

MADHYA PRADESH VISHWAVIDYALAYA
ADHINIYAM, 1973

(No. 22 of 1973)

MADHYA PRADESH ADHINIYAM
No. 22 of 1973

THE MADHYA PRADESH VISHWAVIDYALAYA
ADHINIYAM, 1973

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MADHYA PRADESH ADHINIYAM
No. 22 of 1973
THE MADHYA PRADESH VISHWAVIDYALAYA
ADHINIYAM, 1973

[Received the assent of the Governor on the 20th April 1973; assent first published in the " Madhya Pradesh Gazette" (Extraordinary) dated the 23rd April, 1973]

An Act to consolidate and amend the law relating to Universities and to make better provision for the organisation and administration of Universities in Madhya Pradesh.

Be it enacted by the Madhya Pradesh Legislature in the Twentyfourth year of the Republic of India as follows :

CHAPTER I - PRELIMINARY

1. (1) This Act may be called the Madhya Pradesh Vishwavidyalaya Adhiniyam, 1973.
- (2) It extends to the whole of Madhya Pradesh.
- (3) It shall come into force on such date as the State Government may, by notification, appoint.

Short title, extent and commencement.

2. As from the date appointed under sub-section (3) of section 1, (hereinafter in this section and section 3 referred to as the appointed date) the following consequences shall ensue, namely :

Repeal and Saving

- (i) the enactments mentioned in the First Schedule shall stand repealed (hereinafter in this section and section 3 referred to as the repealed enactment) ;
- (ii) the University established under the repealed enactments shall be the Universities established under the Act and shall be known by the names of the respective Universities with head-quarters at places and territorial jurisdiction over the areas as specified in the Second Schedule;
- (iii) all the assets and liabilities of the respective Universities referred to in clause (ii) shall vest in the respective Universities deemed to be established in their place under this Act.
- (iv) all suits or other legal proceedings instituted by or against the respective Universities under the repealed enactments may be continued by or against the respective Universities deemed to be established in their place under this Act.

- (v) all appointments made, notifications and orders issued, degrees, diplomas or certificates conferred or issued, privileges granted or other things done under the repealed enactments and in force immediately before the date aforesaid shall, be deemed to have been respectively made, issued, conferred granted or done under this Act.
- (vi) all Statutes, Ordinances and Regulations made by various authorities of the respective Universities under the repealed enactments and in force immediately before the date aforesaid shall, in so far as they are not inconsistent with the provisions of this Act, be deemed to be Statutes, Ordinances and Regulations made by the appropriate authorities of the respective Universities under the relevant provisions of this Act;

Provided that the Statutes and Ordinances deemed to be so shall cease to be in force on expiry of a period of one year from the appointed date or on the date of coming into force of the first Statutes, Ordinances, as the case may be, drawn up under section 34 whichever is earlier;

- (vii) all employees belonging to or under the control of the respective Universities referred to in clause (ii) immediately before the appointed date shall be deemed to be employees of the respective Universities deemed to be established in their place under this Act, on the same terms and conditions as applicable to them before the date aforesaid unless altered in accordance with the provisions of this Act and the Statutes and Ordinances made thereunder;
- (viii) all records and papers belonging to the Universities referred to in clause (ii) shall vest in the respective Universities deemed to be established in their place under this Act.

Transitory Provisions

3. Notwithstanding anything contained in this Act :

- (i) The Kulapati in office immediately before the appointed date shall continue in office for the term prescribed under the respective repealed enactments;

Provided that such Kulapati as has attained the age of sixty-four year on or before the appointed date shall continue in office for such period as the Kuladhipati may, by order, specify but such period shall not exceed the remainder of this term under the repealed enactment.

- (ii) Authorities, committees or bodies of the respective Universities constituted under the repealed enactment shall continue to function till such time as they are reconstituted in accordance with the provision of this Act, but such period shall not exceed one year from the date aforesaid.
- (iii) Life members, of any such authorities, shall cease to be

so on the expiration of the period specified in clause (ii) above, unless continued to be so in accordance with the provisions of this Act.

Definitions

4. In this Act, unless the context otherwise requires :

- (i) ' Board of Studies ' means the Board of Studies of the University;
- (ii) ' Scheduled Tribes ' means the Scheduled Tribes specified in relation to this State under Article 342 of the Constitution of India;
- (iii) ' Scheduled Castes ' means the Scheduled castes specified in relation to this State under Article 341 of the Constitution of India;
- *(iii-a) Deleted.
- (iv) ' Employee ' means any person appointed by the University and includes teachers and other staff of the University;
- (v) ' Executive Council ' means the Executive Council of the University;
- (vi) ' Kulapati ' means the Kulapati of the University;
- (vii) ' Kuladhipati ' means the Kuladhipati of the University;
- (viii) ' Hall ' means a unit of residence or of corporate life for the students of the University, College or Institution provided, maintained or recognised by the university;
- (ix) ' Statutes ', ' Ordinances ' and ' Regulations ' means the Statutes, Ordinances and Regulations of the University as the case may be, in force for the time being;
- (x) ' Principal ' means the Head of a College and includes, when there is no Principal, the person for the time being duly appointed to act as Principal;
- (xi) ' School of Studies ' means an institution maintained by the University as place for higher learning and research;
- (xii) ' College ' means an institution maintained by, or admitted to the privileges of the University by or under the provisions of this Act;
- (xiii) ' Head of College Department ' means the head of any department of a college;
- (xiv) ' Registered graduate ' means a graduate registered or deemed to be registered under the provisions of this Act;
- (xv) ' Academic Council ' means the Academic Council of the University;

- (xvi) 'Department' means a Department of Studies and includes a Centre of Studies;
- (xvii) 'University' means :
- (i) the University deemed to be established under this Act and specified in part I of the Second Schedule; and
 - (ii) the University which may be established after the commencement of this Act and specified in part II of the second Schedule.
- (xviii) 'University Grants Commission' means the Commission established under the University Grants Commission Act, 1956 (No. 3 of 1956)
- (xix) 'Head of a University Department' means the head of the Teaching Department maintained by the University imparting instructions to the students of the University and includes the Director or Principal of any institute or college maintained by the University for the promotion of research or for imparting instructions to the students of the University;
- (xx) 'Teachers of the University' means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instructions or conducting research, with the approval of the Academic Council in the University or any College or Institution maintained or recognised by the University;
- (xxi) 'Person connected with a University or a College' means an employee of the University or a College, or a member of any authority or body of the University or of the management of the College;
- (xxii) 'Autonomous College' means an educational institution declared as autonomous college by the Executive Council in accordance with the provisions of this Act;
- (xxiii) 'Faculty' means Faculty of the University;
- (xxiv) 'Affiliated College' means an institution admitted to the privileges of the University in accordance with the provisions of this Act and the Statutes;

- (xxv) ' Court ' means the Court of the University;
- (xxvi) ' Co-ordination Committee' means the Co-ordination Committee constituted under section 34.

CHAPTER II - THE UNIVERSITY

5. (1) The Kuladhipati and Kulapati of each University specified in Part I of the Second Schedule and the members of the Court, of the Executive Council and of the Academic Council thereof shall constitute a University and the University so constituted shall be body corporate by the name of respective University specified in Part I of the Second Schedule.

Incorporation of
University

* * (1-a) The Kuladhipati, the first Kulapati, and the first members of the court, of the Executive Council and of the Academic Council of each University established after the commencement of this Act, and specified in Part II of the Second Schedule and all persons who may hereafter become such officers or members thereof are, so long as they continue to hold such office or membership, will hereby, be deemed to have constituted a body corporate by the name of the respective University specified in part II of the Second Schedule.*

- (2) The University shall have perpetual succession and a common seal and shall sued and be sued by the said name.
- (3) Subject to the provisions of this Act, the University shall be competent to acquire and hold property, both movable and immovable to lease, sell or otherwise transfer any movable or immovable property which may have become vested in, or may have been acquired by it for the purpose of the University and to contract and do all other things necessary for the purposes of this Act.
- (4) The headquarters of the University shall be located at the place specified in the Second Schedule.

6. Subject to the provisions to this Act, the University shall have the following powers namely:

Powers of University

- (1) to provide for instruction in such branches of learning as the University may, from time to time determine and to make provision for research and for the advancement and dissemination of knowledge;

* The M.P. Vishwavidyalaya (Sanskhdhan) Adhiniyam, 1983. (No. 23 of 1983)

(2) to provide instruction including of correspondence and such other courses to such persons as are not members of the University, as it may determine;

* " Provided that the University shall not provide instruction through correspondence save with the previous sanction of the state government.

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

(4) to establish, Maintain and manage colleges, teaching departments, school of studies, centres of studies and halls;

(5) (a) to institute Professorships, Readerships, Lecturerships and any other academic or teaching posts required by the University and to appoint persons to such posts in accordance with provisions of this Act;

(b) to appoint persons working in any other University or organisation as teachers of the University for a specified period;

(6) to recognise teachers as qualified to give instructions in colleges;

(7) to recognise persons eminent in any subjects to guide research in that subject;

(8) to lay down the courses of instructions for various examinations;

(9) to institute degrees, diplomas, certificates and other academic distinctions;

(10) to grant subject to such conditions as the University may determine, diplomas or certificates and confer degrees and other academic distinctions on the basis of examination, evaluation or any other method of testing;

Provided that no person shall be admitted to an examination leading to any degree of the University, unless such person, if he has offered a subject for such examination for which a course of practical work is prescribed, has completed such work in a University Teaching Department or a School of Studies or a College and produces a certificate of such completion from the Head of the Teaching Department or School of Studies or the Principal of the College :

Provided that no person shall be admitted to :

- (i) any examination in the Faculty of Science other than that leading to a degree of Bachelor of Science or a degree of Master of Science in Mathematics;
- (ii) any examination in the Faculties other than the Faculty of Arts, the Faculty of Social Science and the faculty of Commerce.

Unless he has pursued a course of studies in a University Teaching Department, a School of Studies or a College :

Provided further that the State Government may by notification, permit the admission of women candidates to an examination leading to a Bachelor's degree in the faculty of Law without pursuing a course of studies in a University teaching department, School of Studies or a College.

- (11) to confer degrees and other academic distinctions on persons who have carried on research under conditions laid down in the Ordinances;
- (12) to withdraw degrees, diplomas certificates and other academic distinctions for good and sufficient reasons;
- (13) to confer honorary degrees or other academic distinctions on approved persons in the manner prescribed in the Statutes;
- (14) to provide such lectures and instructions for and to grant such diplomas and certificates to persons who are not enrolled as students of the University, as the University may determine;
- (15) to admit to its privileges colleges not maintained by the University to withdraw all or any of these privileges and to take over the management of colleges in the manner and under conditions prescribed by the Statutes or the Ordinances;
- (16) to declare a Teaching Department of the University, School of Studies or College as autonomous college :

Provided that the extent of the autonomy which such Teaching Department of the University, School of Studies or a college may have and the matters, in relation to which it may exercise such autonomy, shall be such as may be prescribed by the Statutes;

- (17) to conduct, co-ordinate, regulate and control teaching and research work in the colleges and the institutions recognised by the University.
- (18) to recognise halls not maintained by the University and withdraw any such recognition in the manner prescribed in the statutes and the Ordinances;
- (19) to inspect colleges and recognised institutions and to take measures to ensure that proper standards of instructions, teaching and training are maintained in them;
- (20) to promote with special care the educational interest of the weaker sections of the people and in particular of the Scheduled Castes and the Scheduled Tribes;
- (21) to provide to the teachers and alumni of the University facilities of refresher and vacation courses;
- (22) to co-operate and collaborate with other Universities and authorities in such manner and for such purposes as the university may determine;
- (23) to take by itself or in co-operation with other Universities or the State Government or the Union Government special measures for the promotion and the development of the study of Hindi;
- (24) to make provision for :
 - (a) Extramural teaching and extension service
 - (b) correspondence course;
 - (c) physical training;
 - (d) sports and athletic activities;
 - (e) social service schemes;
 - (f) National Cadet Corps;
 - (g) Students Union;
- (25) to provide for training for competitive examinations for service under the Union or the State Government and such other training as may contribute to national development;
- (26) to institute and manage :
 - (a) Information Bureau;
 - (b) Employment Bureau; and
 - (c) Printing and publication Department and Translation Bureau;

- (27) to supervise and control the residence, conduct and discipline of students of the University and to make arrangements of promoting their health and general welfare;
- (28) to demand and receive payment of such fees and other charges as may be prescribed by the Ordinances;
- (29) to prescribe and control the fees and other charges which may be received or recovered by colleges;
- (30) to create administrative, ministerial and other necessary posts to make appointments thereto;
- (31) to exercise control over the salaried officers, teachers and other employees of the University in accordance with the Statutes and the Ordinances;
- (32) to hold and manage trusts and endowments and to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other awards;
- (33) to receive donations and grants and to invest funds in accordance with the provisions of this Act;
- (34) with the prior approval of the State Government to borrow on the security of University property money for the purposes of the University;
- (35) to determine standards for admission into the University, which may include examination, evaluation or any other method of testing;
- (36) to make special arrangements in respect of women students as the University may consider desirable;
- (37) to make arrangements for promoting the health and general welfare of the employees;
- (38) to do all such acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

7. (1) Save as otherwise provided in this Act, the powers conferred on the University by or under this Act shall not extend beyond the limits of the territorial jurisdiction specified in the Second Schedule from time to time;

Territorial
Jurisdiction

Provided that the State Government may authorise the University to associate or to admit to any of its privileges colleges situated within the state outside the aforesaid limits in accordance with the provisions of this Act and the Statutes made thereunder.

(1) Provided further that where the University provides for instruction through correspondence nothing contained in this section shall be construed to debar the University from admitting to such course of instructions students residing outside the aforesaid limits.

(2)^a Provided also that for imparting Oriental Sanskrit education any Sanskrit College Imparting Oriental Sanskrit education in Madhya Pradesh shall be affiliated either to Pt. Ravishankar Shukla University, Raipur or any other University which the State Government may notify.

(2). Notwithstanding anything contained in any other law for the time being in force, no college or educational institution situated within the territorial limits of any University shall be associated in any way with or be admitted to any privileges of any other University incorporated by law in India and any such privilege granted by any such other University to any educational institution within these limits prior to the date of the establishment of the University shall be deemed to be withdrawn on such establishment.

(2)(2-a) Omitted.

(2)(2-b) Omitted.

(2)(2-c) Omitted.

(2)(2-d) Omitted.

(3) Nothing contained in this section shall apply in the case of colleges or other educational institutions :

- (a) Imparting instruction exclusively in agriculture and allied sciences and admitted or deemed to be admitted to the privileges of the, Indira Gandhi Krishi Vishwavidyalaya, Raipur under the (Indira Gandhi Krishi Vishwavidyalaya, Act, 1963 (no. 12 of 1963); and
- (b) Imparting instructions exclusively in Music and Fine arts of either of them and admitted or deemed to be admitted to the privileges of the Indira Kala Sangit Vishwavidyalaya Act, 1956 (XIX of 1956);

Prohibition of discrimination in all matters connected with university.

8. The University shall not discriminate against any citizen of India on grounds of religion, race, caste, sex, place of birth, political or other opinion or any one of them in the exercise of powers or performance of functions conferred or imposed upon it by or under this Act.

Teaching in University.

9. All recognised teaching in the University course, the authorities responsible for organising such teaching and courses and curriculum shall be such as may be prescribed by Statutes, Ordinances or Regulations, as the case may be.

Inspections in University and Collage

10. (1) The Kuladhipati may, on his own motion, and shall on a request made by the State Government cause an inspection to be made by such person or persons as he may direct, of the University, its buildings,

(1) Vide the M. P. Vishwavidyalaya (Sanshodhan) Adhiniyam, 1974 (no. 17 of 1974)

(2) Vide the M. P. Vishwavidyalaya (Sanshodhan) Adhiniyam, 1994 (no. 19 of 1994)

(3) Vide *Chhattisgarh v. V. (Sanstha)* 2002 (No. 30 of 2002)

laboratories, museums, workshops and equipment and of any College or Institution maintained by the University or admitted to its privileges, and also of the Examinations, teaching and other work conducted or done by the University and cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, Colleges or Institutions.

(2) The Kuladhipati shall in every case, give notice of his intention to cause an inspection or inquiry to be made;

(a) to the University, if such inspection or inquiry is to be made in respect of the University, College or Institution maintained by it;

(b) to the management of the college or Institution if the inspection or inquiry is to be made in respect of a college or Institution admitted to the Privileges of the University and the University or management, as the case may be, shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry;

(3) Such person shall report to the Kuladhipati the result of such inspection or inquiry and the Kuladhipati shall communicate through the Kulapati to Executive Council or the said management as the case may be, his views with reference to the result of such inspection or inquiry and shall after ascertaining the opinion of the Executive Council or the management thereon advise the University or the management upon the action to be taken;

Provided that where an inspection or inquiry is caused on a request from the State Government, the Kuladhipati shall take action under this sub-section in consultation with the State Government.

(4) The Executive Council or the management as the case may be shall communicate through the Kulapati to the Kuladhipati such action, if any, as it has taken or may propose to take upon the result of such inspection or inquiry and such report shall be submitted within such time as the Kuladhipati may direct.

(5) Where the Executive Council or the management does not, within a reasonable time, take action to satisfaction of the Kuladhipati, the Kuladhipati may after considering any explanation furnish or representation made by the Executive Council or the management, issue in consultation with the State Government, such directions as he may think fit and the Executive Council or management as the case may be shall comply therewith.

CHAPTER III - OFFICERS OF THE UNIVERSITY

Officers of University

- 11 The following shall be the officers of the University namely;
- (i) the Kuladhipati
 - (ii) the Kulapati
 - ¹(iia) the Rector
 - (iii) the Deans of the Faculties;
 - (iv) the Registrar;
 - (v) the Dean of Students Welfare; and
 - (vi) such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

Kuladhipati and his powers.

12. (1) The Governor of Madhya Pradesh shall be the Kuladhipati of the University.

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

(3) The Kuladhipati may ;

(a) call for any papers or information relating to the affairs of the University; and

²(b) for reasons to be recorded, refer any matter except a matter falling under Section 55 for reconsideration to any officer or authority of the University that has previously considered such matter.

(4) The Kuladhipati may, by an order in writing, annul :

(a) any proceedings of any officer, authority, Committee or body of the University, constituted by or under this Act, which is not in conformity with this Act, the Statutes, Ordinances or the Regulations, or

(b) any proceedings of any authority, Committee or other body which has been referred to him by the Kulapati under sub-section (7) of section 15, if he is satisfied that such proceedings are prejudicial to the interests of the University;

Provided that before making such order he shall call upon the officer, authority, committee or body concerned to show cause why such an order should not be made and if any cause is shown within the time specified by him in this behalf he shall consider the same.

¹ The Madhya Pradesh Vishwavidyalaya (Sanskodhan) Adhiniyam, 1983 (No. 23 of 1983)

² Vide the M. P. Vishwavidyalaya (Sanskodhan) Adhiniyam, 1980 (No. 19 of 1980) and the M.P. Vishwavidyalaya (Sanskodhan) Adhiniyam 1994 (No. 19 of 1994)

"(4-1) Where the Kuladhipati passes an order annulling the proceedings under sub-section(4), he may make such subsequent order in relation thereto in conformity with this Act, rules, Statutes, Ordinances or Regulations, as he may deem fit in the interest of the University and the order so made shall be final"

(5) Every proposal to confer an honorary degree shall be subject to the confirmation of the Kuladhipati.

(6) The Kuladhipati shall exercise such powers as may be conferred on him by or under this Act.

13 (1) The Kulapati shall be appointed by the Kuladhipati from a panel of not less than three persons recommended by the committee constituted under sub-section(2) or sub section(6) :

Appointment of
Kulapati.

Provided that if the person or persons approved by the Kuladhipati out of those recommended by the committee are not willing to accept the appointment, the Kuladhipati may call for fresh recommendations from such committee :

² Provided also that the first Kulapati of each University specified in part II of the second shedule shall be appointed by the Kuladhipati after Consultation with the State Government. *

(2) The Kuladhipati shall appoint a committee consisting of the following persons, namely :

- (i) one person elected by the Executive Council ;
- ³(ii) One Person nominated by the Chairman of the University Grants Commission ;
- (iii) one person nominated by the Kuladhipati.

The Kuladhipati shall appoint one of the three persons to be the Chairman of the Committee.

(3) For constituting the committee under sub- section (2), the Kuladhipati shall, six months before the expiry of the term of the Kulapati, call upon the Executive Council and the Chairman of the University Grants Commission to choose their nominees and if any or both of them fail to do so within one month or the receipt of the Kuladhipati's communication in this regard, the Kuladhipati may, further nominate any one or both the persons, as the case may be.

(4) No person who is connected with the University or any college shall be elected or nominated on the committee under sub-section (2).

¹ The Madhya Pradesh Vishwavidyalaya (Sanskhodan) Adhiniyam, 1991. (No. 23 of 1991)

² The Madhya Pradesh Vishwavidyalaya (Sanskhodan) Adhiniyam, 1983. (No. 23 of 1983)

³ The Madhya Pradesh Vishwavidyalaya (Sanskhodan) Adhiniyam, 1995. (No. 05 of 1997)

Emoluments and
Conditions of
service of Kulapati
terms of office of
and vacancy in the
office of Kulapati.

(5) The committee shall submit the panel within six weeks from the date of its constitution or such further time not exceeding four weeks as may be extended by the Kuladhipati.

(6) If for any reasons the committee constituted under sub-section (2) fails to submit the panel within the period specified in sub-section (5), the Kuladhipati shall constitute another committee consisting of three persons, not-connected with the University or any college one of whom shall be designated as the Chairman. The committee so constituted shall submit a panel of three persons within a period of six weeks or such shorter period as may be specified, from the date of its constitution.

(7) If the committee constituted under sub-section(6) fails to submit the panel within the period specified therein the Kuladhipati may appoint any person whom he deems fit, to be the Kulapati.

14. (1) The Kulapati shall be a whole-time salaried officer of the University and his emoluments and other terms and conditions of service shall be prescribed by the Statutes.

(2) The Kulapati shall hold office for a term of four years and shall not be eligible for appointment for more than two terms:

Provided that notwithstanding the expiry of his term he shall continue to hold office until his successor is appointed and enters upon his office but this period shall not in any case exceed six months.

(2-a) The person holding office of the Kulapati in any University immediately before the commencement of the Madhya Pradesh Vishwavidyalaya (Sanskodhan) Adhiniyam, 1988, shall continue to hold his office till the expiry of his term of office notwithstanding anything contained in the first proviso to sub-section (2).

* परन्तु यह और भी कि संबंधित व्यक्ति 65 वर्ष की आयु पूरी कर लेने पर पद धारण करने से प्रवर्तित हो जाएगा।

(3) If at any time upon representation made or otherwise and after making such enquiries as may be deemed necessary, it appears to the Kuladhipati that the Kulapati :

- (i) has made default in performing any duty imposed on him by or under this Act; or
- (ii) has acted in a manner prejudicial to the interests of the University; or
- (iii) is incapable of managing the affairs of the University the Kuladhipati may, notwithstanding the fact that the terms of office of the Kulapati has not expired, by an order in writing stating the reasons therein, require the Kulapati to relinquish his office as from such date as may be specified in the order.

* vide Chhatisgash Vishwavidyalaya (Sanskodhan) Adhiniyam .
2002 C No 9 of 2002

(4) No order under sub-section (3) shall be passed unless the particulars of the grounds on which such action is proposed to be taken are communicated to the Kulapati and he is given a reasonable opportunity of showing cause against the proposed order.

(5) As from the date specified in the order under sub-section (3), the Kulapati shall be deemed to have relinquished the office and the office of the Kulapati shall fall vacant.

(6) In the event of the occurrence of any vacancy including a temporary vacancy in the office of the Kulapati by reason of his death, resignation, leave, illness or otherwise, the Rector and if no Rector has been appointed or if the Rector is not available, the Dean of any faculty or the Senior most Professor of University teaching department nominated by the Kuladhipati for that purpose shall act as the Kulapati until the date on which the Kulapati appointed under sub-section (1) or sub-section (7) of Section 13 enters or re-enters as the case may be upon his office:

Provided that the arrangement contemplated in this sub section shall not continue for a period of more than six months.

15. (1) The Kulapati shall be the principal administrative and Academic officer of the University and shall in the absence of the Kuladhipati preside at the meetings of the court. He shall be an ex-officio member and Chairman of the Executive Council and of the Academic Council Member of the Court and Chairman of the Executive Council and Chairman of such other authorities, committees and bodies of the University of which he is a member. He shall be entitled to be present and to speak at any meeting of any authority, committee or other body of the University but shall not be entitled to vote there at unless he is a member of the authority, committee or body concerned.

Powers and duty of
Kulapati

(2) It shall be the duty of the Kulapati to ensure that this Act, the Statutes, the Ordinances and the Regulations are faithfully observed and he shall have all powers necessary for this purpose.

(3) The Kulapati shall have the power to convene meetings of the court, the Executive Council, the Academic Council and of such other authorities, Committees and bodies of the University of which he is the Chairman. He may delegate this power to any other officer of the University.

(4) If in the opinion of the Kulapati any emergency has arisen which requires immediate action to be taken, the Kulapati shall take such actions as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer, authority, committee or other body as would have in the ordinary course dealt with the matter :

Provided that the action taken by the Kulapati shall not commit the University to any recurring expenditure for a period of more than three months :

Provided further that where any such action taken by the Kulapati 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.

* The Madhya Pradesh Vishwavidyalaya (Sanskodan) Adhiniyam, 1994 (No. 19 of 1994).

* extend to matters regarding ~~immediat~~ in the ordinance, Statutes, Regulations or any matter relating to appointments.

(4) No order under sub-section (3) shall be passed unless the particulars of the grounds on which such action is proposed to be taken are communicated to the Kulapati and he is given a reasonable opportunity of showing cause against the proposed order.

(5) As from the date specified in the order under sub-section (3), the Kulapati shall be deemed to have relinquished the office and the office of the Kulapati shall fall vacant.

(6) In the event of the occurrence of any vacancy including a temporary vacancy in the office of the Kulapati by reason of his death, resignation, leave, illness or otherwise, the Rector and if no Rector has been appointed or if the Rector is not available, the Dean of any faculty or the Senior most Professor of University teaching department nominated by the Kuladhipati for that purpose shall act as the Kulapati until the date on which the Kulapati appointed under sub-section (1) or sub-section (7) of Section 13 enters or re-enters as the case may be upon his office:

Provided that the arrangement contemplated in this sub section shall not continue for a period of more than six months.

(7) If in the opinion of the Kulpati, any proceeding of any authority, committee or other body of the university is likely to be prejudicial to the interests of the University, he shall record his reasons and refer the matter to the Kuladhipati and so inform the authority, committee or other body concerned whereupon the decision concerned shall not be given effect to till the matter is decided by the Kuladhipati, under sub-section (4) of section 12.)

(8) The Kulpati shall exercise general control over the affairs of the university and shall give effect to the decisions of the authorities of the University.

(9) The Kulpati shall exercise such other power as may be prescribed by the Statutes, Ordinances and Regulations.

*15-A.(1) It shall be the duty of first Kulapati of each University, specified in Part II of the Second Schedule to constitute court, Executive Council, Academic Council and other authorities of the university within a period of two years from the date of the establishment of the university and till the said authorities reconstituted, the Kulpati shall be deemed to be the Court, Executive Council, Academic Council or such other authority, as the case may be, and shall exercise the powers and perform the duties conferred or imposed on such authorities by or under this Act:

Powers and duty of Kulapati

Provided that the Kulpati may, if he considers it necessary or expedient so to do, appoint a committee after consultation with the State Government consisting of an Educationist, an administrative expert and a financial expert to aid and advise the Kulpati in the exercise of his powers and performance of functions in lieu of each such authority.

*The Madhya Pradesh Vishwavidyalaya (Sanskodahan) Adhiniyam, 1983 (No.19 of 1983).

* The date MD, 23 of 1991

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- 15-B¹ (1) A Rector shall be appointed by the Executive Council on the recommendation of the Kulapati. If the Executive Council does not accept the recommendation of the Kulapati the matter shall be referred to the Kuladhipati whose decision thereon shall be final.
- (2) The Rector shall be a salaried officer of the University.
- (3) Subject to the provisions of this Act, the term of office, conditions of service and emoluments of the Rector shall be such as may be prescribed, by statutes and till so prescribed as may be determined by the Kuladhipati.
- (4) The Rector shall perform such duties and exercise such powers of Kulapati as may be assigned to him by the Kuladhipati in consultation with the Kulapati and he shall perform such other duties and exercise such other powers as may be prescribed by Regulations.

Rector

- 15-C² (1) With effect from such date as the State Government may, by notification, appoint in this behalf, there shall be constituted the State University Service for the purpose of providing officers to all the Universities in the State. The State University Service shall consist of the cadre of Registrars and such cadres of other officers covered under clause (vi) of section 11 as the State Government may, by notification, specify.
- (2) The State Government may make rules for regulating the recruitment and the conditions of services of persons appointed to the State University Service.
- Provided that ~~until~~^{until} the State University Service is constituted under sub-section (1) and the rules are made under this sub-section, appointments to the posts of Registrars vacant on the date of commencement of the Madhya Pradesh Vishwavidyalaya (Sanshodhan) Adhiniyam, 1980 or to the posts of other officers specified in the notification under sub-section (1) vacant on the date of publication of the notification specifying the cadres of officers, as the case may be, shall be filled in by the Kuladhipati by securing the services of suitable officers on deputation.
- (3) All the rules made under this section shall be laid on the table of the Legislative Assembly.

State University
Services

1 The Madhya Pradesh Vishwavidyalaya (Sanshodhan) Adhiniyam, 1983 (No. 23 of 1983)

2 The Madhya Pradesh Vishwavidyalaya (Sanshodhan) Adhiniyam, 1980 (No. 19 of 1980)

- (4) The persons holding the post of Registrars on the date appointed under sub-section (1) or the persons holding the posts of officers included in the cadre specified in the notification under the said sub-section, if confirmed in the said posts before the 1st day of September, 1980 shall be permanently absorbed and included in the State University Service. The remaining persons holding the aforesaid posts on the 1st day of September, 1980 may, if found suitable after following such procedure as may be prescribed by rules, be absorbed in the State University Service either provisionally or finally. If any person is not absorbed finally in the State University Service his services shall be liable to be terminated at any time on payment of one month's salary last drawn by him.
- (5) Where any person referred to in the aforesaid sub-section is finally absorbed in the State University Service as provided therein, the conditions of service applicable to him immediately before his absorption, shall not be changed to his disadvantage by making them less favourable to him, except that he shall be liable to transfer from one University to another.

Registrar

- 16 (1) " The Registrar shall be a whole time salaried officer of the University and shall discharge his duties under the Act, subject to the general superintendence and control of the Kulapati. He shall act as the Secretary of the Court, of the Executive Council, of the Academic Council and of the Academic Planning and Evaluation Board.
- (2) The Registrar shall be appointed in accordance with the provisions of Section 15-C and the rules made thereunder "

* Provided that the first Registrar of each University specified in Part II of the Second Schedule shall be appointed by the Kuladhipati after consultation with the State Government and shall hold office for such period not exceeding four years and on such terms and conditions as the Kuladhipati may determine.

** (3) Omitted.

(4) Subject to the powers of the Executive Council the Registrar shall, unless otherwise provided in the Statutes, be responsible for seeing that all moneys are expended for the purpose for which they are granted or allotted.

(5) Unless otherwise provided for by or under this Act, all contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University.

(6) The Registrar shall exercise such powers and performs such duties as may be conferred or imposed on him, by the Statutes, the Ordinances and the Regulations.

17. (1) The Dean of Students' Welfare shall be appointed by the Executive Council on the recommendation of the Kulapati.

Dean of Students' Welfare

(2) The Dean so appointed under sub-section (1) shall be a whole time salaried officer;

Provided that the Executive Council may, if it is considered necessary to appoint, on the recommendation of the Kulapati, a teacher, not below the rank of a Reader to discharge the duties of the Dean of Students' Welfare in addition to his duties as such teacher, and in such a case, the Executive Council may sanction a suitable allowance to be paid to him.

(3) The terms and conditions of service and the duties and powers of the Dean of Students' Welfare shall be prescribed by the Statutes.

18. The appointment of other officers of the University referred to in section 12, shall be made in such manner and the conditions of their services and powers and duties shall be such as may be prescribed by the Statutes, Ordinances and Regulations.

Other Officers.

*18-A On the inclusion of post of other officers covered under clause (vi) of section 11 in the State University Service constituted under section 15-C² the provisions of section 18, shall cease to apply in respect of such other officers *

Section 18 to cease to apply on inclusion in State University Service of certain other officers.

CHAPTER IV - AUTHORITIES OF THE UNIVERSITY

19. The following shall be the authorities of the University :-

Authorities of University

- (i) The Court;
- (ii) the Executive Council;
- *(ii-a) the Finance Committee;
- (iii) the Academic Council;
- (iv) Faculties;
- (v) the Boards of Studies;
- (vi) Academic Planning and Evaluation Board;
- (vii) such other authorities as may be declared by the Statute to be the authorities of the University.

✓ 20. (1) The Court shall consist of the following persons namely :

Constitution of Court.

GROUP - A

- (i) the Kuladhipati
- (ii) the Kulapati

1 The Madhya Pradesh Vishwavidyalaya (Sanskodan) Adhiniyam, 1990. (No. 19 of 1990).

* The Madhya Pradesh Vishwavidyalaya (Sanskodan) Adhiniyam, 1991. (No. 23 of 1991).

- (ii-a) the Rector;
- (iii) the Deans of Faculties ;
- (iii-a) Dean students welfare ;
- (iii-b) Dean or Director, as the case may be, of the college Development council" ;
- (iv) the Secretary to Government of ^{Chhattisgarh} Madhya Pradesh Higher Education Department " or his nominee not below the rank of Deputy Secretary;
- (v) the Commissioner Higher Education, ^{Chhattisgarh} Madhya Pradesh;
- (vi) the Director of Public Instructions, ^{Chhattisgarh} Madhya Pradesh;
- (vii) the Director of Technical Education ^{Chhattisgarh} Madhya Pradesh;
- (viii) the Chairman of the ^{Chhattisgarh} Madhya Pradesh Board of Secondary Education;
- (ix) the Mayor of the Municipal Corporation or the President of the Municipal Council as the Case may be, at the headquarters of the University.

GROUP B

- *²(x) four Principals of affiliated colleges of the University amongs whom, there shall be atleast one Lady Principal, to be elected from amongst themselves in the manner prescribed by the Statutes;
- ²(xi) three professors from the University Teaching Departments, elected from amongst themselves, in the manner prescribed by the Statutes;
- ²(xii) two professors from the affiliated colleges to be elected from amongst themselves, in the manner prescribed by the Statutes.
- ³(xiii) Two persons from amongst the Readers or Lecturers of the University Teaching Departments and three person from amongs Assistant Professors of the affiliated colleges to be elected from amongst themselves in the manner prescribed by the Statutes."
- ¹(xiv) omitted
- ²(xv) omitted

*GROUP - C

- "(xvi) not more than two persons representing " Learned Professions " to be nominated by the Kuladhipati, in the manner prescribed by the Statutes ;
- (xvii) not more than four persons representing industry, agriculture, labour and commerce to be nominated by the Kuladhipati;

1. The Madhya Pradesh Vishwavidyalaya (Samhodan) Adhiniyam, 1993 (No. 23 of 1993).
 *2. The Madhya Pradesh Vishwavidyalaya (Samhodan) Adhiniyam, 1991 (No. 23 of 1991).
 *1. The Madhya Pradesh Vishwavidyalaya (Samhodan) Adhiniyam, 1991 (No. 23 of 1991).
 2. The Madhya Pradesh Vishwavidyalaya (Samhodan) Adhiniyam, 1994 (No. 19 of 1994).

✓ (xviii) eight members of the State Legislative Assembly to be selected by the State Legislative Assembly.

(xix) five representatives to be elected by the registered graduates of the university from amongst themselves;

omitted
62A

377 (xx) every donor donating ^{ten to five} one lakh rupees or more to the University;

(xx-a) One representative from the salaried non-teaching employees of the University elected from amongst themselves as prescribed by the Statutes; and.

GROUP-D

(xxi) three students elected by the student members of the Boards of Studies from amongst themselves;

(xxii) two students to be elected from amongst themselves by students who in the academic session immediately preceding the election have been members of teams of the University participating in the University tournaments;

(xxiii) two students to be elected from amongst its members by an electoral college consisting of students, who are for the time being President of Students Union in the colleges and in the University Teaching Departments*.

GROUP-E

(xxiv) such members of the Executive Council who are not members under any of the foregoing items :

Explanation :

(i) no person shall be eligible to become a member of the court under more than one item;

(ii) not more than one person shall be nominated from any University Teaching Department, School of Studies or college under any one item of Group B.

(iii) except the representative mentioned in clause (xx-a), no salaried employee of any University or any college within the State shall be eligible to be a member under group-C

(iv) for purpose of Group-D, student shall mean a person who:
(a) is receiving instructions of carrying on research in any of the colleges or University Teaching Department or Schools of Studies or any other institution of the University under terms and conditions laid down in the Ordinance; and

1 The Madhya Pradesh Vishwavidyalaya (Sanshodhan) Adhiniyam, 1991 (No. 23 of 1991)
2 The Madhya Pradesh Vishwavidyalaya (Sanshodhan) Adhiniyam, 1986 (No. 68 of 1986)
3 M. K. Chatterjee v. U. (Sanshodhan) Adhiniyam, 1991 (1991) 11 SCC 200

(b) has passed his Higher Secondary Examination not earlier than seven years and his Intermediate Examination, not earlier than six years before the opening date of the academic session in which he seeks election.

² " Provided that where, during the period of operation of Proclamation of Emergency made by the President on the 25th June, 1975 under clause (1) of Article 352 of the Constitution of India any student has to discontinue his studies because of his detention under the Maintenance of Internal Security Act, 1971 (no. 26 of 1971), or arrest or imprisonment under the Defence and Internal Security of India Act, 1971 (no. 42 of 1971) or the Defence and Internal Security of India Rules, 1971 or under section 107 or section 117 or section 151 of the code of criminal Procedure, 1973 (No. 2 of 1974) and the periods specified in this sub-paragraph had expired in relation to such student during such detention arrest or imprisonment prior to the commencement of the academic year 1977-78, the provisions of this sub-paragraph shall have effect in relation to such student as if for the words " seven years " and " six years the word nine years " and " eight years " were respectively substituted " .

(c) the mode of election under items xix, xxi, xxii and xxiii shall be such as may be prescribed by the Statutes;

2. The term of office of members elected under group-D of sub-section (1) shall be one year.

3. The term of office of members nominated or elected, as the case may be, under Group-B and Group-C or included in Group-E of sub-section (1) shall be coterminus with the term of the Court which shall be three years.

4. Every donor specified in item (xx) of sub-section (1) shall be a member of the court during his life time.

Provided that where such donor is an undivided Hindu Family, trust, firm, company or body corporate, it shall cease to be a donor for the purposes of the membership of the court on the expiry of a period of fifteen years from the date the donation is accepted by the University, and during the period aforesaid, the representative as may be nominated from time to time by such donor shall be deemed to be the donor.

Meetings of Court
and quorum there
at

21. 1. The court shall meet At least once in a calendar year and at such intervals as may be prescribed by the Statutes.

"2. Twenty five members of the court shall form the quorum:

Provided that no quorum shall be necessary for adjourned meeting "

2 The Madhya Pradesh Vishwavidyalaya (Sanstha) Adhiniyam, 1978 (No. 10 of 1978)

3 The Madhya Pradesh Vishwavidyalaya (Sanstha) Adhiniyam, 1991 (No. 23 of 1991)

22. Subject to the provisions of this Act, the Court shall exercise, the following powers and perform the following duties namely:

Powers and duties of Court.

- (i) to act as an advisory body in all matters relating to the University
- (ii) to review from time to time the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;
- (iii) to consider and pass resolutions on the annual report; the annual accounts and audit report thereon, if any;
- (iv) to consider and pass resolutions on the annual financial estimates of the University;
- *(v) Omitted ;
- (vi) to confer on the recommendation of the Executive Council honorary degrees and other academic distinctions;
- (vii) to review the acts of the other authorities of the University save where such authorities have acted in accordance with the powers conferred upon them by this Act, the Statutes and the Ordinances;
- (viii) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act and the statutes.

23. (1) The Executive Council shall be the executive body of the University and shall consist of the following namely :

Executive Council

- (i) the Kulapati;
- ** (i-a) the Rector
- (ii) four Deans of Faculties nominated by the Kuladhipati;
- *** (iii) three persons elected by single transferable vote by the court from among its members;
- (iv) two Professors of the University Teaching Departments or School of Studies to be nominated by the Kuladhipati by rotation according to seniority;
- (v) four Principals of affiliated colleges atleast two of whom shall be from colleges belonging to the State Government, to be nominated by the Kuladhipati by rotation according to seniority;
- (vi) the Secretary to Government of (Madhya Pradesh) higher Education Department or his nominee not below the rank of Deputy Secretary;
- (vii) the Secretary to Government of (Madhya Pradesh) Finance Department or his nominee not below the rank of Deputy Secretary;

Faculty
omitted
G.S.P.

Chattisgarh

Chattisgarh

* The Madhya Pradesh Vishwavidyalaya (Sanskrit) Act, 1971 (No. 19 of 1971)

** The Madhya Pradesh Vishwavidyalaya (Sanskrit) Act, 1971 (No. 23 of 1971)

*** The Chattisgarh v. v. (Sanskrit) Act, 2002 (No. 53 of 2002)

(viii) two members nominated by the Kuladhipati,

Provided that :

(a) no salaried employee of any University or any college in Madhya Pradesh shall be eligible for election under item (iii) above;

(b) no person shall be eligible for re-election for a second consecutive term under item (iii) above;

§ (ix) Three members out of whom one representing agriculture, Industry or Commerce, one from the field of Education and one Social representative from the social work shall be appointed by the Kuladhipati on recommendation of the State Government.

(2) Members of the Executive Council other than ex-officio members shall hold office for a period of three years;

Provided that a member of the Executive Council elected under item (iii) of sub-section (1) shall cease to hold office as such member if he ceases to be a member of the Court.

(3) Seven members of the Executive Council shall form a quorum.

Provided that no quorum shall be necessary for adjourned meeting.

Powers and duties
of Executive
Council

24. Subject to the provisions of this Act, and the Statutes, Ordinances and regulations made thereunder, the Executive Council shall have the following powers and perform the following duties, namely :

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

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

(iii) to adopt the annual accounts together with the audit report;

(iv) to frame the annual financial estimates of the University and to place them before the court for its consideration;

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

(b) to fix the limit for the total recurring expenditure and total non-recurring expenditure for the year based on the resources of the University which in the case of productive works may include the proceeds of loans;

(vi) subject to clause (v), at any time during the financial year;

(a) to reduce the amount of the budget grant;

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

(c) to sanction the transfer of any amount not exceeding rupees five thousand within a minor head from one subordinate head to another or from one primary unit to another;

(vi) and lend funds on behalf of the University;

Provided that funds shall not be borrowed on the security of University property without the prior approval of the State Government:

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

Provided that no immovable property of the University shall, except with the prior sanction of the State Government, be transferred by way of mortgages, sale, exchange, gift or otherwise;

(ix) 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 this Act, and the Statutes.

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

~~(xi)~~ to lay before the Commissioner higher education annually a full statement of the financial requirements of all colleges and halls;

(xii) to admit colleges to the privileges of the University on the recommendation of the Academic Council and with the previous sanction of the Commissioner Higher Education and subject to the provisions of this Act, and Statutes and to withdraw any of the privileges and to take over the management of the college in the manner and under conditions prescribed by the Statutes and ordinances;

(xiii) to declare Teaching Department of the University; School of Studies or Colleges, autonomous Colleges;

Provided that the extent of autonomy which each such Teaching Department of the University, School of Studies or College may have and the matters in relation to which it may exercise such autonomy, shall be such as may be prescribed by the Statute;

(xiv) to make provision for building, premises, furniture apparatus books and other means needed for carrying on the works of the University;

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

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

- (xvii) to institute and manage :
- (a) a Printing, Publication and T... Bureau;
 - (b) an Information Bureau;
 - (c) an Employment Bureau;
- (xviii) to make provision for ;
- (a) (i) Extramural teaching and research,
 - (ii) University extension activities,
 - (iii) Correspondence Courses,
 - (b) physical training;
 - (c) students' Union;
 - (d) students' Welfare;
 - (e) sports and athletic activities;
 - (f) social service schemes; and
 - (g) National Cadet Corps;
- (xix) to scrutinise all proposals of the Academic Council with a view to their execution within the framework of the budget;
- (xx) to institute such Professorships, Readerships, Lecturerships or other teaching posts as may be proposed by the Academic Planning and Evaluation Board;
- Provided that no teaching post shall be instituted without the prior approval of the Commissioner Higher Education;
- (xxi) to create administrative ministerial and other posts with the prior sanction of the State Government" and
- (xxii) to abolish or suspend, after report from the Academic Planning and Evaluation Board thereon any Professorships, Readerships, Lecturerships, or other teaching posts in the University;
- (xxiii) to establish, maintain and manage colleges , teaching departments, institutions of research or specialised studies, laboratories, libraries, museums and halls;
- (xxiv) to recognise halls and to provide housing accommodation for teachers of the University paid by the University ;
- (xxv) to arrange for and direct the inspection of affiliated colleges, recognised institutions and halls and to issue instruction for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff, and payment of adequate salaries, and in case of disregard of such instructions, to modify on the recommendations of the Academic Council the conditions of affiliation or recognition or taking of such other steps as it deems necessary and proper in that behalf;
- (xxvi) to prepare a college code laying down therein the terms and conditions of affiliation of colleges other than Government Colleges;

- (xxvii) to call for reports, returns and other information from colleges, recognised institutions or halls;
- (xxviii) to supervise and control the admission, residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare;
- (xxix) to recommend to the Kuladhipati the conferment of Honorary degrees and academic distinctions in the manner prescribed by Statutes;
- (xxx) to confer or withdraw degrees, diplomas, certificates and other academic distinctions in the manner prescribed by the statutes;
- (xxxi) to institute fellowships, scholarships, studentships, exhibitions, medals and prizes.
- (xxxii) save as otherwise provided by this Act, or the Statutes, to appoint the officers other than the Kulapati, teachers and other employees of the University, to define their duties and the conditions of their service, and to provide for the filling of temporary vacancies in their posts;
- (xxxiii) to regulate and enforce discipline among members of the teaching, administrative and ministerial staff of the University in accordance with the Statutes and Ordinances;
- (xxxiv) to recognise a member of the staff of an affiliated college or recognised institution as a teacher of the University and withdraw such recognition;
- (xxxv) to fix remuneration of examiners and to arrange for the conduct of and for publishing the results of the University examinations and other tests;
- (xxxvi) 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;
- (xxxvii) to take disciplinary action against students enrolled in the University, including candidates for any examination;
- (xxxviii) to take disciplinary action against staff, persons appointed as invigilators examiners etc.
- (xxxix) to fix, demand and receive such fees and other charges as may be prescribed by the Ordinances;
- (xl) to make, amend and cancel Ordinances;
- (xli) to accept, reject or return to the Academic Council for consideration but not to amend, Regulation framed by the Academic Council;

- (xlii) to entertain, adjudicate upon and, if deemed fit, to redress grievances of the employees and the students;
- (xliii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act;
- (xiv) to exercise all powers of the University not otherwise provided for in this Act or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes;
- (xlv) to delegate by Regulations any of its powers to the Kulapati the Registrar or such other officer of the University or a Committee appointed by it as it may deem fit.

Finance
Committee

*"24-A (1) The Kuladhipati shall constitute a finance Committee for each University, consisting of the following members, namely :

- (i) Kulapati of the University - Chairman;
- (i-a) Registrar of the University - Member Secretary;
- (ii) Finance officer of the University;
- (iii) Commissioner, Higher Education or his nominee not below the rank of Joint Director;
- (iv) Secretary to the Government of Madhya Pradesh Higher Education Department or his nominee not below the rank of Deputy Secretary;
- (v) Secretary to the Government of Madhya Pradesh Finance Department or his nominee not below the rank of Deputy Secretary.

(2) The Finance Committee shall control the Finances of the University.

(3) Subject to the provisions of this Act and the Statutes, Ordinances and Regulations made thereunder, the Finance Committee shall exercise the powers and perform the functions as under:

- (a) to review the Income and Expenditure of the University;
- (b) to Prepare the Annual Financial Estimates of the University before the commencement of the financial year and place it before the Executive Council, For approval and to advise amendment therein from time to time;
- (c) to sanction proposals and take decisions on the income and expenditure of the University;
- (d) to get the annual accounts and the annual audit of the University completed in time and in light of the report order appropriate directions;

(4) Three members shall form the quorum out of which presence of Kulapati and one Member either from clause (iv) or (v) of sub section (1) shall be essential.

**25 (1) The Academic Council shall be the Academic Body of the University consisting of the following members:

Academic Council

- (I) Kulapati;
- (II) Rector;
- (iii) Commissioner, Higher Education ^{Chhattisgarh} (Madhya Pradesh) or his nominee not below the rank of regional Additional Director Higher Education ;
- (iv) Chairman, ^{Chhattisgarh} (Madhya Pradesh) Board of Secondary Education;
- (v) Dean of All Faculties.
- (v-a) Dean or Director as the case may be of the college Development Council ;
- (vi) Chairman of Boards of Studies;
- (vii) Heads of the Departments of the University;
- (viii) Five Principals of colleges affillated to the University among whom as far as possible at least two shall be lady principals nominated by the Kulapati;
- (ix) Two Professors of the affillated colleges of the University, nominated by the Kulapati;
- (x) Three persons from Readers and Lecturers of the University and Assistant Professors of the Colleges among whom at least two shall be ladies nominated by the Kulapati.
- (2) Twelve members of the Academic Council shall form the quorum; Provided that no quorum shall be necessary for adjourned meeting.

(3) The Academic Council shall have the power to co-opt as members, two persons having special knowledge or experience in the subject matter of any particular business which may come before the Council for consideration. The members so co-opted shall have all the rights of the members of the Council in regard to the transaction of the business in relation to which they may be co-opted.

(4) All the members of the Academic Council other than ex-officio members and members referred to in sub-section(3) shall hold office for a term of three years.

(26) (1) The Academic Council shall in addition to all other powers vested in it by this Act, the Statutes and the Ordinances, have the following power and perform the following duties, namely:

Powers and duties
of Academic
Council

- (i) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction,

* The Madhya Pradesh Vishwavidyalaya (Sanskodan) Adhiniyam, 1991 (No. 23 of 1991)

co-operative teaching among colleges and institution maintained by or admitted to the privileges of the University, evaluation of research or improvements in academic standards;

- (ii) to consider matters of general academic interest either on its own initiative or on a reference by a faculty or the Executive Council and to take appropriate action thereon;
- (iii) to make proposals for allocating departments to the Faculties and to assign Fellows and its own members to the Faculties;
- (iv) to make proposals for the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes and to make rule for their award;
- (v) to consider the application for admission of an educational institution to the privileges of the University;

Provided that no such application shall be considered unless it is accompanied by a certificate from the Commissioner Higher Education to the effect that the establishment of the institution or the expansion of the faculties sought by the institution has been permitted by him.

- (vi) to prescribe qualifications for recognition of persons as teachers of the University and to accord such recognition;
- (vii) to make arrangement for the conduct of examinations and to appoint result committees consisting of its own member or other persons or both, as it thinks fit, to prepare the result of examinations and report such results to the Executive Council for publication;
- (viii) to recognise persons eminent in any subject to guide research in that subject.

(2) The Academic Council may appoint a Standing Committee consisting of its members. The constitution, powers and functions of the said Standing committee shall be determined by the Statutes.

Faculties

27. (1) The University shall have all or any of the following Faculties, namely :
- (i) Arts;
 - (ii) Social Science;
 - (iii) Science;
 - (iv) Law;
 - (v) Education;
 - (vi) Engineering;
 - (vii) Medicine;

- (viii) Ayurved;
- (ix) Commerce;
- (x) Such other faculties as may be prescribed by the Statute.

(2) Each Faculty shall consist of the Dean and such other members and shall have such powers and perform such duties as may be prescribed by the Statutes.

(3) Each Faculty shall have such departments as may be assigned to it by the Ordinances.

(4) The Dean shall be appointed by the Kujadhpati on the recommendation of the Kulapati for a period of two years from amongst the professors of the University Teaching Departments or Schools of Studies who are teachers in the subjects assigned to the Faculty;

Provided further that if there is no professor of the University Teaching Departments or School of Studies teaching the said subjects the Dean shall be appointed from amongst the College Professors who are teachers in the said subject :

Provided further that if there is no Professor of the University Teaching Departments of Schools of Studies or College Professor teaching the said subjects the Dean shall be appointed from amongst the principals of affiliated colleges who are teachers in the said subjects, but who are not college Professors :

Provided also that if there is no Professor of University Teaching Departments or Schools of Studies or College Professor or Principal teaching the said subjects, the Kujadhpati may appoint Dean of any other Faculty to act as the Dean of the Faculty.

(5) The Dean shall be the chairman of the Faculty and shall be responsible for the due observance of the Statutes, the Ordinances and the Regulations relating to the Faculty and for the conduct and maintenance of standards of teaching and research;

(6) The Dean shall have the right to be present and to speak at any meeting of any Board of Studies of the Faculty but shall not have the right to vote thereat.

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

Board of Studies

(2) Each Board shall consist of :

- (i) Professors of University Teaching Departments and Schools of Studies in subjects for which the Board is constituted;
- (ii) two Heads of College Departments in colleges teaching the said subject upto the postgraduate level to be nominated by the Kulapati by rotation according to seniority;

- (iii) One Reader from the University Teaching Department and Schools of Studies teaching the said subjects to be nominated by the Kulapati by rotation according to seniority;
- (iv) two Heads of College Departments in colleges teaching the said subjects upto to the degree level to be nominated by the Kulapati by rotation according to seniority;
- (v) not more than two teachers in the said subjects to be nominated by the Kulapati;
- (vi) one student to be appointed by the Kulapati possessing the qualifications laid down in the Statutes ;
- (vii) two members to be co-opted by the Board, one of whom shall be an expert from outside the University, and shall be from a recognised research institute, if any, in the subject or group of subjects for which the Board is Constituted.

Explanation : For purpose of clause (vi) student shall mean person who:

- (a) is receiving instructions or carrying on research in any of the Colleges or University Teaching Departments or School of Studies or any other institution of the University under terms and conditions laid down in the Ordinance; and
- (b) has passed his Higher Secondary Examination not earlier than seven years or his Intermediate Examination not earlier than six years before the date of his appointment.

(3) The chairman of the Board of Studies shall be nominated by the Kulapati from amongst the members of the board referred to in clause (i) of sub-section(2).

Provided that if there is no member under clause (i), the Chairman shall be nominated by the Kulapati from amongst the members of the Board under clauses (ii) and (iii) of sub-section (2):

Provided also that if there is no member under clauses (i), (ii) and (iii), the Chairman shall be nominated from amongst the members of the Board under clause (iv).

(4) The term of the board of Studies shall be three years :

Provided that the term of office of the student members of the board shall be one year.

29. Subject to the provisions of section 34-A, the Board of Studies shall have such powers and perform such functions as may be prescribed by the Statutes.

Powers and
functions
of Board of
Studies

30. (1) The Academic Planning and Evaluation Board shall consist of the following members, namely :

- (i) the Kulapati - Ex-officio Chairman;
 - ¹(i-a) the Rector;
 - (ii) Deans of Faculties;
 - (ii-a) Dean or Director as the case may be of the college Development council.
 - (iii) three heads of University Department and School of Studies nominated by the Kulapati ;
 - (iv) two college Professors nominated by the Kulapati ;
 - (v) three scholars of repute not connected with the University nominated by the Academic Council.
 - (vi) two representatives of Industry, agriculture and commerce nominated by the Kuladhipati.
- (2) Seven members of the Board shall form a quorum.
- (3) The term of the Academic Planning and Evaluation Board shall be three years.

(4) The Academic Planning and Evaluation Board shall have the following powers and perform the following duties, namely;

- (i) to prepare the short term and long term plan of the University;
- (ii) to consider and forward to the Executive Council with its recommendations the research projects and academic programmes proposed by the faculties and to bring about Inter-faculty co-ordination for taking up projects on inter-faculty basis;
- ²(iii) to suggest new academic programmes to the Faculties and to do academic evaluation of affiliated colleges of the University from time to time;
- (iv) to make proposals for the establishment of departments institutions of research and specialised studies, Laboratories and museums;
- (v) to make proposals for the institution of teaching posts and for prescribing the duties of such posts;
- (vi) to evaluate from time to time the working of the University Teaching Departments, and Schools of Studies;
- (vii) to evaluate periodically the progress of the plan.

31. (1) There shall be such other Boards in the University as may be prescribed by the Statutes.

Boards to be
constituted

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

1 The Madhya Pradesh Vishwavidyalaya (Sansthoran) Adhiniyam, 1993 (No. 23 of 1993)

2 The Madhya Pradesh Vishwavidyalaya (Sansthoran) Adhiniyam, 1991 (No. 23 of 1991)

CHAPTER V - FINANCES

University Fund

32. (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 rent, contribution or grant by Central or State Government or any body corporate;
- (b) trusts, bequests, donations, endowments and other grants if any;
- (c) the income of the University from all sources including income from fees and charges;
- (d) all other sums received by the University.

(3) The University Fund shall be kept in any scheduled Bank as defined in the Reserve Bank of India Act, 1934, (No. 2 of 1934), or invested in securities authorised by the Indian Trusts Acts, 1882 (no. 2 of 1882), at the discretion of the Executive Council.

(4) Nothing in this section shall in any way affect any obligation accepted by or imposed upon the University by any declaration of trust executed by or on behalf of the University for the administration of any trust.

Objects to which
University Fund
may be applied

33. (1) The University Fund shall be applicable to the following objects and in the following order :

- (a) to the repayment of debts incurred by the University for the purposes of this Act and the Statutes, the Ordinances and Regulations made thereunder;
- (b) to the upkeep of colleges, teaching departments, schools of studies established by the University, residence and halls;
- (c) to the payment of the cost of audit of the University Fund;
- (d) to the expenses of any suit or proceedings to which University is party;
- (e) to the payment of salaries and allowances of the officers and employees of the University, members of the teaching staff and the establishment employed in the colleges, the teaching departments and school of studies maintained by the University for and in furtherance of the purposes of this Act, and the Statutes, the Ordinances and the Regulations made thereunder and to the payment of any Provident Fund Contributions, gratuity and other benefits to any such officers and employees, members of the teaching staff or the members of such establishment :

- (f) to the payment of the travelling and other allowances of the members of the Court, Executive Council and the Academic Council and any other authorities of the University and/or the members of any committee or Board appointed by any of the authorities of the University in pursuance of any provision of this Act, and the Statutes, the Ordinances and the Regulations made thereunder;
- (g) to the payment of fellowships, scholarships, studentships and other awards to students;
- (h) to the payment of any expenses incurred by the University in carrying out the provisions of this Act, and the Statutes, the Ordinances, and the Regulations made thereunder;
- (i) to the payment of any other expenses not specified in any of the preceding clauses declared by the Executive Council to be the expense for the purposes of the University.
- (2) No expenditure shall be incurred by the University in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year fixed by the Executive Council without the previous approval of the Executive Council.
- (3) No Expenditure other than that provided for in the budget shall be incurred by the University without the previous approval of the Executive Council.

CHAPTER VI-CO-ORDINATION COMMITTEE, CENTRAL BOARDS OF STUDIES AND STATUTES, ORDINANCES AND REGULATIONS

34. (1) There shall be a Co-ordination Committee consisting of the following persons namely :

Co-ordination
Committee

- (i) Kuladhipati ;
- (ii) The Kulapati of the University specified in the Second Schedule ;
- (ii-a) The Rectors of the University specified in the Second Schedule;
- (iii) Commissioner Higher Education, (Madhya Pradesh) *Chhattisgarh* ✓
- (iv) Principal secretary/ Secretary to Government of (Madhya Pradesh), *Chhattisgarh* ✓
Law Department;
- (v) Principal secretary/Secretary to Government of (Madhya Pradesh), *Chhattisgarh* ✓
Finance Department;
- (vi) Secretary to Governor of (Madhya Pradesh), *Chhattisgarh* ✓
- (vii) Principal secretary/Secretary to Government of (Madhya Pradesh) *Chhattisgarh* ✓
Higher Education Department;
- (viii) The Kulapatis of the Universities constituted under any act of the State Legislature.

3. The Madhya Pradesh Vishwavidyalaya (Sanskodan) Adhiniyam, 1983 (No. 23 of 1983)

(2) The Kuladhipati shall be the President of the Co-ordination Committee and the Principal Secretary / Secretary to Government of Madhya Pradesh ^{Chhattisgarh} Higher Education Department, shall be its Secretary.

(3) On coming into force of this Act, notwithstanding the provisions of section 36 and section 38, the first Statutes and Ordinances shall be drawn up by the Co-ordination Committee. The first Statutes and Ordinances shall come into force from such date as the Kuladhipati may by an order specify;

Provided that the power conferred on the Co-ordination committee to draw up the first Statutes and Ordinances shall be exercised within a period of one year from the date appointed under sub-section (3) of section 1.

(4) The Co-ordination Committee shall exercise the following powers and discharge the following functions;

- (i) to undertake from time to time examination of the Statutes and Ordinances in force in the various Universities and to suggest modifications;
- (ii) to approve or reject the Statutes and Ordinances submitted by the Executive Council of the University;
- (iii) to recommend to the Universities and the Commissioner Higher Education on its own motion or on the request of any University, a Teacher Exchange Programme, organization of refresher course or any other academic programme;
- (iv) to promote co-operation in academic programmes among the Universities;
- (v) to consider matters of common interest to all or some of the Universities;
- (vi) to frame bye laws for the conduct of its business.

(5) The Co-ordination Committee shall meet at Bhopal or such other place and at such intervals as the Kuladhipati may determine.

Central Board
of Studies

*"34-A(1) There shall be Central Board of Studies for Foundation Course or such other subject or group of Subjects as the Kuladhipati may on the recommendation of the Co-ordination Committee, notify.

(2) The Central Board of Studies for Foundation course shall consist of :

- (i) One teacher of the University from each University not below the rank of a Reader of the University teaching department or one Professor in a College to be nominated by the Kuladhipati; and
- (ii) Such other members not exceeding ten to be nominated by Kuladhipati,

Explanation : The foundation-course shall mean and include a course of general awareness and a course for improving competence in Hindi and English language.

(3) The Central Board of Studies for other subject or group of subjects shall consist of :

(i) Chairman, Boards of Studies of all the Universities in the subject or group of subjects for which the Central Board of Studies is to be constituted;

Provided that if any University does not have a Board of Studies in the subject or group of subjects, the Kulapati may nominate any teacher not below the rank of a Reader in the University teaching department or a Professor in a College;

Provided further that if any University has more than one Board of Studies in the Subject or group of subjects, the Kulapati may nominate Chairman of any of the Concerned Boards of Studies of the University to be a member of the Central Board of Studies;

(ii) not more than four Heads of College Departments in Colleges teaching the said subjects upto postgraduate level, to be nominated by the Kuladhipati;

(iii) not more than five Heads of College Departments in Colleges teaching the said subjects upto degree level, to be nominated by the Kuladhipati;

(iv) not more than five experts to be nominated by the Kuladhipati on the recommendation of the Commissioner Higher Education of which at least one shall be from outside the State and as far as possible from a prominent Research Institute, if any, in the relevant field; and

(v) One representative of the Commissioner Higher Education.

(4) The Kuladhipati shall nominate :

(i) the Chairman of the Central Board of Studies for foundation course from amongst the members referred to in clause (1) of sub-section (2); and

(ii) the Chairman of the Central Board of Studies for other subject or group of subjects from amongst the members referred to in clauses (i) and (ii) of sub-section (3).

(5) The Kuladhipati may, whenever he deems necessary, delegate his powers of nomination under sub-section (2), (3) or (4) to the Commissioner Higher Education ;

(6) The Constitution of the Central Board of Studies under this section shall be notified in the Gazette;

- (7) The term of each Central Board of Studies shall be three years from the date of publication of the notification under sub-section (6);

Provided that the Central Board of Studies shall continue to perform its functions and duties for a further period of six months or till the date of notification of constitution of new Central Board of Studies is published whichever is earlier ;

- (8) Notwithstanding anything contained in this Act or any Statute or Ordinance made thereunder, the Central Board of Studies shall exercise the following powers and discharge the following duties, namely;

- (a) subject to the approval of the Kuladhipati to prescribe the courses of study and examinations, to prescribe text books and/ or recommend other books for undergraduate level in the subject or group of subjects with which in deals which shall be followed in all University in the State :

Provided that approval to the recommendations of a Central board of Studies shall not be withheld except on the ground that they do not fulfil the objectives set out in this section;

- (b) to take steps for translation in Hindi of books in the subject with which it deals and for their publications by the Madhya Pradesh Hindi Granth Academy and such other public bodies as may be working for the same objectives;

- (c) to consider and report on any matter referred to it by the Co-ordination Committee, Commissioner Higher Education or the Kuladhipati, as the case may be;

- (d) to consult specialist, not being its member for carrying out its function; and

- (e) to perform such other function consistent with this Act within such time as the Commissioner Higher Education or the Kuladhipati may by an order in writing, require it to perform.

- (9) The recommendations of the Board of Studies approved by the Kuladhipati shall come into force in respect of all Universities in the State with effect from the date as may be notified by the Kuladhipati.

- (10) Any two or more Central Boards of Studies may, and on being directed by the Kuladhipati shall meet and make a joint report upon any matter which lies within the purview of both or, as the case may be, all of them.

- (11) The State Government may, in consultation with the Kuladhipati, make rules for carrying out the purposes of the provisions of this section.
- (12) Each Central Board of Studies shall perform its functions in such a manner as to raise the standard of education and to facilitate availability of books of high standard and quality to students at economical prices. For the purpose it shall function in collaboration with the Madhya Pradesh Hindi Granth Academy and such other public bodies as may be working for the same objectives.
- (13) The Kuladhipati may at any time suspend, modify or amend any decision of a Central Board of Studies on the ground that it does not fulfill the objectives set out in this section and may direct the Board to consider the matter afresh.

35. Subject to the provisions of this Act and the rules made thereunder the Statutes may provide for all or any of the following matters, namely;

Statutes

- (a) the constitution, powers and duties of such bodies as may be deemed necessary to constitute from time to time;
- (b) the manner of election or appointment and the term of office of the members of the bodies referred to in clause (a) including the continuance in the office of the first members and filling of vacancies of members and all other matters relating to those bodies for which it may be necessary or desirable to provide;
- (c) emoluments and other terms and conditions of service of the Kulapati, his powers and duties;
- (c-1) The term of office, Conditions of Service and emoluments of Rector and his powers and duties;
- (d) powers and duties of the Registrar, and other officers and employees of the University and the conditions of their service;
- (e) the constitution of a pension or Provident Fund and the establishment of an insurance scheme and provision of gratuity and other benefits for the benefit of the officers, teachers and other employees of the University;
- (f) the holding of convocation to confer degrees;
- (g) conferment of honorary degrees;
- (h) the withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (i) the establishment and abolition of faculties, halls, colleges, teaching departments, school of studies and institutions maintained by the University;

* The Madhya Pradesh Vishwavidyalaya (Sanskritian) Adhiniyam, 1963 (No. 23 of 1963)

- (j) the conditions under which colleges and other institutions may be admitted to the privileges of the University and the withdrawal of such privileges;
- (k) the extent of the autonomy which the Teaching Departments of the University schools of studies or colleges may have and the matters in relation to which such autonomy may be exercised;
- (l) qualifications of Professors, Readers, Lecturers and other teachers in affiliated colleges, and recognised institutions;
- (m) the administration of endowments, and the institution of fellowships, scholarships, studentships, exhibitions, bursaries, medals, prizes and other awards;
- (n) the emoluments and terms and conditions of service of the officers and the emoluments and terms and conditions of service other than pay scales of teachers of the University paid by the University;
- (o) the mode of determining seniority for the purpose of this Act;
- (p) the maintenance of a register of registered graduates;
- (q) establishment and constitution of Bureau for publications and translation in Hindi; and
- (r) all other matters which by this Act are to be provided for by Statutes.

Statutes how made

36. (1) The first statutes of the University shall be prepared by the Co-ordination committee.

(2) The Co-ordination Committee may, from time to time make amend or repeal any statutes by passing a statute in the manner hereinafter appearing.

(3) The Co-ordination committee may on receiving a proposal from the Executive Council of a University or on its own motion consider the draft of a statute that is in the interest of either one or all the Universities;

(4) Where a draft is proposed by the Executive Council, the Co-ordination Committee may approve of such draft and pass the Statute or reject it or return it to the Executive Council for reconsideration either in whole or in part together with any amendment which the Co-ordination Committee may suggest.

(5) After any draft returned under sub-section (4) has been further considered by the Executive Council together with any amendment suggested by the Co-ordination Committee it shall again be presented to the Co-ordination Committee with a report of the Executive Council thereon and the Co-ordination Committee may approve or reject the Statute.

(6) The Co-ordination Committee shall not take into consideration nor the Executive Council shall propose the draft of any Statute or of any amendment of a statute or of the repeal of any Statute :

* The Madhya Pradesh Vishwavidyalaya (Sanctioned) Act, 1970 (15 of 1970)

* The Madhya Pradesh Vishwavidyalaya (Sanctioned) Act, 1971 (16 of 1971)

- (a) Affecting the statutes, power or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal; or
 - (b) affecting the conditions of admission of colleges to privileges of the University, until the Academic Council has been given an opportunity of expressing an opinion upon the proposal and such opinion shall be forwarded by the Executive Council to the Co-ordination Committee alongwith any draft it may propose.
- (7) Where the Co-ordination Committee approves the Statutes, they shall become effective from such date as the Co-ordination Committee may specify.

37. Subject to the provisions of this Act and the Statutes, the ordinances may provide for all or any of the following matters :

Ordinances.

- (i) the admission of students to colleges, teaching departments, schools of studies and laboratories and levy of fees and their enrolment;
- (ii) the degrees, diplomas, certificates and other academic distinctions to be awarded by the University, and the qualifications for the same;
- (iii) the examinations leading to the degrees, diplomas and certificates of the University;
- (iv) the fees to be charged for courses of study in the University and for admission to the examination, degrees and diplomas of the University;
- (v) laying down conditions for appearing at examinations for degrees, diplomas, certificates and other academic distinctions;
- (vi) conduct of examinations ;
- (vii) the condition of the award of fellowships, scholarships, studentships, exhibitions, medals and prizes etc;
- (viii) the maintenance of discipline amongst the students of the University;
- (ix) the conditions of residence of the students of teaching Departments, colleges, school of studies and the levy of fees for residence in halls;
- (x) the recognition and inspection of halls;
- (xi) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and prescribing for them special courses of study;
- (xii) giving of moral instructions;

- (xiii) the management of the University;
- (xiv) the supervision and inspection of colleges and other institutions admitted to the privileges of the University;
- (xv) the duties, qualifications and conditions of appointment including pay scales of teachers of the University paid by the University;
- (xvi) the duties and powers of the Boards and Committees to be appointed by the University jointly with any other University or body;
- (xvii) the rules to be observed and enforced by affiliated colleges and recognised institutions in respect of transfer of students;
- (xviii) the register of students to be kept by affiliated, colleges and recognised institutions;
- (xix) the mode of execution of contracts or agreements by or on behalf of the University;
- (xx) the rates at which travelling allowance and daily allowance shall be admissible to the members of the authorities, Committees and other bodies of the University, the examiners, the officers and staff of the University;
- (xxi) constitution of students' union and its mode; and
- (xxii) all other matters which by this Act or the statutes are also to be or may be provided for by the Ordinances.

Provided that an ordinance under item (xv) shall be subject to the Provision of section 50.

Ordinances how made.

38. (1) All Ordinances except the first Ordinance shall be made by the Executive Council

(2) An Ordinance made by the Executive Council shall come into force from the date on which it is approved by the Co-ordination Committee.

Procedure regarding Ordinances.

39. (1) Notwithstanding anything contained in sub-section (1) of section 38, no ordinance shall be made by Executive Council :

- (a) affecting the admission of students, or prescribing examinations to be recognised as equivalent to the University Examination or the further qualifications mentioned in sub-section (1) of section 43 for admission to the degree courses of the University, unless a draft of the same has been proposed by the academic Council, or
- (b) affecting conditions and duties of examiners and the conduct or standard of examinations except in accordance with a proposal of the Faculty or Faculties concerned and unless a draft of such ordinance has been proposed by the Academic Council, or

* The Madhya Pradesh Vishwavidyalaya (Sanskhodan) Adhiniyam, 1991 (No. 23 of 1991)

(c) affecting the qualifications and emoluments of teachers of the University paid by the University, 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 the proposal or return the draft to the Academic Council, for reconsideration, either in whole or in part, together with any amendment which the Executive Council may suggest.

(3) After any draft returned under sub-section (2) has been further considered by the Academic Council together with any amendment suggested by the Executive Council it shall be again presented to the Executive Council with a report of the Academic Council thereon and the Executive Council may then deal with the draft in such manner as it may think fit.

(4) Where the Executive Council has rejected the draft of an ordinance proposed by the Academic Council, the Academic Council may appeal to the Co-Ordination Committee and the Co-Ordination Committee may direct that such ordinance shall have effect from such date as may be specified in the direction.

40. (1) The Authorities, Committees and other bodies of the University constituted by or under this Act, may make regulations subject to the provisions of this Act, the Statutes and the Ordinances :

Regulations.

(a) laying down the procedure to be observed at their meeting and the number of members required to form a quorum,

Provided that until regulations providing for quorum are made, the quorum to constitute a meeting of any authority, Committee or other body of the University shall be number forming the majority of the member constituting such authority, Committee or other body of the University for the time being;

(b) providing for all matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations; and

(c) providing for all other matters solely concerning such authority, or other body or the committees appointed by them and not provided for by this Act, the Statutes or the ordinances.

(2) Every authority, Committee and body of the University shall make Regulation providing for the giving of notice to the members of such authority, Committee or body or the date of meetings and of the business to be considered at meetings and for keeping the minutes of the meeting.

(3) The Executive Council may modify or annul any regulations made under this section by any authority, Committee or body other than the court;

Provided that any authority, Committee or body of the University which is not satisfied with any modification or annulment may appeal to the Co-ordination Committee whose decision in this matter shall be final.

CHAPTER VII-RESIDENCE OF STUDENTS, ENROLEMENT AND DEGREES, ETC.

Residence of Students

41. Every student of the University shall reside in hall or elsewhere under such conditions as may be prescribed by the Statutes and Ordinances.

Hostels

42 (1) Halls, other than those maintained by the University shall be such as may be recognised by the Executive Council on such general or special conditions as may be prescribed by the Ordinances.

(2) The Wardens and the Superintending staff of the hall shall be appointed in the manner prescribed by the Statutes.

(3) The conditions of residence in hall shall be prescribed by the Ordinances, and every hall shall be subject to inspection by any authority or officer of the University authorised in this behalf by the Executive Council.

(4) The Executive Council shall have power to suspend or withdraw the recognition of any hall on the ground that it is not conducted in accordance with the conditions prescribed by the Ordinances :

Provided that no such action shall be taken without affording the managing authority of such hall an opportunity of making such representation as it may deem fit,

Admission to University courses.

43. (1) Students shall not be eligible for admission to a course of study for a degree unless they have passed the final examination held under the Madhya Pradesh Madhyamik Shiksha Adhiniyam, 1965 (No. 23 of 1965), or an examination recognised in accordance with the provisions of this section as equivalent thereto and possess such further qualifications as may be prescribed by the Ordinances and have been enrolled as students of the University .

(2) the University may with the previous sanction of the Commissioner Higher Education recognise for the purposes of admission to a course of study for a degree as equivalent to its own degrees and any Degrees conferred by any other University or as equivalent ; to the final examination held under the Madhya Pradesh Madhyamik Shiksha Adhiniyam, 1965 (No. 23 of 1965), and other Examination.

(3) No students shall be admitted to a course of study leading upto a degree unless he is enrolled as a student in a College, Teaching Department or School of Study;

Provided that a student shall be admitted to a course of study leading upto:

- (i) a Bachelor's Degree or Masters Degree In Mathematics In the Faculty of Science.
- (ii) a degree in the Faculty of Arts, Faculty of Social Science or the Faculty of Commerce.
- (iii) a Bachelor's Degrees In the Faculty of Law, In the case of women students permitted by a notification under the third proviso to clause (10) of section 6, whether such student is enrolled as a student of a college, teaching department, school of studies or not.
- (vi) a Bachelor's degree in the Faculty of Home Science.

(4) Students who are not enrolled as members of a College, Teaching Department or School of Studies shall be non-collegiate students of the University.

44. (1) Subject to the provision of the Statutes, all Examiners and Moderators of Examination questions shall be appointed by the Kulapati in consultation with the Committee consisting of the following members :

Appointments of Examiners and Moderators.

- (i) the Dean of the faculty concerned who shall be the Chairman of the Committee;
- (ii) the Chairman of the Board of Studies concerned;
- (iii) a member of the Board of Studies concerned to be nominated for the purpose by the Kulapati.

(2) If during the course of an examination an examiner becomes, for any cause, incapable of acting as such, the Kulapati shall appoint an examiner to fill the vacancy.

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

Inspection of colleges and reports

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

(3) The Executive Council may call upon any such college or institution so inspected to take within a specified period, such action as may appear to it to be necessary.

46. The following persons, shall, on payment of such fees as may be prescribed by the Statutes, be entitled to have their names enrolled in the register of registered graduates to be maintained in such form as may be prescribed by the Statutes :

Registered graduates.

* The Madhya Pradesh Vishwavidyalaya (Sanskhodan) Adhiniyam, 1980 (No. 19 of 1980)

- (a) any graduate of the University;
- (b) any graduate of atleast three years standing of any other University incorporated by law in India and residing within the territorial jurisdiction of the University;

Provided that a graduate registered as a registered graduate in more than one of the Universities under the enactments repealed under section (2) shall, within in period of six months from the date appointed under sub-section (3) of section 1, by a declaration, in such form as may be prescribed by Statutes filed before the Registrar of any of the Universities in respect of which he fulfills the conditions laid down in clause (a) or (b) above exercise his option to be a registered graduate of such University and on exercise of such option he shall cease to be a registered graduate of all the other Universities, of which he was a registered graduate before the date aforementioned :

Provided that if any such registered graduate fails to exercise the option under the preceding proviso, he shall on the expiration of the period of six months from the date appointed under sub-section (3) of section 1, cease to be registered graduate of all the Universities of which he was a registered graduate prior to such date.

- "(2) Notwithstanding the fact that the period specified in the Provisions to sub-section (1) has expired, the Kuladhipati may if he is of the opinion that it is necessary so to do in respect of any University by order declare that the said period shall stand extended by a further period of six months from the date of expiry of the aforesaid period in respect of that University and thereupon the reference to the period of six months in the said provision shall, with respect to that University be read and construed as a reference to the period so extended".*

CHAPTER VIII-AUDIT

Annual Reports.

47. The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and shall be considered by the Court at its annual meeting. The Court may pass resolution thereon and communicate the same to the Executive Council.

* The University shall thereafter, send a copy of the annual report to the state Government and the State Government shall, as soon as may be, cause the same to be laid on the table of the State Legislative Assembly.

Audit of Accounts.

48. (1) The accounts of the University shall at least once every year at intervals of not more than fifteen months be audited by the Examiner of Local Fund Accounts of the State.

* The Madhya Pradesh Vishwavidyalaya (Ganshodhan) Adhiniyam, 1993 (No. 23 of 1993)

(2) The copy of the audited accounts together with the audit report shall be submitted by the Executive Council to the Court the Commissioner Higher Education and the State Government. The State Government shall as soon as may be, cause the same to be laid on the table of the State Legislative Assembly.

CHAPTER IX-APPOINTMENT TO TEACHING POST IN THE UNIVERSITY

- *49. (1) No person shall be appointed :
- (i) as a Professor, Reader, Lecturer; or
 - (ii) to any other teaching post of the University paid by the University except on the recommendation of a committee of selection constituted in accordance with sub-section (2) :

Appointment of
teaching posts.

Provided that if appointment to any of the teaching posts aforesaid is not expected to continue for more than six months and cannot be delayed without detriment to the interest of the department or institution maintained by the University, the Executive Council may make such appointment without obtaining the recommendation of the committee of selection constituted under sub-section (2) but the person so appointed, shall not be retained on the same post for a period exceeding six months or appointed to another post in the service of the University except on the recommendation of the said committee of selection.

¹ Provided further that any such appointment purported to have been made under the preceding proviso prior to the 13th day of February, 1974 and continuing on such date shall continue till the 30th day of June, 1974 or the filling up of the post in accordance with sub-section (5), whichever is earlier.

- (2) the members of the committee of selection shall be :
- (i) the Kulapati-Chairman,
 - ²(ia) omitted.
 - ^{*}(ii) omitted.
 - ³(iii) one expert to be nominated by Kuladhipati from a panel, submitted by the academic council of three expert in the subject, not connected with the University in any manner whatsoever*.
 - ³(iv) Three Subject experts, not connected with the University in any manner whatsoever to be nominated by the Kuladhipati.
 - ³(v) Omitted

* The Madhya Pradesh Vishwavidyalaya (Sanstha) Adhiniyam, 1991 (No. 23 of 1991).

¹ The Madhya Pradesh Vishwavidyalaya (Sanstha) Adhiniyam, 1974 (No. 17 of 1974).

² The Madhya Pradesh Vishwavidyalaya (Sanstha) Adhiniyam, 1993 (No. 23 of 1993).

³ The Madhya Pradesh Vishwavidyalaya (Sanstha) Adhiniyam, 1993 (No. 19 of 1993).

(3) Three members of the selection committee shall form a quorum "

³(4) The Committee shall investigate the merits of the various candidates, and shall recommend to the Executive Council the names, if any, of persons whom it considers suitable for the posts, arranged in order of merit;

⁴ Provided that no recommendation shall be made unless atleast two experts nominated under clause (iii) and (iv) of sub-section (2) are present in the meeting in which such recommendations is to be decided upon.

⁵(5) Out of the names so recommended under sub-section (4) the Executive Council shall appoint persons in order of merit "

Promotion of teachers

⁶49-A (1) Notwithstanding anything to the contrary contained in any other provisions of this Act, a Lecturer or a Reader in the University substantively appointed under Section 49, who has put in such length of service and possesses such qualifications as prescribed in the promotion scheme formulated by the University Grants Commission or the Ministry of Human Resources Development, Department of Education, Government of India and adopted by the State Government and the University may be given promotion to the post of Reader or professor, respectively.

(2) Such promotion shall be given on the recommendation of the Selection Committee constituted under sub-section (2) of Section 49 in such manner and subject to such conditions as prescribed in the promotion schemes or in the ordinance made by the University.

(3) Nothing contained in this Section shall affect the posts of the teachers of the University to be filled by direct recruitment in accordance with the provisions of Section 49.

(4) For promotion the higher post shall be deemed to be automatically created by upgradation of the lower post and it shall be a cadre post.

Provided that the higher post shall automatically be converted into the lower post when the incumbent vacates the higher post.

50. The payment of the salaries to the teachers of the University paid by the University shall be in accordance with scales fixed by the Executive Council by Ordinance with the prior approval of the State Government.

Salaries of teacher paid by University

CHAPTER X - EMERGENCY PROVISIONS

51. (1) If the State Government is satisfied that owing to maladministration or financial mismanagement in the University a situation has arisen whereby financial stability of University has become insecure, it may, by a notification, declare that the finances of such University shall be subject to the control of the State Government.

State Government to assume financial control in certain circumstances.

3. The Madhya Pradesh Vishwavidyalaya (Sansthodan) Adhiniyam, 1991. (No. 23 of 1991)
 4. The Madhya Pradesh Vishwavidyalaya (Sansthodan) Adhiniyam, 1994. (No. 19 of 1994)
 5. The Madhya Pradesh Vishwavidyalaya (Sansthodan) Adhiniyam, 1996. (No. 06 of 1997)
- 49-A effective from 13th day of March, 1994.

(2) Every Notification issued under sub-section (1) shall, in the first instance, remain in operation for a period of one year from the date specified in the notification and the State Government may, from time to time, by a like notification extend the period of operation by such further period as it may think fit, provided that the total period of operation does not exceed three years.

(3) During the period the notification issued under sub-section (1) remains in operation, the executive authority of the State Government shall extend to the giving of directions to the said University to observe such canons of financial propriety as may be specified in the direction and to the giving of such other directions as the State Government may deem necessary and adequate for the purpose.

(4) Notwithstanding anything contained in this Act, any such direction may include:

- (i) a provision requiring the submission of the budget to the State Government for sanction;
- (ii) a provision requiring the University to submit every proposal involving financial implications to the State Government for sanction;
- (iii) a provision requiring the submission of every proposal for revision of scales of pay and rates of allowances of the officers, teachers and other persons employed by the University to the State Government for sanction;
- (iv) a provision requiring the reduction of salaries and allowances of all or any class of persons employed by University;
- (v) a provision requiring the reduction in the number of officers, teachers and other persons employed by University ;
- (vi) a provision requiring the lowering down of scales of pay and rates of allowances;
- (vii) a provision in regard to such other matters as may have the effect of reducing the financial strain on the University.

(5) Notwithstanding anything contained in this Act, it shall be binding on every authority of the University and every officer of the University to give effect to the direction given under this section.

(6) Every officer of the University shall be personally liable for misapplication of any fund or property of the University as a result of non-compliance of the direction given under this section to which he shall have been a party or which shall have happened through or been facilitated by gross neglect of his duty as such officer, and the loss so incurred shall, on a certificate issued by the Secretary to Government, Madhya Pradesh, Education Department, be recovered from such officer as an arrear of land revenue;

Provided that no action to recover the amount of loss as an arrear of land revenue shall be taken until reasonable opportunity has been given to the person concerned to furnish an explanation and such explanation has been considered by the State Government .

Power of State Government to apply Act, in modified form with a view to provide for better administration of University in certain circumstances

52. (1) If the State Government on receipt of a report or otherwise, is satisfied that a situation has arisen in which the administration of the University can not be carried out in accordance with the provisions of the Act, without detriment to the interests of the University and it is expedient in the interest of the University so to do, it may by notification, for reasons to be mentioned therein, direct that the provisions of section 13, 14, 20 to 25, 40, 47, 48, 54 and 68 shall, as from the date specified in the notification (hereinafter in this section referred to as the appointed date), apply to the University subject to modifications specified in the Third Schedule.

(2) The notification issued under sub-section (1) (hereinafter referred to as the notification) shall remain in operation for a period of one year from the appointed date and the State Government may, from time to time, extend the period by such further period as it may think fit so however that the total period of operation of the notification does not exceed three years.

(3) The Kuladhipati shall simultaneously with the issue of the notification, appoint the Kulapati under section 13 and 14 as modified and the Kulapati so appointed shall hold office during the period of operation of the notification :

Provided that the Kulapati may, notwithstanding the expiration of the period of operation of the notification, continue to hold office thereafter until his successor enters upon office but this period shall not exceed one year.

(4) As from the appointed date, the following consequences shall ensue, namely;

- (i) during the period of operation of the notification this Act shall have effect subject to the modification specified in the Third Schedule;
- (ii) the Kulapati, holding office immediately before the appointed date, shall notwithstanding that his term of office has not expired, vacate his office;
- (iii) every person holding office as a member of the Court, the Executive or the Academic Council, as the case may be, immediately before the appointed date shall cease to hold that office;
- (iv) the student representatives of the University on the student consultative committee under clause (i) of sub-section (i) of section 54 immediately before the appointed date shall cease to be members of the said committee;

- (v) until the Court, executive Council or academic Council, as the case may be, is reconstituted in accordance with the provisions as modified, the Kulapati appointed under section 13 and 14 as modified shall exercise the powers and perform the duties conferred or imposed by or under this Act, on the Court, the Executive Council or Academic Council :

Provided that the Kuladhipati may, if he considers it necessary so to do appoint a committee consisting of an educationist, an administrative expert and a financial expert to assist the Kulapati so appointed in exercise of such powers and performance of such duties.

(5) Before the expiration of the period of operation of the notification or immediately as early as practicable, thereafter, the Kulapati shall take steps to constitute the Court, Executive Council and Academic Council in accordance with the provisions of the Act, as unmodified and the Court, Executive Council and Academic Council as so constituted shall begin to function on the date immediately following the date of expiry of the period of operation of the notification or the date on which the respective bodies are so constituted whichever is later :

Provided that if the Court, Executive Council and Academic Council are not constituted before the expiration of the period of operation of the notification, the Kulapati shall on such expiration, exercise the powers of each of these authorities subject to prior approval of the Kuladhipati till the Court Executive Council or Academic Council, as the case may be, is so constituted.

53. On expiration of the period of operation of the notification issued under section 52, the provisions of this Act, as modified in application to the University mentioned in the notification shall cease to operate in respect thereof and the other relevant provisions of this Act shall revive and continue to apply thereto;

Effect on
expiration of
period of op
of notificat
under sect

Provided that the expiration of the operation of the notification shall not affect :

- (a) Previous operation of, or anything done or suffered under the provision as modified in any order made thereunder; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the provisions as modified or any order made thereunder; or
- (c) any investigation or remedy in respect of any such right, privilege, obligation or liability as aforesaid, and such investigation or remedy may be instituted or enforced as if the modified provisions had not ceased to apply.

CHAPTER XI - STUDENT CONSULTATIVE COMMITTEE

Student
Consultative
Committee

54. (1) There shall be state level Student Consultative Committee consisting of the following members namely :

- (i) Three student representatives from each University elected by the student members of the court of that University from amongst themselves, one each from student members under items (xxi), (xxii) and (xxiii) of section 20;

Provided that if the student representatives under this item do not include :

- (a) a student from the medical colleges in the State; or
(b) a student from the Engineering Colleges in the State, a student each representing Medical Colleges and Engineering Colleges in the State shall be nominated by the State Government ;

Provided further that if the student representatives include less than two girl students, the State Government shall nominate such number of girl students as to make their number two.

- (ii) two Kulapati of Universities by rotation in the order in which the Universities are named in the Second schedule, nominated by the State Government;
- (iii) two Registrars of University by rotation in the reverse order to that referred to in item (ii) nominated by the State Government;
- (iv) two Deans of students welfare or such other two officers as are in-charge of students welfare in the Universities nominated by the State Government;
- (v) an officer of the Higher Education Department not below the rank of Deputy Secretary to Government nominated by the State Government.

Explanation : For the purpose of this sub-section " Student" shall have the meaning assigned thereto in section 20.

(2) The members nominated under item (v) of sub-section (i) shall be the convener.

(3) The Committee shall elect its own Chairman for every meeting from amongst the members present.

(4) The term of the committee shall be one year and the term of office of members of the committee shall be co-terminus with the term of the committee.

(5) The Committee shall have the Powers to discuss and make recommendation on :

- (a) the approach to Higher Education in University;
 - (b) academic programmes of general significance;
 - (c) organisation and programming of teaching work and examinations;
 - (d) extra-curricular and co-curricular activities in colleges and Universities including organisation of Inter University competitions and tournaments and youth festivals;
 - (e) student welfare activities in Universities including Health Services;
 - (f) work experience programmes for students;
 - (g) organisation of social service by students;
 - (h) residence and discipline of students;
 - (i) any other matter of interest to students in general.
- (6) The committee may :
- (a) lay down a code of conduct for students;
 - (b) recommend steps for the promotion of teacher-student relationship;
 - (c) suggest agencies and steps for resolving differences between students and the administration in education institutions.
- (7) The Committee may communicate its views on matters included in sub-section (5) and (6) to any or all Universities as the need be for consideration.

CHAPTER XII-SUPPLEMENTARY PROVISIONS

55. If any question arises regarding the interpretation of any provisions of this act or of any Statute, Ordinance or Regulation or as to whether any person has been duly elected, appointed as or is entitled to be a member of any authority, or other body of the University, the matter shall be referred to Kuladhipati whose decision thereon shall be final ;

Disputes as to
constitution of
University
authorities and
bodies.

Provided that before taking any such decisions the Kuladhipati himself or an officer nominated by him, shall give the person or persons affected thereby a reasonable opportunity of being heard.

Explanation / In this section the expression " body " includes any committee constituted by or under the Act.

// In this Section the expression " appointed " does not include appointments to the salaried posts of the University.

Constitution of Committees.

56. Whereby or the Statutes or otherwise provided or such other persons

ity of the University is given power by this Act, committees, such committees shall, save as members of the authority concerned and of the authority, in each case, may think fit.

Filling of casual vacancies.

57. Save as provided in this Act, all casual vacancies among the members other than ex-officio members of any authority, committee or other body of the University shall be filled as soon as conveniently may be, by the person or body who nominated, appointed, elected or co-opted the member whose place has become vacant, and the person nominated, appointed, elected or co-opted to a casual vacancy shall be a member of such authority, committee or body for the remainder of the term for which the person whose place he fills would have been a member.

Proceedings of University and bodies not invalidated by vacancies.

58. No act or proceeding of any authority, committee or body of the University shall be invalid merely by reason of:

- (a) any vacancy in or defect in the constitution thereof; or
- (b) any defect in the election, nomination or appointment of a person acting as a member thereto; or
- (c) any irregularity in its procedure not affecting the merits of the case.

Conditions of service

59. (1) Every salaried officer and teacher of the University paid by the University shall be appointed under a written contract which shall be lodged with the University and a copy thereof furnished to the officer or teacher concerned.

"(2) Any dispute regarding service matters arising out of contract or otherwise between a University and any of its salaried employees shall be adjudicated upon by the Vice-Chancellor and an appeal against the Vice-Chancellor's decision shall lie to the Kuladikati, who shall decide the dispute himself or refer it to a Tribunal constituted for the purpose consisting of the following members, namely:

- (i) a Senior Vice-Chancellor of any of the University;
- (ii) a Senior Secretary to the State Government; and
- (iii) a Senior Principal of the post graduate college of the State."

(3) Omitted.

Pension and Provident Fund.

60. (1) The University shall constitute for the benefit of its officers, teachers, clerical staff and other employees in such manner and subject to such conditions as may be prescribed by the statutes such pension, insurance and provident fund and institute such other benefits as it may deem fit.

(2) Where any such pension, insurance or provident fund has been so constituted or where any such pension, insurance or provident fund has been constituted by a college under rules which have been approved by the State Government, the State Government may declare that the provisions of the Provident Fund Act, 1925 (19 of 1925) shall apply to such fund as if it were a Government Provident Fund.

61. No suit prosecution or other legal proceedings shall lie against any officer, teacher or other employee of the University for anything which is in good faith done or intended to be done by him under this Act, or the Statutes or the Ordinances or the Regulations.

Protection of acts and orders

62. No person shall impart instruction in the University or in any college :

Approval for imparting instructions.

- (a) unless such person possesses the qualifications laid down by the academic Council in that behalf; and
- (b) except in such subject or subjects and upto the standard for which his qualifications have been approved by the Academic Council.

63. (1) * Professor * and * Reader * mean respectively teachers appointed by the Executive Council on the scales of pay not lower than that approved for a Professor and a Reader by the University Grants Commission and accepted by the State Government and where the scale of pay approved by the University Grants Commission is higher than that approved by the State Government in this behalf then on the scale of pay as approved by the State Government.

Classification of Teacher.

(2) * Visiting Professor * means a Professor invited by the Executive Council for a fixed term of years (or) appointed by the Executive Council for a short term stipulated in the contract.

O to be

(3) * A teacher other than professor visiting Professor and Reader in any University teaching Department or School of Studies shall, rank as lecturer if appointed on a scale of pay;

- (a) not lower than that approved for a lecturer by the University Grants Commission and accepted by the State Government;
- (b) lower than that approved for a lecturer by the University Grants Commission and approved by the State Government in this behalf*

(4) * College Professor * means a teacher appointed on the scales of pay not lower than that approved by the State Government for a Professor in a College for professional education or in any other college imparting instruction in the subject concerned upto post-graduate level and includes a Principal of such college who proved to the satisfaction of the academic Council that he engages himself in guiding research and teaching the Subject in addition to the administrative work of the office of the Principal*.

(5) * Reader and Lecturer in a College * shall respectively mean persons appointed as Reader or Lecturer in an affiliated College on a scale of pay not lower than that approved by the State Government for Reader or lecturer in a College as the case may be, and the expression * Lecturer * includes the person appointed prior to the 13th day of January, 1978 as Assistant Professor*.

(6) A teacher who is appointed on part time or honorary basis in the Faculty of law or in any other faculty where such appointment is permitted by the Academic Council, shall rank as a lecturer.

1. The Madhya Pradesh Vidyapeetha (Sanskhodhan) Adhiniyam, 1980 (19 of 1980)

Term of Office of
members of
authority of
University.

64. (1) Wherever in Accordance with this Act, Any person is to hold an office or to be a members of any authority by rotation according to seniority such seniority in the absence of any provisions to the contrary in the Act, shall be determined in accordance with the Statutes :

Provided that till the Statutes are made the seniority in a particular cadre shall be determined by the length of continuous service in such a cadre and where the length of continuous service of two or more persons in the same cadre is the same, then " Seniority " shall be determined by seniority in age.

(2) Wherever any person becomes a members of any authority by virtue of the post or office held by him or by virtue of possessing a specified qualification, he shall forthwith cease to be a member of such authority if he ceases to hold such post or office or if he ceases to possess such qualification before the expiry of the term of his membership;

Provided that he shall not be deemed to have ceased to hold his post or office merely by reason of his proceeding on leave for period not exceeding four months.

Resignation of
member or officer
of University.

65. (1) Any member other than an ex-officio member of the Court the Executive Council, the Academic Council of any other University Authority or Committee or Dean of a Faculty may resign by a letter addressed to the Registrar and resignation shall take effect as soon as the letter is received by the Registrar.

(2) Any Officer of the Unviersity whether salaried or otherwise, other than a Dean may resign his office by letter addressed to the Registrar. Such resignation shall take effect from the date on which the same is accepted by the authority competent to fill the vacancy.

Disqualifications
for being member
of authority.

66. (1) A person shall be disqualified for being chosen as, and for being a member of any of the authorities of the University :

- (a) If he is of unsound mind;
- (b) If he is deaf, mute a suffering from any contagious disease;
- (c) If he is an undischarged insolvent;
- (d) If he has been convicted by a Court of Law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.

(2) If any question arises as to whether a person is or has been subject to any of the disqualifications mentioned in sub-section (1) the question shall be referred for the decision of the Kuladhipati and his decisions thereon shall be final and no suit or other proceeding shall be in any court of law against such decision.

57. (a) The Kuladhipati may, on the request of the Executive Council remove the name of any person from the register of graduates and remove the name of any person from membership of any authority or body of the University if -

Power to remove member from register of graduates or an authority or body of University.

- (i) he is guilty of gross misbehaviour; or
- (ii) he acts prejudicial to the interest of the University :

Provided that the Kuladhipati shall cause a preliminary enquiry to be made and if he is satisfied that prima facie case exists, he shall serve on such registered graduate or a member of any authority or body, as the case may be, a charge sheet in writing, stating the misbehaviour or the act prejudicial to the interest of the University, as the case may be.

(2) After taken into consideration the reply to the charge-sheet, submitted to him by the registered graduate or member of the authority or body of the University, as the case may be, under sub-section (1) the Kuladhipati may, if he considers that further action is necessary, entrust the enquiry to a Tribunal consisting of a nominee of the Kuladhipati, a nominee of the Executive Council and a nominee of the accused registered graduate or member, as the case may be.

(3) The Tribunal shall after giving the accused registered graduate or member, as the case may be, an opportunity of being heard and examining such evidence as may be necessary, record its findings and forward it to the Kuladhipati.

(4) The Kuladhipati may, after considering the report of the Tribunal, pass such final orders as he considers necessary :

Provided that no order shall be passed unless the accused registered graduate or members, as the case may be, has been given a reasonable opportunity to show cause as to why the proposed action should not be taken against him.

(5) The provision of sub-section (1) to (4) shall not apply where the kuladhipati is satisfied that in the interest of the University it is not expedient to hold such enquiry and to issue any show cause notice or to give an opportunity of being heard to any member nominated by him before the removal of such member.

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 giving effect to the provisions of this Act, the State Government, as occasion may require, may by order do anything which appears to it necessary for the purpose of removing the difficulty.

Removal of difficulties.

1. The Madhya Pradesh Vidyapeeths (Amendment) Act, 1956 (11 of 1956)

Modification of this Act in its application to the University established after 1st January, 1983 or to be established at any time thereafter

"69. In its application to the University established after the 1st day of January, 1983 or to be established at any time thereafter the provisions of this Act, shall be subject to the modification specified in the Fourth Schedule :

Provided that the persons elected under clause (iii) of sub-section (1) of section 23, before the commencement of the Madhya Pradesh Vishwavidyalaya (Sanshodhan) Adhiniyam 1988 shall continue to hold their office as members of the Executive Council till the expiry of their term of office notwithstanding the modification specified in the said Schedule."

THE FIRST SCHEDULE

[See section 2(i)]

Enactments Repealed

1. The University of Saugar Act, 1946 (No. 16 of 1946).
2. The Madhya Bharat Vikram University Act, 1955 (No. 18 of 1955).
3. The Jabalpur University Act., 1956 (No. 22 of 1956).
4. The Ravishankar University Act, 1963 (No. 13 of 1963).
5. The Indore University Act, 1963 (No. 14 of 1963).
6. The Jiwaji University Act, 1963 (No. 15 of 1963).
7. The Awadesh Pratap Singh Vishwavidyalaya Adhiniyam, 1968 (No.22 of 1968).
8. The Bhopal Vishwavidyalaya Adhiniyam, 1970 (No. 28 of 1970).

THE SECOND SCHEDULE

PART - I*

[See section 2 (ii)]

| S. No. (1) | Name of the University (2) | Headquarters (3) | Territorial Jurisdiction (4) |
|---------------|--|---------------------|---|
| | | | Area comprised within the limits of the revenue districts. |
| 1 | Dr. Harl Singh Gour Vishwavidyalaya, Saugar. | Saugar | Saugar, Tikamgarh, Chhatarpur, Panna, Chhindwara and Damoh. |
| 2 | Vikram Vishwavidyalaya, Ujjain | Ujjain | Ujjain, Ratlam, Mandsaur, Shajapur and Dewas. |
| 3 | Rani Durgawati Vishwavidyalaya, Jabalpur | Jabalpur | Jabalpur, Mandla, Seoni, Balaghai and Narsinghpur. |
| 4 | Pt. Ravishankar Shukla Vishwavidyalaya, Raipur. | Raipur | Raipur, Durg, Rajnandgaon and Bastar. |
| 5 | Devi Ahilya Vishwavidyalaya, Indore | Indore | Indore, Jhabua, Dhar, Khargone, (West Nimar), and Khandwa (East Nimar). |
| 6 | Jiwaji Vishwavidyalaya, Gwalior | Gwalior | Gwalior, Bhind, Morena, Shivapuri, Guna and Dalia. |
| 7 | Awadhesh Pratap Singh Vishwavidyalaya, Rewa. | Rewa | Rewa, Satna, Sidhi and Shahdol |
| 8 | Barkatullah Vishwavidyalaya, Bhopal | Bhopal | Bhopal, Sehore, Raisen, Vidisha, Hoshangabad, Hajipur and Betul |

* The Madhya Pradesh Vishwavidyalaya (Transfer of Admissions) Act, 1969 (No. 28 of 1969)

Part II'

(See section 4 (xvii))

| Name of University | Head quarters | Territorial Jurisdiction |
|----------------------------------|---------------|--|
| (1) | (2) | (3) |
| Guru Ghasidas Vishwavidyalaya | Bilaspur | Areas comprised within the limits of revenue districts of Bilaspur, Raigarh and Surguja |

THE THIRD SCHEDULE

(See Section 52)

The Kulapati

1. Section 13 and 14-For section 13 and 14 substitute:

"14 Kulapati shall be appointed by the Kuladhipati in consultation with the State Government and may be removed by the Kuladhipati in the like manner."

Constitution of Court.

2. Section 20,21,22 and 23 - For section 20,21,22 and 23 substitute :

"20 (1) The Court shall consist of the following :

- (i) the Kuladhipati,
- (ii) the Kulapati,
- (ii-a) the Rector.
- (iii) the Mayor of the Municipal Corporation, or the President of the Municipal Council as the case may be, at the headquarters of the University,
- (iv) the Secretary to the Government of ^{Chattisgarh} Madhya Pradesh Higher Education Department,
- (v) the Commissioner of the Division in which the headquarters of the University is situated,
- (vi) the Collector of District in which the headquarters of the University is situated.
- (vii) the Chairman, Board of Secondary Education ^{Chattisgarh} Madhya Pradesh,
- (viii) Ten members including not more than three representatives of students to be nominated by the Kuladhipati,
- (ix) Two members to be nominated by the state Government.

* The Madhya Pradesh Vishwavidyalaya (Constitution) Amendment Bill, 1956

- (x) Three representatives of the Legislative Assembly to be elected by the Legislative Assembly from amongst its members and pending such election to be nominated by the Speaker.
- (2) The term of all members of the Court other than representatives of students under clause (viii) of sub-section (1) shall be co-extensive with the period of operation of the notification issued under section 52 and the term of the representatives of students shall be one year from the date of their nomination or till the expiration of the period of operation of the notification whichever is earlier.

Explanation: For the purpose of clause (viii) of sub-section (1) the expression student shall have the meaning assigned to that expression in sub-section (2) of section 28.

- 21. (1) The Court shall, on a date fixed by the Kulapati, meet once a year at a meeting of the Court; Meeting of Court
- (2) The Kulapati may, whenever he thinks fit, and shall upon a requisition in writing signed by not less than one-third of the members of the Court convene a special meeting of the Court as early as possible.
- (3) Ten members of the Court shall form a quorum.

22. The court shall be an advisory body and shall :

Functions of Court

- (a) advise the State Government in respect of such matters as may be referred to it for advice;
 - (b) advise any authority or body of the University in respect of such matters as may be referred to it by such authority or body;
 - (c) to confer degrees, diplomas and other academic distinctions on the recommendation of the Executive Council;
 - (d) perform such other duties and exercise such other powers as may be assigned to it by or under this Act or the Statutes and Ordinances made thereunder or by the State Government.
- 23. (1) Subject to the Control of the State Government, the Executive Council shall be the executive body of the University and shall notwithstanding anything contained in this Act, consist only of the following persons, namely: Executive Council
 - (i) the Kulapati
 - (i-a) the Rector;
 - (ii) six members to be nominated by the Kulapati from among eminent public men and educationists.

* The Andhra Pradesh Vishwavidyalaya (Sanstha) Act, 1953 (No. 21 of 1953)

- (2) The terms of all members of the Executive Council shall be co-extensive with the period of operation of the notification issued under section 52.
- (3) Four members of the Executive Council shall form a quorum.
3. Section 24- Renumber section 24 as sub-section (1) thereof and after sub-section (1) as so renumbered, insert :

"(2) The Executive Council shall, in the exercise of the powers and the performance of duties under sub-section (1), be subject to the control of the State Government.

(3) Notwithstanding anything contained in this Act the annual accounts and the financial estimates shall be considered by the State Government who may communicate its views to the Executive Council which shall take them into consideration and take such action thereon as it thinks fit and inform the State Government when no action is taken, of its reasons thereof "

4. Section 25 - For section 25, substitute :

Academic Council.

" 25 (1) The Academic Council shall be the academic body of the University consisting of the following members namely :

- (i) the Kulapati,
- (i-a) the Rector,
- (ii) the Commissioner Higher Education, *Chhattisgarh* Madhya Pradesh,
- (iii) the Chairman, Board of Secondary Education, M.P. *Chhattisgarh*,
- (iv) two members, to be nominated by the Kuladhipati.
- (v) ten Principal of the Colleges to be nominated by the Kuladhipati,
- (vi) heads of University Teaching Departments,
- (vii) five teachers other than those mentioned in (iv) and (v) above to be nominated by the Kuladhipati.
- (2) The term of the nominated members of the Academic Council shall be co-extensive with the period of operation of the notification issued under section 52.

(3) Ten members of the Academic Council shall form a quorum "

5. Section 40- In section, 40 for sub-section (3), substitute :

"(3) Subject to the control of the State Government, the executive Council may modify or annul any regulation made under this section by an authority or body".

6. Section 47-For section 47, substitute :

"47. The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the state Government on or before such date as may be prescribed by Statutes".

7. Section 48-In section 48, for sub-section(2), substitute :

"(2) The accounts when audited, shall be published in the Gazette and copy of the accounts together with the audit report shall be submitted by the Executive Council to the Commissioner Higher Education and the State Government".

8. Section 54-sub-section (1) of section 54 after the second proviso, insert :

" Provided also that if in respect of any University notification has been issued under section 52, then during the period of operation of such notification the student representatives on the Court of such University during such period of operation shall be the members of the committee".

9. Section 67- For Section 67, substitute :

"67. The Kuladhipati may, in consultation with the State Government remove any person from the membership of any authority or other body of the University if such person is guilty of serious offence involving moral turpitude, or if he has been guilty of scandalous conduct and for the same reasons withdraw any degree or diploma conferred or granted to any person by the University ;

Provided that no action shall be taken under this section against any person except after giving him a reasonable opportunity of being heard with regard to the proposed action."

Removal from membership of the University.

THE FOURTH SCHEDULE

(See Section 69)

In section 23 :

- (i) In sub-section (1) :
 - (a) Clause (iii) shall be omitted;
 - (b) the existing proviso shall be omitted; and
- (ii) " Proviso to sub-section (2) shall be omitted "

Amendment of section 23.

8. All notifications, orders, rules, bye-laws, statutes, Ordinances, regulations, certificates, degrees, diplomas or any other document whatsoever issued, made or prescribed under any enactment which immediately before the commencement of the Madhya Pradesh Vishwavidyalaya (Sansthodhan) Adhiniyam, 1988 were in force otherwise shall be construed as if references therein to the Bhopal University were references to the Barkatullah University

Construction of references to Bhopal University

* The Madhya Pradesh Vishwavidyalaya (Sansthodhan) Adhiniyam, 1988 (No. 23 of 1988)