

The Jai Narain Vyas University Jodhpur Act, 1962

(Act No. 17 of 1962)

[Received the assent of the Governor on the 6th day of June, 1962; Assent first published in Rajasthan Gazette Extraordinary, part 4(ka), dated 12.6.1962]

An

Act

to provide for the establishment and incorporation of a University at Jodhpur in the State of Rajasthan.

Be it enacted by the Rajasthan State Legislature in the Thirteenth Year of the Republic of India as follows :-

1. Short title and commencement. - (1) This Act may be called the [Jai Narain Vyas] University, Jodhpur Act, 1962.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions. - In this Act and in the Statutes, unless the subject or context otherwise requires,-

[(a) "college" means a constituent or an affiliated college of the University enumerated in or under sub-section (1) of section 5 and shall include an autonomous college as well as a college admitted to the privileges of the University in accordance with or under this Act;

Explanation. - "autonomous college" means an educational institution declared as such under the provisions of this Act];

[(aa) "Director" means the Head of a constituent college and includes, where there is no Director, the person for the time being appointed to act as Director;

(aaa) "Faculty" means a Faculty of the University;]

(b) "institution" means an institution for research or specialised studies in any branch of knowledge recognised by the University;

- (c) "hostel" or "hall" means a unit of residence for students of the University [or college], provided, maintained or recognised by it;
- (d) "Principal" means the head of a college [other than a constituent college] and includes, when there is no Principal, the person for the time being appointed to act as Principal and, in the absence of the Principal or the acting Principal, a Vice- Principal duly appointed as such;
- (e) "Statutes", "Ordinances" and "Regulations" mean respectively the Statutes, Ordinances and Regulations of the University made under this Act;
- (f) "teachers" includes professors, readers, lecturers and other persons imparting instruction and guiding and conducting research in the University or in any college or institution;
- (g) "University" means the [Jai Narain Vyas University] Jodhpur;
- (h) "registered graduate" means a graduate registered under the provisions of this Act and Statutes; and
- (i) "Student" means a student who pursues a regular course of study in a department of the University or in a college or institution.

3. The University. - [(1) The chancellor and the existing Vice-Chancellor of the University of Jodhpur and the existing members of the Senate, Syndicate and Academic Council of the University and all persons who may hereafter become such officers or members of the aforesaid bodies of the University shall, so long as they continue to be such officers or members, constitute a body corporate by the name of Jai Narain Vyas University, Jodhpur].

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

4. Powers of the University. - The University shall have the following powers, namely:-

- (1) to provide for instruction in such branches of learning as the University may think fit, and to make provision for research for the advancement and dissemination of knowledge;
- (2) to hold examinations and to grant to, and confer degrees and other academic distinctions on, persons who have pursued a course of study in the University or in any college or institution;

- (3) to confer honorary degrees or other distinctions on approved persons in accordance with the Statutes;
- (4) to grant such diplomas to, and to provide such lectures and instruction for, persons, not being members of the University, as the University may determine;
- (5) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;
- (6) to institute professorships, readerships, lectureships and any other teaching posts required by the University;
- (7) to appoint or recognise persons as professors, readers or lecturers or otherwise as teachers of the University [and its constituent colleges];
- (8) to institute and award fellowships, scholarships, exhibitions medals and prizes, in accordance with the Ordinances;
- [(9) to maintain and manage hostels or halls, to admit to all or any of its privileges colleges, other than constituent or affiliated colleges enumerated in or under sub-section (1) of section 5, and to withdraw all or any of those privileges and to recognise hostels or halls not maintained by the University and to withdraw any such recognition]; and
- [(9-A) 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;]
- (10) to demand and receive payment of such fees and other charges as may be authorised by Ordinances;
- (11) to supervise and control the residence and discipline of students of the University [and its constituent colleges], and to make arrangements for promoting their health and general welfare;
- (12) to make grants from the funds of the University for assistance to extra-mural teaching;
- (13) to make special arrangement in respect of the residence, discipline and teaching of women students;
- (14) to award certificates of proficiency in specified subjects, other than those for which degrees and diplomas are awarded by the University, and

to make provision for instruction for the same under conditions laid down in the Ordinances;

- (15) to acquire, hold manage and dispose of property, movable and immovable, including trusts and endowments, for the purposes of the University;
- (16) to borrow on security of University property, and subject to the proper concurrence of the State Government money for the purposes of the University; and
- (17) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a teaching and examining body and to cultivate and promote the arts, sciences and engineering and other branches of learning and technology.

5. The colleges and jurisdiction of the University. - (1) The University shall have the following constituent and affiliated colleges:-

I. Constituent colleges:-

- (a) Kamla Nehru College for Women; and
- (b) Institute of Evening Studies.

II. Affiliated Colleges:-

- (a) Lachoomal Memorial College of Science, Jodhpur;
- (b) Mahesh Teachers, Training College, Jodhpur; and
- (c) Onkarmal Sornani College of Commerce, Jodhpur;

Provided that the State Government may, in consultation with the University, by notification published in the Official Gazette, enumerate such other college as it deems fit to be a constituent or affiliated college of the University.

(2) The jurisdiction of the University shall extend to and the powers conferred by or under this Act shall be exercisable by it in the University departments, its constituent and affiliated colleges and colleges which may be admitted by it to the privileges of the University in accordance with or under this Act.

(3) The State Government may, by order in writing:-

- (a) require any college to terminate, with effect from such date as may be specified in the order, its association with, or its admission to the

privileges of, any other University incorporated by law to such extent as may be considered necessary and proper, or

- (b) exclude, to such extent as may be considered necessary and proper, from admission to the privileges of the University any college specified in the order which, in the opinion of the State Government, is required to be associated with or admitted to the privileges of, any other University;

Provided that no order made under this sub-section,-

- (a) shall be made otherwise than with the concurrence of the Chancellor of the University, or
- (b) shall be made so as to take effect during the middle of an academic session].

6. Office of University. - (1) The office of the University shall be located at Jodhpur which shall be the headquarters of the Vice-Chancellor.

(2) the convocations for the conferment of degrees shall ordinarily be held at Jodhpur.

7. University open to all classes etc. - The University shall, subject to the provisions of this Act and the Statutes, be open to all persons of either sex and of whatsoever race, creed, caste or class and no consideration what so ever shall be paid to such distinctions in respect of any privileges, award, appointment or promotion by the University;

Provided that nothing in this section shall be deemed to require the University to admit to any course of study students exceeding the number prescribed or with academical or other qualifications lower than those prescribed or such course.

8. Teaching of the University. - (1) All teaching recognised by the University shall be conducted in the University or in colleges and institutions;

Provided that for the purposes of clause (12) of section 4, the teaching so aided, may be recognised by ordinances for general or specific purposes.

(2) The authorities responsible or organising such teaching shall be prescribed by the Statutes.

(3) The courses of study and curricular shall be prescribed by the Ordinances and, subject thereto by the regulations.

9. Officers of the University. - The following shall be the officers of the University :-

1. the Chancellor,
2. the Vice-Chancellor,
3. the Registrar,
- [3-a. The Comptroller.]
4. the Deans of the faculties, and
5. such other persons in the service of the University as may be declared by the Statutes to be officers of the University.

10. Chancellor. - (1) The Governor of Rajasthan shall be the Chancellor. He shall by virtue of his office be the Head of the University and shall, when present there at, preside over the Senate and at convocations of the University.

(2) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, workshops and equipment, and of any college, hall hostel or institution maintained or recognised by the University, and also of the examinations, teaching and other work conducted or done by the University, and to cause an enquiry to be made in like manner in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or enquiry to be made and the University shall be entitled to be represented thereat.

(3) The Chancellor may address the Vice-Chancellor with reference to the result of such inspection or enquiry and tender such advice as he may deem fit to offer regarding the action to be taken by the University.

(4) The Vice-Chancellor shall act in accordance with the advice so tendered and communicate to the Chancellor the action taken in pursuance thereof.

(5) If the Vice-Chancellor does not, within a reasonable time, take action to the satisfaction of the Chancellor, he may, after considering any explanation furnished or representation made by the Vice Chancellor, issue such directions as he may deem fit and the University shall be bound to comply with such directions.

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

11. Vice-Chancellor. - (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 ten years experience in an equivalent position in a reputed research and/or academic administrative organization.

(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 Syndicate;

(b) one person nominated by the Chairman, University Grants Commission;

(c) one person nominated by the Chancellor; and

(d) one person nominated by the State Government,

and the Chancellor shall appoint one of these persons to be the Chairman of the Committee.

(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 abroad, 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-sec. (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-sec. (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-sec. (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 Syndicate.

(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 Syndicate, the matter shall be referred to the Syndicate, whose decision shall be final and in case of the Authority being the Syndicate, 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 Syndicate or to the Chancellor, as the case may be, for final decision.]

12. Powers and authorities of the Vice-Chancellor. - (1) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall, in the absence of the Chancellor, preside at meetings of the Senate and at any convocation of the University. He shall be an ex-officio member and Chairman of the Syndicate and the Academic Council. He shall have the right to speak in, and to take part in the proceedings of the meetings of any other authority or body of the University but shall not, merely by virtue of this sub-section, be entitled to vote thereat.

(2) It shall be the duty of the Vice-Chancellor to ensure the faithful observance of the provisions of this Act, the Statutes and Ordinances and he shall, without prejudice to the powers of the Chancellor, possess all such powers as may be necessary in that behalf.

(3) The Vice-Chancellor shall have power to convene meetings of the Syndicate, the Senate and the Academic Council;

Provided that he may delegate this power to any other officer of the University.

(4) The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of discipline therein.

(5) In any emergency, when in the opinion of the Vice Chancellor, immediate action is required, the Vice-Chancellor shall take such action as he may deem necessary and shall at the earliest opportunity report the action taken to the officer, authority, or body who or which in the ordinary course would have dealt with the matter, but nothing in this sub-section shall be deemed to empower the Vice-Chancellor to incur any expenditure not duly authorised and provided for in the budget.

(6) Where any action taken by the Vice-Chancellor under subsection (5) affects any person in the service of the University to his disadvantage, such person may prefer an appeal to the Syndicate within fifteen days from the date on which the action so taken is communicated to him;

Provided that the Syndicate may entertain an appeal under this sub-section after the expiry of the period of limitation prescribed by the same, if it is satisfied that there were sufficient grounds for the applicant being unable to file the appeal within such period.

(7) Subject to the provisions contained in sub-sections (5) and (6), the Vice-Chancellor shall give effect to the orders of the Syndicate regarding the appointment, suspension, removal or dismissal of officers and teachers of the University.

[(8) Without prejudice to the powers of the Chancellor under sub-section (2) of section 10, the Vice-Chancellor shall have, for good and sufficient cause, power to make an enquiry himself or to cause it to be made, by such officer or officers of the University as he may direct, against a teacher.]

[(9)] The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and the Ordinances.

13. Other officers. - The mode of appointment and the functions of the officers of the University other than the Chancellor and the Vice-Chancellor, in so far as they are not provided for in this Act, shall be prescribed by the Statutes and Ordinances.

[x x x]

14. Authorities of the University. - The following shall be the authorities of the University-

- (i) the Senate,
- (ii) the Syndicate,
- (iii) the Academic Council

- (iv) the Finance Committee,
- (v) the Faculties,
- (vi) the Committees of Courses and Studies, and
- (vii) Such other authorities as may be declared by the Statutes to be the authorities of the University.

[x x x]

15. The Senate. - (1) The Senate shall be the supreme authority of the University, and shall have the power to review the acts of the Syndicate and the Academic Council, and shall exercise all the powers of the University not otherwise provided for by this Act or the Statutes.

[(2) The Senate shall consist of the following persons, namely:-]

I. Ex-officio Members:

- (i) the Chancellor,
- (ii) the Vice-Chancellor,
- (iii) all former Vice-Chancellors,
- (iv) Vice-Chancellors of other Universities in Rajasthan,
- (v) The Registrar,
- (vi) the Deans of Faculties,
- (vii) the Chief Justice of Rajasthan High Court, Jodhpur,
- (viii) the Minister for Education, Rajasthan,
- (ix) the Chairman, Board of Secondary Education, Rajasthan,
- (x) the Director of College Education, Rajasthan,
- (xi) the Director of Education (Primary and Secondary), Rajasthan,
- (xii) the Director of Technical Education, Rajasthan,
- (xiii) two members, not below the rank of the Head of the following Departments, to be nominated by the State Government, by rotation:-
 - (i) Medical,
 - (ii) Industries and Commerce,
 - (iii) Forest,
 - (iv) Public Works,
 - (v) Mines and Geology, and

- (vi) Development and Planning,
- (xiv) all the members of the Syndicate,
- (xv) all the Heads of University Departments of the status of a Professor or a Reader,
- [(xvi) one Principal or Head of constituent or affiliated colleges or institutions elected by the Principals and Heads of such colleges or institutions from amongst themselves],
- (xvii) one member of the State Legislature nominated by the Speaker,
- (xviii) one member each nominated by (i) the Ministry of Defence Research and Development Organisation, (ii) Oil and Gas Commission, and (iii) the Central Arid Zone Research Institute, Jodhpur.
- (xix) Chairman, Jodhpur Municipal Board/Corporation.
- (xx) not more than two members to be nominated by the State Government.

II. Life Members;

- (xxi) every person, who had made a donation to the University, at any one time of an amount of, or of property valued at one lakh rupees or more, or a representative nominated in this behalf by such person during his life-time;

Provided that in the case of the donor being a corporate body the membership shall last for a period of twenty years from the date of acceptance by the University of such donation.

III Other Members;

- (xxii) two persons elected by the Academic Council from amongst its members,
- [(xxiii) two persons, not being in the service of the University or college or connected with the management of an affiliated college or a recognised hall or hostel, elected by the registered graduates of the University from amongst themselves],
- [(xxiv) eight teachers, other than the Heads of University departments and Principals or Heads of constituent and affiliated colleges of the University (by whatever name designated) elected by the teachers from amongst themselves],
- (xxv) persons who have rendered distinguished service to education, not exceeding two in number, nominated by the Chancellor,

(xxvi) two persons nominated by the State Government, and

(xxvii) two persons to be co-opted by the Senate belonging to any two of the following professions, namely:-

(i) Law,

(ii) Medicine,

(iii) Engineering and Technology,

(iv) Industry and Commerce,

(v) Forestry,

(vi) Auditing and Accountancy.

Explanation. - None shall be regarded as eligible for election under the foregoing clause (xxvii) unless he-

(a) holds qualification entitling him to practise the profession concerned,

(b) has prior to the date fixed for the return of nomination of persons for election under this clause practised the profession concerned for not less than five consecutive years, and

(c) resides within area over which the University has its territorial jurisdiction under section 5 of the Act.

Till persons in sub-clauses (xxii), (xxiii) and (xxvii) are elected, there places will be temporarily filled by persons nominated by the Chancellor.

(xxviii) (a) four persons shall be elected as follows:-

[(1) two students of the University departments or its constituent and affiliated colleges shall be elected by the Presidents of the Students' Unions of University departments and of such colleges of the University and ten representatives including the President of the Central Students Union, elected by the Executive of the Central Students Union, and];

(2) two persons shall be elected from amongst themselves by-

(i) the students who have obtained highest percentage of marks in various subjects at the post-graduate (previous) examinations of the University in preceding year,

(ii) the students who have obtained highest percentage of marks at various University Examinations at undergraduate and degree level in the preceding year, and

- (iii) two representatives, elected from amongst themselves by the registered scholars in University Departments, constituent colleges and recognised colleges and institutions, who are not employed in University Departments, constituent colleges and recognised colleges and institutions.

[Provided that-]

- (a) a person other than] a registered scholar as mentioned in sub-clause (a) (2) (iii), who has passed High School Examination more than eight years ago or Pre-University Examination more than seven years ago or has taken or is likely to take more than one year in excess of the period prescribed for the course of which he has been or is a student or has not been a student of the University for at least one year, shall not be so elected under sub-clause (a),

- [(b) he shall automatically cease to be a member of the Senate on his ceasing to be a student or registered scholar, which entitles him to be elected as such.

Explanation. - The election of the persons under clauses (xxiv) and (xxviii) shall be held in accordance with the system of proportional representation by means of the single transferable vote and the voting at such election shall be by secret ballot].

- [(xxix) President and Senior Vice-President of the Central Students' Union shall be ex-officio other members].

- (3) If any body or persons entitled to elect a member fails to do so, within the time prescribed by the Senate, the Senate may appoint as member any person whom that body of persons could have elected as a member.

- [(4) Members of the Senate, other than ex-officio members, life members and other members elected under clauses (xxii), (xxiv) and (xxviii) or nominated under clauses (xxv) and (xxvi) of sub- division III of sub-Section (2), shall hold office for a period of five years but the members who have been elected or nominated under the provisions of the Statutes and are continuing as such shall remain as such members for their remaining term as if they are elected or nominated under the provisions of this section. The other members elected under clause (xxii) and clause (xxiv) shall hold office for a period of three years, those elected under clause (xxviii) for the current academic session in which they are elected while those nominated under clause (xxv) and clause (xxvi) for a period of one year].

(5) The election of the two persons by the Academic Council from amongst its members shall be on the basis of simple majority.

(6) For the purpose of sub-clause (xxvii) also, the system of election by simple majority shall be followed.

16. The Syndicate. - The Syndicate shall be the Executive body of the University and shall consist of the following persons, namely :-

(i) Vice Chancellor;

[(ii) two persons nominated by the Vice-Chancellor from amongst the Deans of faculties or Directors of constituent colleges or Principals of affiliated colleges];

(iii) two University Professors nominated by the Vice-Chancellor;

(iv) one educationist nominated by the Chancellor;

(v) Director of College Education, Rajasthan;

(vi) two persons nominated by the State Government;

[(vii) two teachers who have put in not less than seven years teaching experience in an institution of higher education in Rajasthan as on 1st January immediately preceding the year in which elections are held, other than University Professors, Deans, Principles, Heads of affiliated colleges and Directors of constituent colleges of the University, to be elected by the teachers of the University and of its constituent and affiliated colleges from amongst themselves];

(viii) two members of the State Legislature nominated by the State Government; and

(ix) one person to be elected by the Senate from amongst students who are elected as 'other members' of the Senate under sub-clause (a) of clause (xxviii) of sub-division III of sub-section (2) of section 15 and the ex-officio 'other members' of the Senate under [clause (xxix)] of sub-division III of sub-section (2) of the said section,

Explanation.- The student members elected under clause (ix) shall not be associated with the-

(a) appointment of examiners;

(b) finance;

(c) selection of the employees of the University.

[(2) The elected members and members nominated under clauses (iv), (vi) and (viii) shall hold office for a period of three years and members nominated under clauses (ii) and (iii) for a period of one year from the date of election or nomination, as the case may be].

17. The Academic Council. - The Academic Council shall be the Chief Academic Body of the University, and shall subject to the provisions of this Act, the Statutes and Ordinances, have the control and general supervision and be responsible for the maintenance of standards of instruction, education and examination within the University, and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes. It shall have the right to advise the Syndicate on all academic matters. The constitution of the Academic Council and the term of office of its members, other than ex-officio members, shall be prescribed by the Statutes.

18. Powers and duties of other authorities of the University. - Subject to the provisions of this Act, the constitution, powers and duties of the authorities of the University, other than the Senate, the Syndicate and the Academic Council, shall be provided for by the Statutes.

19. University Board. - The University shall include a Residence, Health and Discipline Board and such other Boards as may be prescribed by the Statutes.

20. Constitution etc. of Boards. - The constitution, powers and duties of the Residence, Health and Discipline Board and all other Boards of the University shall be prescribed by the Ordinances.

21. Statutes. - Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-

- [(a) the constitution, powers and duties of the Senate, the Syndicate, the Academic Council, the Finance Committee and such other bodies as it may be deemed necessary to constitute from time to time, except for the constitution of the Senate];
- (b) the election, and continuance in office of the members of the said bodies, including the filling of vacancies of members, and all other matters relative to these bodies for which it may be necessary or desirable to provide;

- (c) the appointment, powers and duties of the officers of the University;
- (d) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the officers, teachers and other employees of the University;
- (e) the conferment of honorary degrees;
- (f) the withdrawal of degrees, diplomas, certificates, and other academic distinctions;
- (g) the establishment or abolition of faculties, departments, hostels or halls, colleges and institutions;
- (h) the conditions under which colleges and institutions may be admitted to the privileges of the University and the withdrawal of such privileges, including the laying down of minimum standards of admission to the concerned colleges and institutions;
- (i) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (j) the provision for the establishment of a Co-ordination Committee to consider matters of common interest between the University, other Universities and the State Government;
- [(k) the appointments, powers and duties of the Directors of constituent colleges;
- (l) the conditions under which colleges and institutes may be affiliated to the University and the withdrawal of such affiliation, including the laying down minimum standard of admission to the concerned colleges and institutions]; and
- [(m)] all other matters which by this Act are required to be, or may be, provided for by the Statutes.

22. Statutes how made. - [(1) Subject to the provisions of this Act, the Senate may, from time to time, make new or additional Statutes and amend or repeal existing Statutes in the manner hereafter in this section provided.

(2) The Syndicate may propose to the Senate draft Statutes for acceptance and promulgation by the Senate, and such draft Statutes shall be considered by the Senate at its next meeting.

(3) The Senate may approve any such draft Statute as is referred to in [subsection (2)], or reject it or return it to the Syndicate for reconsideration, either in whole or in part, together with any amendments which the Senate may suggest; Provided that the Syndicate shall not propose the draft of any Statute or any amendment of a Statute affecting the status, powers or constitution of any existing authority of the University until such authority has been given an opportunity of expressing its opinion upon the proposal, and any opinion so expressed shall be in writing and shall be considered by the Senate.

(4) Any member of the Senate may propose to the Senate the draft of any Statute and the Senate may either reject the proposal or refer the same for consideration to the Syndicate, which may either reject the proposal or submit the draft Statute to the Senate in such form as the Syndicate may approve, and the provisions of this section shall apply in the case of any draft Statute so submitted as they apply in the case of a draft Statute proposed to the Senate by the Syndicate.

(5) Every new Statute or additional Statute or any amendment or repeal of a Statute shall require the previous approval of the Chancellor, who may sanction promulgation or disallow or remit it for further consideration].

23. Ordinances. - Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:-

- (a) the admission of students of the University and their enrollment as such;
- (b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;
- (c) the decrees, diplomas, certificates and other academic distinctions to be awarded by the University, the qualifications for the same, and the measures to be adopted for granting and obtaining of the same respectively;
- (d) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;
- (e) the conditions of the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (f) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators;
- (g) the maintenance of discipline among the students of the University;

- (h) the conditions of residence of students at the University;
- (i) the special arrangements, if any, which may be made for the residence, discipline, and teaching of women students, and the prescribing for them of special courses of study;
- (j) the emoluments and the terms and conditions of service of teachers of the University and other staff of the University;
- (k) the management of colleges, institutions, hostels and halls founded, maintained, or recognised by the University;
- (l) the supervision and inspection of colleges, institutions, hostels and halls admitted to the privileges of the University; and
- (m) all other matters which by this Act or the Statutes are to be, or may be, provided for by the Ordinances.

24. Ordinances how made. - (1) Ordinances shall be made by the Syndicate, but no such Ordinance shall take effect until it has been approved by the Chancellor [x x x]:

Provided that no Ordinance concerning admission to the University or to its examinations, courses of study, schemes 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 Syndicate shall not have power to amend any draft proposed by the Academic Council under the provisions of sub- section (1), but may reject it or returns it to the Academic Council for reconsideration, either in whole or in part, together with any amendments which the Syndicate may suggest;

Provided that no Ordinance affecting the income or expenditure of the University shall be made, amended, repealed or added to, unless prior consent in writing of the State Government to the draft of such Ordinance has been obtained.

(3) All Ordinances made by the Syndicate shall be submitted to the Senate, and shall be considered by the Senate at its next meeting. The Senate shall have power, by a resolution passed by a majority of not less than two-thirds of the members voting, to cancel any Ordinance made by the Syndicate and such Ordinance shall from the date of such resolution be void.

25. Regulations. - (1) The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances-

- (a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;
- (b) providing for all matters which is by this Act, the Statutes, or the Ordinances are to be prescribed by the Regulations; and
- (c) providing for all other matters solely concerning such authorities or Committees appointed by them, and not provided for by this Act, the Statutes or the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at such meetings, and for the keeping of a record of the proceedings of meetings.

(3) The Syndicate may direct the amendment, in such manner as it may specify, of any Regulation made under this section or the annulment of any Regulation made thereunder;

Provided that any authority or Board of the University which is dissatisfied with any such direction may appeal to the Senate, whose decision in the matter shall be final.

26. Residence of students. - Resident students shall reside in the accommodation provided by the University or approved by the Vice-Chancellor, subject to the conditions prescribed.

27. Hostels and halls. - (1) The hostels or halls shall be such as may be maintained by the University or approved and recognised by the Syndicate on such general or special conditions as may be prescribed by the Ordinances.

(2) The wardens and superintending staff of the hostels and halls shall be appointed in the manner prescribed by the Ordinances.

(3) The conditions of residence in the hostels and halls shall be prescribed by the Ordinances and every hostel or hall shall be subject to inspection by any member of the Residence, Health and Discipline Board authorised in this behalf by the Board, and by any officer of the University or other person authorised in this behalf by the Syndicate.

(4) The Syndicate shall have power to suspend or withdraw the recognition of any hostel or hall which is not conducted in accordance with the conditions prescribed by the Ordinances.

27A. Conferment of autonomous status. - (1) An affiliated college or a recognised 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 instructions and training, holding of examinations and the power to make necessary rules for the purpose.

(2) The Syndicate 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 in the prescribed manner by a standing committee consisting of such persons as are deemed fit.

(3) On receipt of the report of the said committee and the recommendations of the Academic Council thereon, the Syndicate 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 Syndicate 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 Syndicate may require from time to time to judge efficiency.

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

27B. 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 Syndicate 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 Senate shall, after consulting the Syndicate and 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 27 A 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.]

28. University Fund. - (1) The University shall establish a fund to be called the University Fund.

(2) The following shall form part of, or be paid into, the University Fund:-

(a) any contribution or grant by Government,

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

(c) trusts, bequests, donations, endowments and other grants, if any, and

(d) such other moneys as may be credited to the University Fund or may be prescribed by the Statutes.

(3) The matters to which the University Fund shall be applied and appropriated shall be prescribed by the Statutes.

(4) All expenses incurred under, and in pursuance of, any provision contained in this Act shall be met out of the University Fund.

29. Annual Report. - The annual report of the University shall be prepared under the direction of the Syndicate, and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes, and shall be considered by the Senate at its annual meeting. The Senate may pass resolutions thereon which shall be communicated to the syndicate.

30. 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 annual financial estimates for the ensuing year.

(3) The annual accounts and the annual financial estimates prepared by the Comptroller shall be placed before the Syndicate for approval and the Syndicate 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 Syndicate which shall forward them to the State Government with such comments as may be deemed necessary.

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

30A. 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 or 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.

30B. 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, 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.]

31. Disputes as to constitution of University Authorities and Bodies. - If any question arises whether any person has been duly elected, or appointed as or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor, whose decision hereon shall be final.

32. Constitution of committees. - Where any authority of the University is given power by this Act or the Statutes to appoint committees, such committee shall, save as otherwise provided, consist of members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.

33. Filling of casual vacancies. - All casual vacancies among the members (other than ex-officio members) of any authority or other body of the University shall be filled, as soon as conveniently may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant: and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

34. Proceedings of University Authorities and Bodies not invalidated by vacancies. - No act or proceedings of any authority or other body of the University shall be invalidated merely by reason of the existence of vacancy or vacancies among its members.

35. Conditions of service. - (1) Every salaried officer and teacher of the University shall be appointed by means of a written contract. The contract shall be lodged with the Registrar of the University, and a copy thereof shall be furnished to the officer or teacher concerned.

(2) Any member of the public services in India whom it is proposed to appoint to a post in the University shall, subject to the approval of such appointment by the Government (concerned), have the option:-

- (i) of having his services lent to the University for a specified period and remaining liable to revert to, or to be recalled by, (he Government concerned; or
- (ii) of resigning Government service on entering the service of the University.

(3) Any dispute arising out of a contract between the University and any officer or teacher of the University shall, on the request of such officer or teacher, be referred to a tribunal of arbitration consisting of one member appointed by the Syndicate, one member nominated by the officer or teacher concerned and considered acceptable by the Vice-Chancellor, and an umpire appointed by the Chancellor. The decision of the tribunal shall be final and no suit shall lie in any

civil court in respect of the matters decided by the tribunal. Every such request shall be deemed to be a submission to arbitration within the meaning of the Arbitration Act, 1940 (Central Act X of 1940) and all the provisions of that Act, with the exception of section 2 thereof, shall apply accordingly.

36. Pension and provident fund. - (1) The University shall constitute, for the benefit of its officers, teachers, clerical staff and servants, in such manner and subject to such conditions as may be prescribed by the Statutes, such pension, insurance or provident fund as it may deem fit.

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

37. Appointment of special Officer by State Government. - (1) At any time after the passing of this Act, and until such time as the authorities of the University shall have been duly constituted, or until such further time as the Syndicate may desire, a special Officer shall be appointed by the State Government for the University.

(2) It shall be the duty of the Special Officer to convene the first meeting of the Senate and of the Syndicate within six months of his assuming charge of his appointment. He shall be empowered to appoint such clerical and menial staff as may be necessary. No member of the clerical and menial staff shall be permanently employed until his appointment has been confirmed by the Syndicate.

(3) The Special Officer shall be empowered to incur all necessary expenditure, subject to the approval of the Chancellor.

38. Reference to Government Officers to be construed in case of change of designation, as reference to corresponding officers. - Where any provision of this Act or of the Statutes, Ordinances, Regulations refers to an officer of the Government by designation then, if that designation is altered or that office ceases to exist, the reference shall be construed as a reference to the altered designation, or as the case may be, to such corresponding officer as the Government may direct.

39. Transitory provisions. - On the date of the commencement of the Jodhpur University (Change of Name and Amendment) Act, 1984,-

- (a) any person holding office as Vice-Chancellor of the University shall, on such commencement, be the Vice-Chancellor of the University so re constituted and shall continue to hold the said office and to exercise all powers and to perform all duties conferred on the Vice-Chancellor by or under the provisions of this Act for the residue of his term as Vice-Chancellor of the University of Jodhpur;
- (b) the members of the authorities, bodies and committees of the University, shall be deemed to be respectively the members of the authorities bodies and committees of the University so re- constituted and shall continue to exercise all powers and perform all duties conferred on the authorities, bodies and committees by or under this Act or the Statutes;
- (c) the appointments of the Registrar and all other officers and servants of the University which are lawfully subsisting shall be deemed to have been made under and for the purposes of this Act and the Registrar and all such officers and servants shall continue to hold office and to act, subject to the conditions governing the terms of their office or employment except in so far as such conditions may be altered by competent authority;
- (d) all colleges admitted to the privileges of the University shall be deemed to be the colleges admitted to the privileges of the University so reconstituted;
- (e) all registered scholars in University departments and colleges of the University shall be deemed to be registered scholars in the departments and colleges of the University so reconstituted;
- (f) all property, movable or immovable and all rights, interests of whatever kind, powers and privileges of the University shall be deemed to be transferred to and vested in the University so re-constituted and shall be applied to the objects and for the purposes of the University so reconstituted;
- (g) all benefactions or grants accepted or received by or promised to the University shall be deemed to have been accepted or received by or promised to the University so re constituted, and all the conditions on which such benefactions or grants were accepted or received or promised shall be deemed to be valid under this Act;

- (h) all dues, liabilities and obligations incurred and lawfully subsisting in favour of or against the University shall be the dues, liabilities and obligations in favour of or against the University so re-constituted;
- (i) any will, deed or other document, which contains any bequest, gift, trust in favour of the University or any nomination, filed in the University shall be construed as if the University as reconstituted is named therein;
- (j) the appointments of all the examiners of the University as lawfully subsisting shall be deemed to have been made under and for the purposes of this Act and such examiners shall continue to hold office and to act until fresh appointments are made;
- (k) all Statutes, Ordinances and Regulations, all notices and orders made or issued under the Jodhpur University Act, 1962 shall, so far as such Statutes, Ordinances, Regulations, notices and orders are not inconsistent with the provisions of this Act, continue in force until they are superseded or modified or withdrawn under the provisions of this Act; and
- (l) all references to the University in any enactment or other instruments issued under an enactment, shall be construed as references to the University so re-constituted.

Explanation. - For the purposes of this section, the expressions:-

- (i) "this Act" means the Jodhpur University Act, 1962 as amended by the Jodhpur University (Change of Name and Amendment) Act, 1984;
- (ii) "University" means the University of Jodhpur as constituted by or under the Jodhpur University Act, 1962; and
- (iii) "the University so re-constituted" means the Jai Narain Vyas University, Jodhpur as reconstituted by or under the principal Act as amended by the Jodhpur University (Change of Name and Amendment) Act, 1984.]

40. Removal of difficulties. - [(1)] The State Government may for the purpose of removing any difficulties, particularly in relation to the [re constitution of the University of Jodhpur as Jai Narain Vyas University, Jodhpur, by or under the provisions of the Jodhpur University (Change of Name and Amendment) Act, 1984, hereafter in this section referred to as the Amending Act, in matters covered by this Act], by order published in the Official Gazette-

- (a) direct that this Act, shall during such period as may be specified in the order, take effect subject to such adaptations whether by way of modification, addition or omission [and consistent with the Amending Act], as it may deem fit to be necessary or expedient, or
- (b) make such other temporary provisions for the purpose of removing any such difficulties as it may deem fit to be necessary or expedient;

Provided that no such order shall be made after [twelve months from the commencement of the Amending Act].

[(2) The provisions made by order under sub-section (1) shall have effect as if enacted in this Act and any such order may be made so as to be retrospective to any date not earlier than the [date of commencement of the Amending Act].