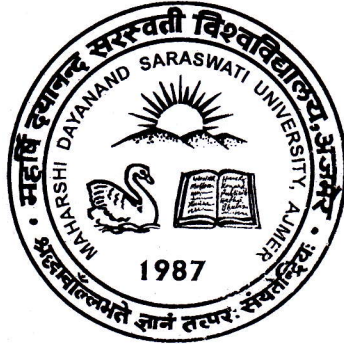


THE MAHARSHI DAYANAND SARASWATI UNIVERSITY ACT, 1987

(As amended by the University of Ajmer (Amendment) Act, 1992 (Act No. 17 of 1992), Maharshi Dayanand Saraswati University (Amendment) Act, 2013 (Act No. 7 of 2013), Maharshi Dayanand Saraswati (Amendment) Act, 2017 (Act No. 20 of 2017) & The Universities' Laws (Amendment) Act, 2019 (Act No. 17 of 2019).



AJMER

2020

[1]


Registrar
Maharshi Dayanand Saraswati University
Ajmer

LAW AND LEGISLATIVE DRAFTING DEPARTMENT

NOTIFICATION

Jaipur, November 7, 1987

No. F.2 (38) Vidhai/87. In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English language of the Ajmer Vishwavidyalaya Adhiniyam, 1987 (Adhiniyam Sankhya 38 San 1987) :-

(English Translation)

* Maharshi Dayanand Saraswati University ACT, 1987.

(Act No. 38 of 1987)

[Received the Assent of the Governor on the 7th day of November, 1987]

An

Act

to establish and incorporate a University at Ajmer in the State of Rajasthan.

Be it enacted by the Rajasthan State Legislature in the Thirty-eighth year of the Republic of India as follows -

* As amended as "Maharshi Dayanand Saraswati University Act, 1987" by the University of Ajmer (Amendment) Act, 1992 (Act No. 17 of 1992)

Chapter – 1

Preliminary

1. * **Short title and commencement.** – (1) This Act may be called the Maharshi Dayanand Saraswati University Act, 1987.

(2) It shall and shall be deemed to have come into force on such date as the State Government may, by notification in the official Gazette, appoint.

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

- (a) "Academic Council" means the Academic Council of the University as constituted under section 12;
- (b) "Affiliated College" means an educational institution admitted to the privileges of the University;
- (c) "Appointed Day" means the date appointed under sub-section (2) of section 1 for the coming into force of this Act;
- (d) "Autonomous College" means an educational institution declared as such under the provisions of this Act;
- (e) "Authority" means an Authority of the University as specified by or declared under section 10;
- (f) "Board" means the Board of Management of the University as constituted under section 11;
- (g) "employee" means any person appointed by the University other than a teacher of the University;
- (h) "Government" means the Government of the State of Rajasthan;

* As amended and substituted by the University of Ajmer (Amendment) Act, 1992 (Act. No. 17 of 1992)

- *
- (i) "Institution" means an institution recognised or approved as such by the University under the provisions of this Act;
 - (j) "Officer" means an officer of the University as specified by or declared under section 18;
 - (k) "Ordinance" or an "ordinance of the University" shall mean an ordinance made under section 22;
 - (l) "prescribed" means prescribed by the Statutes of the University;
 - (m) "Principal" means the chief executive officer of a college or any person duly appointed to act as such ;
 - (n) "Regulations" means the regulations made by any Authority of the University under this Act;
 - (o) "State" means the State of Rajasthan;
 - (p) "Statute" means the Statutes of the University made under this Act;
 - (q) "Student" means a person enrolled in the University for taking a course of study for a degree, diploma, certificate or other academic distinction;
 - (r) "Teacher" means a Professor, Associate Professor, Assistant Professor, Reader or Lecturer or any other person appointed or recognised by the University for imparting instructions to students or guiding research work or engaged for giving training or instructions and includes a person declared by the Statutes to be a teacher; and
 - (s) * "University" means the Maharshi Dayanand Saraswati University established by and under this Act.

* As amended and substituted by The University of Ajmer (Amendment) Act, 1992 (Act No. 17 of 1992).

Chapter – II

The University

3. **** Incorporation of the University** – (1) The Chancellor, the first Vice-Chancellor, the first members of the Board of Management and the Academic Council of the University, and all persons who may hereafter become such officers or members so long as they continue to hold such office or membership, shall constitute a body corporate by the name of "The Maharshi Dayanand Saraswati University".

(2) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(3) Subject to the provisions of this Act the University shall be competent to acquire and hold property both movable and immovable, to lease, sell or otherwise transfer or dispose of any movable and immovable property which may be vested in or has been acquired by it for the purposes of the University, and to enter into contract and to do all such other things as may be necessary for the furtherance of the purposes of this Act.

(4) The Head Office of the University shall be at Ajmer which shall be the headquarters of the Vice-Chancellor and it may establish or maintain Regional Centers and Schools of Studies or Departments of Studies at such places in Rajasthan as it may think fit.

4. **Objects of the University** – The University shall extend and regulate its functions for the following objects namely :-

- (a) for imparting education in various branches of learning and courses;
- (b) for advancement of learning and research work in various branches of learning;
- (c) for undertaking extension education programmes;

**** As amended and substituted by The University of Ajmer (Amendment) Act, 1992 (Act. No. 17 of 1992).**

- (d) for providing training of college teachers to up-date their knowledge;
- (e) for organizing specially designed orientation programmes in teaching methodologies and pedagogy;
- (f) for undertaking work relating to updating and modernizing curricula and examination reform; and
- (g) for such other work-activity or project as the University may deem proper to undertake in order to achieve its objects.

5. Powers and Functions of the University. – (1) The University shall exercise the powers and perform the functions as under : -

- (a) to provide for instructions, extension training and consultancy in such branches of learning as it may think fit;
- (b) to make provision for research and for the advancement and dissemination of knowledge;
- (c) to make such provision as would enable affiliated and recognised colleges, recognised and approved institutions to undertake specialized studies;
- (d) to establish maintain and manage colleges, teaching departments, schools of studies, centers of studies and institutes, halls and extension education centers;
- (e) to organize common laboratories, libraries, museums, audio visual, computer and other teaching aids for teaching and research;
- (f) to prescribe the courses of instruction and studies for the various examinations and evaluation thereof;
- (g) to determine the standards for admissions and the method of admission into the University and its affiliated colleges, which method may include examinations, evaluation and other modes of testing;

- (h) to institute degrees, diplomas, certificates and other academic distinctions;
- (i) to hold examinations and confer degrees, diplomas, certificates and other academic distinctions on persons who have pursued approved courses of study in the University or in an affiliated college or have carried on research under conditions prescribed by the Statutes; Ordinances and Regulations;
- (j) to withdraw degrees, diplomas, certificates and other academic distinctions for good and sufficient reasons;
- (k) to confer honorary degrees or other academic distinctions on approved persons in the manner prescribed in the Statutes;
- (l) to admit to the privileges of the University, Colleges and Institutions not maintained by the University and withdraw all or any of these privileges;
- (m) to confer autonomous status on a College, institution or department as the case may be, subject to such conditions as may be laid down in this Act, or as may be prescribed by the Statutes and to withdraw the autonomy;
- (n) to create academic, administrative, ministerial and other necessary posts in the University and to make appointments there to;
- (o) to prescribe qualifications and terms and conditions of service of the members of the teaching, other academic and non-teaching staff in the affiliated or recognised colleges and recognised and approved institutions;
- (p) to regulate the fees and other charges to be paid by the students in constituent, affiliated and recognised colleges, and recognised and approved institutions;
- (q) to enforce and maintain discipline among the teachers, students, officers and staff and to make necessary arrangements in order to promote their welfare and to improve their service conditions;
- (r) to build, maintain and manage buildings, offices, residences, hostels, etc. for teachers, students, officers and staff;

- (s) to recognize hostels not maintained by the University, to inspect such hostels and to withdraw recognition there-from; and
- (t) to do all such other acts, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University or which are incidental or ancillary to achieve those objects.

6. Territorial Jurisdiction.— Subject to the provisions of the University of Rajasthan Act, 1946, the Jodhpur University Act, 1962 (Rajasthan Act 17 of 1962), the Mohan Lal Sukhadia University Act, 1962 (Rajasthan Act 18 of 1962) and any other law for the time being in force, the jurisdiction of the University shall extend to and the powers conferred by or under this Act shall be exercisable throughout the territory of the State of Rajasthan.

7. University open to all classes.— The University shall, subject to the provisions of this Act and the Statutes, be open to all person irrespective of their caste, creed, race, class or sex;

Provided that nothing in this section shall be deemed to prevent the University from making any special provision of reservation for persons belonging to scheduled castes or scheduled tribes or any other weaker sections of the society.

8. Chancellor.— (1) The Governor of the State shall be the ex-officio Chancellor of the University.

(2) The Chancellor may give any direction, take any action and do anything as may be necessary under the provisions of this Act and the Statutes.

9. Power to order inspection or enquiry.— (1) The Chancellor shall have power to order an inspection, by such person as he may appoint, of the University and its buildings, laboratories, centers, libraries, museums, workshops and equipments and also of any institution, college or hostel administered, controlled or maintained by the University. An inspection or enquiry may also be made, as directed by the Chancellor, into the teaching or other work conducted by or under the auspices of the University or any matter connected with the administration or the finances of the University.

(2) The Chancellor shall, before ordering an inspection or enquiry, give a notice to the University in this behalf. The University may appoint a person as its representative for being present and be heard at the inspection or enquiry.

(3) The Chancellor may communicate to the University his views on the result of the inspection or enquiry and may, after obtaining the comments of the University, advise the University on the action to be taken within a period fixed by him.

(4) The University shall, within the period so fixed, send a report to the Chancellor about the action taken or proposed to be taken with respect to the advice given by the Chancellor under sub-section(3).

(5) The Chancellor may, where action is not taken by the University in accordance with the advice given by him under sub-section(3), issue directions, as he may deem fit, and the University shall be bound to comply with such directions.

(6) Where the Chancellor is of the opinion that the affairs of the University are not being conducted in furtherance of its objects or in accordance with the provisions of this Act so as to maintain the standards of teaching, examination, research or extension programme, he may call upon it to send comments or explanation in this behalf. In case the University fails to send, or sends unsatisfactory comments or explanation, the Chancellor may issue such instructions as may appear to be necessary or desirable.

(7) The University shall furnish such information relating to its Administration as the Chancellor may require.

Chapter – III

Authorities of the University

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

- (a) Board of Management;
- (b) Academic Council;
- (c) Boards of Studies; and

- (d) Such other bodies as may be declared by the Statutes to be the Authorities of the University.

11. Board of Management. :- (1) The Vice-Chancellor shall, as soon as may be after the appointed day, order the constitution of the Board of Management in accordance with the provisions of the Statutes.

(2) The Board shall consist of such members, exercise such powers and perform such functions as may be prescribed.

12. Academic Council. :- (1) There shall be an Academic Council of the University which shall be in-charge of the academic affairs of the University and shall, subject to the provisions of this Act and the Statutes, supervise, control and regulate the standards of instructions and examinations in the University and all matters connected with education, training and research.

(2) The Academic Council of the University shall be constituted in accordance with the provisions of the Statutes.

(3) The Academic Council shall consist of such members, exercise such powers and perform such functions as may be prescribed.

13. Board of Studies :- (1) There shall be such number of Boards of Studies as may be determined by the Statutes.

(2) A Board of Studies shall be constituted in the manner, consist of such members, exercise such powers and perform such functions as may be prescribed.

14. Other Authority. :- A body declared by the Statutes to be an Authority of the University under clause (d) of section 10 shall be constituted in the manner, consist of such members, exercise such powers and perform such functions as may be prescribed.

15. Dispute relating to appointment as member. – If any dispute arises as to whether any person was duly nominated, elected or appointed to any Authority, the matter may be referred to the Chancellor whose decision thereon shall be final.

16. Temporary vacancy in an Authority. – Any temporary vacancy, other than that of an ex-officio member, in any Authority shall, as

soon as may be, be filled in the same manner as has been prescribed for nomination, election or appointment in the case of a permanent vacancy. The person filling a temporary vacancy shall become a member of such Authority for the residue of the term for which the person whose place he fills would have been a member.

17. Vacancy not to invalidate a proceeding. – No act or proceeding of any Authorities shall be called in question or held to be invalid merely by reason of any vacancy of membership in such Authority.

Chapter – IV

Officers of the University

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

- (1) The Vice-Chancellor;
- (2) All Deans;
- (3) The Registrar;
- (4) Comptroller;
- (5) The Controller of Examination;
- (6) The University Librarian; and
- (7) Any other officer declared by the Statutes to be an officer of the University.

19- Vice-Chancellor –

*† Omitted.

- (1) ** The Vice-Chancellor shall be a whole time paid officer of the University.
- (2) *** No person shall be eligible to be appointed as Vice-Chancellor unless he is, a distinguished academician having a minimum of ten years experience as professor in a University or college or ten years experience in an equivalent position in a reputed research and or academic administrative organisation and, of highest level of competence, integrity, morals and institutional commitment; and
- (3) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the State Government from amongst the persons included in the panel recommended by the Search Committee consisting of-
 - (a) one person nominated by the Board;
 - (b) one person nominated by the Chairman, University Grants Commission;
 - (c) one person nominated by the Chancellor; and
 - (d) one person nominated by the Government,and the Chancellor shall appoint one of these persons to be the Chairman of the Committee.

*As amended and Substituted by the Maharshi Dayanand Saraswati University (Amendment) Act, 2013 (Act No. 07 of 2013)

† As Substituted by the THE MAHARSHI DAYANAND SARASWATI ACT, 2017 (Act No. 20 of 2017).

** As amended and substituted by The Maharshi Dayanand Saraswati (Amendment) Act, 2017 (Act No. 20 of 2017)

*** As amended and substituted by The Universitie's Laws (Amendment) Act, 2019 (Act No. 17 of 2019)

- (4) An eminent person in the sphere of higher education not connected with the University and its colleges shall only be eligible to be nominated as the member of the Search Committee.
- (5) The Search Committee shall prepare and recommend a panel of not less than three persons and not more than five persons to be appointed as Vice-Chancellor.
- (6) For the purpose of selection of the Vice-Chancellor, the Search Committee shall invite applications from eligible persons through a public notice and while considering the names of persons to be appointed as Vice-Chancellor, the Search Committee shall give proper weightage to academic excellence, exposure to the higher education system in the country, and adequate experience in academic and administrative governance and record its findings in writing and enclose the same with the panel to be submitted to the Chancellor.
- (7) The term of the office of the Vice-Chancellor shall be three years from the date on which he enters upon his office or until he attains the age of seventy years, whichever is earlier:
- Provided that the same person shall be eligible for reappointment for a second term.
- (8) The Vice-Chancellor shall receive such pay and allowances as may be determined by the State Government. In addition to it, he shall be entitled to free furnished residence maintained by the University and such other perquisites as may be prescribed.
- (9) When a permanent vacancy in the office of the Vice-Chancellor occurs by reason of his death, resignation, removal or the expiry of his term of office, it shall be filled by the Chancellor in accordance with sub-section (3), and for so long as it is not so filled, stop-gap arrangement shall be made by him under and in accordance with sub-section (10).
- (10) When a temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, suspension or otherwise or when a stop-gap

arrangement is necessary under sub-section (9), the Registrar shall forthwith report the matter to the Chancellor who shall make, on the advice of the State Government, arrangement for the carrying on of the function of the office of the Vice-Chancellor by any other Vice-Chancellor of a State University.

- (11) The Vice-Chancellor may at any time relinquish office by submitting, not less than sixty days in advance of the date on which he wishes to be relieved, his resignation to the Chancellor.
- (12) Such resignation shall take effect from the date determined by the Chancellor and conveyed to the Vice-Chancellor.
- (13) Where a person appointed as the Vice-Chancellor was in employment before such appointment in any other college, institution or University, he may continue to contribute to the provident fund of which he was a member in such employment and the University shall contribute to the account of such person in that provident fund.
- (14) Where the Vice-Chancellor had been in his previous employment, a member of any insurance or pension scheme, the University shall make a necessary contribution to such scheme.
- (15) The Vice-Chancellor shall be entitled to travelling and daily allowance at such rates as may be fixed by the Board.
- (16) The Vice-Chancellor shall be entitled to leave as under:-
 - (a) leave on full pay at the rate of one day for every eleven days of active service; and
 - (b) leave on half pay at the rate of twenty days for each completed year of service:

Provided that leave on half pay may be commuted as leave on full pay on production of medical certificate.
- (17) The Vice-Chancellor shall be the principal academic, administrative and executive officer of the University and shall exercise overall supervision and control over the affairs of the University. He shall have all such powers as may be necessary for true observance of the provisions of this Act and Statutes.

- (18) The Vice-Chancellor shall, where immediate action is called for, have power to make an order so as to exercise any power or perform any function which is exercised or performed by any Authority under this Act or the Statutes:

Provided that such action shall be reported to the Authority as would have in the ordinary course dealt with the matter for approval:

Provided further that if the action so reported is not approved by such Authority not being the Board, the matter shall be referred to the Board, whose decision shall be final and in case of the Authority being the Board, the matter shall be referred to the Chancellor whose decision shall be final.

- (19) The Vice-Chancellor may, on being satisfied that any action taken or order made by any Authority is not in the interest of the University or beyond the powers of such Authority, require the Authority to review its action or order. In case the Authority refuses or fails to review its action or order within sixty days of the date on which the Vice-Chancellor has so required, the matter may be referred to the Board or to the Chancellor, as the case may be, for final decision.

19A ** Removal of Vice-Chancellor.- (1) Notwithstanding anything contained in the Act, if at any time on the report of the State Government or otherwise, in the opinion of the Chancellor, the Vice-Chancellor willfully omits or refuses to carry out the provisions of this Act or abuses the powers vested in him or if otherwise appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interest of the University, the Chancellor may, in consultation with the State Government, after making such inquiry as he deems proper, by order, remove the Vice-Chancellor;

**** As amended and new section inserted by THE UNIVERSITIES' LAWS (AMENDMENT) ACT, 2019 (Act No. 17 of 2019)**

Provided that the Chancellor may, in consultation with the State Government, at any time before making such order, place the Vice-Chancellor under suspension, pending enquiry;

Provided further that no order shall be made by the Chancellor unless the Vice-Chancellor has been given a reasonable opportunity of showing cause against the action proposed to be taken against him

(2) During the pendency or in contemplation, of any inquiry referred to in sub-section (1) the Chancellor may, in consultation with the State Government, order that till further order-

(a) such Vice-Chancellor shall refrain from performing the functions of the office of the Vice-Chancellor, but shall continue to get the emoluments to which he was otherwise entitled;

(b) the functions of the office of the Vice-Chancellor shall be performed by the person specified in the order.

20. Other Officers – The officers, other than the Vice-Chancellor, of the University referred to in section 18 shall be appointed in such manner, for such period, on such terms and conditions and shall exercise such powers and perform such functions as may be prescribed.

Chapter –V

Statutes, Ordinances and Regulations

21. Statutes. – (1) The Statutes of the University shall contain such instructions, directions, procedures, details and terms and conditions as are required to be laid down under and in accordance with the provision of this Act :

(2) The Statues as contained in the Schedule to this Act and as amended from time to time shall be binding on all the Authorities, officers,

teachers, employees and students of the University and other persons connected with the affairs of the University.

(3) The Board shall have power to amend, add or delete any Statute contained in the Schedule to this Act.

Provided that the Board shall not amend, add or delete any Statute affecting the constitution, status or power of any Authority without affording to such Authority a reasonable opportunity of making representation on the proposed changes.

(4) Any amendment to the Statutes, whether by adding, deleting or in any other manner, shall not take effect unless the Chancellor has, after consultation with the Government, assented to it. The Chancellor may, after the said consultation and on being satisfied that assent be not given, withhold assent or return the proposal for amendment to the Board for reconsideration in the light of the observations, if any, made by him.

(5) Notwithstanding anything contained in sub-section(3) or sub-section (4), the Chancellor shall have power to amend, after consultation with the Government, whether by adding, deleting or in any other manner, the Statutes contained in the Schedule within a period of one year from the appointed day.

22. Ordinance of the University. – (1) The Vice- Chancellor shall have power, at any time after the appointed day, to make, with the previous approval of the Government, the first ordinances of the University.

(2) Any amendment to the Ordinances (by adding, deleting or in any other manner) may be made, at any time after the first Ordinances are made under sub-section (1), by the Board in such manner as may be prescribed.

(3) The Ordinances of the University may, subject to the provisions of this Act and the Statutes be made for all or any of the following matters, namely: -

- (a) the courses of study, admission or enrolment of students, fee, qualifications or conditions requisite for any degree, diploma, certificate or fellowship;

- (b) the conduct of examinations including the appointments of examiners and their terms and conditions;
- (c) management of colleges, institutions, centres or other agencies or bodies run by or admitted to the privileges of the University;
- (d) the conditions for residing in any hostel or other place of residence run or maintained by the University, the levying of charges therefore and other related matters;
- (e) the recognition and supervision of hostels not run or maintained by the University;
- (f) the matters related to emoluments and conditions of service of officers, teachers and employees, their service records, tutorial instructions, allowances including travelling and daily allowances payable to teachers and employees; and
- (g) any other matter required by the Statutes to be dealt by or under the Ordinances of the University.

23. Regulations – (1) An Authority shall have power to make regulations, in the manner as may be prescribed, for the conduct of its affairs and the affairs of any of its committees and for laying down the procedure to be followed at its meetings.

(2) The regulations shall not be contrary to the provisions of this Act, the Statutes or the Ordinance of the University.

Chapter –VI

Affiliation, Recognition and Approval

24. Affiliation of Colleges. – (1) A College within the University jurisdiction, on satisfying the conditions specified in this section, may be affiliated to the University.

(2) A College applying for affiliation to the University shall send an application to the Registrar within such time limits as may be specified by the Ordinances of the University with a view to satisfying the University on the following matters, namely :-

- (a) that it will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision for the same type of education made by other colleges in the neighbourhood and the suitability of the locality where the college is to be established;
- (b) that it is to be under the management of a regularly constituted governing body or it is to be maintained by the State Government;
- (c) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provisions for the courses of instruction, teaching or training to be undertaken by the college;
- (d) that the buildings in which the college is to be located are suitable and that provision will be made in conformity with the Ordinances of the University 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 is made for a library;
- (f) that where affiliation is sought in any branch of experimental science, arrangements are made in conformity with the Statutes, Ordinances and regulations for imparting instruction in the branch of science in a properly equipped laboratory or museum;
- (g) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and members of the teaching staff in or near the college or the place provided for the residence of students;
- (h) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and

- (i) that rules fixing the fees to be paid by the students shall be such as are prescribed in the Ordinances of the University.

(3) The application for affiliation shall contain an assurance that after the college is affiliated, any change in management or teaching staff and any other change resulting in the requirements mentioned in sub-section (2) not being fulfilled, shall be reported forthwith to the University.

(4) On receipt of the application for affiliation under sub-section(2), the application shall be placed before the Authority specially appointed for the purpose.

(5) The Board shall obtain the recommendation of the Academic Council on the report of the Authority and shall take a final decision.

(6) Where a college desires to add to the courses of instruction in respect of which it is not affiliated, the procedure prescribed by sub-section (2) to (5) shall be followed.

(7) An application under sub-section (2) may be withdrawn at any time before an order is finally made under sub-section (5).

25. Withdrawal of Affiliation- (1) The affiliation granted to a College may be withdrawn or modified if the college has failed to comply with any of the provisions of sub-section (2) of section 24 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 interest of education.

(2) The motion for the withdrawal or modification of such affiliation shall be initiated in the Board. Before taking the said motion into consideration, the Board shall send a notice mentioning the grounds of such motion, to the Principal of the College for submitting representation, if any, in writing for consideration within a period specified in the notice.

(3) On receipt of the representation, if any, the Board may, after considering the notice and representation and after such inspection by any competent person or Authority as may be deemed fit as also after considering the recommendations of the Academic Council thereon, withdraw or modify the privilege of affiliation from the date specified in the order.

26. Recognition of certain institutions.- Any institution conducting research or specialized studies situate in the jurisdiction of the

University, may be recognized by the University for such purposes and in such manner and subject to such conditions as may be prescribed.

27. Withdrawal of the recognition. – The rights conferred on an institution by recognition may be withdrawn or suspended for any period if the institution has failed to observe any of the conditions of its recognition in such manner and for such reasons as may be prescribed.

28. Approval of institutions.– (1) The Board shall have the power, after consultation with the Academic Council, to approve an institution as an approved institution for specialized studies, laboratory work, internship, research or other academic work under the guidance of a qualified teacher subject to such conditions as may be prescribed.

(2) Subject to the general powers of inspection, supervision and calling of periodical returns, to be exercised by the University in accordance with the Statutes, approved institutions shall enjoy full autonomy in the matter of prescribing their courses of study and curricula, organisation of their work and in all other academic and administrative matters.

(3) While granting recognition, the Board shall specify the status of an approved institution as a post-graduate or degree college, as the case may be, and members of the staff of such institution shall then enjoy the same rights and privileges as are allowed under this Act, and the Statutes, Ordinances and Regulations made there-under to members of the staff of a college of equal status in the University in respect of membership of any authority or body of the University or for appointment as an officer of or an examiner in the University.

(4) The Board shall have power to recognize any degree, diploma or certificate granted by an approved institution as equivalent to a corresponding degree, diploma or certificate of the University. The University shall for this purpose prescribe, by Statutes, the conditions and the manner according to which an approved institution shall hold its examinations.

29. Withdrawal of approval. – (1) The rights conferred on an institution by approval may be withdrawn or suspended for any period by the Board if the institution has failed to observe any conditions of its approval or the work assigned to it is conducted in a manner which is prejudicial to the interest of education, or the teacher recognised by the University leaves the institution.

(2) Before making an order under sub-section (1) in respect of any approved institution, the Board 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 Board.

(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 Board shall, after consulting the Academic Council and after such enquiry, if any, as may appear to it to be necessary, decide whether the approval should be withdrawn or, as the case may be, suspended and make an order accordingly.

30. Inspection of Colleges and reports. – (1) Every college or institution, affiliated, recognised or approved, as the case may be, shall furnish such reports, returns and other information as may be required, to enable the University to judge the efficiency of such college or institution.

(2) The Board shall cause such college or institutions to be inspected from time to time by one or more competent persons authorized in this behalf and a report of the inspection shall be made to the Board.

(3) The Board 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.

Chapter –VII

Autonomous Colleges, Institutions and University Departments

31. Conferment of Autonomous status. – (1) An affiliated college or a recognized institution or a University department may be conferred the autonomous status by the University in the matter of admission of students, prescribing the courses of studies, imparting instruction and training, holding of examinations and the powers to make necessary rules for the purpose.

(2) The Board shall for the purpose of satisfying itself about the standards of education in such a college, institution or department, may

direct an enquiry to be made by a standing committee in such manner as may be prescribed.

(3) On receipt of the report of the said committee and the recommendation of the Academic Council thereon the Board, on being satisfied, shall refer the matter to the University Grants Commission and the State Government to obtain their concurrence.

(4) On receipt of such concurrence, the University shall confer the autonomous status on the College, the Institution or the department, as the case may be.

(5) The status of autonomy may be granted initially for a period of five years subject to review by an expert committee to be constituted for this purpose. The committee shall comprise the following, namely :-

- (a) one nominee of the University;
- (b) one nominee of the State Government;
- (c) one nominee of the University Grants Commission;
- (d) one Principal of an autonomous college to be nominated by the Vice-Chancellor; and
- (e) an officer of the University

(6) The committee shall submit its report to the Board for further action.

(7) The University shall continue to exercise general supervision over such college, institution or department and to confer degrees on the students of such college, institution or department.

(8) The autonomous college, institution or department shall appoint such committees as may be prescribed for the proper management relating to academic, financial and administrative affairs.

(9) Every autonomous college institution or department shall furnish such reports, returns and other informations as the Board may require from time to time to judge efficiency.

(10) The Board shall cause every autonomous College, institution or department to be inspected from time to time.

32. Withdrawal of autonomous status. – (1) The conferment of autonomous status may be withdrawn by the University if the College

institution or department has failed to observe any condition of its conferment or the efficiency thereof has so deteriorated that in the interest of education it is necessary to do so.

(2) Before an order under sub-section (1) is made, the Board shall, by one month's notice in writing, call upon the College, institution or department to show cause why such an order should not be made.

(3) On receipt of the explanation, if any, made by the College, institution or department in reply to the notice, the Board shall, after consulting the Academic Council and the University Grants Commission report the matter to the State Government.

(4) The State Government shall, after such further enquiry, if any, as may be deemed fit, record its opinion in the matter and convey its decision to the University and the University shall thereupon make such order as it deems fit.

(5) Where in the case of an autonomous College, institution or department, the autonomous status conferred under section 31 is withdrawn by an order made under sub-section (4), such college, institution or department, as the case may be, shall cease to have an autonomous status from the date specified in the order.

Chapter –VIII

Appointments, Funds and Accounts

33. Appointments. – (1) A person may be appointed as a teacher or an employee of the University by a contract in writing which shall not contain any condition contrary to any provision of this Act or the Statutes.

(2) All appointment shall generally be governed by the Statutes and shall be made by an officer and in the manner as may be prescribed.

(3) The original contract shall be kept on the record of the University and a copy thereof shall be given to the person employed.

34. Provident Fund and Pension Fund :- (1) The University shall, for the benefit of its officers, teachers and employees, create provident

fund or pension fund or formulate an insurance scheme in such manner and subject to such conditions as may be prescribed.

(2) The provisions of the Provident Funds Act, 1925 (Central Act 19 of 1925) shall apply to a fund or an insurance scheme as if it were a government fund or scheme and the University shall contribute to or invest in such fund or scheme.

(3) Where a person in government employment is transferred on deputation or otherwise to the University, the terms and conditions relating to the fund and the scheme referred to in sub-section (1) shall be such as may be agreed to between the Government and the University.

35. University Funds.-(1) There shall be a General Fund of the University to which all such incomes, fees and other receipts shall be credited under appropriate heads as may be prescribed.

(2) The money received as contribution, aid or grant from the Central Government or the State Government or any other money received from any one else; as may be directed by the Board shall be credited to the Foundation Fund of the University.

(3) The whole or part of the money deposited in the Foundation Fund of the University may be spent in such manner and for such purposes as may be prescribed or invested in such securities as are specified in section 20 of the Indian Trust Act, 1882 (Central Act 2 of 1882).

(4) Such statement, account, report or other particulars relating to the utilisation of any grant, aid or contribution given or made by the Central government or the State Government shall be furnished to the said Government as may be required from time to time.

(5) The General Fund, the Foundation Fund and other funds of the University shall be kept, managed and dealt with in accordance with the provisions of the Statutes as may be made from time to time.

36. *****Accounts and audit.** (1) The annual accounts and balance sheet of the University shall be prepared by the Comptroller under the direction of the Vice-Chancellor and all moneys accruing to or received by the University from whatever source and all amount disbursed or paid shall be entered in the accounts.

(2) The Comptroller shall before such date as may be prescribed by the Statutes, prepare the budget estimates for the ensuing year.

(3) The annual accounts and the budget estimates prepared by the Comptroller shall be placed before the Board together with the remarks of the Finance Committee for approval and the Board may pass resolution with reference thereto and communicate the same to the Comptroller who shall take action in accordance therewith.

(4) The annual accounts shall be audited in the prescribed manner by such auditors as the State Government may direct and the cost of such audit shall be a charge on the University fund.

(5) The accounts when audited shall be printed and copies thereof, together with the audit report, shall be submitted by the Vice-Chancellor to the Board which shall forward them to the State Government with such comments as may be deemed necessary.

(6) The University shall settle objection raised in the audit and carry out such instructions as may be issued by the State Government on the audit report.

*** As amended and Substituted by the Maharshi Dayanand Saraswati University (Amendment) Act, 2013 (Act No. 7 of 2013).

36-A *Control of the State Government - Where the State Government funds are involved, the University shall abide by the terms and conditions attached to the sanction of such funds which may *inter alia* include prior permission of the State Government in respect of the following, namely:-

- a. creation of the new posts of teachers, officers or other employees;
- b. revision of the pay, allowances, post-retirement benefits and other benefits to its teachers, officers and other employees;
- c. grant of any additional/special pay, allowance or other extra remuneration of any description whatsoever, including *ex-gratia* payment or other benefits having financial implications, to any of its teachers, officers or other employees;
- d. diversion of any earmarked funds other than the purpose for which it was received;
- e. transfer by sale, lease, mortgage or otherwise of immovable property;
- f. incur expenditure on any development work from the funds received from the State Government for any purposes other than for which the funds are received; and
- g. take any decision resulting in increased financial liability, direct or indirect, for the State Government.

Explanation:- The above conditions shall also apply in respect of the posts created from any other fund, which may, in the long term, be likely to cause financial implications to the State Government.

36-B * Assumption of financial control by the State Government as emergency measure:- (1) The State Government shall have the right to cause an inquiry to be made, by such person or persons as it may direct,

***As amended and New section inserted by The Maharshi Dayanand Saraswati University (Amendment) Act, 2013 (Act No. 7 of 2013)**

and to issue directions to the University, in respect of any matter connected with the finances of the University where State Government funds are concerned.

(2) 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 a notification, declare that the finances of the University shall be subject to the control of the State Government and shall issue such other directions as it may deem fit for the purpose and the same shall be binding on the University.

37. Finance Committee – (1) There shall be a Finance Committee to be constituted by the Vice-Chancellor consisting of the Vice-Chancellor as its Chairman, a nominee of the State Government, the Comptroller and a nominee of the Board. The Comptroller shall also act as the Secretary to the said committee.

(2) The Finance Committee shall –

- (a) examine the annual accounts and the budget estimates and advise the Board thereon
- (b) review the financial position of the University from time to time and advise the board; and
- (c) make recommendations to the Board on any matter of finance or any proposal involving excess expenditure.

Chapter –IX

Miscellaneous

38. Annual Reports. – (1) An annual report of the University shall be prepared by the Registrar under the direction of the Vice-Chancellor.

(2) The annual report shall, among other things set out the actions taken for the fulfillment of the objects of the University.

(3) The annual report shall be circulated among the members of the Board one month before its annual meeting at which it is to be considered.

(4) The Board shall, after considering the annual report, forward it with such comments, as may be deemed necessary, to the State Government. A copy of the said report shall be laid on the table of the House of the State Legislature.

39. Temporary Arrangements.— (1) At any time after the appointed day and until such time as an Authority is duly constituted, the Vice-Chancellor may with the prior approval of the Chancellor, appoint an officer of the University to exercise the powers and perform the functions of such Authority.

(2) The Vice-Chancellor may make, subject to the approval by the Board, any temporary appointment in the vacancy of any officer, teacher or employee until such time as a regular appointment is made in accordance with the provisions of this Act and the Statutes.

(3) Notwithstanding anything contained in any provision of this Act and the Statutes, the State Government may make an order for the appointment, on deputation or otherwise, of any government employee to any post of an officer or employee of the University for such period and on such terms and conditions as it may determine.

40. Transfer of persons and properties from other Universities. — The Chancellor may, in consultation with the Government, on the appointed day or at any time thereafter, make such orders, as are deemed necessary, for the transfer of —

- a. any officer, teacher, employee or servant, or
- b. any movable or immovable property or any rights or interests therein,
- c. any fund, grant contribution, donation, aid or benefaction received, accrued or promised,
- d. any dues, liabilities or obligations incurred or lawfully subsisting in favour of or against the University,
- e. any will, deed or other document containing any bequest, gift or trust, —

from any other University of which he is the Chancellor to the University constituted under this Act on such terms and conditions as may be determined in the order.

41. Transfer of colleges and institutions – (1) Notwithstanding anything contained in any law for the time being in force, the colleges, institutions, hostels, offices and any other body or agency, as may be specified by notification in the official Gazette on the appointed day or at any time thereafter, may be dis-affiliated or, as the case may be, transferred by the Government from any other University in the State and affiliated with or transferred to or vested in the University constituted under this Act on such terms and conditions as may be determined by the Government.

(2) The control and management of any college, institution, center or any other body or agency affiliated or transferred under sub-section(1) shall stand vested in the University from the date of the publication of the notification under sub-section (1).

(3) The students of the college or institution or the persons engaged in any other body so affiliated or transferred to the University shall be permitted to complete their course, research or programme and the University shall make arrangements therefor.

(4) A person employed as a teacher or an employee in any college, institution or any other body or agency referred to in sub-section (1) shall, from the date of notification issued under the said sub-section, be deemed to have become the teacher or, as the case may be, the employee of the University on the same terms and conditions.

42. Residuary power of the Board.– The Board shall have power to deal with any matter pertaining to the University and not specifically assigned to the Board under this Act.

43. Power to remove difficulties. – Where any difficulty arises in giving effect to any provision of this Act, the State Government may, by notification in the official Gazette, make such order as appears to be necessary or expedient and as is not contrary to any provision of this Act :

Provided that no such order shall be made after the expiry of three years from the appointed day.

44. Repeal and Savings. – (1) The University of Ajmer Ordinance 1987 (Ordinance No. 14 of 1987) is hereby repealed.

(2) Notwithstanding such repeal all things done, actions taken or orders made under the said Ordinance shall be deemed to have been done or taken or made under this Act.

SCHEDULE

(See Section 21)

Statutes of the University

1. **Vice-Chancellor.** – (1) The Vice-Chancellor shall be a whole time officer of the University and shall be appointed by the Chancellor on the advice of the Government upon the recommendation of a Selection Committee consisting of three members as under :-

- (a) one person nominated by the Board not connected with the University or any college thereof;
- (b) one educationist nominated by the Chancellor; and
- (c) one person nominated by the University Grants Commission.

(2) One of the persons nominated under clause (1) shall be appointed by the Chancellor to be the Chairman of the Committee.

(3) The term of office of the Vice-Chancellor shall be three years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is earlier :

Provided that the Chancellor may require the Vice-Chancellor whose term is expiring to continue in office for such period, not exceeding one year, as may be specified by the Chancellor :

Provided further that a person shall be eligible for appointment as the Vice-Chancellor for the second term.

(4) Where a permanent vacancy in the office of the Vice-Chancellor occurs by reason of his death, resignation, removal or expiry of the terms or on any other ground, it shall be filled by the Chancellor in the manner specified in clause (1) and for so long as it is not so filled, stop-gap arrangement may be made by the Chancellor under and in accordance with clause (5).

(5) In the case of a temporary vacancy in the office of the Vice-Chancellor by reason of leave, suspension or otherwise or when a stop-gap arrangement is necessary under clause (4), the Chancellor may, on the

advice of the Government, make such arrangements for carrying on the functions of the Vice-Chancellor as he deems fit.

(6) The Vice-Chancellor may relinquish his office by submitting, not less than sixty days in advance of the date on which he intends to be relieved, his resignation to the Chancellor.

(7) The emoluments and other conditions of service of the Vice-Chancellor shall be as follows :-

- (a) pay as per UGC pay scales as approved by the State Government;
- (b) free furnished official residence;
- (c) all such allowances as are admissible to a Professor of the University for other than teaching purposes as applicable to the pay being drawn; and
- (d) such terminal benefits and allowances as are sanctioned from time to time by the Board of Management with the approval of the Chancellor or under the Ordinances of the University.

(8) The official residence of the Vice-Chancellor shall be maintained from the funds of the University.

(9) Where a person appointed as the Vice-Chancellor was in employment before such appointment in any other college, institution or University, he may continue to contribute to the provident fund of which he was a member in such employment and the University shall contribute to the account of such person in that provident fund.

(10) Where the Vice-Chancellor had been in his previous employment, a member of any insurance or pension scheme, the University shall make necessary contribution to such scheme.

(11) The Vice-Chancellor shall be entitled to traveling and daily allowances at such rates as may be fixed by the Board.

(12) The Vice-Chancellor shall be entitled to the leave as under :-

- (a) leave on full pay at the rate of one day for every eleven days of active service; and
- (b) leave on half pay at the rate of twenty days for each completed year of service;

Provided that leave on half pay may be commuted as leave on full pay on production of medical certificate.

(13) Vice-Chancellor shall, in addition to the powers conferred on him and the functions assigned to him under the Act, also have the powers and perform the functions as under :-

- (a) to exercise control over the affairs of the University;
- (b) to give effect to the decision taken by any Authority of the University;
- (c) to exercise all the powers to maintain discipline in the University;
- (d) to convene the meetings of the Board and the Academic Council and to present any matter for deliberations and consideration;
- (e) to ensure due observance of the provisions of the Act and the Statutes and to exercise all the powers necessary for the purpose;
- (f) to take any action in any emergency when immediate action is called for and to report to such officer or the Authority about the action so taken who or which would have in the ordinary course dealt with the matter;
- (g) to maintain close co-ordination and integration in various branches such as teaching, research and extension;
- (h) to appoint teachers and employees or to authorise any officer to make appointment to any post or category of posts; and
- (i) to take disciplinary action against any teacher or employee or to authorise any officer to take such action.

2. Deans of colleges, faculties and Post-graduate Studies:-

(1) There shall be a Dean of Colleges, a Dean of Postgraduate studies and a Dean for each faculty.

(2) A Dean shall be appointed by the Vice-Chancellor on the recommendation of the Academic Council subject to the approval of the Board.

(3) A Dean shall receive such salary and allowances and his other conditions of service shall be such as may be specified in the Ordinances of the University.

(4) The Dean of a faculty shall be the Chairman of the Board of Studies of his faculty and shall be responsible to the Vice-Chancellor for observance of the Statutes and regulations relating to the faculty and for conducting and organizing teaching, training, research etc.

(5) The Dean of colleges shall be responsible to the Vice-Chancellor for the observance of Statutes and Regulations relating to colleges and for co-ordination amongst various colleges for conducting and organizing training, research, etc.

(6) The Dean of colleges shall co-ordinate activities in various colleges and the Dean of a faculty shall likewise co-ordinate activities in various departments and sections of his faculty.

(7) The Dean of Post-graduate studies shall co-ordinate Post-graduate studies in all colleges, departments and sections of the University and shall exercise general supervision on post-graduate thesis and research programmes.

(8) A Dean shall perform all such other functions as are necessary for the proper functioning of colleges and of faculties or as are assigned to him by the Vice-Chancellor.

3. Registrar. – (1) The Registrar of the University shall be appointed by the Board on the recommendation of the Selection Committee constituted for the purpose by the Board;

Provided that the first Registrar shall be appointed by the Chancellor after consultation with the Government for a period not exceeding three years on such terms and conditions as the Chancellor may determine.

(2) The Registrar shall be responsible for the custody of the records and the common seal of the University. He shall be the ex-officio secretary to the Board and the Academic Council and shall maintain the minutes of the meetings.

(3) The Registrar shall place before the Board and the Academic Council all such information as may be required for transacting business in the meetings.

(4) The Registrar shall, in addition to as specified in clauses (2) and (3), exercise the powers and perform the functions as under :

- (a) to make all necessary arrangements for the conduct of an examination, training, workshop, seminar or any other programme of the University;
 - (b) to perform all such functions as are assigned to him by the Vice-Chancellor, the Board or the Academic Council;
 - (c) to submit to the Chancellor the copies of the agenda and the minutes of the meetings of the Board, Academic Council or any committee thereof;
 - (d) to sign the powers of attorney, verify pleadings, appear in the court and authorise a person to appear for and on behalf of the University in a suit or other proceedings filed by or against the University; and
 - (e) to take disciplinary action against such classes or categories of employees as may be authorized by the Vice-Chancellor.
- (5) The salary, allowances and other conditions of service of the Registrar shall be such as may be prescribed by the Ordinances of the University from time to time.

- (6) The Registrar shall retire on attaining the age of sixty years.

4. Comptroller. – (1) The Comptroller of the University shall be appointed by the Vice-Chancellor on the recommendation of the State Government.

(2) The Comptroller shall work under the control of the Vice-Chancellor.

(3) The salary, allowances and other conditions of service of the Comptroller shall be such as may be prescribed by the Ordinances of the University from time to time.

(4) The Comptroller shall retire on attaining the age of sixty years.

(5) The Comptroller shall exercise the powers and perform the functions as under :-

- (a) to advise the Board and the Vice-Chancellor regarding the financial policy;

- (b) to make arrangements for the preparation of the budget of the University and for its presentation to the Board;
- (c) to hold and manage the assets, Investments and properties of the University;
- (d) to exercise supervision and control over the funds of the University;
- (e) to keep all moneys belonging to the University in such a bank or in such manner as may be specified by the Board;
- (f) to ensure that all expenditures are made within the limits fixed by the Authority competent to do so and for the purpose for which money is allotted or granted.
- (g) to prepare and maintain the accounts of the University in the manner as may be specified by the Board;
- (h) to supervise the collection of revenues of the University and to advise on the method of such collection;
- (i) to keep watch on the cash and bank balance of the University;
- (j) to ensure that the registers of properties of the University are properly maintained and that stocks of all equipments, instruments and other materials in the offices, workshops, laboratories or other premises are duly checked and safely stored;
- (k) to call for any information or report necessary for verification from any office or centre or institution of the University; and
- (l) to perform such other functions as may be assigned to him by the Board or the Vice-Chancellor.

5. Controller of Examinations – (1) The Controller of Examinations shall be a full time paid officer of the University. He shall be appointed by the Board on the recommendation of the Selection Committee constituted for the purpose by the Board :

Provided that the first Controller of Examinations shall be appointed by the Vice-Chancellor after consultation with the Government for a period not exceeding three years on such terms and conditions as may be prescribed by the Ordinances of the University, from time to time.

(2) The salary, allowances and other conditions of service of the Controller of Examinations shall be such as may be prescribed by the Ordinances of the University, from time to time.

(3) The Controller of Examinations shall be under the general control of the Registrar and shall be overall incharge for the conduct of examinations and shall perform such other functions as may be prescribed by the Ordinances of the University, from time to time.

6. University Librarian – (1) There shall be appointed a University Librarian by the Vice-Chancellor with the approval of the Baord.

(2) The Librarian shall deal with all the matters concerning University library including the purchase, cataloguing and maintenance of books, journals, periodicals, reports, etc.

(3) The Librarian shall be responsible for the operation of the University library and shall work under the control of the Vice-Chancellor.

(4) The salary, allowances and other conditions of service of the Librarian shall be such as may be specified in the Ordinances of the University.

7. Board of Management – (1) The Board shall consist of the following members, namely :-

I - Vice Chancellor; : ex-officio Chairman

II- Nominated and elected members :-

(a) one Dean of the Faculties to be nominated by the Vice-Chancellor by rotation;

(b) two Professors of the University nominated by the Vice-Chancellor (both not being from the same faculty);

(c) two teachers of affiliated colleges, other than Professors, Deans, Heads of University Departments, Directors and Principals, who possess at least ten years teaching experience of degree or post-graduate classes on 1st January immediately

preceding the year in which elections are held, to be elected in the manner prescribed by the Ordinances of the University;

- (d) one eminent educationist nominated by the Chancellor, not being a teacher connected with the University or any college, institution affiliated with the University;
- (e) one eminent educationist to be nominated by the State Government not being a teacher connected with the University or any College, institution affiliated by the University; and
- (f) two members of the State Legislative Assembly nominated by the Speaker.

III- Ex-officio members :-

- (a) Secretary to the Government, Department of Education, Government of Rajasthan;
- (b) Secretary to the Government, Department of Finance, Government of Rajasthan;
- (c) Secretary to the Government, Department of Planning, Government of Rajasthan;
- (d) Pro-Vice-Chancellor, if any;
- (e) Director of College Education, Government of Rajasthan; and
- (f) Registrar of the University : Member-Secretary.

(2) A nominated or elected member of the Board shall hold office for a term of two years and shall be eligible for appointment for a second successive term. Such a person may be nominated again only after four years of expiry of the previous term of two years or, as the case may be, four years.

(3) Six members shall form the quorum for a meeting of the Board.

(4) The members of the Board shall not be entitled to any salary but may be paid such traveling and daily allowances as may be fixed by the Board.

(5) The Chairman of the Board may exercise such powers of the Board as may be delegated to him by the Board.

(6) The minutes of the meetings of the Board shall be recorded and maintained by the member-secretary of the Board.

(7) A Secretary to the Government who is, for any reason, unable to attend any meeting of the Board as its member, may depute any officer subordinate to him to attend such meeting.

(8) The Board shall exercise the powers and perform the functions as under :-

- (a) to manage and administer the finances, revenues, assets and properties of the University;
- (b) to control and supervise all the administrative affairs of the University;
- (c) to approve or sanction the annual budget of the University;
- (d) to acquire, dispose of, hold or control the properties and funds of the University;
- (e) to accept the transfer of any movable or immovable property on behalf of the University;
- (f) to administer the funds placed at the disposal of the University for certain specific purposes;
- (g) to create any posts of teachers and employees in the academic or administrative or any other department or office;
- (h) to determine the terms and conditions of service of teachers and employees of the University;
- (i) to specify the qualifications and functions of teachers and employees;
- (j) to appoint committees, standing or temporary, for any purpose;
- (k) to permit or approve the borrowing of money and to make arrangement for its repayment;
- (l) to invest money in stocks, funds or securities or in approved banks or other financial institutions or in the purchases of assets or properties in consultations with the Finance Committee;

- (m) to regulate and approve the appointments of Visiting Professors, Emeritus Professors, Fellows, scientists and experts and to determine the terms and conditions of such appointments;
- (n) to enforce discipline in teachers and employees; and
- (o) to regulate and determine all matters concerning the University in accordance with the Act and the Statutes.
- (9) The Board shall meet at such intervals as it deems necessary.

Provided that a meeting shall be held at least once in every two months.

8. Academic Council. – (1)The Academic Council of the University shall consist of the following members, namely ;-

- (a) Vice-Chancellor; : ex-officio Chairman
- (b) Pro-Vice-Chancellor, if any ;
- (c) Dean of Post Graduate Studies;
- (d) Dean of Colleges;
- (e) Deans of all faculties of the University;
- (f) Regional Directors, if any;
- (g) Chairman of Board of Studies;
- (h) Heads of University Departments of the status of a Professors;
- (i) Director of College Education; Rajasthan;
- (j) Chairman, Board of Secondary Education Rajasthan;
- (k) Dean of Students Welfare, if any;
- (l) Five Principals to be nominated by the State Government, out of whom at least three shall be from post-graduate colleges affiliated to the University;
- (m) One representative of each of the three Universities namely, the University of Rajasthan, the University of Jodhpur and the

Mohan Lal Sukhadia University, Udaipur to be nominated by its Vice-Chancellor; and

(n) Registrar of the University : Member-Secretary

(2) The term of office of a nominated or elected member shall be two years. The quorum of the Council shall consist of atleast one third of the strength.

(3) The Academic Council shall be incharge of the academic activities and affairs of all the colleges and institutions and shall exercise control over the courses, teaching, examinations and the award of degrees, diplomas and certificates.

(4) The Academic Council shall exercise the powers and perform the functions as under :-

- (a) to supervise, control and regulate the academic policy of the University;
- (b) to give directions in the matters of teaching, examination, evaluation, research, etc.;
- (c) to take action for improvement of the academic standards;
- (d) to make regulations for academic functioning, discipline, admission, fellowship, fee and other ancillary matters; and
- (e) to do any other thing or act as may be prescribed from time to time.

9. Board of Studies and faculties. – (1) There shall be a Board of Studies in each faculty consisting of such members as may be specified by the Vice-Chancellor. The Dean of the faculty shall be the ex-officio Chairman of its Board of Studies.

(2) There shall be as many faculties as may be determined by the Vice-Chancellor on the recommendation of the Academic Council. Each faculty shall comprise such departments with assignment of such subjects as may be specified by the Vice-Chancellor.

(3) There shall also be a Post-Graduate faculty with a Dean of post-graduate studies in it.

(4) Every department shall have a Head to be appointed by the Vice-Chancellor from amongst the Professors or, in the absence of any professors, the Associate professors of that department.

(5) The Board of studies, the Dean and the Head of the department shall exercise such powers and perform such functions as may be specified in the ordinances of the University or the regulations.

10. Selection Committee. – Save as otherwise provided in the Act or the Statutes, there shall be a selection committee for appointments to each of the following categories of posts :-

- (a) Professors;
- (b) Readers;
- (c) Lecturers;
- (d) Directors, if any;
- (e) Heads of institutions, if any; and
- (f) other academic staff

(2) A selection committee shall consist of the following members namely :-

- (a) Vice-Chancellor; : ex-officio Chairman
- (b) one expert from outside the University to be nominated by the Vice-Chancellor;
- (c) The Dean of the faculty concerned;
- (d) a nominee of the Chancellor;
- (e) a nominee of the Board;
- (f) a nominee of the Government; and
- (g) one internal member other than the Chairman of the Board of Studies to be nominated by the Vice-Chancellor every year.

(3) The quorum for a meeting of a selection committee shall be three.

(4) The procedure to be followed by a selection committee shall be such as may be specified in the ordinances of the University.

(5) The selection committee shall make recommendations to the Board which may, while accepting such recommendations, send the same to the Vice-Chancellor for making appointment or may while not accepting them, submit the case together with reasons for not accepting the recommendations to the Chancellor whose decision thereon shall be final and the Vice-Chancellor shall take action accordingly.

11. Ex-cadre Promotion. – The provisions of the Rajasthan Universities Teachers and Officers (Selection for Appointment) Act, 1974 (Rajasthan Act 18 of 1974) shall apply in the matter of ex-cadre promotions in the University.

12. Other Committees. – (1) An Authority may appoint as many standing or special committees as it may deem necessary and may also appoint any such person to a committee who is not a member of such Authority.

(2) A Committee may deal with a matter assigned to it and the action taken by the committee shall be final on confirmation by the Authority appointing it.

13. Conditions of service of teachers and employees. – All teachers and employees shall, in the absence of any contract in writing to the contrary, be governed by the terms and conditions and the Code of Conduct as may be specified in the ordinances of the University from time to time.

14. Suspension or Removal of teachers and employees

(1) When suspension appears necessary on account of misconduct on the part of a teacher or an employee, the Appointing Authority shall have power to place such teacher or the employee under suspension and to send a report to the Board immediately.

(2) The appointing authority may, after an enquiry in which reasonable opportunity of showing cause and hearing has been given, make an order of removal from service of a teacher or an employee.

(3) Save as provided in clause (2), a teacher or an employee shall not be removed from service without a good cause and without giving him three months' notice in writing or three months' salary in lieu of notice.

15. Resignation. – (1) In the case of permanent employment, a teacher or an employee may resign from service after giving three months' notice or paying three month's salary in lieu of notice to the appointing

authority. In the case of employment not being permanent, one month's notice or one month's salary shall be sufficient.

(2) The resignation shall take effect from the date on which it is accepted by the appointing authority.

16. Discipline. – (1) The discipline shall be maintained in the University by the Vice-Chancellor and he shall have power to take such disciplinary action against a student as appears necessary.

(2) A student may be expelled from the University or rusticated for any period or punished with fine or debarred from taking any examination conducted by the University for one or more years as may be ordered by the Vice-Chancellor.

(3) The result of Examination may be withheld or cancelled in respect of any student as may be ordered by the Vice-Chancellor.

(4) The Heads of recognised institutions shall have power to take disciplinary action against any student of the institution.

17. Management of Affiliated Colleges – (1) Every affiliated college shall be a public educational institution.

(2) The whole of the funds of an affiliated college shall be applied to its own educational purposes, and a college not maintained by the Government shall be fully controlled by a regularly constituted governing body which shall include one representative of the University nominated by the Vice-Chancellor, the Principal and at least one other member of the teaching staff elected by the teaching staff. The rules relating to the constitution of the governing body shall be such as will ensure the proper management of the college.

(3) Any change in the constitution of the Governing Body shall be subject to the approval of the Board.

(4) The Principal of a college shall be responsible for the internal administration of the college.

(5) Every college, not maintained by the Government, shall make appointments to the teaching posts of Principal and other teachers in the college after advertisement and on the recommendations of the selection

committee. For the promotion posts the selection committee shall be treated as Promotion Committee. The Selection Committee shall be constituted as follows:-

- A. The Selection Committee for the appointment of Principal shall consist of the following members, namely :-
- (i) the President or the Vice-President of the Management Committee of the College;
 - (ii) one nominee of the Management Committee;
 - (iii) one nominee of the State Government who should be an educationist (only in the case of colleges receiving grant-in-aid from the Government); and
 - (iv) two educationists in the case of colleges receiving grant-in-aid from the State Government and three in the case of colleges not receiving grant-in-aid from the State Government to be appointed by the Vice-Chancellor.

Explanation – Two educationists being present, four members shall form a quorum.

- B. Selection Committee for appointment to all other teaching posts shall consist of the following members, namely :-
- (i) The President or the Vice-President of the Management Committee of the College;
 - (ii) one nominee of the Management Committee;
 - (iii) Principal of the college;
 - (iv) one nominee of the State Government (only in the case of colleges receiving grand-in-aid from the Government);
 - (v) two subject experts to be appointed by the Management Committee (from a panel to be approved by the Vice-Chancellor);
 - (vi) one representative of the University nominated by the Vice-Chancellor; and

- (vii) the Head of the Department concerned/senior most teacher of the subject concerned in the college provided he has at least 15 years teaching experience in a college out of which he should have put in at least five years' service in the same institution.

Explanation - One subject expert being present, five members shall form a quorum.

(6) The Selection Committees shall report its recommendations to the Management Committee. The Management Committee may make appointments as per recommendation or may refer the matter back to the selection committee for fresh recommendations. The Management Committee will inform the Registrar of the University about the action taken in the matter.

(7) Every College shall have a duly constituted College Council properly representative of the teaching staff to advise the Principal in the administration of the College.

(8) No affiliated institution shall be allowed to discontinue the study of any Subject/Faculty without prior permission of the University. An application for such permission shall be made to the Registrar by the Head of the institution duly forwarded by the Management at least one full academic year in advance, giving reasons in support of the proposal.

(9) Every college not maintained by the Government shall satisfy the Board that adequate financial provision is available for its efficient maintenance. If at any time the governing body of a College be unable to run the College, it shall inform the Board at least one full academic year in advance and shall give a notice of a similar duration, viz, one full academic year to the employees of the institution of their services;

Provided that the closure of an institution shall be in gradual stages in respect of each course of study for which it is affiliated, starting from the first year of the course.

(10) Every college shall maintain such registers and records as may be prescribed by the Ordinances of the University and furnish such statistical and other information as the University may from time to time specify.

(11) Every College shall submit an annual report on the working of the college during the previous year, giving the particulars and the circumstances of any changes in the staff or the management, the number of students, and a statement of income and expenditure and such other information as may be required.

(12) Every college shall provide instruction in such subject and in preparation for such examination as may be authorised in respect of that college from time to time, by the Board.

(13) Every college shall satisfy the University that it maintains a satisfactory standard of educational efficiency for the purposes for which recognition is enjoyed or sought.

(14) Every College shall satisfy the University for the following, namely :-

- (i) that the staff in each subject is adequate and in accordance with the rules prescribed by the University and that their emoluments and the conditions of their service are such as may be approved by the University;
- (ii) that a proportion of teachers to students which is not smaller than a minimum to be prescribed by Ordinances and which is sufficient for thorough tutorial supervision is maintained;
- (iii) that the staff of a college for women shall, as far as possible, be composed of women;
- (iv) that every teacher in a college not maintained by the Government, shall be employed under a written contract stating the conditions of his service and the salary to be paid to him;
- (v) that the college not maintained by the Government shall maintain a provident fund for the benefit of members of its teaching staff; and
- (vi) that a teacher dismissed for misconduct by an affiliated college shall not be employed by any other affiliated college without the previous consent in writing of the Vice-Chancellor.

(15) Every college shall satisfy the University that proper discipline is maintained in the college and the hostels.

(16) Every college shall make adequate provision for the residence of its students not residing with their parents or recognised guardians, and shall provide adequate facilities for the physical exercise and health of its students and shall employ an efficient system of medical examination and care. Residence in a college or in its hostels shall be governed by the guidelines issued by the University from time to time.

18. Autonomous Colleges. – (1) The University shall invite proposals from affiliated colleges for conferment of autonomous status. An affiliated college having not less than 10 year's of standing will be eligible to apply for the conferment of autonomy.

(2) A College on conferment of autonomous status, shall have the following committees to ensure proper management of academic, financial and general administrative affairs, namely :-

- (i) The Governing Body;
- (ii) The Academic Council; and
- (iii) The Board of Studies

(3) The College shall also have non-statutory advisory bodies like Finance Committee, Planning and Evaluation Committee, Grievances / Appeals Committee, Examination Committee, Admission Committee, Library Committee and a committee on students welfare and extra-curricular matters for help and advice to facilitate smooth working and development of the college.

(4) The composition, term and functions of the statutory bodies and any other body in an autonomous college shall be such as may be prescribed by the Ordinances of the University from time to time.

S. R. Bhansali
Secretary to the Government

[48]


Registrar
Maharshi Dayanand Saraswati University
Ajmer