Maharashtra which has been registered by the University;

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

(17) "Institution" means a conducted, constituent or affiliated institution teaching courses of study leading to a diploma, certificate or any other academic distinction;

(18) "Local Authority" ..... (here the relevant matter to be inserted)

(19) "Prescribed" means prescribed by Statutes, Ordinances or Regulations;

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

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

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

(23) "Schedule" means a schedule appended to this Act;

(24) "Secondary School" means a secondary school which has been recognized as a full-fledged secondary school by the Director of Education, or by an officer authorized by him in that behalf;

(25) "Secondary Teachers" means such class of teachers imparting instruction in a secondary school or a higher secondary school as may be declared to be secondary teachers by Statutes;

(26) "Statutes", "Ordinances" and "Regulations" means respectively, the Statutes, Ordinances and Regulations of the University made or deemed to have been made under this Act and for the time being in force;

(27) "Student" for the purpose of Sections 16,17,24, 28 and 31, means a student receiving instruction in a University Department, conducted, constituent or affiliated college or a recognized institute, leading to a degree or diploma and who is not below eighteen or above twenty six years of age;

(28) "Teacher" means a professor, associate professor, reader or lecturer, imparting instruction or guiding research in the University, conducted, constituent or affiliated college or recognized institute or such other person as may be declared to be a teacher by the Statutes;



(29) "Teacher of the University" means a teacher appointed or recognized by the University imparting instruction on its behalf;

(30) "University" means the University of ..... as reconstituted under this Act;

(31) "University Area" means the area specified in Schedule-I;

(32) "University Department" means a department maintained by the University or a department in a college or post-graduate or research institute declared as such under the Statutes;

(33) "University Professor", "University Associate Professor", "University Reader", "University Lecturer" means a professor, associate professor, reader or lecturer appointed as such by the University.

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CHAPTER-II

THE UNIVERSITY

Incorporation 3. (1) The Chancellor, the Vice-Chancellor, the members of  
of the the Senate, the Executive Council and the Academic Council  
University of the University, and all the persons who may hereafter  
..... become such officers and members so long as they continue  
to hold such office or membership, are hereby constituted  
a body corporate by the name of "The University" and shall  
have perpetual succession and a common seal, and may sue  
and be sued by that name.

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

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

- (1) to provide for instruction, teaching and training  
in such branches of learning and courses of study as  
the University may think fit, and to make provision  
for research and for the advancement and dissemination  
of knowledge;
- (2) to make such provision as would enable conducted  
colleges and institutions, constituent colleges and  
institutions and affiliated colleges and institutions  
and recognized institutes to undertake specialisation  
of studies;

- (3) to organize university laboratories, libraries, museums and other ~~equipment for teaching and~~ research;
- (4) to establish, maintain and manage departments and institutes of research or specialized studies;
- (5) to institute Professorships, Associate Professorships, Readerships, Lecturerships and any other posts of teachers required by the University;
- (6) to appoint or recognize persons as Professors, Associate Professors, Readers or Lecturers or otherwise as teachers of the University;
- (7) to lay down the courses of instruction for various examinations;
- (8) to guide the teaching in colleges by deputation of teachers from a pool of teachers of the University to supplement teaching in colleges for improving standards;
- (9) to institute degrees, diplomas, certificates and other academic distinctions;
- (10) to hold examinations and confer degrees, diplomas, certificates and other academic distinctions on persons who -
  - (a) have pursued approved courses of study in the University or in a conducted,

constituent or affiliated college or institution or in a recognized institute unless exempted therefrom in the manner prescribed by the Statutes, Ordinances and Regulations and have passed the examinations prescribed by the University; or

(b) have pursued approved courses of study through correspondence; or

(c) have carried on research under conditions prescribed by the Ordinances and Regulations;

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

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

(13) to admit educational institutions to the privileges of the University, and to withdraw such privileges

(14) to grant autonomous status to University departments, colleges, institutions and recognized institutes in such manner and on such conditions as may be prescribed by the Statutes;

- (15) to inspect colleges, institutions and recognized institutes through suitable machinery set up for the purpose and to take measures to ensure that proper standards of instruction, teaching or training are maintained in them, and that adequate library and laboratory provisions are made therein;
- (16) to control and co-ordinate the activities of, and give financial aid to constituent and affiliated colleges and recognized institutes;
- (17) to take over the management of colleges, institutions and recognized institutes under conditions prescribed by the Statutes;
- (18) to hold and manage trusts and endowments and to institute and award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (19) to make special provision for ~~the spread of~~ University education among classes and communities which are socially and educationally backward;
- (20) to make special provision for disseminating knowledge and promoting art and culture in rural areas;

- (21) to fix, to demand and to receive or recover such fees and other charges as may be prescribed by the Ordinances;
- (22) to establish, maintain and manage hostels;
- (23) to recognize hostels not maintained by the University, to inspect such hostels and to withdraw recognition therefrom;
- (24) to supervise and control the residence, conduct and discipline of the students of the University, and to make arrangements for promoting their health and general welfare;
- (25) to promote co-curricular and welfare activities through such student organizations as may be set up by the Statutes;
- (26) to conduct, co-ordinate, regulate and control post-graduate research work and teaching in the affiliated colleges, institutions and institutes recognized by the University;
- (27) to provide to the teachers and alumni of the University facilities of refresher and vacation courses;

- (28) to institute and manage -
  - (a) a Printing and Publication Department;
  - (b) University Extension Boards;
  - (c) Information Bureaux;
  - (d) Employment Bureaux;
  - (e) Co-operative Societies, Co-operative Banks and Co-operative Organizations; and
  - (f) Health Services;
  
- (29) to make provision for -
  - (a) National Service Scheme;
  - (b) National Cadet Corps;
  - (c) Extramural teaching and research;
  - (d) Physical and military training;
  - (e) Students' Councils;
  - (f) National Sports Organization; and
  - (g) Any other Cultural and Socio-economic activities;
  
- (30) to provide for training for competitive examinations for services under the Union or State Governments;
  
- (31) to co-operate with other Universities and Statutory authorities or organizations in such manner and for such purposes as the University may determine;

- (32) to provide for the levy of penalty of not less than five thousand rupees or effect partial disaffiliation by withdrawal of permission to conduct certain courses for non-compliance by the colleges, institutions or recognized institutes with the provisions of any Statute or Ordinance specified in that behalf;
- (33) to prescribe or control the fees and other charges which may be received or recovered by the governing bodies of colleges, institutions and recognized institutes;
- (34) with the approval of the State Government to borrow, on the security of University property, money for the purposes of the University;
- (35) to do all such acts and things whether incidental to the powers and duties aforesaid or not, as may be requisite in order to further the objects of the University, and generally, to cultivate and promote the arts (including the fine arts), science and other branches of learning and culture.

Powers of State Govt. to enlarge and reduce University area and consequential provisions

- 5. (1) The State Government may, by notification in the official Gazette and with effect from such date as may be specified in such notification, enlarge or reduce the University area; Provided that, if the area to be so added is within the limits of the University area of any other University, such University shall be previously consulted.



(2) If immediately before the said date, the area so added was included in the University area of any other University established by law in the State of Maharashtra; the State Government shall by like notification, direct that the area so added shall, with effect from the said date, cease to be included in the University area of such other University, and on and from the said date all the educational institutions situate within such area shall cease to be associated with and to enjoy the privileges of such other University.

Jurisdiction  
and admission  
to privileges

6. (1) The territorial limits within which the powers conferred upon the university by this Act shall be exercised, shall comprise the whole of the University area. Provided that where the benefit of correspondence courses or external degree courses is to be extended beyond the University area, prior sanction of the State Government shall be obtained.

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

Provided that an educational institution which seeks to be associated with, or seeks admission to the privileges of a University whose jurisdiction is not restricted to any region or State, such admission may be permitted by the State Government.

(3) 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 not be withdrawn without the sanction of the State Government.

University  
open to all  
irrespective  
of religion,  
race, caste,  
sex, opinion

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

Provided that the University may, subject to the previous sanction of the State Government, maintain, affiliate or recognize any institution exclusively for women or reserved 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.

Inspection 8.  
and  
enquiry

(1) The Chancellor shall have the right to cause an inspection to be made, by such person or persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment, of any institution, college or hostel maintained or recognized by, or affiliated to the University, of the teaching and other work conducted by the University and of the conduct of examinations held by the University, and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to appoint a representative who shall have a right to be present and be heard at such inquiry or inspection. The representative of the University shall be nominated by the Executive Council. The enquiry officer may at his discretion allow any other member of the University to remain present at the inquiry.

(2) The Chancellor shall communicate to the Executive Council his views with reference to the results of such inspection or inquiry and shall after ascertaining the opinion of the Executive Council issue such directions as he thinks fit to the University on the action to be taken, and the University shall comply with such directions.

(3) The Executive Council shall, within thirty days from the date of receipt of any such directions, (or such further period or periods as the Chancellor may allow), report to the Chancellor the action taken or the action which it proposes to take to comply with the direction.

(4) If the University fails or omits to comply with direction duly issued, within such time as is fixed, the Chancellor may cause such action to be taken by the University or any authority or person and direct that the expense therefor (if any) shall be forthwith paid by the University.

(5) Without prejudice to any other action, the Chancellor may take by or under this Act, he may, by order in writing annul, suspend or modify any resolution, order or proceeding of the University, which in his opinion is not in conformity with any provisions of this Act or the Statutes, Ordinances and Regulations made thereunder.

Provided that, before making any such order the Chancellor shall call upon the Executive Council to show cause, within thirty days or such further period or periods as he may allow, why such order should not be made, and any cause shown by the Executive Council within such time, shall be considered by him.

(6) Any direction issued or order made by the Chancellor under this Section shall be final;

(7) The State Government may, whenever it deems fit, cause a like inspection or inquiry to be made in the manner described in the foregoing provisions of this section and shall have, for the purposes of such inspection or inquiry, all the powers of the Chancellor under the said provisions.

CHAPTER III

OFFICERS OF THE UNIVERSITY

Officers of  
the  
University

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

- (i) The Chancellor,
- (ii) The Vice-Chancellor,
- (iii) The Deans of Faculties,
- (iv) The Registrar,
- (v) Such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

The  
Chancellor

10. (1) The Governor of Maharashtra } 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 Senate, and shall, when present, preside at meetings of the Senate and at any convocation of the University.

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

The Vice-  
Chancellor

11. (1) The Chancellor shall appoint the Vice-Chancellor who shall hold office for a term of three years and shall be eligible for reappointment for one more consecutive term.

(2) Notwithstanding the provisions contained in (1) above, the Vice-Chancellor shall relinquish his office before the expiry of his term, if the Chancellor so desires for sufficient and good reasons, in the interest of the University.

(3) In the event of the occurrence of a vacancy in the office of the Vice-Chancellor by reason of his death, resignation, or otherwise, (a Dean or any other person nominated by the Chancellor for that purpose shall act as Vice-Chancellor until the date on which a new Vice-Chancellor appointed under sub-section (1) to fill such vacancy enters upon his office.

(4) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, the Executive Council shall, as soon as possible, subject to the approval of the Chancellor, make such arrangements for carrying on the duties of the office of the Vice-Chancellor as it may think fit. Until such arrangements are made, the Dean nominated by the Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor.

(5) The Vice-Chancellor shall be a whole-time honorary officer. He shall receive an honorarium of Rs.1500/- per month, free furnished quarters and a chauffeur driven Car.

(6) At the time of appointment, the Vice-Chancellor shall not be more than 63 years of age. No person shall continue in office beyond the age of 66.

(7) The Vice-Chancellor shall not hold office for more than two consecutive terms.

Powers of  
the Vice-  
Chancellor

12. (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 Senate and any convocation of the University. He shall be an ex-officio member and the Chairman of the Executive Council, of the Academic Council, of the Board of University Teaching and Research and of the committees constituted under Sections 50, 51, 52 and 53. He shall be entitled to be present, with the right to speak, at any meeting of any other authority or body of the University, but shall not be entitled to vote thereat unless he is a member of that authority or body.

(2) The Vice-Chancellor shall have power to convene meetings of the Senate, the Executive Council, the Academic Council and the Board of University Teaching and Research. 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 this Act, the Statutes, Ordinances and Regulations are faithfully observed and he shall have all powers necessary for this purpose.



(4) If there are reasonable grounds for the Vice-Chancellor to believe that there is an emergency which requires immediate action to be taken, he shall take such action as he deems necessary and shall at the earliest opportunity thereafter, report his action to such officer, authority or body as would have in the ordinary course dealt with the matter. In the event of a dispute arising between the Vice-Chancellor and the authority or office as to whether there was in fact an emergency, the matter shall be referred to the Chancellor whose ruling shall be final.

Provided that, if any such action affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date on which such action is communicated to him, an appeal to the Executive Council.

(5) The Vice-Chancellor shall give effect to the decisions of the Executive Council (after approving the minutes of the Executive Council).

(6) The Vice-Chancellor shall be responsible for the proper administration of the affairs of the University in accordance with this Act, Statutes and Ordinances.

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

(b) Where any matter is required to be regulated by Statutes, Ordinances or Regulations but no Statutes, Ordinances or Regulations are made in that behalf, the Vice-Chancellor may, for the time being, regulate the matter by issuing necessary directions, and shall at the earliest opportunity thereafter, place them before the Executive Council or other authority or body concerned for approval. He may, at the same time, place before such authority or body for consideration draft Statutes, Ordinances or Regulations, as the case may be, required to be made on that behalf.

(8) The Vice-Chancellor shall exercise such other powers as may be described by the Statutes, Ordinances and Regulations.

Deans of  
Faculties

13. (1) There shall be a Dean of each Faculty who shall be elected by the Faculty from amongst its members, in such manner 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.

(3) The term of office of a Dean shall be three years.

(4) No person shall hold office of the Dean for two consecutive terms.

Registrar 14. The Registrar shall be a whole-time salaried officer and shall act as the Secretary of the Senate, of the Executive Council, of the Academic Council and of the Board of University Teaching and Research. He shall be appointed by the Executive Council in accordance with the Statutes to be made in this behalf, and his emoluments and conditions of service shall be such as may be decided by the Executive Council. He shall exercise such powers and perform such duties as may be prescribed by the Statutes, Ordinances and Regulations.

Other Officers 15. The appointment of other officers of the University referred to in clause (v) of Section 9 shall be made in such manner and the conditions of their service and their powers and duties shall be such as may be prescribed by the Statutes, Ordinances and Regulations.

AUTHORITIES OF THE UNIVERSITY

Authorities 16. The following shall be the authorities of the University,  
of the  
University namely :

- (i) The Senate,
- (ii) The Executive Council,
- (iii) The Academic Council,
- (iv) The Faculties,
- (v) <sup>The</sup> / Boards of Inter-disciplinary Studies,
- (vi) The Boards of Studies,
- (vii) The Board of University Teaching and  
Research,
- (viii) The Board of Extra Mural Studies,
- (ix) The Student Council, and
- (x) Such other bodies of the University as may  
be declared by the Statutes to be the  
authorities of the University.

Senate

17. (1) The Senate shall consist of the following

Class I Ex-Officio Members:

- (A) (i) The Chancellor,
- (ii) The Vice-Chancellor,
- (iii) The Minister of Education,
- (iv) The Minister of State for Education,
- (v) The Secretary, Education Department,
- (vi) The Director of Higher Education, or  
his nominee not below the rank of  
Deputy Director of Education,

- (vii) The Director of Medical Education & Research,
- (viii) The Director of Technical Education,
- (ix) The Chairman, Maharashtra State Board of Secondary Education, or his nominee not below the rank of Chairman of a Divisional Board,
- (x) The Chairman, Maharashtra State Board of Higher Secondary Education, if any,
- (xi) The Deans of Faculties,
- (xii) The Dean/Director of Student Welfare,
- (xiii) The Registrar of the University.

Class II : Ordinary Members

- (2) (A) Elected as specified below:
  - (i) Fifteen Principals of conducted, constituent and affiliated colleges from among themselves,
  - (ii) One Head of recognised institution by Heads of such institutions from among themselves,
  - (iii) Five University teachers, of whom not less than two shall be lecturers, from among themselves,
  - (iv) Fifteen teachers from conducted, constituent and affiliated colleges, from among themselves,

- (v) Two Head Masters from among themselves,
- (vi) Two secondary teachers from among themselves,
- (vii) (a) Fifteen registered graduates, and  
(b) Five women registered graduates, from among registered graduates, in the manner to be prescribed by the Statutes,
- (viii) Two members of the Legislative Assembly, from among its members,
- (ix) One Member of the Legislative Council from amongst its members,
- (x) One representative of each Municipal Corporation, from amongst its members,
- (xi) One representative of the Municipal Council in the University area, in the manner to be prescribed by the Statutes,
- (xii) One representative of each Zilla Parishad in the University area, from amongst its members,
- (xiii) Four representatives of the Commercial, Industrial and other bodies as may be designated by Statutes from among the members of these bodies,
- (xiv) Two representatives of registered district, regional and State Co-operative bodies in the manner to be prescribed by the Statutes,

- (xv) Two representatives of managements of non-Government Colleges from among themselves,
- (xvi) Two members by registered Trade Unions in the University area in the manner to be prescribed by the Statutes, from among their members,
- (xvii) One representative of registered charitable educational trusts in the manner to be prescribed by Statutes,
- (xviii) Two representatives of Donors each donating not less than Rupees one lakh or property of the value of Rupees one lakh for the purposes of the University in the manner to be prescribed by the Statutes, from among themselves,

Notwithstanding anything contained in sub-clause (xviii) above, the provisions covering the representation of donors in the previous Act shall continue.

(B) Other Members

- (i) Ten members nominated by the Chancellor, including distinguished educationists, women and representatives of the minorities, scheduled castes and backward communities,
- (ii) One top-most student in the first degree examination in each Faculty and engaged in full-time studies in the University, in the manner to be prescribed by the Statutes,

- (iii) Ten Heads of University Departments, in the manner to be prescribed by the Statutes,

Provided that every person elected under class III(A) under sub-clauses (i) to (xviii) shall cease to hold the office of a member of the Senate, as soon as he ceases to be a member of the electing body or bodies, as the case may be.

- (3) No non-teaching employee of the University shall be eligible for election to the Senate.

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

- (5) No elected or nominated member shall continue to hold office for more than two consecutive terms.

Meetings of 18.  
the Senate

- (1) The Senate 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 Senate.

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



Powers and  
Duties of  
the Senate

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

- (i) 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;
- (ii) to make such provision as will enable colleges, institutions and recognized institutes to undertake specialization of studies and to organize and make provision for common laboratories, libraries, museums and other equipment for teaching and research;
- (iii) to establish and maintain colleges, institutions, departments, hostels and institutes of research and specialized studies;
- (iv) to institute degrees, diplomas and other academic distinctions;
- (v) to confer degrees, diplomas and other academic distinctions;

- (vi) to confer on the recommendations of the Executive Council, honorary degrees, or other academic distinctions;
- (vii) to make, amend or repeal the Statutes;
- (viii) to consider, cancel, refer back but not amend Ordinances;
- (ix) to consider and pass resolutions on annual reports;
- (x) to consider the annual accounts and pass resolutions thereon;
- (xi) to consider the annual financial estimates placed before it by the Executive Council and pass them with such modifications as the Senate may deem fit;
- (xii) to appoint auditors for auditing the accounts of the University on the recommendations of the Executive Council;
- (xiii) to make provision and sanction grant for such other activities as may be conducted by the University;
- (xiv) to elect office-bearers and authorities as provided in the Acts and the Statutes;

- (xv) to lay down scales of pay and conditions of employment of members of the teaching and non-teaching staff in colleges, institutions and recognized institutes and to ensure the observance thereof through the Executive Council;
- (xvi) to provide training for competitive examinations for recruitment to the services under the Union and State Governments;
- (xvii) to make grants from the University funds for the National Cadet Corps, National Service Scheme and to make provision for the physical and military training of students and such other allied activities;
- (xviii) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act and the Statutes, Ordinances and Regulations.

(2) The powers and duties under clauses (i) to (vi) of sub-section (1) shall not be exercised except upon the recommendations made by the Executive Council and the Academic Council.

Executive  
Council

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

- (i) The Vice-Chancellor - Ex-Officio  
Chairman,
- (ii) The Director of Higher Education or his nominee not below the rank of Deputy Director of Education;
- (iii) One Head of a University Department or a conducted college in the manner to be prescribed by the Statutes;
- (iv) Two Principals elected by the Senate from amongst its members;
- (v) Two teachers other than Principals elected by the Senate from amongst its members;
- (vi) Six persons other than Principals, teachers and students elected by the Senate from amongst its members;
- (vii) Four persons to be elected by Academic Council from amongst its members to represent different Faculties as may be prescribed by the Statutes;

Provided that a member elected under clauses (iv) to (vii) shall cease to hold office as such member if he ceases to be a member of the Senate or Academic Council, as the case may be.

(2) No non-teaching employee of the University shall be eligible for election to the Executive Council.

(3) The term of office of the elected members shall be three years.

(4) If a member elected or nominated to the Executive Council remains absent without permission of the Council for three consecutive meetings thereof, his office thereupon becomes vacant.

(5) No elected or nominated member shall continue to hold office for more than two consecutive terms.

Powers and 21.  
Duties of the  
Executive  
Council

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

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

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

- (iii) to determine the form, provide for the custody and regulate the use of the common seal of the University;
- (iv) to administer funds placed at the disposal of the University for specific purposes;
- (v) to frame the annual financial estimates of the University and to submit them to the Senate for approval;
- (vi) to make provision for buildings, premises, furniture, apparatus and other means needed for carrying on work of the University;
- (vii) to accept on behalf of the University bequests, donations and transfer of any movable or immovable property to the University;
- (viii) to transfer by sale, lease or otherwise any movable or immovable property on behalf of the University;
- (ix) to arrange and regulate the finances, accounts and investments of the University including the power to set up a University and College Development Finance Corporation in collaboration with other Universities;

- (x) to borrow, lend or invest funds on behalf of the University;
  
- (xi) to make provision for -
  - (a) National Cadet Corps,
  - (b) National Service Scheme,
  - (c) National Sports Organization,
  - (d) Student Councils,
  - (e) Employment Bureaux,
  - (f) Co-operative Stores and other Co-operative Organizations,
  - (g) Information Bureaux,
  - (h) Student Services,
  - (i) Physical Training and
  - (j) Any other cultural and socio-economic activities.
  
- (xii) to provide for inter-faculty and regional studies;
  
- (xiii) to recommend appointment of auditors;
  
- (xiv) to manage colleges, departments, institutions, institutes of research or specialized studies, laboratories, libraries, museums and hostels maintained by the University;

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Date. 26/4/85.....

- (xv) to recognise hostels;
- (xvi) to provide housing accommodation for teachers and other employees of the University;
- (xvii) to arrange for inspection of University Departments and Post-graduate Departments in Colleges with a view to assessing their academic performance;
- (xviii) to arrange for and direct the inspection of colleges, institutions, recognized institutes and hostels and to issue instructions for maintaining their efficiency and for ensuring proper student amenities and conditions of employment for members of their teaching and non-teaching staff and in case of disregard of such instructions, to recommend modification of the conditions of their affiliation or recognition or impose a penalty of not less than five thousand rupees, or take such other steps as it deems proper;
- (xix) to cause an enquiry to be made in respect of any matter concerning the proper conduct and working of colleges, institutions and recognized institutes;



- (xx) to call for reports, returns and other information from colleges, institutions, recognized institutes and hostels;
- (xxi) to recommend to the Senate the conferment of honorary degrees and academic distinctions in the manner prescribed by the Statutes;
- (xxii) to supervise and control the admissions, residence conduct and discipline of the students of the University and to make arrangements for promoting health and general welfare;
- (xxiii) to award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (xxiv) to appoint teaching and non-teaching staff of the University, fix their emoluments, if any, and define their duties and the conditions of their service and discipline by framing suitable Ordinances;
- (xxv) to recognize a member of the staff of a college, institution or a recognized institute as a teacher of the University and withdraw such recognition;
- (xxvi) to appoint examiners, to fix their remuneration and to arrange for the conduct of and for publishing the results of the University examinations and other tests;
- (xxvii) to cancel examinations in the event of malpractices partially or wholly and to take action against any person or group of persons or institutions found guilty of such malpractices, including rustication of students;
- (xxviii) to take disciplinary action against students enrolled in the university, including candidates for any examinations;
- (xxix) to take disciplinary action against staff, persons appointed as invigilators, examiners, etc. appointed as per Ordinances and Regulations laid down in this behalf;

- (xxx) to recommend affiliation of colleges and institutions to Government;
- (xxxi) to fix, demand and receive such fees and other charges as may be prescribed by Ordinances;
- (xxxii) to make, amend and cancel the Ordinances;
- xxxiii) to accept, reject or refer back Regulations framed by the Academic Council;
- (xxxiv) to requisition the facilities of colleges, institutions and recognized institutes whenever necessary after giving due notice to the college or institution, for promoting the facilities of the University;
- (xxxv) 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;
- (xxxvi) to exercise all powers of the University not otherwise provided for in the Act or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes;
- (xxxvii) to delegate any of its powers to the Vice-Chancellor, the Registrar or such other officer of the University or a Committee appointed by it as it may deem fit.

(2) The Executive Council shall make a report to the Senate about all acceptances or transfers of property referred to in clause (vii) of sub-section (1).

(3) The Executive Council shall not transfer any immovable property without the previous sanction of the Senate.

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

The Academic Council

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

Class I - Ex-officio Members

- (i) The Vice-Chancellor - Ex-officio Chairman,
- (ii) The Deans of Faculties,
- (iii) Heads of University Departments, (incl)
- (iv) The Chairman, Maharashtra State Board of Secondary Education or his nominee not below the rank of Chairman of the Divisional Board,
- (v) The Chairmen of Boards of Studies,
- (vi) Ten Principals of Colleges as may be prescribed by the Statutes,
- (vii) University Librarian,
- (viii) Director/Dean of Student Welfare

Class II - Others Members

- (i) Ten teachers - eight from colleges and two other than professors, from University Departments, to be elected from amongst themselves;
  - (ii) Five eminent scholars, journalists, writers nominated by the Chancellor;
  - (iii) One representative each of the Board of Extra-Mural Studies, Department of Correspondence Courses, Department of Continuation Education and other Boards, not exceeding five, nominated by the Vice-Chancellor.
- (2) The term of office of the elected and nominated members shall be three years.
- (3) No elected or nominated member shall continue to hold office for more than two consecutive terms.

Powers and Duties of the Academic Council

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

- (i) to make Regulations laying down courses of study;
- (ii) to make Regulations regarding the special courses of study of division of subjects in colleges, institutions and in recognized institutes;
- (iii) to make proposals for allocating subjects to the faculties and to assign its own members to the faculties;
- (iv) to make proposals for the establishment of colleges, institutions, departments, institutes of research and specialized studies, libraries, laboratories and museums;
- (v) to make proposals for the institution of professorships, readerships, lecturerships and any other posts of teachers required by the University and for prescribing their duties;
- (vi) to make proposal for the institution of fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes and to make Regulations for their awards;

- (vii) to make Regulations regarding the examinations of the University and the conditions on which students shall be admitted to such examinations;
- (viii) to make Regulations prescribing equivalence of examinations;
- (ix) to make Regulations prescribing the manner for granting exemptions from approved courses of studies in the University or colleges and institutions for qualifying for degrees, diplomas and other academic distinctions;
- (x) to exercise general supervision over the academic policies of the University and to give directives regarding methods of instruction, Co-operative teaching among colleges, and institutions, evaluation of research or improvement in academic standards;
- (xi) to bring about inter-faculty coordination, to establish or appoint committees or boards for taking up projects on an inter-faculty basis;

- (xii) to appoint review committees and cells to study the utility and practicability of the courses of studies of the University in the light of modern developments;
- (xiii) to make proposals for the conduct of inter-faculty and regional studies;
- (xiv) 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;
- (xv) generally to advise the University on all academic matters.

Faculties and their functions

24. (1) The University shall include the Faculties of Arts (including Fine Arts), Science, Engineering (including Technology and Architecture), Law, Medicine (including Ayurvedic Medicine), Commerce, Education and such other Faculties as may be instituted by the Senate by Statutes, from time to time. Each Faculty shall comprise such subjects as may be prescribed by the Statutes.

(2) Each Faculty shall consist of -

- (i) members of the Academic Council who are not members of the Boards of Studies and who are assigned to the Faculty by the Academic Council,
- (ii) members of the Boards of Studies for the subjects comprised in the Faculty, and
- (iii) two students of the subjects comprised in the Faculty, to be nominated by the Vice-Chancellor.

(3) The term of office of the elected, nominated or co-opted members of the Faculty shall be three years.

(4) The powers and duties of the Faculties shall be as prescribed by the Statutes.

Deans of 25.  
faculties.

The Dean of each Faculty shall exercise powers as prescribed in Section 13 (2)



Boards of  
Inter-  
Disciplinary  
Studies

26. (1) There shall be a Board or Boards of Inter-Disciplinary Studies.
- (2) Each Board shall consist of -
- (i) Chairmen of the Boards of Studies in the respective subjects,
  - (ii) Such co-opted members as may be laid down by the Statutes.
- (3) The term of office of members under sub-clauses (i) and (ii) above shall be three years.
- (4) The Chairman shall be elected by the members of the Board from among themselves.
- (5) The powers and duties of the Board of Inter-Disciplinary Studies shall be as may be prescribed by the Statutes.

Board of  
Studies

27. (1) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Statutes.
- (2) Each Board shall consist of -
- (i) Head of the University Department concerned, if any;
  - (ii) Heads of departments of the subject in colleges, teaching the subject at the special, principal or major level.
  - (iii) Three experts in the subject who are not University teachers to be co-opted by the Board.
- (3) The term of office of members under sub-clauses (ii) and (iii) above shall be three years.
- (4) The Chairman shall be elected by the members of the Board from among themselves.
- (5) The powers and duties of the Board of Studies shall be as may be prescribed by the Statutes.

Board of  
University  
Teaching &  
Research

28. (1) There shall be Board of University Teaching and Research.
- (2) The Board shall consist of -
- (i) The Vice-Chancellor, Ex-officio  
Chairman,
  - (ii) Deans of Faculties,
  - (iii) Heads of University Departments,

- (iv) Directors of recognized post-graduate institutes,
- (v) Not more than two Principals from each of the Faculties to be nominated by the Vice-Chancellor,
- (vi) Two teachers who are members of the Academic Council to be elected by the Academic Council,
- (vii) Two persons nominated by the Vice-Chancellor, who are not connected with the University,
- (viii) Two students to be nominated by the ~~Vice-Chancellor,~~ Registrar.

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

Powers and Duties of the Board of University Teaching and Research

29. (1) Subject to the provisions of this Act, the Statutes, Ordinances and Regulations, the Board shall have the powers of controlling, regulating and co-ordinating instruction, teaching, training and research at the degree and post-graduate levels.

(2) In particular and without prejudice to the generality of the foregoing provision, the Board shall have the following powers:

- (i) to consider the reports of inspection committees and to make recommendations thereon to the Executive Council.

- (ii) to make recommendations to the Executive Council regarding the conduct of all degree and post-graduate instruction, teaching, training and research in colleges, institutions and recognized institutes;
- (iii) to recommend to the Executive Council the detailed requirements regarding teachers in respective subjects for teaching on behalf of the University.
- (iv) to determine the programme of instruction, teaching, training and research and to indicate the nature and extent of the work that a recognized teacher shall be called upon to carry out on behalf of the University;
- (v) to co-ordinate and regulate the facilities provided and to make recommendations to the Executive Council regarding the expenditure to be incurred by degree colleges, institutions and recognized institutes, in connection with lectures, seminars, tutorials, libraries, laboratories and other equipment for teaching and research;

- (vi) to recommend to the Executive Council the amount of grant, if any, which shall be made to each of the degree colleges, institutions and recognized institutes by the University each year;
- (vii) to recommend to the Executive Council deputation of teachers from a pool of teachers of the University to supplement teaching in colleges and institutions for improving standards;
- (viii) to exercise such other powers and perform such other duties as may be prescribed by or under the provisions of this act.

Board of  
Extra Mural  
Studies.

30. (1) There shall be a Board of Extra Mural Studies, which shall consist of -
- (i) The Vice-Chancellor or his nominee -  
ex-officio Chairman,
  - (ii) Three members to be nominated by the  
Vice-Chancellor,
  - (iii) A Deputy Director of Education  
nominated by the Director of Higher  
Education,
  - (iv) Six representatives elected from among  
the members of the Senate, out of whom  
two shall be representatives of Zilla

Parishads and two of other local authorities,

- (v) One member representing each Faculty elected by the Academic Council from amongst its members,
- (vi) The Director of Extra Mural Studies, if any.

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

(3) The powers and duties of the Board of Extra-Mural Studies shall be such as may be prescribed by the Statutes.

Student Council

31. (1) There shall be a Student Council, which shall consist of -
- (i) The Vice-Chancellor - Ex-officio President,
  - (ii) Dean/Director of Student Welfare - Ex-officio Vice President,
  - (iii) Three Students from the office-bearers of Societies, Associations etc. of the University to be elected from among themselves, in the manner to be prescribed by the Statutes;
  - (iv) Three student-members of the Senate elected by the members of the Senate,
  - (v) Three students to be elected from an electoral college of the office-bearers of the Student Councils in the colleges in the manner to be prescribed by the Statutes;
  - (vi) A member of the Executive Council, a Principal and a teacher to be nominated by the Executive Council;
  - (vii) A student-nominee of the Board of Sports;

(viii) Director of Sports or Physical Education,  
if any.

(2) The term of office of the members of the Student Council  
Shall be three years.

Provided that a member of the student Council shall cease to be  
a member, if he ceases to be a member of the body in sub-clauses  
(iii) to (vii) in clause (1) above.

(3) Functions of the Student Council : The functions of the  
Student Council shall be as follows :

- (i) to supervise and co-ordinate all the activities  
conducted by the different Students Associations  
and Societies;
- (ii) to recommend to the Executive Council the total financial  
allocation towards the activities to be undertaken  
under its budgetary heads;
- (iii) to allocate funds for the different activities by  
the Students Associations and Societies as  
sanctioned by the Executive Council;
- (iv) to submit an annual report of all its  
activities to the Executive Council and  
returns of its accounts before a scheduled  
date to be fixed by the Executive Council.

Other  
University  
Boards and  
Authorities

32. The Senate may, by the Statutes, constitute and define  
the functions of such other Boards and authorities as it may,  
from time to time, deem necessary, for the purposes of carrying  
out the work of the University.

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CHAPTER V

STATUTES, ORDINANCES & REGULATIONS

Statutes

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

- (i) conferment of honorary degrees;
- (ii) holding of convocations to confer degrees, diplomas, certificates and other academic distinctions;
- (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, colleges, institutions, institutes of research and specialized studies and hostels;
- (vi) acceptance and management of bequests, donations and endowments;
- (vii) manner of electing members of the Senate by the local authorities and by the donors;



- (viii) registration of graduates and maintenance of a register of registered graduates;
- (ix) composition and activities of student organizations;
- (x) procedure at meetings of the authorities of the University, and for the transaction of their business;
- (xi) mode of appointment and terms and conditions of service of teachers in colleges, institutions and recognized institutes and observance thereof by the Executive Council;
- (xii) conditions of service of non-teaching staff in colleges, institutions and recognized institutes;
- (xiii) transfer of the management of a college;
- (xiv) taking over the management of a college by the University;
- (xv) all matters which by this Act are to be or may be prescribed by the statutes.

Statutes,  
their making  
repeal and  
operation

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

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

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

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

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

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

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

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

(7) No Statute passed by the Senate shall be valid or come into force until assented to by the Chancellor.

Ordinances

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

- (i) conditions under which students shall be admitted to courses of studies for degrees, diplomas, certificates and other academic distinctions;
- (ii) qualifications and classification of teachers in university departments, colleges, institutions and recognized institutes;
- (iii) fees to be charged for enrolment of students for attending such courses in the University and Colleges and institutions for admission to the examinations, for obtaining degrees, diplomas, certificates and other academic distinctions and for registration of graduates;
- (iv) conditions of residence, conduct and discipline of the students of the University and the disciplinary action to be taken against them for breach of discipline or misconduct, including the following:

- (a) use of unfair means at an examination or in relation thereto by himself or by any other student or abettor thereof;
- (b) refusal to appear or give evidence in any inquiry by an officer in charge of an examination or by any officer or authority of the University;
- (c) disorderly or otherwise objectionable conduct of a student, whether within or outside the University;
- (v) conditions governing the appointment and the duties of examiners;
- (vi) conduct of examinations;
- (vii) recognition of hostels;
- (viii) inspection of colleges, institutions, recognized institutes and hostels;
- (ix) recognition of teachers of the University and the conditions subject to which persons may be recognized as qualified to give instruction in the University, colleges, institutions and recognized institutes;

- (x) mode of appointment, the term of office, duties and conditions of service of officers and teachers appointed by the University in so far as they are under this Act subject to the control of the Executive Council;
- (xi) mode of execution of contracts or agreements for or on behalf of the University;
- (xii) rules to be observed and enforced by colleges, institutions and recognized institutes in respect of transfer of students;
- (xiii) powers and functions of the student council;
- (xiv) all matters which by this Act or the Statutes are to be or may be provided for by the Ordinances; and
- (xv) generally all matters for which provision is, in the opinion of the Executive Council, necessary for the exercise of the powers conferred or the performance of duties imposed upon the Executive Council by this Act or the Statutes.

Making of Ordinances

36. (1) Ordinances shall be made by the Executive Council;

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

(2) The Executive Council shall not have powers 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 the Ordinances made by the Executive Council shall, except as provided by this Act, have effect from such date as it may direct but every Ordinance so made shall be laid before the Senate and shall be considered by the Senate at its next succeeding meeting.

(4) The Senate shall have power by a resolution to cancel or refer back, but not to amend, any such Ordinance. The resolution shall be passed

by a majority of not less than two-thirds of the members present at such a meeting, the majority comprising not less than one-half of the members of the Senate.

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

Regulations  
and Rules

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

(2) Any authority or Board of the University may, subject to the prior approval of the Executive Council, make rules consistent with this Act, the Statutes, Ordinances and Regulations -

(a) for giving notice of the dates and hours of meetings and of business to be conducted thereat;



- (b) laying down the procedure to be observed at the meetings and the number of members required to form a quorum; and keeping of record of proceedings of the meetings;
- (c) providing for all matters which by this Act, the Statutes, Ordinances or Regulations are to be prescribed by Rules;
- (d) providing for all other matters solely concerning such authority or board.

(3) Such Rules shall be submitted to the Executive Council and the Executive Council may amend the Rules in such manner as it may consider proper, after taking into consideration the views of the body concerned.

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CHAPTER VI

AFFILIATION AND RECOGNITION

Affiliation

38. (1) The need for the opening of new colleges shall be determined by the Executive Council on the basis of the plan prepared by the State Government for the location of institutions of higher education in consultation with the Universities in the State in such a way as to ensure an equitable distribution of facilities for higher education to serve all areas and, in particular, to take special care to ensure that the needs of the unserved and under-developed areas are fully met.

(2) An application which is not in conformity with the State Government's plan for the location of institutions of higher education shall not be entertained.

(3) A college applying for affiliation to the University shall send a letter of application to the Registrar in conformity with the plan for the location of institutions of higher education within the time-limit laid down by an Ordinance in this behalf and shall satisfy the Executive Council and the Academic Council -

- (a) that the college will supply a need in the locality having regard to the type of education intended to be provided by the college, the existing 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;
- (b) that the college is to be under the management of a regularly constituted governing body;
- (c) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;
- (d) that the buildings in which the college is to be located are suitable, and that the provision will be made in conformity with the Ordinances, for the residence in the college,

or in lodgings approved by the college, of students not residing with their parents or guardians, and for the supervision and welfare of students;

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

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

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

- (h) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working;
  - (i) that the rates of fees charged by the college to the students are in accordance with the rates prescribed by the University from time to time;
  - (j) that the college gives an undertaking that in case of affiliation being granted by the University, it shall report to the Executive Council any transfer of management and all changes in the teaching staff and all other changes that result in any of the aforesaid requirements not being fulfilled or continued to be fulfilled.
- (4) (a) The Executive Council shall scrutinize the applications received and determine the order of priority;
- (b) the priority list shall be sent to the State Government for approval.
- (5) On receipt of the approval of the State Government, the Executive Council shall -

(a) direct a local enquiry to be made by a competent person or persons authorized by the Executive Council in this behalf, in respect of the matters, referred to in sub-section (3) and such other matters as may be deemed necessary and relevant;

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

(c) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused, either in whole or in part, stating the results of any inquiry under clauses (a) and (b).

(6) The Registrar shall submit the application and all proceedings, if any, of the Academic Council and the Executive Council relating thereto to the State Government which shall grant or refuse the application or any part thereof.

(7) Where the application or any part thereof is granted, the order of the State Government shall specify the courses of instruction in respect of which the college is affiliated, the maximum number of students to be admitted to each of such courses of instruction and the

period for which the affiliation is granted and, where the application or any part thereof is refused, the grounds of such refusal shall be stated.

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

(9) An application under sub-section (3) may be withdrawn at any time before an order is made under sub-section (6).

(10) The provisions in sub-sections (1) to (9) above, shall be applicable to institutions seeking affiliation to the University.

Extension  
and continua-  
tion of  
affiliation

39. Where a college or institution desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed by Section 38, shall, so far as the case may be, followed.

Permanent  
Affiliation

40. No college or institution shall be granted permanent affiliation unless it has a standing of six years and has fulfilled all the conditions of affiliation, and has attained academic and administrative standards as prescribed by the University from time to time.

Recognition  
of institutes  
of research &  
Specialized  
studies

41. (1) The Executive Council shall have the power, after consultation with the Academic Council, to recognize as a recognized institute any institute of research or specialized studies other than a college. The University shall lay down a research policy in respect of various disciplines. No research institute shall be granted permanent recognition unless it has a standing of six years and has reached academic and administrative standards as laid down by the University from time to time.

(2) An institute which conducts research in accordance with the research policy laid down by the University in this behalf, shall send a letter of application to the Registrar and shall give full information in the letter of application in respect of the following matters, namely:-



- (a) constitution and personnel of the managing body;
  - (b) subjects and courses in regard to which recognition is sought;
  - (c) accommodation, equipment 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 institute.
- (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 competent 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 Executive Council shall, after consultation with 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 the courses of instruction in respect of which the institute is recognized and make a report to that effect to the Academic Council and the Executive Council at their next succeeding meeting. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

Inspection  
of colleges  
and reports

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

(2) The Executive Council shall cause every such college, institution or institute to be inspected at least once in every two years by a Committee of competent persons authorized by the Executive Council in this behalf.

(3) The Executive Council may call upon any college, institution or institute so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (3) of Section 38 and sub-section (2) of Section 41.

Withdrawal  
of affiliation

43. (1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (3) of section 38 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

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

(3) Before taking the said motion into consideration, the Executive Council shall send a copy of the notice and written statement mentioned in sub-section (2) to the Principal of the college

concerned, together with an intimation that any representation in writing submitted within a period specified in such intimations on behalf of the college will be considered by the Executive Council:

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

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Executive Council, after considering the notice of motion, statement and representation, and after such inspection by competent persons authorized by the Executive Council who will form themselves into a Committee and such further enquiry as may appear to it to be necessary and after consulting the Academic Council, shall make a report to the Senate.

(5) On receipt of the report under sub-section (4), the Senate shall, after such further inquiry, if any, as may appear to it to be necessary, record its opinion in the matter.

(6) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Executive Council, relating thereto, to the State Government which after such further inquiry,

if any, as may appear to it to be necessary, shall make such order as it deems fit.

(7) Where, by an order made under sub-section (6), 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 order.

(8) A college, which in the opinion of the Executive Council, is not conducted in a satisfactory manner, shall be liable to be taken over by the University for its management, with the concurrence of the State Government.

(9) In the event of the closure of a college by the management, the University may take over the management of the college, in the manner to be prescribed by the Statutes.

(10) The provisions in sub-sections (1) to (9) above shall be applicable to institutions affiliated to the University.

Withdrawal  
of  
Recognition

44. (1) The rights conferred on an institute by recognition may be withdrawn or suspended for any period if the institute has failed to observe any of the conditions of its recognition or the

institute is conducted in a manner which is prejudicial to the interest of education or inconsistent with the general policy of research laid down by the University.

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

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

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

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Executive Council, after considering the notice

of motion, statement and representation and after such inspection by competent persons authorized by the Executive Council who will form themselves into a committee, and after such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall decide whether the recognition should be withdrawn or suspended. No order for withdrawal or suspension shall be made unless a resolution to that effect is supported by at least two-thirds of the members present at the meeting of the Executive Council.

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CHAPTER VII

POST-GRADUATE TEACHING

Teaching  
within the  
University  
Area

45. Within the University area, all post-graduate instruction, teaching, training and research shall be conducted either by the University, or by colleges or institutions, and in such subjects, as may be prescribed by the Statutes.



CHAPTER VIII

ENROLMENT AND DEGREES

Qualifica-  
tions for  
enrolment  
of the Uni-  
versity.

46. No student shall be enrolled as a student of the University, unless he has passed -

- (i) the Secondary School Certificate Examination conducted by the Maharashtra State Board of Secondary Education in such subjects and with such standards of attainments as may be prescribed by the Statutes; or
- (ii) the Higher Secondary Certificate Examination and the Higher Secondary (Multi-Purpose) School Certificate Examination conducted by the Marathwada/Nagpur Secondary Board in such subjects, and with such standards of attainments as may be prescribed by the Statutes; or
- (iii) the Higher Secondary School Certificate Examination or Secondary School Certificate Examination conducted by the Maharashtra State Board of Secondary Education, in such subjects, and with such standards of attainments as may be prescribed by the Statutes; or
- (iv) the Entrance Examination, if any, which may be instituted by the University with the consent of State Government and held in

such subjects and in such manner as may be prescribed by the Statutes; or

- (v) any other examination prescribed as equivalent to the examination referred to in clauses (i), (ii), (iii), and (iv) and possesses such further qualifications, if any, as may be prescribed by the Statutes.

Degrees, diplomas, certificates and other academic distinctions 47. The Senate may institute and confer such degrees diplomas, certificates and other academic distinctions as may be prescribed by the Statutes.

Honorary Degrees 48. If not less than two-thirds of the members of the Executive Council recommend that an honorary degree, or other academic distinction be conferred on any person on the ground that he is in their opinion, by reason of eminent position and attainments, a fit and proper person to receive such degree, or other academic distinction and where their recommendation is supported by a majority of not less than two-thirds of members of the Senate present at a meeting of the Senate, such majority comprising not less than one-half of the members of the Senate and the recommendation is confirmed by the Chancellor, the Senate may confer on such person the honorary degree, or other academic distinction so recommended, without requiring him to undergo any examination.

Removal from  
membership of  
University  
and withdrawal  
of degree  
or diploma

49. (1) The Chancellor may, on the recommendation of the Executive Council and the Senate supported by a majority of not less than two-thirds of the members of each body present at its meeting, such majority comprising not less than one-half of the members of each body, remove the name of any person from the register of graduates, or withdraw from any person a certificate, diploma or degree if he has been convicted by a Court of Law of any offence which, in the opinion of the Executive Council and the Senate, is a serious offence involving moral turpitude or anti-social activity.

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

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CHAPTER IX

COMMITTEES

Committee of Selection for appointment of teachers of the University.

50. (1) No person shall be appointed as a teacher of the University except on the recommendation of a Committee of Selection constituted for the purpose.
- (2) The members of the Committee shall be -
- (i) The Vice-Chancellor - Ex-officio Chairman;
  - (ii) Head of the University Department concerned, if any;
  - (iii) four persons having special knowledge of the subject for which the teacher is to be appointed, to be selected as follows:
    - (a) one by the Academic Council who shall be a member of the Faculty in which the subject is comprised ;
    - (b) one by the Academic Council and two by the Executive Council, who shall not be members of the Senate, members of Faculties or teachers.

(3) The Committee shall investigate the merits of various candidates and such other persons, if any, as the Committee may recommend as duly qualified for the vacant post but who have not applied for it and shall report to the Executive Council the names arranged in order of merit, of persons, if any, whom it considers to be suitable for the vacant post.

(4) The quorum for the Selection Committee shall be two-thirds of the total number of members of the Committee, out of whom two shall be persons possessing special knowledge of the subject for which the teacher is to be appointed.

(5) The Executive Council shall make the final selection out of the persons, if any, so recommended:

Provided that where the Executive Council makes the appointment otherwise than in accordance with the order of merit arranged by the Committee, the Executive Council shall record its reasons and submit its proposal for the sanction to the Chancellor.

Provided further that if the Committee reports to the Executive Council the name of one person only and if the person so reported is not acceptable to the Executive Council, the Executive Council shall record its reasons for not accepting the name and communicate them to the Committee and may advertise the vacancy again and direct the Committee to report to the Executive Council in the manner provided in sub-section (3). Provided further that the Executive Council may fill a vacancy of a teacher for a period, not exceeding one year, without following the procedure mentioned above.

Committee for  
recognition  
of teachers  
of University

51.

(1) No person shall be recognized as a teacher of the University except on the recommendation of a Committee constituted for the purpose.

(2) The members of the Committee shall be -

- (i) The Vice-Chancellor - Ex-officio - Chairman;
- (ii) The Head of the University Department in the subject, if any;
- (iii) four persons having special knowledge of the subject for which the teacher is to be recognised

to be selected in the following manner, namely :-

(a) two by the Executive Council who shall not be members of the Senate, members of the faculty or teachers;

(b) two by the Academic Council from amongst its members.

(3) The Committee will recognize teachers according to the procedure as laid down by Ordinances in this behalf.

Appointment of Examiners Committee 52.

(1) A Committee for each Faculty shall be formed every year for the purpose of drawing up lists for appointments to University examinations.

(2) The members of the Committee shall be -

(i) the Vice-Chancellor - Ex-Officio Chairman;

(ii) the Dean of the Faculty;

(iii) two members appointed by the Executive Council;

(iv) two members appointed by the Academic Council;

(v) the Chairman of the Board of Studies in the particular subject.

(3) The Committee shall draw up the lists from among persons included in panels to be prepared by the Board of Studies. The lists so drawn up shall be submitted for approval to the Executive Council. The Executive Council shall make the appointments of examiners.

Provided that no change in the lists shall be suggested or made by the Executive Council except by passing a special resolution stating the specific grounds on which each change suggested or made is based.

(4) If any examiner is unable to act for any cause and a fresh appointment cannot be made in time by the Executive Council the Vice-Chancellor shall appoint another examiner to fill the vacancy and shall report such appointment to the Executive Council.

(5) No member of the Executive Council or of the Committee shall be appointed as an examiner except by a special resolution of the Executive Council passed by two-thirds majority of the members present.



Academic  
Planning  
and Evaluation  
Committee

53. (1) There shall be an Academic Planning and Evaluation Committee for preparing long term and short term plans for the development of the University and of the facilities for higher education in the University area and for evaluating the progress of the plan periodically and to generate new ideas and new programmes, and to maintain effective liaison with trade, commerce and industry.

(2) The members of the Committee shall be -

- (i) The Vice-Chancellor - Ex-officio  
Chairman;
- (ii) Deans of the Faculties of Arts, Social Sciences, Science, Commerce and Education;
- (iii) three members of the Executive Council and two of the Academic Council to be nominated by the Executive Council;  
~~three~~ heads of Departments representing Arts, Social Science, Science, Commerce and Education to be nominated by the Vice-Chancellor by rotation;
- (v) Three co-opted members from trade, commerce and industry;
- (vi) Registrar;
- (vii) Planning Officer - Member-Secretary.

(3) The term of office of the Committee shall be five years.

Committees 54. All the authorities of the University shall have power to appoint committees in respect of their powers and duties. Such committees may include persons who are not members of the authority appointing the committee.

CHAPTER X

FINANCE

University  
Fund

55. (1) The University shall establish a fund to be called the University Fund.
- (2) The following shall form part of, or be paid into, the University Fund:-
- (a) Any contribution or grant by the State Government, Union Government and University Grants Commission;
  - (b) the income of the University from all sources, including income from fees and charges;
  - (c) trusts, bequests, donations, endowments, profits, subventions and other grants;
  - (d) any such funds as may be borrowed from the University and College Development Finance Corporation;
  - (e) funds borrowed from Banks, with the permission of the State Government.
- (3) The University shall have and maintain a Contingency Fund under a separate heading in the University accounts, to which shall be credited such sums as may, from time to time, be granted

as contributions or grants by Government especially for this purpose. Such Fund shall be used for meeting the initial expenditure and thereafter for making advances for the purpose of meeting unforeseen expenditure.

(4) With the previous sanction of the State Government, any portion of the University Fund may, from time to time, be credited by the University to a separate heading in the University accounts, provided that there shall be credited and debited to such special heading such sums only as shall expressly relate to the objects for which a special fund is so created.

(5) The University Fund shall, at the discretion of the Executive Council, be kept in the State Bank of India, or in any Scheduled Bank as defined in the Reserve Bank of India Act, 1934, which holds a licence issued by the Reserve Bank of India under section 22 of the Banking Regulation Act, 1949 or in a Co-operative Bank approved by the State Government for the purpose or in a University and College Development Finance Corporation, if established, or be invested in securities authorized by the Indian Trusts Act 1882, or subject to the maximum limit

of rupees five lakhs, in the shares of, or by giving loans to, consumers' Co-operative Societies established for the purposes of the University or any of the colleges or recognized institutions.

Annual  
Accounts  
and Financial  
Estimates

56. (1) The annual accounts of the University shall be prepared under the direction of the Executive Council and shall be audited by a firm of Chartered Accountants appointed by the Executive Council.
- (2) The accounts when audited shall be published by the Executive Council and a copy thereof shall, together with the copy of the audited report, be submitted to the senate.
- (3) The Executive Council shall prepare, before such a date as may be prescribed by the Statutes, the financial estimates for the ensuing year.
- (4) The annual accounts and the financial estimates shall be considered by the Senate and may be passed with such modifications as the Senate may deem fit.
- (5) The financial year of the University shall be the same as that of the State Government.

The Annual  
Report

57. The Annual Report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Senate on or before such a date as may be prescribed by the Statutes and shall be considered by the Senate at the annual meeting. The Senate may pass resolutions thereon and communicate the same to the Executive Council which shall take such action as it deems fit; and the Executive Council shall inform the Senate at its next meeting of the action taken by it or of its reasons for taking no action.

CHAPTER XI

MISCELLANEOUS PROVISIONS

Conditions  
of Service

58. (1) Save as otherwise provided by or under this Act, every teacher and every salaried officer of and above the status of an Assistant Registrar 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.

(2) The conditions of service of all employees of the University shall be determined by Ordinances.

Tribunal of  
Arbitration

59. Any dispute arising out of the contract between the University and any officer or teacher of the University shall, on the request of the officer or teacher concerned be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final, and no suit shall lie in any Civil Court in respect of the matter decided by the

Tribunal. Each such request shall be deemed to be submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940, and the provisions of that Act shall apply accordingly.

Pension,  
Insurance  
& Provident  
Fund

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

Elections  
to be by  
proportional  
representa-  
tion

61. Every election to the Senate, the Executive Council and the Academic Council or any other authority of the University under this Act shall be made according to the system of proportional representation by means of a single transferable vote by ballot and in such manner as may be prescribed by the Statutes.

Vacating  
of office

62. (1) any member of any authority or body of the University may resign his office by letter addressed to the Vice-Chancellor ~~through the~~ Registrar, and on the Vice-Chancellor accepting the resignation, the office of such member shall become vacant.



(2) The Vice-Chancellor desiring to resign his office shall send his resignation to the Chancellor.

(3) Any member of any authority or body of the University shall cease to be a member on his being convicted, by a court of law, of an offence which involves moral turpitude, and anti-social conduct.

Filling of  
casual  
Vacancy

63. 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, as soon as conveniently may be, by the election, nomination, appointment or co-option, as the case may be, of a member who shall hold office so long only as the member in whose place he has been elected, nominated, appointed or co-opted would have held it, if the vacancy had not occurred:

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

Registered  
Graduates

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

- (a) persons who are the graduates of the University;
- (b) persons who are the graduates of the University constituted under the University Act;
- (c) persons who being graduates of any other University are recognized as registered graduates in accordance with the Statutes;

(2) A person -

- (a) who is of unsound mind and stands so declared by competent court,
- (b) who is an undischarged insolvent,
- (c) who is convicted by Court of an offence punishable with imprisonment for more than six months and such offence involves moral turpitude, or anti-social conduct;
- (d) who is a registered graduate of any other University established by law in the State of Maharashtra shall be disqualified to have his name entered in the

register of graduates or to be a  
registered graduate.

Provided that, the disqualification in clause (d) of this sub-section shall not apply to a person referred to in clause (b) of sub-section (1) if within eight months from the commencement of this Act such person elects to be a registered graduate of the University only and intimates to the Registrar that he has so made his election. Upon such intimation such person shall cease to be a registered graduate of any other University established by law in the State of Maharashtra.

(3) Every person who intends to be a registered graduate shall make an application to the Registrar in such form and on payment of such fees as may be prescribed by Statutes. After making such inquiry as he thinks fit, the Vice-Chancellor shall decide whether a person is entitled to be or not to be a registered graduate.

(4) If any question arises whether a person is entitled to have his name entered in the register of graduates or to be a registered graduate or is disqualified to be a registered graduate, it shall be decided by the Vice-Chancellor after making such

inquiry as he thinks fit and his decision shall be final.

Proceedings  
not invalidated  
by  
vacancies

65. 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.

Disputes as  
to constitu-  
tion of  
University  
authority or  
body

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

Provided that, such reference shall be made by the Vice-Chancellor to the Chancellor upon a requisition signed by not less than ten members of the Senate.

Protection  
of acts  
and orders

67. All acts and orders duly and in good faith done or passed by the University, or any of its authorities, bodies or officers shall be final; and no suit shall be instituted against or damage

claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of this Act and the Statutes, Ordinances, Regulations and Rules framed thereunder.

Removal of difficulties

68. If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the commencement of this Act, or otherwise in first giving effect to any of the provisions of this Act, (the State Government, and on any occasion may require, may ~~by order do~~ anything which appears to it to be necessary for the purpose of removing the difficulty.

Repeal

69. The Act (hereinafter referred to as "the said Act") is hereby repealed.

Saving

70. Notwithstanding the repeal of the said Act -  
(i) any person holding office immediately before the commencement of this Act as Vice-Chancellor, shall on such commencement, be the Vice-Chancellor of the University and shall continue to hold the said office and to exercise all powers and to perform all duties conferred on the Vice-Chancellor by or under the provisions of this Act, until

a new Vice-Chancellor is appointed under this Act;

(ii) (a) the members of the Senate, the members of the Executive Council, the Academic Council, the Boards of Studies and all other bodies and committees of the University constituted under the said Act and in office immediately before the commencement of this Act shall be deemed to be respectively the members of the Senate, the members of the Executive Council, the Academic Council, the Boards of Studies and the bodies and committees of the University constituted under the relevant provisions of this Act and shall, until the date on which the Chancellor declares that the Senate has been duly constituted under this Act, exercise all powers and perform all duties conferred on the authorities, bodies and committees under the said provisions, such date being not later than twelve months from the date on which this Act comes into force;

(b) if any vacancy occurs otherwise than by efflux of time in the office of a member of the Senate or a member of any of the bodies or committees referred to in this clause, it shall not be necessary to fill in the same;

Provided that, the Chancellor may (after consultation with the Vice-Chancellor) nominate any person to fill in any such vacancy;

Provided further that, the omission to fill in any such vacancy shall not invalidate any act or decision of

any such body or committee by reason only of the omission to fill in the said vacancy;

(iii) all colleges affiliated, institutes recognized and all secondary schools and higher secondary schools registered under the said Act and entitled to the privileges of the University under the said Act immediately before the commencement of this Act shall be deemed to be affiliated, recognized or registered as the case may be, and admitted to the privileges of the University under this Act, save in so far as such privileges may be withdrawn, restricted or modified by or under the provisions of this Act;

(iv) all graduates registered before the commencement of this Act shall unless they are disqualified under clause (a), (b) or (c) or sub-section(2) of Section 64 be deemed to be registered under this Act;

Provided that, if any such graduate is a registered graduate of any other University established by law in the State of Maharashtra before the commencement of this Act he shall cease to be a registered graduate unless he has made the election by intimating to the Registrar as required by the proviso to the said sub-section (2) of Section 64.

(v) all property, movable or immovable and all rights, interest of whatsoever kind; powers and privileges of the University constituted under the said Act shall be transferred to and shall without further assurance vest

in the University and shall be applied to the objects and purposes for which the University is constituted;

(vi) all benefactions accepted or received by the University constituted under the said Act shall be deemed to have been accepted or received by the University under this Act and all the conditions on which such benefactions were accepted or received shall be deemed to be valid under this Act, notwithstanding that such conditions are inconsistent with the provisions of this Act;

(vii) all debts, liabilities and obligations incurred before the commencement of this Act and lawfully subsisting against the University constituted under the said Act shall be discharged and satisfied by the University;

(viii) any will, deed or other document made before the commencement of this Act, which contains any bequest, gift, terms or trust in favour of the University constituted under the said Act shall, on the commencement of this Act, be construed as if the University constituted under this Act is named therein instead of the University constituted under the said Act;

(ix) all references in any enactment or other instruments issued under an enactment to the University constituted under the said Act shall be construed as references to the University;



(x) the appointment of the Registrar and all other officers and servants of the University constituted under the said Act and validly made under the said Act and subsisting immediately before the commencement of this Act shall be deemed to have been made under and for the purposes of this Act and the Registrar and such officers and servants shall continue to hold office and to act, subject to the conditions governing the terms of their office or employment except in so far as such conditions may be altered by a competent authority;

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

(xii) all Statutes, Ordinances and Regulations, all notices and orders made or issued under the said Act, shall, in so far as such Statutes, Ordinances and Regulations are not inconsistent with the provisions of this Act shall continue in force and be deemed to have been made under the provisions of this Act until they are superseded or modified by Statutes; Ordinances, Regulations, notices and orders made by or under the provisions of this Act.

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