

CHHATTISGARH ACT
(No. 21 of 2008)

THE AYUSH AND HEALTH SCIENCES UNIVERSITY OF CHHATTISGARH ACT, 2008

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CHHATTISGARH ACT
(No. 21 of 2008)

THE AYUSH AND HEALTH SCIENCES UNIVERSITY OF CHHATTISGARH ACT, 2008

An

Act

to establish and incorporate a teaching, research and affiliating university for the purpose of ensuring efficient and systematic education, training, research and development of Health sciences including Modern System of Medicine, Ayurved, Yoga and Naturopathy, Unani, Siddha, Homoeopathy, Dentistry, Pharmacy, Physiotherapy, Nursing, Public Health.

Be it enacted by the Chhattisgarh Legislature in the Fifty Ninth Year of the Republic of India, as follows, :-

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| <p>1. (1) This Act may be called the AYUSH and Health Sciences University of Chhattisgarh Act, 2008.</p> <p>(2) It extends to the whole of the State of Chhattisgarh.</p> <p>(3) It shall come into force on such date as the State Government may appoint by Notification in the Official Gazette.</p> | <p>Short title, extent and commencement.</p> |
| <p>2. In this Act, unless the context otherwise requires -</p> <p>(a) "Affiliated institution" means an institution affiliated under Section 6 or 35;</p> <p>(b) "Approved institution" means an institution approved under Section 6 or 38;</p> <p>(c) "Authority" means an authority of the university specified in Section 18;</p> <p>(d) "AYUSH" means the Ashtang Ayurved system of medicine, Yoga and Naturopathy, Unani, Siddha and Homoeopathy Systems, whether supplemented or not by such modern advances, as are consistent with the fundamental principles of Indian System of Medicine and as the university may from time to time determine;</p> <p>(e) "Board of Management" means the Board specified in Section 19;</p> <p>(f) "Central Council of Indian Medicine" means the council constituted under Section 3 of the Indian Medicine Central Council Act, 1970 (No.48 of 1970);</p> <p>(g) "Central Council of Homoeopathy" means the council constituted under Section 3 of the Homoeopathy Central Council Act, 1973 (No.59 of 1973);</p> <p>(h) "Chancellor" means the Chancellor of the university;</p> <p>(i) "College" means an institution admitted to the privileges of the university by or under the provisions of this Act and includes a University college;</p> <p>(j) "Dental Council of India" means the Council constituted under Section 3 of the Dentists Act, 1948 (No. 16 of 1948);</p> | <p>Definitions.</p> |

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- (k) "Dean" means the Dean of a Faculty or a College;
- (l) "Employee" means any person appointed by the university and includes teachers and other staff of the university;
- (m) "Faculty" means the faculty of Modern System of Medicine, Ayurved, Yoga and Naturopathy, Unani, Siddha, Homoeopathy, Dentistry, Pharmacy, Physiotherapy, Nursing, Public Health or any other related faculty of study established by the University;
- (n) "Finance Committee" means the Finance and Accounts Committee of the university constituted under sub-section(1) of Section 27;
- (o) "Governor" means the Governor of the State of Chhattisgarh;
- (p) "Health sciences" means the Modern System of Medicine, Ayurved, Yoga and Naturopathy, Unani, Siddha; Homoeopathy, Dentistry, Pharmacy, Physiotherapy, Nursing, Public Health and related faculties of study;
- (q) "Hostel" means a unit of residence for students maintained by the university or affiliated college or a recognized or approved institution;
- (r) "Institution" means an educational institution engaged in imparting instruction, teaching and training, research and development in the field of Health sciences, not being a college, maintained by the university;
- (s) "Indian Nursing Council" means the Council constituted under Section 3 of the Indian Nursing Council Act, 1947 (No. 48 of 1947).
- (t) "Imparting instruction" means teaching and training or undertaking research and development or discharging such other responsibilities which the university may specify;
- (u) "Medical Council of India" means the Council constituted under Section 3 of the Indian Medical Council Act, 1956 (No.102 of 1956);
- (v) "Modern System of Medicine" means Allopathy System of Medicine and Allied Sciences.
- (w) "Other Backward Classes" means the Other Backward Classes specified by the State Government vide Notification No. F 8-5/XXV-4-84 dated 26th December, 1984 as amended from time to time;
- (x) "Principal" means the Head of a College and includes a Dean of a College;
- (y) "Recognized institution" means an institution recognized under Section 6 or 37;
- (z) "Scheduled Castes" means the Scheduled Castes specified in relation to the State of Chhattisgarh under Article 341 of the Constitution of India;

- (aa) "Scheduled Tribes" means the Scheduled Tribes specified in relation to the State of Chhattisgarh under Article 342 of the Constitution of India;
- (bb) "State Government" means the State Government of Chhattisgarh;
- (cc) "Statute", "Ordinance" and "Regulation" mean respectively the statutes, ordinances and regulations of the University made under this Act, for the time-being in force;
- (dd) "Teacher of the university" means a Professor, an Associate Professor, a Reader, an Assistant Professor, a Lecturer and such other person as may be appointed for imparting instruction in the university or in any college or institution maintained by the university under this Act;
- (ee) "University college" means a college established or maintained by the University for the purposes of this Act, or a college transferred to the university and maintained by it.
- (ff) "University Grants Commission" means the University Grants Commission established under the University Grants Commission Act, 1956 (No.3 of 1956);
- (gg) "University" means the AYUSH and Health Sciences University of Chhattisgarh constituted under this Act;
- (hh) "University department" means any research institution or department maintained by the university;
- (ii) "Vice-chancellor" means the Vice-chancellor of the university;
- (jj) "Visiting Professor" means a Professor invited by the Board of Management for a short term of not more than six months as stipulated in the contract.

3. (1) There shall be established in the State of Chhattisgarh a university by the name of the AYUSH and Health Sciences University of Chhattisgarh;

(2) The Chancellor, the first Vice-chancellor of the university appointed under Section 13 and the first members of the Board of Management and Academic Council of the university and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, shall constitute a body corporate by the name of the AYUSH and Health Sciences University of Chhattisgarh;

(3) The headquarter of the university shall be at Raipur;

(4) The university shall have perpetual succession and a common seal, and shall sue and be sued by the said name;

(5) The university shall be competent to acquire and hold property, both movable and immovable, to lease, sale or otherwise transfer any movable or immovable property which may vest in or be acquired by it for the purposes of the

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and
Incorporation
of University.**

university, to raise loans on the security of its assets and to contract and to receive donations and do all other things necessary for the purposes of the Act :

Provided no such lease, sale or transfer of immovable property shall be made without the prior approval of State Government;

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

4. The object of the university shall be to disseminate, create and preserve knowledge of health sciences and understanding by teaching, research, extension of education and service by effective demonstration, in general and in particular the following object shall be:-

Object of the University.

- (1) to carry out its responsibility of new inventions, preservation and dissemination of knowledge of Health sciences;
- (2) to extend the benefits of knowledge and skills for developing total health of individuals and society by associating the university closely with local and regional health problems;
- (3) to facilitate research and specialization in Health sciences;
- (4) to promote acquisition of knowledge in a rapidly developing and changing society and to continuously offer opportunities of upgrading discovery in all fields of Health sciences with use of modern communication media and technologies;
- (5) to built up financial self-sufficiency by undertaking academic and allied programme and resource generative services in a cost effective manner;
- (6) to serve as an academic centre of excellence for all students from different parts of the country and outside;
- (7) To maintain a uniform curriculum in all the institutions the affiliated to it;
- (8) To conduct a entrance examination to the courses in all the institutions affiliated thereto; and
- (9) To improve the standards of Medical Education including Research.

5. Subject to the provisions of this Act, the university shall have the following powers and shall perform the following functions, namely:-

Powers and functions of University.

- (1) to formulate and maintain uniform curriculum and system of examinations for all the colleges and other institutions in the respective systems of health sciences;
- (2) to conduct entrance examination for all the colleges in the respective systems of medicine, for the selection of students;
- (3) to provide for instruction and training in such branches of medicine and allied sciences as may

be considered suitable and to make provision for research and for the advancement and dissemination of knowledge in health sciences:

- (4) to make such provisions as would enable affiliated colleges, recognized institutions and approved institutions to undertake specialization of studies;
- (5) to establish and organize common pharmaceutical laboratories, drug testing laboratories, libraries, museums, pharmacies and other equipments for teaching and research;
- (6) to establish, takeover, maintain, manage and supervise colleges, affiliated colleges, departments, centres and institutes of research or specialized studies, recognized institutions and approved institutions;
- (7) to institute professorship, readership, lectureship and any other posts of teachers required by the university;
- (8) to appoint or recognize person as professor, reader or lecturer or otherwise as teacher of the university;
- (9) to guide teaching in colleges, university departments or recognized and approved institutions;
- (10) to institute degrees, titles, diplomas, certificates and other academic distinctions and to impart instruction for such courses of study as it may determine;
- (11) to develop, upgrade and start departments in the medical specialties, as may be required and to impart instruction for such courses of study, as it may determine;
- (12) to confer degrees, titles, diplomas and other academic distinctions on persons who shall have carried out research in the, university or in any other centre or institution recognized by the university under the conditions prescribed;
- (13) to prescribe conditions under which the award of any degree, title, diploma and other academic distinction may be withheld;
- (14) to hold examinations and to confer degrees, diplomas and other academic distinctions on persons who,-
 - (a) have pursued approved courses of study in the university or in an affiliated college unless exempted there from in the manner prescribed by the statutes, ordinances and regulations and have passed the examinations prescribed by the university; or

- (b) have carried on research under conditions prescribed by the ordinances or regulations:
- (15) to confer honorary degrees or other academic distinctions in the manner laid down by the statutes;
 - (16) to grant certificates and diplomas and to impart instruction and training to persons not enrolled as students of the university as may be specified in the statutes, ordinances and regulations;
 - (17) to institute, maintain and administer university colleges, hospitals and laboratories and institutes of research, libraries or other institutions necessary to carry out the objects of the university;
 - (18) to affiliate, approve or recognize colleges and institutions and to withdraw such affiliation, approval or recognition;
 - (19) to admit educational institutions to the privileges of the university and to withdraw such privileges;
 - (20) to inspect colleges, recognized/approved institution and to take measures to ensure that proper standards of instructions, teaching or training are maintained by them and that adequate library and laboratory facilities are provided therein;
 - (21) to control and co-ordinate the activities of or to give financial aid to affiliated colleges, approved institutions and recognized institutions;
 - (22) to hold and manage trusts and endowments and to institute and award all kinds of fellowships, scholarships, studentships, medals and prizes;
 - (23) to fix, demand and receive or recover such fees and other charges as may be prescribed by the ordinances;
 - (24) to supervise and control hostels and to regulate and enforce discipline among the students of the university and to make arrangements for promotion of their health and general welfare;
 - (25) to establish, maintain and manage hostels;
 - (26) to recognize hostels not maintained by the university, to inspect such hostels and to withdraw such recognition;
 - (27) to co-ordinate, supervise, regulate and control the residence, conduct and discipline of the students of the university and to make arrangements for promoting their health and general welfare;
 - (28) to co-ordinate, supervise, regulate and control the conduct of teaching and research work of university centres, affiliated colleges and the institutions recognized or approved by the university;

- (29) to setup and manage any faculty or such departments in any faculty as may be provided in the statutes, ordinances or regulations;
- (30) to make provisions for :-
 - (a) extra-mural teaching and the activities provided for in the statutes, ordinances or regulations;
 - (b) physical education, National Cadet Corps and National Social Service;
 - (c) sports and students welfare;
- (31) to co-operate with other universities and authorities in such manner and for such purposes as the university may determine;
- (32) to invite research-scholars, students, professors, Vaidyas, medical practitioners and other interested persons in the study of health sciences to give lectures, instructions or otherwise help in the study of health sciences and to fix their pay, honorarium and other expenses payable to them;
- (33) to collect edit or publish manuscripts, books, periodicals, pamphlets and papers in the subject of health sciences and for that purpose to establish works and open printing press;
- (34) to carry out or help surveys and research work in the field of health sciences;
- (35) to appoint or recognize persons working in any other university or other organizations as adjunct professors, adjunct readers, adjunct lecturers, visiting professors of the university for specified periods;
- (36) to receive funds for collaboration programmes from foreign agencies, universities, institutions etc. subject to the prevailing rules and regulations;
- (37) to receive grants, subscriptions, donations and gift for the purpose of the university consistent with the object for which the university is established;
- (38) to provide for periodical assessment of the performance of teachers and non-teaching employees of the colleges or institutions and the university;
- (39) to do all such acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the university and generally to cultivate and promote health sciences as well as its allied themes of learning.

6. (1) No Medical, Dental, Nursing, Physiotherapy, Ayurvedic, Yoga and Naturopathy, Unani, Siddha, and Homoeopathy institution or any faculty or any college established, approved, affiliated and recognized by the university within the State of Chhattisgarh shall, save with the permission of the university, be associated in any way with or seek admission to any privilege of any other university established by law;

Jurisdiction
and
admission to
privileges.

(2) Notwithstanding anything contained in any law for the time being in force in the State an institution or college of health sciences affiliated or recognized or approved as the case may be, by any university established in the State immediately before the commencement of this Act under any existing law shall, immediately after the commencement of this Act be deemed affiliated to, recognized or, approved by, as the case may be, this university subject to the provisions of this Act or the statutes, ordinances or regulations made under the Act, and its affiliation, recognition or approval by the other university shall be deemed to have discontinued;

Provided that State Government may by notification to be published in the Official Gazette, defer the application of sub-section (1) and (2) for such period, not exceeding 6 months from the date of incorporation of the university, as may be required for the university to become functional;

(3) Any institution of health sciences situated outside the State of Chhattisgarh may subject to the prevailing Acts or Rules governing that institution and subject to such conditions as may be prescribed under the Rules made by the State Government and the statutes, ordinances or regulations made by the university, be admitted to the privileges to the university.

7. The university shall be open to all persons irrespective of race, class, creed or sex;
Provided that the university may,-

University
to be open
to all classes
and creed

(a) restrict the eligibility of admission to the courses of study of the university;

(b) make reservations in favour of the scheduled castes, the scheduled tribes, other backward classes, girls students and other categories in accordance with any law or orders of the State Government for the time being in force.

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

- (i) The Chancellor;
- (ii) The Vice-chancellor;
- (iii) The Registrar;
- (iv) The Deans of Faculties;

Officers of
University

- (v) The Finance and Accounts Officer;
- (vi) Such other officers in the service of the university as may be declared by the Statutes to be officers of the university.

9. (1) The Governor shall be the Chancellor of the university;
- (2) The Chancellor shall, by virtue of his office, be the head of the university;
 - (3) The Chancellor when present shall preside over the convocation of the university;
 - (4) The Chancellor shall constitute the board of management and the Academic council of the university in accordance with the provisions of this Act;
 - (5) The Chancellor may issue directions to the Vice-chancellor to convene the meeting of any authority of the university for specific purposes, whenever necessary and the Vice-chancellor shall submit the minutes of such meetings to the Chancellor;
 - (6) The Chancellor may-
 - (a) call for any record or information relating to the affairs of the university; and
 - (b) after reasons, to be recorded, refer any matter except a matter falling under Section 62, or reconsideration to any officer or authority of the university, which has previously considered such matter;
 - (7) The Chancellor may cause an inspection by such person or persons as he may nominate, of the university and its buildings, centres, libraries, museums, workshops, equipments and examinations and also of any institution, college or hostel administered, controlled or maintained by the university as well as of the examination, teaching and other work conducted by the university;
 - (8) The Chancellor may cause an enquiry into any matter relating to administration or the finances of the university;
 - (9) The Chancellor shall exercise such other powers and perform such other functions as may be conferred upon or vested in him by or under this Act;

**Chancellor
and his
Powers.**

10. (1) Where an inspection or inquiry has been ordered by the Chancellor of the university under sub-section (7) or (8) of Section 9, the university may depute one of its officers to represent it, in such inspection or enquiry;
- (2) The result of the inspection or inquiry and the advice, if any, of the Chancellor shall be communicated by the Chancellor to the Vice-chancellor;

**Inspection or
inquiry and
direction by
the
Chancellor.**

- (3) The result and the advice referred to in subsection (2) shall be communicated by the Vice-chancellor with his comments to the Board of Management for such action as the Board may propose to take and the action so taken shall be communicated to the Chancellor through the Vice-chancellor;
- (4) Where the Board of Management fails to take any action within reasonable time as required or does not take action to the satisfaction of the Chancellor, a direction may be issued by the Chancellor and the Board of Management shall comply with such direction.

11. (1) The Vice-chancellor shall be appointed by the Chancellor from a panel of not less than three persons recommended by a committee constituted under sub-section(2) or sub-section (6):

**Appointment
and Removal
of Vice-
Chancellor.**

Provided that if the Chancellor does not approve of any of the persons so recommended or the person or persons approved by the Chancellor out of those recommended by the committee are not willing to accept the appointment, the Chancellor may call for fresh recommendations from such committee;

Provided further that the first Vice-chancellor of the University shall be appointed as per provisions of Section 13;

- (2) The Chancellor shall appoint a committee consisting of the following persons, namely :-
- (a) A nominee of the Chancellor;
 - (b) A nominee of the State Government; and
 - (c) A nominee of the Board of Management;

The Chancellor shall appoint one of these three person to be the chairman of the committee.

- (3) For constituting the committee under sub-section (2), the Chancellor shall, six months before the expiry of the term of Vice-chancellor, call upon the Board of Management, and the Secretary of the Department of Health and Family Welfare of the State Government to choose their nominees and if any or both of them fail to do so within one month of the receipt of the Chancellor's communication in this regard, the Chancellor may further nominate the person, on behalf of category (b) or (c) or for both, as the case may be.

- (4) No person who is connected with the University or any colleges shall be recommended or nominated on the committee under sub-section (2);
- (5) The Committee shall submit the panel within six weeks from the date of its constitution or such further period not exceeding four weeks as may be extended by the Chancellor;
- (6) If, for any reason the committee constituted under sub-section(2) fails to submit the panel within the period specified in the sub-section (5), the Chancellor shall constitute another committee consisting of three persons not connected with the university or any College, and one of them shall be designated as the Chairman. The Committee so constituted shall submit a panel of not less than 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 Chancellor may appoint any person whom he deems fit to be Vice-Chancellor after consultation with the State Government;
- (8) The Vice-chancellor shall be an educationist or administrator having experience and expertise in the field of Modern Medicine or Ayurveda;
- (9) The Vice-chancellor shall be a full time salaried officer of the university and shall hold office during the pleasure of the Chancellor;
- (10) The tenure of the office of Vice-chancellor shall be four years or till attaining the age of sixty seven years, whichever is earlier. The Vice-chancellor shall not be eligible for appointment for more than two terms;
- (11) The Vice-chancellor may relinquish his office by resignation in writing under his hand addressed to the Chancellor which shall be delivered to the Chancellor normally 60 days prior to the date on which the Vice-chancellor wishes to be relieved from his office, but the Chancellor may relieve him earlier;
- (12) If at any time upon representation made or otherwise and after making such enquiry as may be deemed necessary, it appears to the Chancellor that Vice-chancellor:-
 - (a) has made default in discharging any duty imposed on him by or under this Act; or
 - (b) has acted in a manner prejudicial to the interest of the university; or

- (c) is incapable of managing the affairs of the university, the Chancellor may notwithstanding the fact that the term of office of Vice-chancellor has not expired, by an order, in writing, stating the reasons therein, require Vice-chancellor to relinquish his office as from such date as may be specified in the order.
- (13) No order under sub-section (12) shall be passed unless the particulars of the grounds on which such action is proposed to be taken are communicated to Vice-chancellor and he is given a reasonable opportunity of showing cause against the proposed order;
- (14) As from the date specified in the order under sub-section(12), Vice-chancellor shall be deemed to have relinquished the office and the office of Vice-chancellor shall fall vacant;
- (15) In the event of the occurrence of any vacancy including a temporary vacancy in the office of Vice-chancellor by reason of his death, resignation, leave, illness or otherwise, officer nominated by the Chancellor as per the provision of sub-section (3) of Section 61 shall act as Vice-chancellor until the Vice-chancellor appointed under sub-section (1) or sub-section (7), as the case may be, enter upon office;
- Provided that the arrangements contemplated in this sub-section shall not continue for a period of more than six months.
- 12.(1) The Vice-chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at any convocation of the university;
- (2) The Vice-chancellor shall be an ex-officio member and Chairman of the Board of Management, Academic Council and of the committees constituted under Section 50. He shall be entitled to be present with the right to speak, at any meeting of any other authority or body of the university, but shall not be entitled to vote unless he is a member of that authority or body;
- (3) The Vice-chancellor shall have power to convene meetings of the Board of Management, the Academic Council and joint meeting of faculties and such other authorities of the university of which he is the Chairman. He may delegate this power to any other officer of the university;
- (4) It shall be the duty of the Vice-chancellor to ensure that this Act, the statutes, ordinance and regulations are faithfully observed and he shall have all powers necessary for the purpose;

Powers
of Vice -
chancellor.

- (5) (a) In any emergency which, in the opinion of the Vice-chancellor, requires that immediate action should be taken, he shall take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer, authority or body as would have in the ordinary course dealt with the matter;
- (b) When action taken by the Vice-chancellor under this sub-section affect any person in the service of the university, such person shall be entitled to prefer an appeal through the said officer, authority or body to the Board of Management within fifteen days from the date on which such action is communicated to him;
- (6) The Vice-chancellor shall give effect to the orders of the Board of Management regarding appointment, dismissal, suspension and punishment of the person in the service of the university or teachers of the university or regarding the recognition or withdrawal of the recognition of any such teacher and shall exercise general control over the affairs of the university. He shall be responsible for the discipline of the university in accordance with this Act, the statutes and ordinance;
- (7) The Vice-chancellor shall exercise such other powers as may be prescribed by the statutes and ordinances.
13. To carryout the business of newly established university the State Government shall appoint the first Vice-chancellor, a person who shall be an educationist or Administrator having experience and expertise in the field of Modern Medicine or Ayurved for the period not exceeding five years and the person so appointed shall constitute Board of Management, Academic Council and other authorities of the university within a period of six months from the date of establishment of the university and till the said authorities are constituted, Vice-chancellor shall be deemed to be the Board of Management. Academic Council or such other Authority, as the case may be, and shall exercise the powers and discharge the duties conferred or imposed on such authorities by or under this Act:
- Appointment, Powers and duties of Vice-chancellor for the establishment of the University.**
- Provided that the Chancellor may, if he considers it necessary or expedient so to do, appoint a committee, after consultation with the State Government consisting

of an educationist and an administrative expert and representatives from various branches of health sciences to aid and advise Vice-chancellor in the exercise of his powers and performance of duties in lieu of each such authority.

14. (1) The Registrar shall be the Chief Administrative Officer of the university. **The Registrar.**
- (2) The Registrar shall be a whole time salaried officer and shall act as Secretary of the Board of Management, Academic Council and such Authorities, Bodies and committees as prescribed by or under this Act;
- (3) The Registrar shall be appointed by the Vice-chancellor with the prior approval of the Board of Management from the officers of the State University Service constituted under the Chhattisgarh University Adhiniyam, 1973 (No.22 of 1973) or from deputation;
Provided that Registrar shall be appointed by the State Government.
- (4) The emoluments and conditions of service of the Registrar shall be such as may be prescribed by the statutes;
- (5) The Registrar shall exercise such powers and discharge such duties as may be conferred or imposed on him by or under this Act or by statutes, ordinances and regulations;
- 15.(1) There shall be Deans who shall be whole time salaried officer of the university and appointed by the Vice-chancellor with the prior approval of the Board of Management in accordance with the statutes made in this behalf; **Dean.**
- (2) The emoluments and the conditions of service of the officers appointed under sub-section(1) shall be such as may be prescribed by the statutes;
- (5) The Deans shall exercise such powers and discharge such duties as may be conferred or imposed on them by the statutes.
- 16.(1) The Finance and Accounts Officer shall be the principal finance accounts and audit officer of the university; **The Finance and Accounts Officer.**
- (2) The Finance and Accounts Officer shall be a whole time salaried officer and shall be appointed by the Vice-chancellor with the prior approval of the Board of Management.
- (3) The Finance and Accounts Officer shall be appointed from deputation from State Accounts Service;
- (4) The emoluments and conditions of Service shall be such as prescribed by the statutes;

- (5) The duties of Finance and Accounts Officer shall be to:-
- exercise general supervision over the funds of the university and to advise the Vice-chancellor in regard to the financial policies of the university;
 - subject to the control of the Vice-chancellor manage the investment of the university;
 - be responsible for seeing that all money are expended on the purpose for which they are granted or allotted and no expenditure not authorized in the budget, is incurred by the university;
 - exercise such other powers as may be conferred on him by the statutes.
17. The appointment of the officers of the university referred to in Section 8 shall be made in such manner and the conditions of their service and their powers and duties shall be such as may be prescribed by the statutes and regulations. **Other Officers.**
18. The following shall be the authorities of the university namely:- **Authorities of University.**
- Board of Management;
 - Academic Council;
 - Faculties;
 - Boards of Studies;
 - Finance and Accounts Committee;
 - Board for Sports and Student Welfare, and
 - Such other Bodies of the university as may be declared by the Statutes to be the authorities of the University.
- 19.(1) There shall be a Board of Management of the university which shall be the principle executive body of the university. The Chancellor shall, as soon as the Vice-chancellor is appointed, take action to constitute such Board in accordance with the provisions of this Act. **Board of Management.**
- (2) The Board shall be consisting of the following members, namely :-
- The Vice-chancellor; : Chair Person
 - Secretary, Incharge of Health and Family Welfare Department of the State Government or his nominee not below the rank of Joint Secretary; : Member,
 - Secretary, Incharge of Finance Department of the State Government or his nominee not below the rank of Joint Secretary; : Member,
 - One member nominated by the Ministry of Health and Family Welfare. Government of India; : Member.

- (e) One member nominated by the AYUSH Department Ministry of Health and Family Welfare, Government of India; : Member,
- (f) The Director Medical Education Chhattisgarh; : Member,
- (g) The Director Health Services Chhattisgarh; : Member,
- (h) The Director Ayurved, Yoga and Naturopathy Unani Siddha and Homoeopathy (AYUSH) Chhattisgarh; : Member,
- (i) One Dean of Medical Colleges, by Rotation; : Member,
- (j) One Principal of Ayurved Colleges, by Rotation; : Member,
- (k) One Principal of Dental Colleges, by Rotation; : Member,
- (l) One Principal of Nursing Colleges, by Rotation; : Member,
- (m) Three distinguished educationists from the field of Health sciences nominated by the Chancellor : Member,
- (n) One Head of the Department, nominated by the Vice-Chancellor from amongst the heads of University departments : Member,
- (o) Three members nominated by the State Government; : Member
- (p) The Registrar of the university; : Member-Secretary,

- (3) The quorum at the meeting of the Board of Management shall be of ten voting members. Member-Secretary shall not have the right to vote.
- (4) In the absence of Vice-Chancellor one of the Members designated by the Vice-Chancellor shall preside over the meeting.
- (5) There shall be not less than two meetings of the Board of Management in a year.
- (6) The nominated members of the Board of Management shall hold office for a period of three years from the date of their nomination.

20. The Board of Management shall exercise the following powers and discharge the following duties, namely:-

Powers and duties of the Board of Management.

- (a) to make such provisions, as may enable colleges and institutions to under take specialized studies and where necessary or desirable, organize and make provisions for common libraries, museums, laboratories and equipments for teaching and research;
- (b) to establish departments, colleges, institutions, hostels

- and provide housing for staff, on the recommendation of the Academic Council ;
- (c) to make, amend or repeal Statutes and Ordinances subject to approval by the Chancellor;
- (d) to control and supervise all administrative affairs of the university;
- (e) to hold, control and arrange for administration of assets and properties of the university;
- (f) to enter into, vary, carry out and cancel contracts on behalf of the university;
- (g) to determine the form of a common seal for the university, and provide for its custody and use;
- (h) to approve the budget estimates received from the Finance and Accounts Committee with its own modifications, if any;
- (i) to consider and adopt the annual report, annual accounts and audit report;
- (j) to accept, on behalf of the university, trusts, bequests, donations and transfer of any movable or immovable property to the university;
- (k) to transfer by sale, or otherwise any movable property on behalf of the university;
- (l) to borrow, lend or invest funds and receive donations on behalf of the university as recommended by the finance and Accounts Committee;
- (m) to lay down policy for administering funds at the disposal of the university for specific purposes;
- (n) to recommend to Chancellor for conferment of honorary degrees and academic distinctions;
- (o) to institute and confer such degrees, diplomas, certificates and other academic distinctions as recommended by the Academic Council and arrange for convocation for conferment of the same as provided by the statutes;
- (p) to institute all kinds of fellowships, scholarships, studentship, exhibitions, awards, medals and prizes;
- (q) to make rules for collaboration with other Universities, institutions and organizations for mutually beneficial academic programmes;
- (r) to create posts for teachers, officers and other employees of the university, subject to prior approval of the State Government and to determine qualification for appointment thereon;
- (s) to approve appointment of Professor, Reader, other teachers of the university, Registrar, Deputy Registrars, Finance and Accounts Officer and Deputy Finance and Accounts Officers;

- (t) to regulate and approve the appointments of Visiting Professors, Emeritus Professors, Fellows and writers and to determine the terms and conditions of such appointments;
- (u) to appoint consultants and other persons on contract basis;
- (v) to prescribe procedure for selection and appointment of non-teaching employees of university;
- (w) Subject to any law made by the State Government in this behalf, to prescribe rules and procedure for appointment of teachers, officers and other employees in all approved institutions and affiliated colleges and terms and conditions of their service;
- (x) to prescribe fees and other charges;
- (y) to prescribe honorarium, remunerations and fees and traveling and other allowances for paper setters, examiners and other examination staff, visiting faculty, and for such other services rendered to the University;
- (z) to receive and consider report of the working of the University from the Vice-chancellor periodically;
- (aa) to cause an inquiry to be made in respect of any matter concerning the proper conduct, working and finances of colleges, institutions or departments of the university;
- (aa) to enforce discipline in teachers officers, employees and students; and
- (cc) to do all such acts as are necessary to carry out the object of the university.

21.(1) The Academic Council shall be responsible for laying down the academic policies in regard to maintenance and improvement of standards of teaching, research, and collaboration programme in academic matters and evaluation of work load of the teachers.

**Academic
Council**

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

- | | | |
|---|---|-----------|
| (a) The Vice-chancellor ; | : | Chairman. |
| (b) The Deans of all Faculties; | : | Member, |
| (c) Chairman of the Board of studies; | : | Member, |
| (d) Three Principals/Deans of
affiliated Institutions nominated by
Vice-chancellor from different disciplines; | : | Member, |
| (e) Two Heads of Departments from
University departments or the
departments of affiliated colleges to be
nominated by the Vice-chancellor; | : | Member, |

- (f) One teacher representing each faculty : Member,
to be co-opted by the Academic
Council from amongst the teachers
having not less than ten years
teaching experience, other than principals
of colleges, heads of university departments
and heads of recognized or approved
institutions;
- (g) Two eminent experts in the field of health : Member,
sciences to be nominated by the Chancellor;
- (h) Registrar of the University : Member-Secretary.

- (3) The Academic Council shall meet at least twice in a year.
(4) The Academic Council may constitute sub-committees
on various disciplines as it may deem necessary.
(5) The terms of the nominated or co-opted members of the
Academic Council shall be three years:

Provided that a nominated member shall be eligible for
re-nomination.

- 22.(1) The Academic Council shall be the principal academic authority
of the university and shall be responsible for regulating and
maintaining the standards of teaching, research and examinations in
the university.

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

- (2) Without prejudice to the generality of the foregoing provisions,
the Academic Council shall exercise the following powers and
perform the functions namely:-
- (a) to recommend to the Board of Management regarding
institution of degrees, diplomas, certificates and other
academic distinctions;
- (b) to recommend to the Board of Management to make,
amend or repeal Ordinances on issues related to academic
matters;
- (c) to make, amend or repeal regulations on academic matters;
- (d) to allocate subjects to the faculties;
- (e) to make proposals for the establishment of
colleges, departments, institutions, libraries,
laboratories and museums in the university;
- (f) to consider and make recommendations regarding
new proposals for creation of posts of teachers
and other academic staff required by the university;
- (g) to make proposals to the Boards of Management for
the institution of all kinds of fellowships, scholarships,
studentship, medals and prizes and make regulations for
their award;
- (h) to prescribe qualifications and norms for appointment
of paper setters, examiners, moderators and others,
concerned with the conduct of examinations;

- (i) to appoint committees to review periodically the utility and practicability of the existing courses of study and the desirability or necessity of reviewing or modifying them in the light of new knowledge or changing social requirements;
- (j) to generally, advise the university on all academic matters and submit to the Board of Management feasibility reports on academic programmes;
- (k) to exercise such other power and discharge such other duties as may be conferred or imposed on it by or under this Act, statutes and ordinances.

23. There shall be following faculties in the university, namely:-

Faculties.

- (1) Modern System of Medicine
- (2) Dental;
- (3) Ayurved;
- (4) Yoga and Naturopathy;
- (5) Unani;
- (6) Siddha;
- (7) Homoeopathy;
- (8) Nursing;
- (9) Physiotherapy;
- (10) Public Health;
- (11) Such other faculties as may be prescribed by the statutes.

24.(1) The faculties shall consist of the following, namely:-

**Composition
of Faculties.**

- (a) The Dean of the Faculty;
- (b) Heads of Departments of the Faculty;
- (c) Three eminent scholars to be co-opted by the Faculty concerned;
- (d) Two teachers to be co-opted by the Faculty.
- (2) The co-opted members of a faculty shall hold office for a period of three years.

25. Each Faculty shall perform the following functions, namely:-

**Functions
of Faculties.**

- (a) to recommend to the Academic Council courses of study and curricula and schemes of examination, after consulting the boards of studies;
- (b) to recommend to the Academic council conditions for the award of degrees and other academic distinctions;
- (c) to co-ordinate work in the subjects assigned to the Faculty;
- (d) to organize research or to secure co-ordination therein when desirable;
- (e) to deal with any matter referred to it by the Academic Council;

- (f) to remit matters to Boards of Studies;
- (g) to consider any matter within its purview referred to it by a Board of Studies ;
- (h) to hold meeting with the sanction of the Vice-chancellor jointly with any other faculty or faculties, such joint meetings to be convened by the Vice-chancellor and to be presided over by him or by a Dean nominated by him, and
- (i) to discharge such other functions as may be prescribed by the statutes, ordinances and regulations.

- 26.(1) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Statutes.
- (2) The constitution, powers and duties of the Boards of Studies shall be as prescribed by the statutes.

**Boards of
Studies.**

- 27.(1) There shall be a Finance and Accounts Committee consisting of the following namely:-

**Finance and
Accounts
Committee.**

- (a) The Vice-chancellor; : Chairman.
- (b) Secretary, Incharge of Health and Family Welfare Department of the State Government or his nominee not below the rank of Joint Secretary; : Member.
- (c) Secretary, Incharge of Finance Department of the State Government or his nominee not below the rank of Joint Secretary; : Member.
- (d) One person, nominated by the Board of Management from amongst its members; : Member
- (e) One person nominated by the Academic Council from amongst its members; : Member
- (f) The Registrar of the university : Member
- (g) The Finance and Accounts Officer. : Member Secretary.

- (2) The Committee shall meet at least four times a year to examine the accounts, the progress of expenditure and all new proposals involving fresh expenditure in the light of the provision available.
- (3) The annual Statement of accounts and the financial estimates (budget) of the university, prepared by the Finance and Accounts Officer, shall be laid before the Finance and Accounts Committee for consideration and recommendation and for submission thereafter to the board of Management for such action as it thinks fit.
- (4) The committee shall perform the following additional functions and discharge duties, namely:-

- (a) to recommend to the Board of Management the limits for the total recurring and non-recurring expenditure for the year, based on the income and resources of the university including the proceeds of loans for productive work;
- (b) to recommend to the Board of management productive investment and management of university assets and resources;
- (c) to explore the possibilities of, and resort to augmenting the resources for the development of the university;
- (d) to take necessary steps to have the university accounts audited by auditors appointed by the Board of Management;
- (e) to advise the board of Management of matter related to the proper administration of the funds of the university;
- (f) to ensure proper implementation of the State Governments orders issued from time to time in respect of financial matters;
- (g) to advise on financial matters referred to it by the Board of Management, Academic Council or any other authority, body or committee or any officer of the University;
- (h) to report to the Vice-chancellor any lapse or irregularity in financial matters which comes to its notice who may take suitable prompt actions after assessing the seriousness of the matter or refer it to the Board of Management;
- (5) The other powers and duties of the committee and the procedure at its meetings shall be such as may be prescribed by the statutes.
- (6) The annual accounts of the university shall be open for audit by the auditors appointed by the State Government.
- 28.(1) The university shall establish a Board for Sports and Students Welfare. **Board for Sports and Students Welfare**
- (2) The constitution, powers and duties of the Board established under sub-section (1) shall be as prescribed by the Statutes.
29. The constitution, powers and duties of such other bodies as may be declared by the Statutes to be the authorities of the university shall be as prescribed by the Statutes. **Other University Bodies**
30. Subject to the provisions of this Act, 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 officers or the members of the bodies including the continuance in the office of the first members, and filling of the vacancies of members and all other matters relating to those bodies;

- (c) emoluments and other terms and conditions of service of Vice-chancellor, his powers and duties;
- (d) the term of office, conditions of service and emoluments of Registrar and his powers and duties;
- (e) powers and duties of the other officers and employees of the university and the conditions of their service;
- (f) to make provision for pension, provident fund, establishment of insurance scheme, gratuity and other benefits for the employees of the university;
- (g) holding of convocation to confer degrees;
- (h) conferment of honorary degrees;
- (i) withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (j) establishment and abolition of faculties, hostels, teaching departments and colleges maintained by the university;
- (k) conditions under which colleges may be admitted to the privileges of the university and withdrawal of such privileges;
- (l) extent of the autonomy which the teaching departments of the university or colleges may have and the matters in relation to which such autonomy may be exercised;
- (m) qualifications of Professors, Readers, Lecturers and other teachers in affiliated colleges and recognized institutions, as per the norms set by regulatory bodies/Councils of various disciplines;
- (n) administration of endowments and the institution of fellowships, scholarships, studentships, exhibitions, bursaries, medals, prizes and other awards;
- (o) emoluments and terms and conditions of service for the benefits of officers and teachers of the university payable from the university fund;
- (p) mode of determining seniority for the purpose of this Act;
- (q) maintenance of a register of registered graduates;
- (r) acceptance and management of bequests, donations and endowments;
- (s) terms, conditions and mode of affiliation of the colleges and Institutions;
- (t) all other matters which, by this Act, are to be provided for by Statute.

31. (1) The first statutes with regard to matters set out in Section 30 shall be made by the State Government and a copy thereof shall be laid on the table of the Legislative Assembly.
- (2) The Board of Management may, from time to time make new or additional Statute and may amend or repeal the Statute in the manner hereinafter provided.
- (3) The Academic Council may propose to the Board of Management the draft of any new Statute or amendment of any existing Statute

Statutes
how made.

to be passed by the Board of Management and such draft shall be considered by the Board of Management at its next meeting:

Provided the Academic Council shall not propose the draft of any Statute or of any amendment of a Statute affecting the status, power or constitution of any existing authority of the University until such authority has been given an opportunity to express its opinion upon the proposal and any opinion so expressed shall be considered by the Board of Management.

- (4) The Board of Management may approve any such draft as is referred to in sub-section (3) and pass the Statute or reject it or return it to the Academic Council for reconsideration, either in whole or in part or suggest any amendment.
- (5) Any member of the Board of Management may propose to the Board of Management the draft of any new Statute or amendment to existing Statute and the Board of Management may either accept or reject the proposal if it relates to a matter not falling within the purview of the Academic Council. In case such draft relates to a matter within the purview of the Academic Council, the Board of Management shall refer it for consideration to the Academic Council, which may either report to the Board of Management that it does not approve the proposal, which shall then be deemed to have been rejected by the Board of Management or submit the draft to the Board of Management in such form as the Academic Council may approve and the provisions of this Section shall apply in the case of draft so submitted as they apply in the case of a draft proposed to the Board of Management by the Academic Council.
- (6) No new statute shall be introduced or any addition or amendment or repeal of existing statute shall be made without the prior approval of the Chancellor.

32. Subject to the provisions of this Act and the statutes made there under, the Board of Management may make ordinances to provide for all or any for the following matters namely:-

- (a) the admission of students to the university;
- (b) the courses of study and curricular to be laid down for all degrees, diplomas and certificates of the university;
- (c) the conditions under which students shall be admitted to courses of study and curricular and examination for degrees, diplomas other academic distinctions;
- (d) the recognition and inspection of hostels;
- (e) conditions of residence, conduct, attendance and discipline of students of the university;
- (f) conduct of examinations;
- (g) recognition of supervisors for guiding research;

Ordinances

- (h) emolument and condition of service of the university teachers;
- (i) rules to be observed and enforced by affiliated colleges in respect of transfer of students;
- (j) number, qualification and condition of appointment of teacher of the university;
- (k) duties and powers of the committees to be appointed by the authorities;
- (l) the mode of execution of contracts or agreements for, or on behalf of the university;
- (m) condition of award of fellowships, scholarship, studentships, exhibitions, medal and prizes, bursaries etc;
- (n) 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;
- (o) management of colleges, and other institutions founded or maintained by the university;
- (p) register of students to be kept by affiliated colleges and recognized institutions;
- (q) rates of traveling allowances and daily allowances admissible to the members of the authorities, committees and other bodies of University, the examiners, the officers and staff of the university;
- (r) constitution of students bodies and their mode of election.
- (s) all other matters which, by this Act or the statutes or ordinance may be provided;
- (t) generally, all matters for which provision is, in the opinion of the Board of Management, necessary for the exercise of the powers conferred, or the discharge of the duties imposed, upon the university authorities by this Act or statutes;

33. (1) All ordinance except the first ordinances shall be made by the Board of Management. First ordinances shall be made by the Board of Management, in consultation with the State Government and approval by the Chancellor;

**Ordinance
how made.**

Provided that no ordinances concerning admission to the university or to its examination, courses of study, scheme of examination, attendance and appointment of examiners shall be considered unless a draft of such ordinance has been proposed by the Academic Council.

- (2) The Board of Management shall not have power to amend any draft proposed by the Academic Council under the proviso to sub-section (1) but may return it to the Academic Council for reconsideration either in whole or in part, together with any amendment which the Board of Management may suggest.
- (3) All ordinances made by the Board of Management shall be submitted to the Chancellor for approval and all such ordinances shall take effect from the date of its approval by the Chancellor.

34. (1) The authorities, committees and other bodies of university constituted by or under this Act may make regulations, subject to the provisions of this Act, the statute and ordinance:-
- Regulations.
- (a) laying down the procedure for the meetings and the number of members required to form a quorum;
 Provided that until regulation providing for quorum are made, the quorum to constitute a meeting of any authority, committee or other body of the university shall be the number forming the majority of the members constituting such authority, committee or other body of the university, for the time being;
- (b) providing for all matters which, by this Act, the statute or the ordinance, are to be prescribed by regulation; 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 statute or ordinance;
- (2) Every authority, committee and body of the University shall make Regulation providing for issue of notice to the members of such authority, committee or body for the date of meetings and of the business to be considered at meetings and for keeping the minutes of the meeting;
 Provided that until regulation providing for issue of notice to the Members is made, the mode of issue of notice shall be in person and by registered A.D. or by Courier Service issued before minimum ten days from the date of meeting;
 Provided further that any authority, committee or body of the University which is not satisfied with any modification or annulment may appeal to the Chancellor whose decision in this matter shall be final.

- 35.(1) An Institution applying for affiliation to the university shall apply in writing to the Registrar and shall satisfy the Academic Council:-
- Affiliation.
- (a) that the college will supply a need in the locality in respect of instruction and teaching in the Health sciences having regard to the suitability of the locality where the college is to be established;
- (b) that the college is to be under the management of a governing body constituted under the provisions of prevailing law/rule;
- (c) that the strength and qualification of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the course of instruction, teaching or training to be undertaken by the college:

- (d) that the buildings in which the college is to be located are suitable and that provision will be made in conformity with the ordinances for the residence in the college or in lodgings approved by the college, for students not residing with their parents or guardians and for the supervision and welfare of students;
 - (e) that due provision has been made or will be made for a library;
 - (f) that arrangements have been or will be made in conformity with the statutes and ordinances for imparting instruction in Health sciences in a properly equipped laboratory or museum;
 - (g) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and some members of the teaching staff in or near the college or the place provided for the residence of the student;
 - (h) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and;
 - (i) that the college rules fixing the fees if any to be paid by the students have not been so framed as to involve such competition with any existing college in the same neighborhood as would be injurious to the interests of education.
- (2) The application shall contain an assurance that after the college is affiliated and changes in the management or teaching staff and all other changes, which result in any of the requirements mentioned in the sub-section (1) not being fulfilled or continued to be fulfilled, shall be forthwith reported to the Academic Council.
- (3) On receipt of an application under sub-section (1), the Academic Council shall:-
- (a) direct a local inquiry to be made by a competent person or persons authorized by it in this behalf in respect of the matters referred to in sub-section (1) and such other matters as may be deemed necessary and relevant;
 - (b) make such further inquiry as may appear to it be necessary;
 - (c) give due consideration to the request, if any made by the applicant for reconsideration of any of the conditions conveyed to him.
 - (d) record its opinion on the question whether the application should be granted or refused in whole or in part, stating the result of any inquiry under clauses (a) and (b).

- (4) The Registrar shall submit the application and all proceedings to the State Government, which, after such inquiry as may appear to it to be necessary, shall grant or refuse the application or any part thereof.
- (5) Where the application or any part thereof is granted, the order of the State Government shall specify the courses of instruction in respect of which the college is affiliated and where the application or any part thereof, is refused, the grounds of refusal shall be stated.
- (6) As soon as possible after the State Government makes its order, the Registrar shall submit to the Board or Management a full report regarding the application, the action taken thereon under sub-sections (3) to (5) and of all proceedings connected therewith.
- (7) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (4)
36. Where a College desires to add to the courses of instruction in respect of which affiliated, the procedure prescribed by Section 35 shall, so as may be, be followed. **Extension of affiliation.**
- 37.(1) The Academic Council shall have the power to recognize as a recognized institution any institution of research or specialized studies in health sciences other than a college. **Recognition of institutions of research and specialized studies.**
- (2) An institution which desires to have such recognition shall send an application to the Registrar and shall give full information in the application in respect of the following matters, namely:-
- constitution and personnel of the managing body;
 - subject and course in regard to which recognitions is sought;
 - accommodation, equipment, library facilities and the number of students for whom provision has been or is proposed to be made;
 - the strength of the staff, their qualification and salaries and the research work done by them ;
 - fees levied or proposed to be levied and the financial provision made for capital expenditure on building and equipment and for the continued maintenance and efficient working of the institution;
- (3) Before taking the application into consideration the Academic Council may call for any further information which it may deem necessary;

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

38.(1) The Academic Council shall have the power to approve an institution as an approved institution for specialized studies, laboratory work, internship, research or other academic work in the health sciences under the guidance of one or more qualified teacher;

Approval of institutions.

- (2) An institution which desires to have such approval shall send an application to the Registrar and shall give full information in the application in respect of the following matters, namely:-
- (a) the name, qualifications, experience and research work of the teacher under whom approved work is to be done;
 - (b) the nature of work or the subjects for which work is proposed to be done;
 - (c) accommodation, equipment, library facilities and the number of students for whom provision has been made or is proposed to be made;
 - (d) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution;
- (3) Before taking the application into consideration the Academic Council may call for any further information, which may deem necessary;

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

- 39.(1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (1) of Section 35 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education;
- (2) A motion for the withdrawal or the modification of such shall be initiated only in the Academic Council. The member of the Academic Council who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made;
- (3) Before taking the said motion into consideration, the Academic Council shall send a copy of the notice and written Statement mentioned in sub-section (2) to the Principal of the college concerned together with intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college, will be considered by the Academic Council:

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

- (4) One receipt of the representation or on the expiry of the period referred to in sub-section (3), the Academic Council after considering the notice of motion, statement and representation and after such inspection by competent person or persons authorized by it in this behalf and such further inquiry as may appear it to be necessary shall make a report to the Board of Management;

Withdrawal of affiliation.

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

Provided that no resolution of the Board of Management recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at the meeting of the Board of Management, such majority comprising not less than one-half of the members of the Board of Management.

- (6) The Registrar shall submit the proposal and all proceedings, if any, of the Board of Management and the Academic Council relating therefore, to the State Government which, after such further inquiry, if any, as may appear it to be necessary, shall make such order as it deems fit and communicate it to the Board of Management;
- (7) Where by an order made, under sub-section (6), the rights conferred by affiliation is withdrawn in whole or in part or modified, the grounds for such withdrawal or modifications shall be stated in the order.

40. (1) The rights conferred on an institution by recognition or approval may be withdrawn or suspended for any period by the Academic Council, if the institution has failed to observe any conditions of its recognition or approval or the work assigned to it, is conducted in a manner which is prejudicial to the interests of education, or the teacher recognized by the university leaves the institution;
- (2) Before making an order under sub-section (1) in respect of any recognized or approved institution, the Academic Council shall by notice in writing, call upon the institution to show cause within one month from the date of the receipt of the notice, why such an order should not be made. The period so given for showing the cause may, if necessary, be extended by the Academic Council;
- (3) On receipt of the explanation, if any, made by the institution in reply to the notice, and where no such reply is received, on the expiry of the period referred to in sub-section (2), the Academic Council shall, after such inquiry, if any, as may appear it to be necessary, decide whether the recognition or approval should be withdrawn or as the case may be, suspended and make, an order accordingly.

**Withdrawal of
recognition or
approval.**

41.(1) The university shall establish a Fund to be called the university fund.

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;
- (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 Nationalized Bank.

42.(1) The university Fund shall be applicable to the following objects, and in the following order:-

Object to which
University Fund
may be applied.

- (a) payment of debts incurred by the university for the purpose of this Act and statute, the ordinance and regulation made there-under;
- (b) upkeep of colleges, teaching departments, schools of studies established by the university, residences and hostels;
- (c) payment of the cost of audit of the University Fund;
- (d) expenses of any suit or proceedings to which the university is a party;
- (e) 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 maintained by the university for and in furtherance of the purposes of this Act, and the statute, the ordinance and regulation made there-under 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) payment of the traveling and other allowances of the members of the Board of Management, the Academic Council and any other authorities of the University or the members of any Committee or Board constituted by any of the authorities of the University in pursuance of any provision of this Act, and the Statute, Ordinance and Regulation made there-under;
- (g) payment of fellowships, scholarships, studentships and other awards to students;
- (h) payment of any expenses incurred by the university in carrying out the provisions of this Act, and the Statute, Ordinance and Regulation made there-under;

- (i) payment of any other expenses not specified in any of the preceding clauses declared by the Board of Management to be the expenses 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 Board of Management without the previous approval of the Board of Management.

- (3) No expenditure other than that provided for in the budget shall be incurred by the university without the previous approval of the Board of Management.

43. The annual report of the university shall be prepared under the direction of the Board of Management and shall be submitted to the Board of Management on or before such date as may be prescribed by the statute and shall be considered by the Board of Management at its meeting. The Board of Management may pass resolution thereon and communicate the same to the Chancellor. The university shall, thereafter send a copy of the annual report to the State Government and the State Government shall, cause the same to be laid on the table of the State Legislative Assembly.

Annual Reports.

44. (1) The accounts of the university shall be audited at least once in a year at intervals of not more than fifteen months by the examiner of local fund accounts of the State.
- (2) The copy of the audited accounts together with the audit report shall be submitted by the Board of Management to the State Government and the same shall be laid on the table of the Legislative Assembly.

Audit of Account.

45. No students shall be enrolled as a student of the university unless he possesses such qualifications as may be prescribed by the statutes

Enrolment of Students.

- 46.(1) All post-graduate instruction, teaching, research and training shall be conducted by the university or by such affiliated college or institutions and in such subjects as may be prescribed by the Statute.

Post Graduate teaching.

- (2) All post-graduate departments and research centres shall ordinarily be located at the headquarters of the university. However, the university may locate any of such departments or centres at a place or places outside of headquarters.

- (3) The university may maintain university centres at places other than the headquarters of the university on such terms and conditions, as may be prescribed by the statutes and ordinances.
47. Student of the university shall reside in the accommodation provided or approved by the university if so required by the ordinances. **Residence of the students.**
48. If, not less than two thirds of the members of the Academic Council recommend that an honorary degree or other academic distinction be conferred on any person on the ground that he is in their opinion, by reason of eminent position and attainments a fit and proper person to receive such degree or other academic distinction and where their recommendation is supported by a majority of not less than two thirds of the member of the Board of Management present at a meeting of the Board of Management such majority comprising not less than one- half of the members of the Board of Management and the recommendation is confirmed by the Chancellor, the Board of Management may confer on such person the honorary degree or other academic distinction so recommended without requiring him to undergo any examination. **Honorary Degree.**
- 49.(1) The Chancellor may on the recommendation the Academic Council and the Board of Management supported by a majority of not less than two thirds of the members of each body present in its meeting, such majority comprising not less than one half of the members of each body, withdraw from any person a diploma or degree if he has been convicted by a court of any offence which in the opinion of the Academic Council and the Board of Management, is a serious offence involving moral turpitude. **Withdrawal of Degree or Diploma.**
- (2) No action under this Section shall be taken unless the person concerned is given an opportunity of being heard in his defence in the manner prescribed by the statutes.
50. All the authorities of the university shall have power to appoint committees. Such committee may include persons who are not members of the authority appointing the committee. **Committees.**

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

**Inspection of
College and
Other Body.**

(2) The Board of Management shall cause such institution to be inspected from time to time by one or more persons authorized by the Board of Management in this behalf.

(3) The Board of Management 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.

52. (1) Subject to the provisions of the statute, all examiners and moderators of examinations shall be appointed by the Vice-chancellor, in consultation with a committee consisting of the following members:-

**Appointment
of Examiners
and
Moderators.**

- (a) Dean of the Faculty concerned who shall be the Chairman of the Committee;
- (b) Chairman of the Board of the Studies concerned;
- (c) a member of the concerned Board of Studies to be nominated by Vice-chancellor.

(2) If, during the course of an examination, an examiner becomes incapable of acting as such for that course, Vice-chancellor shall appoint another examiner for such course.

53.(1) No Person shall be appointed to any teaching post of the university whose salary is payable from the university fund except on the recommendation of a selection committee 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 and institution of the university, the Board of Management may make such appointment without obtaining the recommendation of the committee 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.

(2) Vice-chancellor shall constitute a selection committee consisting of the following members:-

- | | | | |
|-----|---|---|----------|
| (a) | Vice-chancellor; | : | Chairman |
| (b) | one expert to be nominated by the Chancellor from a panel of three experts in the subject proposed by Academic Council not connected with the university in any manner; | : | Member |
| (c) | three subject experts not connected with the university in any manner to be nominated by the Chancellor; | : | Member |
| (d) | Secretary Health and Family Welfare or his nominee not below the rank of Joint Secretary to the State Government. | : | Member |

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

Provided that no recommendation shall be made, unless at least two experts nominated under clause (b) and (c) of sub-section (2) are present.

- (4) The committee shall examine the merits of various candidates and recommend to the Board of Management the names of suitable persons for the post arranged in order of merit.
- (5) Out of the names so recommended under sub-section(4) the Vice-chancellor shall appoint persons in order of merit with the prior approval of the Board of Management.

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| 54. | The salaries to the teachers of the university shall be payable by the university in accordance with the ordinance. | Salaries to the teachers payable by University. |
| 55. | Save as otherwise provided in this Act all casual vacancies of the members other than ex-officio members of any authority, committee or other body of the university shall be filled, as soon as possible for the remaining term. | Filling of casual vacancies. |
| 56.(1) | Every salaried officer, teacher and paid employees of the university shall be appointed under a written order which shall be lodged with the university. | Service Conditions. |
| (2) | Any dispute regarding service matters shall be adjudicated upon in accordance with the statutes and ordinance. | |
| 57. (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; | Pension and Provident Fund. |

- (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 Provisions of the Provident Fund Act, 1925 (No. 19 of 1925), shall apply to such fund as if it were a Government Provident Fund.

58. No person shall impart instructions in the university or any college-

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

Approval for imparting instructions.

59. Classification of teachers of the university the affiliated colleges and institutions shall be such as provided in the Ordinance.

Classification of teachers.

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

State Government to assume financial control in certain circumstances.

(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 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 of the notification issued under sub-section(1) the executive authority of the State Government shall extend to give directions to the said university to observe such canons of financial propriety as may be specified in the direction and to give 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 sanctions;
- (iii) a provision requiring the submission of every proposal for the revision of pay scale and rate of allowances of the officers, teachers, and other persons employed by the university to the State Government for the sanction;
- (iv) a provision requiring the deduction of salaries and allowances of all or any class of persons employed by the university;
- (v) a provision requiring the deduction in the number of posts of the officers, teachers and other persons employed by the university;
- (vi) a provision requiring the lowering down of scales of pay and rate of allowances; and
- (vii) a provision in regard to such other matters as may have the effect of reducing the financial strain on the university:

Provided that the Chancellor may, if he considers it necessary so to do, appoint a committee consisting of an educationist, and administrative expert and a financial expert to assist Vice-chancellor so appointed in exercise of such powers and discharge of such duties;

- (5) Notwithstanding any thing 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 he 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 of Men Power and Employment be recovered from such officer as arrears of land revenue:

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

- 61.(1) If the State Government on receipt of a report or otherwise, is satisfied that situation has arisen in which the administration of the university cannot be carried out in accordance with the provisions of this 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 11, 13, 19, 20, 21, 27, 34, 43, 44 and 70 shall as from the date specified in the notification (herein after in this Section referred to as the appointed date) not apply to the university.
- (2) The Notification issued under sub-section(1) 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 of 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 Chancellor shall simultaneously with the issue of the notification, appoint any senior Officer of the Government, preferably with suitable Academic background as Vice-chancellor and Vice-chancellor so appointed shall hold office during the period of operation of the notification and shall have the all powers of Vice-chancellor appointed under Section 13.
- Provided that Vice-chancellor may notwithstanding the expiration of the period of operation of the notifications, 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:-
- (a) Vice-chancellor, holding office immediately before the appointed date, shall notwithstanding that his term of office has not expired, vacate his office;
 - (b) Every person holding office as a member of the Board of Management or the Academic Council, in the case may be immediately before the appointed date shall cease to hold that office;

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

(c) until, the Board of Management or Academic Council, as the case may be is reconstituted in accordance with the provisions as modified. Vice-chancellor appointed under Section 11 and 13 as modified, shall exercise the powers and discharge the duties conferred or imposed by or under this Act, on the Board of Management or Academic Council.

Provided that if the Board of Management and Academic Council are not constituted before the expiration of the period of operation of the notification, vice-chancellor shall on such expiration, exercise the powers of each of these authorities subject to prior approval of the Chancellor till the Board of Management or Academic Council, as the case may be, is so constituted.

62. On expiration of the period of operation of the notification issued under Section 61, 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 the period of notification under Section 61.

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

- (a) previous operation of or anything done or liability acquired, accrued or incurred under the provisions as modified or any order made there-under; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the provisions as modified or any order made there-under; 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.

63. If any question arises regarding the interpretation of any provisions of this Act or 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 the Chancellor whose decision thereon shall be final:

Dispute as to constitution of University authorities and bodies.

Provided that before taking any such decision the Chancellor 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-

- (a) "body" includes any committee constituted by or under this Act;
- (b) "appointed" does not include appointments to the salaried posts of the university.

64. 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;
 - (b) any defect in the election, nomination or appointment of a person acting as a member thereof; or
 - (c) any irregularity in its procedure not affecting the merits of the case.
- Proceedings of University and bodies not invalidated by vacancies.
65. 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 or her under this Act, or the statute or university ordinance or regulation.
- Protection of action taken in good faith.
66. (1) Whenever in accordance with this Act, any person is to hold an office or to be a member 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 statute.
- Terms of office of members of Authority of University.
- Provided that, till the statutes are made, the seniority in a particular cadre shall be determined by the length of continuous service in such 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 member 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 qualifications before the expiry of 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 a period not exceeding four months.
67. (1) Any member other than an ex-officio member of the Board of Management, the Academic Council, or any other University Authority or Committee or Dean of a Faculty may resign by a letter addressed to the Registrar and the resignation shall take effect as soon as the letter is received by the Registrar.
- Resignation of member or officer of University.

- (2) Any officer of the university, whether salaried or otherwise, other than a Dean may resign his office by a 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.

- 68.(1) A person shall be disqualified for being chosen as, and for being a member of any of the authorities of the university:-
- if he is of unsound mind; or
 - if he is deaf, mute or suffering from any contagious disease; or
 - if he is an un-discharged insolvent; or
 - if he has been convicted by a Court of Law of an offence involving moral turpitude and sentence in respect thereof to imprisonment for not less than six months;

**Disqualification
for being
member
of authority.**

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

- 69.(1) The Chancellor may, on the request of the Board of Management, remove the name of any person from the register of graduates or diploma holders or from membership of any authority or body of the university, if:-
- he is guilty of gross misconduct; and
 - he acts prejudicial to the interest of the university.

**Power to remove
the name of any
graduate or
diploma holder
from register or
from membership
of authority or
body of the
University.**

Provided that the Chancellor shall cause a preliminary enquiry to be made and if he is satisfied that prima facie case exists, he shall serve on such person charge-sheet, in writing, stating the misbehaviour or the act prejudicial to the interest of the university, as the case may be.

70. If any difficulty arises as to the first constitution or reconstitution of any authority of the university after commencement of the 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.**