

The Mohanlal Sukhadia University Act, 1962

(Act No. 18 of 1962)

(Received the assent of the Governor on the 26th Day of October, 1963)

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ACT

1. Short Title, Extent and Commencement

- * (1) This Act may be called the Mohanlal Sukhadia University Act 1962.
- (2) It extends to the whole of the State of Rajasthan.
- (3) It shall come into force at once.

2. Definition:

In this Act, unless the subject or context requires otherwise:

- + (a) “Academic Council” means the Academic Council of the University as constituted under Section 21.
- (b) Affiliated Colleges’ means an educational institution admitted to privileges of the University.
- (c) “Autonomous Colleges” means an educational institution declared as such under the provision of this Act.
- * (d) “Board” means the Board of Management of the University constituted under section 19.
- (e) “constituent Colleges” means a College maintained by the University;
- (f) “Faculty” means a Faculty of the University.
- (g) “Prescribed” means prescribed by the Status of the University;
- (h) “Principal” means the Chief Executive Officer of a College or any person duly appointed to act as such.
- + (i) “Registered graduate” Repealed.
- (j) “Statutes” and “Regulations” means respectively the statutes and regulations of the University made under this Act;

*As amended under the Mohanlal Sukhadia Agriculture University (Amendment) Act, No. 9 of 1984.

+ Substituted by the Mohanlal Sukhadia Agriculture University (Amendment) Act, NO. 9 of 1984.

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+ Repealed by Act, No. 9 of 1984.

- (k) “Student of the University” means a person enrolled in the University for taking a course of study for a degree, diploma or other academic distinction duly instituted;
- (l) “Teacher” means a person appointed for recognized by the University for the purpose of imparting instruction or conducting and guiding research and include a person who may be declared by the Statutes to be a teacher;
- (m) “University” means the Mohanlal Sukhadia University, Udaipur.

3. The University and its Jurisdiction:

- * (1) The Chancellor, the Vice-Chancellor and the members constituting the Board of Management of the Mohanlal Sukhadia University in accordance with Section 19 of this Act as amended by the (Mohanlal Sukhadia university (Amendment) Act 1984) and all persons who may be hereafter become such officer or members in accordance with the said section of this Act as amended by the Mohanlal Sukhadia University Act 1987 membership, be deemed to constitute, or, as the case may be, constitute a body corporate by the name of the Mohanlal Sukhadia University; and
- + (2) The University shall have perpetual succession and a common seal. It shall have power to acquire, hold, manage and dispose of property movable and immovable, including trust property and endowments, which may be or may have become or deemed to be vested in or acquired by the University for the purpose of the University and shall sue and be sued by its corporate names;
- (3) The jurisdiction of the University shall extend to, and the powers conferred by or under this Act shall be exercisable in the law College, Udaipur, School of Basic Sciences and Humanities, Udaipur by whatever name or names it may be designated, and also in such other constituent, affiliated or autonomous Colleges, institutes institutions and departments within the State of Rajasthan as may be specified by notification in the Official Gazette by the State government.
- (4) The State Government may, by order in writing:
 - (a) Require any institute, institution or College within the territorial limits of the University to terminate, with effect. from such date

* Substituted by the Mohanlal Sukhadia Agriculture University (Amendment) Act, NO. 9 of 1984.

+ As Amended under the Rajasthan Agriculture University (Amendment) Act, No. 21 of 1963.

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, it such as may be considered, necessary and proper, from association with, or from admission to the privileges if the University Constituted by this Act any institute, institution or College specified in the order which, in the opinion of the State Government, is required to be self governing or to be associated with or admitted to the privileges of, any other University or body.

4. Seat of the University

The principal seat of the University shall be at Udaipur.

5. Objects of the University

The University shall be deemed to have been established and incorporate for the purpose, among other, of

- (i) making provision for imparting education in different branches of learning and;
- (ii) Furthering the prosecution of research in all branches of learning.
- (iii) Deleted.

6. University Admission.

The University shall, subject to the provision of this Act and the Statutes, be open to all persons but nothing in this section shall be deemed to require the University to admit to any course of study students larger in number than, or with academic or other qualification lower than those prescribed.

7. Powers of the University

The University shall have the following powers, namely:

- (a) To provide for instruction in various branches of learning as the University deem fit.
- (b) To make provision for(1) research, and (2) advancement of knowledge and dissemination of the findings of research and knowledge;

- (c) To Institute And Confer Degrees, Diploma And Other Academic Distinction In The Manner And Under Conditions Laid Down In The Statues;
- (d) To confer honorary degrees or other distinctions in the manner & under conditions laid down in the statutes;
- (e) To admit colleges, institutions and institute not maintained by the university, to the privileges of the university, and to withdraw all or any of these privileges,
- (f) 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;
- (g) To co-operate with other universities and authorities in such manner and for such purpose as the university may determine;
- (h) To institute teaching, research and other posts required by the University and to appoint persons to such posts in the prescribed manner;
- (i) To create administrative, ministerial another necessary posts and make appointments thereto:
- (j) To institute and award fellowships (including traveling fellowships), scholarships and prizes in accordance with the statutes;
- (k) To institute and maintain residential accommodation for the students of the University;
- (l) To demand and receive such fees and other charges as may be prescribed;
- (m) To supervise and control the residential accommodation for students and to regulate the discipline of the students of the university and to make arrangements for promoting their health and welfare; and
- (n) To do all such acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

*** 8. Visitation**

- (1) The Chancellor shall have the right to cause an inspection, to be made by such person or persons, as he or she may direct-

 - a) of the University, its buildings, laboratories, libraries, museums, workshops and equipment's; or
 - b) of any institute, institution or hostel maintained by the University; or
 - c) of the teaching and other work conducted or done by the University; or
 - d) of the conduct of any examination held by the University.
- (2) The Chancellor shall also have the right to cause an inquiry to be made by such person or persons as he or she may direct in respect of any matter connected with the University.
- (3) The Chancellor shall, in every case, give notice to the University of his or her intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented at such inspection or inquiry.
- (4) The Chancellor shall communicate to the University his or her views with reference to the result of such inspection or inquiry and may, after ascertaining the opinion of the University thereon, advise the University upon the action to be taken and fix a time limit for taking such action.
- (5) The University shall, within the time limit so fixed, report to the Chancellor the action taken or proposed to be taken on the advice tendered by the Chancellor.
- (6) If the University does not take action within the time limit fixed, or if the action taken by the University is in the opinion of the Chancellor, not satisfactory, the Chancellor may, after considering any explanation offered or representation made by the University, issue such direction as he or she may deem fit and the University shall comply with such direction.
- (7) If the University does not comply with such direction issued as per sub-section (6) within such time as may be fixed in that behalf by the Chancellor, the Chancellor shall at his or her discretion have power to appoint any person or body to implement such direction and make such order as may be necessary for the expenses thereof.

* Substituted by the Mohanlal Sukhadia University (Amendment) Act, 2013 No. 9 of 2013.

9. Officers and Authorities of the University:

The following shall be the officers and authorities of the University, namely;

(a) Officers of the University:

- i) the Chancellor,
- ii) the Vice-Chancellor,
- iii) the Registrar,
- iv) the Comptroller,
- v) the Estate Officer,
- vi) the Dean of Student Welfare,
- vii) the Deans of constituent Colleges,
- viii) Omitted.
- ix) Deleted,
- x) Deleted,
- xi) Such other persons in the service of the University as may be declared by the Statutes to be officers of the University.

(b) Authorities of the University;

- * i) Board of Management,
- ii) the Academic Council,
- iii) the Council of Deans,
- iv) the Board of Studies, and
- v) Such other authorities as may be declared by the statutes to be the authorities of the University.

10. Chancellor:

- (i) The Governor of the State of Rajasthan shall be the Chancellor of the University. He shall, by virtue of his office, be the head of the University & shall, when present, preside at the convocations thereof.
- (ii) The Chancellor shall have such other powers as may be conferred on him by this Act or the statutes there under.

****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

* Substituted by the Mohanlal Sukhadia Agriculture University (Amendment) Act, NO. 9 of 1984.

** As Amended by the Mohanlal Sukhadia University (Amendment) Act, 2017 Act No. 12 of 2017.

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 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 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-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) 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.
- (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.
- *11 A. 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 wilfully omits or refuses to carry out the provision 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:
 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:
- (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 hat till further order-

* New Section Added by the Universities Laws (Amendment) Act, 2019 Act No. 17 of 2019.

- (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.

12. Powers and Duties 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 the convocations of the University.
- (2) The Vice-Chancellor shall be ex-officio Chairman of the Board, Academic Council of Deans.
- (3) The Vice-Chancellor shall be responsible for presenting to the Board for its deliberations and considerations matters of concern to the University. He shall have power to convene the meetings of the Board and the Academic Council.
- (4) The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.
- (5) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act and the statutes and shall possess all such powers as may be necessary for the purpose.
- (6) In an emergency, which in the opinion of the Vice-Chancellor requires immediate action to be taken he shall take such action as he deems necessary and shall at the earliest opportunity report the action taken to the officer, authority or other body who or which in the ordinary course would have dealt with the matter.
- (7) Where any action taken by the Vice-Chancellor under sub-section (6) affects any person in the service of the University to his disadvantage, such person may prefer an appeal to the Board within thirty days of the date on which the action is communicated to him.

- (8) Subject as aforesaid, the Vice-Chancellor shall give effect to the orders of the Board regarding appointment suspension, and dismissal of officers, teachers and other employees of the University.
- (9) The Vice-Chancellor shall be responsible for close coordination and integration of teaching, research and other work and shall exercise such other powers as may be prescribed.

13. REGISTRAR

- (1) The Registrar shall be an officer of the University appointed by the Board on the recommendation of the selection committee consisting of the Vice-Chancellor and such other members as may be prescribed.
- (2) The Registrar shall be responsible for the custody of the records and the common seal of the University. He shall be ex-officio secretary of the Academic Council and may call on the service of other employees of the University for recording its proceedings. He shall place before it all such Information as may be necessary for the transaction of its business. He shall receive applications for entrance to the University and shall keep a permanent record of all syllabi, curricula and such other informations as may be deemed necessary,
- (3) The Registrar shall make all necessary arrangement for the conduct of the prescribed examinations and be responsible for the due execution of all processes connected therewith.
- (4) The Registrar shall perform such other duties as may be prescribed or required of him from time to time by the Vice-Chancellor.

14. COMPTROLLER, ESTATE OFFICER & DEAN OF STUDENT WELFARE

- (1) On the recommendations of the Selections Committee appointed in the manner prescribed, the Board may appoint any one or more of the following officers, namely:
 - (i) The Comptroller.
 - (ii) The Estate Officer, and
 - (iii) The Dean of Student Welfare.

- (2) The Comptroller shall:
- (i) Advise in regard to the financial policy of the University and be responsible for the preparation of its budget and for the presentation thereof to the board through the Vice-Chancellor.
 - (ii) Manage the properties. Movable and immovable, and investment of the University.
 - (iii) Keep all moneys belonging to the University in a scheduled bank or in the Rajasthan State Co-operative Bank Ltd., or Central Co-Operative Bank except the amounts needed as impress cash (to be prescribed by the Vice-Chancellor in transitioning business of the University).
 - (iv) ensure that no expenditure not authorized in the budget is incurred by the University otherwise than by way of investment; and
 - (v) Disallow any expenditure which may contravene the terms of any statute or for which provision is required to be made by a statute but has not been made.
3. The Estate Officer shall be in charge of all the buildings, lawns, gardens and other immovable property of the University.
4. The Dean of Student Welfare shall have the following duties:
- (a) To make arrangement of the housing of students.
 - (b) To direct a programme of students counselling.
 - (c) To arrange for employment of students in accordance with plans approved by the Vice-Chancellor.
 - (d) To supervise the extra-curricular activities of the students.
 - (e) To assist in the placement of the graduate of the University, and
 - (f) To organise and maintain contact with the alumni of the University.

15. DEANS OF THE CONSTITUENT COLLEGES

- (1) Each constituent College shall have a Dean.
- (2) Every Dean shall be appointed by the Board on the recommendations of the Selection Committee consisting of such persons as may be prescribed.
- (3) The Dean shall be responsible to the Vice-Chancellor for all matters concerning his College.

16. OTHER OFFICERS AND EMPLOYEES

The mode of appointment and the functions of other officers mentioned in clause (a) of section 9 and employees of the University shall be as provided in this Act or as prescribed by statutes and regulations.

17. STATUS AND EX-OFFICO OR COMBINED APPOINTMENT OF OFFICERS OF THE UNIVERSITY

- (1) All or any of the officers mentioned in sub-clauses (iii) to (xi) of clause (a) of section 9 may be whole time or part-time Officers of the University and may be appointed by name or by virtue of office.
- (2) It shall also be competent to the appointing authority on the recommendation of the Vice-Chancellor to appoint one person to in combination more than one of such officers as are referred to in sub-section(1).

18. REMUNERATION OF OFFICERS AND EMPLOYEES

No officer or employee of University shall be offered nor shall he accept any remuneration for any work in the University saves as may be provided for in the statutes.

19. CONSTITUTION AND COMPOSITION OF THE BOARD OF MANAGEMENT

- (1) The Board of Management shall be the highest executive body of the University and shall consist of the following members, namely;
 - (I) The Vice-Chancellor of the University as Chairman.
 - (II) Ex-officio Members:

- (i) the Secretary to the Government of Rajasthan, Finance Department;
- (ii) the Secretary to the Government of Rajasthan, Education Department;
- (iii) the Special Secretary to the Government of Rajasthan, Planning Department;
- (iv) the Director of College Education, Rajasthan; and
- (v) the Registrar of the University, Member-Secretary.

EXPLANATION :

Ex-officio member mentioned at (i) to (ii) shall include their respective nominees who shall not be below the rank of Special Secretary to the Government of Rajasthan.

(III) Nominated Members :

- (i) two persons nominated by the Vice-Chancellor from amongst the Deans for one year;
- (ii) two University Professors nominated by the Vice-Chancellor for one year;
- (iii) two eminent educationists to be nominated by the Chancellor for one year;
- (iv) one teacher other than the Professors, working in the University or in a Constituent College to be nominated by the Vice-Chancellor for one year;
- (v) one Principal of College from amongst the affiliated Colleges to be nominated by the State Government for one year; and
- (vi) two members of State Legislature to be nominated by the State Government for one year;

- (IV) Elected Members-two teachers who have put in not less than seven years teaching experience in the institutions of higher education in Rajasthan on 1st January immediately preceding the year in which elections are held, other than University Professors Deans 'Associate Deans' Directors of the Colleges of the University to be elected by the teachers separately from amongst themselves for one year.
- (2) Any one third members present at a meeting of the board shall constitute the quorum necessary for the transaction of its business thereat.
- (3) The Chairman of the Board shall perform such functions and exercise such powers as are provided in this Act or as may be prescribed.
- (4) The members shall serve without any additional pay but shall be entitled to daily allowance and travelling expenses as may be prescribed.
- (5) The minutes of meeting of the Board shall be recorded and maintained by the Member Secretary of the Board.

20. Duties and Function of the Board

The duties and functions of the Board shall be as follows:

- (a) to approve and sanction the budget of the University.
- (b) to acquire, to dispose off, to hold and to control the property and funds of the University and issue any general or special direction on behalf the University.
- (c) to accept the transfer of any movable or immovable property on behalf of the University.
- (d) to administer any funds placed at the disposal of the University for the specific purposes;
- (e) to invest money belonging to the University;
- (f) to appoint the members of the academic, administrative and other staff of the University in such manner as may be prescribed:
- (g) to direct the form and use of the common seal of the University.

- (H) to appoint such committees, either standing or temporary as it deems necessary for its proper functioning;
- (i) to borrow money for capital improvements and make suitable arrangements for its repayment;
- (j) to meet at such times and as often as it deems necessary provided/however, that the regular meeting of the board shall be held at least once in every three months and that at least two third of the regular meetings shall be held at the University head-quarters; and
- (k) to regulate and determine all matters concerning the University in accordance with this Act and the statutes and to exercise such powers and to discharge such duties as may be conferred or imposed on it by this Act and the statutes.

21. ACADEMIC COUNCIL

- (1) There shall be an Academic Council of the University, consisting of the following as members, namely;
 - (a) The Vice-Chancellor-ex officio Chairman.
 - (b) Dean of Post-graduate Studies;
 - (c) one Professor from each faculty to be nominated by the Vice-Chancellor;
 - (d) One Head of a Constituent College to be nominated by the Vice-Chancellor;
 - (e) Secretary to the State Government in the Education Department or his nominee not below the rank of a Special Secretary.
 - (f) Director of College Education, Rajasthan;
 - (g) Heads of University Departments;
 - (h) One Principal of an affiliated College to be nominated by the State Government;
 - (i) two persons having special attainment in the field of studies not being employees of the University, one to be nominated by the Vice-Chancellor and the other by the State Government;

- (j) one teacher other than the Professors, from a Constituent College/Department having a minimum ten years experience in teaching degree or post-graduate classes to be nominated by the Vice-Chancellor;
- (k) one teacher other than the Principals, from as affiliated colleges, having a minimum ten years experience in teaching degree or post-graduate classes to be nominated by the State Government; and
 - (1) The Registrar of the University. Member Secretary"
 - (2) The term of office of nominated or elected members shall be two years.

22. FUNCTIONS OF THE ACADEMIC COUNCIL

- (1) The Academic Council shall be incharge of the academic affairs of the University and shall, subject to the provisions of this Act and the statutes made there under and the general regulations have control over, and be responsible for the maintenance of standards of instructions, education and examinations and for the requirements for the award of degrees and diplomas.
- (2) The Academic Council shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the statutes and shall advice the Vice-Chancellor on all academic matters.
- (3) Deleted.

23. THE COUNCIL OF DEANS

- (1) The Council of Deans shall be in charge of all administrative matters pertaining to Constituent Colleges and University Teaching Departments including student discipline in such colleges or departments and shall make its recommendations to the Board.
- (2) It shall consist of :
 - (a) The Vice-Chancellor as its Chairman;
 - (b) The Dean of Student Welfare; and
 - (c) The Deans of Colleges.

24. THE 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.

25. TEACHING OF THE UNIVERSITY

- (1) All teaching recognized by the University shall be conducted in the University departments or in colleges, institutes and institutions.
- (2) The authorities responsible for organising such teaching shall be such as may be prescribed.
- (3) The course of study and curricula shall be such as may be proscribed by Statutes and, subject thereto, by the Regulations.

26. 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 powers to make necessary rules for the purpose.
- (2) The Board shall for the purpose of satisfying itself about the standards of educations 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 ate deemed fit.
- (3) On receipt of the report of the said committee and the recommendations of the Academic Council thereon, the board on being satisfied, shall refer the matter for 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 to be nominated by the Vice-Chancellor.
- (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 degree on the students of such college, institution or department.
- (8) The autonomous college, institution or department shall appoint such committee 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 information's as the board may require from time to time.
- (10) The Board shall cause every autonomous college, institution or department to be inspected from time to time.

27. 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 of the conditions 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, 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 26 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. SUPPLEMENTARY PROVISIONS RELATING TO MEMBERSHIP

- (1) All casual vacancies among the members (other than ex-officio members) of any authority or body of the University shall be filled as soon as possible by appointment, nomination or election according as the member whose place became vacant was appointed, nominated or elected and the person appointed, nominated or elected to a casual vacancy shall be a member of such authority or body for the residuary period of the term for which the person whose place he fills would have continued but for the vacancy.
- (2) A person who holds any office in the University by virtue of his holding any other of the University or otherwise shall hold such office as long as he holds the other office and thereafter till his successor is duly nominated, appointed or elected.
- (3) The Board may remove any person not being an officer of the University from membership of any authority or body or any employee of the University on the grounds that such person or employee has been convicted of an offence involving moral turpitude or for taking part in subversive activities or for including in any act or acts unbecoming the prestige of the University.

Provided that no such person or employee shall be removed under this sub-section unless he has been afforded a reasonable opportunity of

showing cause why he should not be so removed and such had been considered by the Board.

- (4) If any question arises regarding any person who had been appointed, nominated or elected, as or is entitled to be; a member of any authority of the University subordinate to the Board or regarding any decision of the Board under this Act and the Statutes, the matter shall be referred to the Chancellor for his decision.

29. PROCEEDINGS OF UNIVERSITY AUTHORITIES AND BODIES NOT TO BE INVALIDATED BY REASON OF ANY VACANCY ETC.

Not Act or proceeding of any authority or body of the University shall be invalidated by reason of the existence of vacancy among its members or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

30. AGE OF RETIREMENT

Subject to any provision in the statutes to the contrary all the employees of the University shall ordinarily retire from service upon attaining the age of sixty years.

31. PENSION OR PROVIDENT FUND

- (1) For the benefit of its officers, teachers, clerical staff and other employees, the University shall constitute, in such manner and subject to such conditions as may be prescribed, such pension, gratuity, insurance and provident fund as it may deem fit.
- (2) Provision shall be made in statutes to ensure that staff members transferred from employment in the service of the State shall have their accrued service benefits protected upon such transfer.

32. TEACHER OF UNIVERSITY

- (1) The appointment of Teachers of the University shall be made in accordance with provisions of the Rajasthan Universities Teachers and Officers (Selection for appointment) Act 1974 (Act No. 18 of 1974).
- (2) Except in cases provided for by the statutes, teacher of the University shall be appointed under a written contract. The contract shall be logged

with the Vice-Chancellor and a copy thereof shall be furnished to the teacher concerned. The contract shall not be inconsistent with the provisions of this Act and the statutes for the time being in force in relation to the conditions of service.

33. UNIVERSITY FUND

- (1) University shall establish, maintain and administer a fund to be called the University Fund.
- (2) The following moneys shall from part of, and be paid into, the University fund, namely:
 - (a) any contribution or grant by the State Government:
 - (b) income arising to the University from all sources including income from fees and charges;
 - (c) trusts, bequest, donations, endowments and other grants, if any;
 - (d) Such other money as may be prescribed by the statutes.
- (3) The matters to which the fund may be applied and appropriated shall be those prescribed by this Act or 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.
- (5) The University shall have power to borrow, on the security of the University properties and with the concurrence of the state Government, money for the purpose of the University.

34. STATUTES

Subject to the provisions of this Act, the statutes may provide for any matter and shall, in particular, provided for the following:

- (a) the constitution, power and duties of the authorities of the University;
- (b) the appointment, nomination or election and continuance in office of the members of the authorities of the University and all other matters relative to these authorities for which it may be necessary or desirable to provide;

- (c) The designation, manner of appointment, powers, duties and service conditions of the University.
- (d) the classification and manner of appointment of teachers and their service conditions and qualifications;
- (e) the constitution of a pension, gratuity, insurance and provident funds for the benefit of officers, teachers and other employees of the University;
- (f) the institution of degrees and diplomas and other academic honours;
- (g) the conferment of honorary degrees;
- (h) the establishment, amalgamation, sub-division and abolition of departments;
- (i) the establishment and abolition of hostels maintained by the University;
- (j) the institution of fellowship, scholarship, medals and prizes;
- (k) the maintenance of a register of registered graduates;
- (l) the admission of students to the University and their enrolment and continuance as such;
- (m) the moneys to form part of and to be part into the University fund and the matters to which the fund may be applied and approved;
- (n) the courses of study to be laid down for all degrees and diplomas of the University;
- (o) The conditions under which students shall be admitted to the degrees, diplomas, or other course and the manner in which the examinations are to be eligibility for the award of degrees and diplomas.
- (p) The conditions of the residence of the students of the University and the levying of fees for residence in hostels maintained by the University;
- (q) The recognition and supervision of hostels not maintained by the University.
- (r) The number and emoluments of teachers of the University and the preparation and maintenance of a record of their services and activities;

- (s) The fees which may be charged by the University for any purpose;
- (t) The conditions subject to which persons may be recognised as qualified to give tutorial instructions;
- (u) The remuneration and allowances, including traveling and daily allowances to be paid to persons employed in the business of the University;
- (v) The conditions of the award of fellowships, scholarships medals and prizes, stipends and fee concessions; and
- (w) All other matters which by this Act are required to be or may be provided for or prescribed otherwise then by the regulations.

35. STATUTES HOW MADE

- (1) The first statutes with regard to matters set out in Clauses (a) to (m) of section 34 shall be made by the State Government and a copy there of shall be laid before the House of the State Legislature for fourteen days which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which they are so laid or of the session immediately following; the House of the State Legislature makes any modifications if any of such statutes or resolves that any such statutes should not be made, such statutes shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done there under.
- (2) The Board may from time to time make new or additional statutes and may amend or repeal existing statutes in the manner thereafter in this section provided.
- (3) The Academic council may propose to the Board the draft of any new statutes or of an amendment in or repeal of an existing statutes and such draft shall be considered by the Board at its next meeting;
 Provided that the Academic Council shall not propose the draft or any new statutes or amendment or repeal of a statutes affecting the statutes. Powers or constitution of any existing authority of the University until such of authority has been given an opportunity to express its opinion upon the proposal, and any opinion so expressed shall be considered by the board.

- (4) The Board may approve any such draft as is referred to in sub-section (3) or reject it or return to the Academic Council for reconsideration, either in whole or in part, together with any amendments which it may suggest :
- Provided that if the Board approves any such draft for addition of a new statutes, or for the amendment or repeal of an existing statutes, the same shall require the approval of the Chancellor who may sanction or disallow the same or may remit it for further consideration.
- (5) Any member of the Board may propose to the Board the draft of any statutes and the Board may either accept or reject the proposal if it relates to a matter not falling within the purview of the Academic Council. In case such proposal relates to a matter within the purview of the Academic Council the Board shall refer it for consideration by the Academic Council which may either report to the Board that it does not approve the proposal which then shall be deemed to have been rejected by the Board or submit the draft to the Board in such form as the Academic Council may approve, and the provisions of the sub-section (3) and (4) shall then apply.

36. REGULATIONS

- (1) Every authority of the University may make regulations consistent with this Act and the statutes:
- (a) Laying down the procedure to be observed at their meeting and the number of members required to form a quorum.
 - (b) Providing for all matters which by this Act and the statutes are to be provided for by that authority by the regulations; and
 - (c) Providing for any other matter solely concerning such authority and not provided by this Act and the statutes.
- (2) Every authority of the University shall make regulations providing for the giving of notice to the members of no such authority of the dates of meetings and of the business to be transacted thereat and for the keeping of a record of the proceeding of meetings.
- (3) The Board may direct the amendment, in such manner as it may specify, of any regulations made under this section or the annulment thereof by any authority of the University.
- (4) The Academic Council may, subject to the provisions of the statutes, make regulations providing for courses of study, system of

examinations, and degrees of the University after receiving drafts of the same from the Board of studies.

- (5) The Academic Council may not alter a draft received from the Board of studies but may reject the draft received or return it to the Board of Studies for further consideration together with its own suggestions.

37. RESIDENCE OF STUDENTS

The students shall reside in accommodation provided by the University or approved by the Vice-Chancellor subject to the conditions prescribed.

38. DELEGATION OF POWERS

The Board may statutes delegate to any office or authority any of the powers conferred upon it by this Act, to be exercised subject to such restrictions and conditions as may be prescribed.

39. ANNUAL REPORT

The annual report of the University shall be prepared under the directions of the Vice-Chancellor and circulated among the members of the Board one month before the annual meeting of the Board and which it is to be considered. The annual report, as approved by the Board, shall be sent to the Government for being laid on the table of the House of the State Legislature.

***40. ACCOUNTS AND AUDIT**

- (1) The annual accounts and balance shall 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 for the ensuing year.
- (3) The annual accounts and the budget prepared by the Comptroller shall be placed before the Board 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.

* Substituted by the Mohanlal Sukhadia University (Amendment) Act, 2013 No. 9 of 2013.

- (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 objections raised in the audit and carry out such instructions as may be issued by the State government on the audit report.

***40 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.

****40-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, 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

* New Section added by the Mohanlal Sukhadia University (Amendment) Act, 2013 No. 9 of 2013.

** New Section added by the Mohanlal Sukhadia University (Amendment) Act, 2013 No. 9 of 2013.

University has become insecure, it may, by a notification, declare that the finances of the University shall be subject to the controls 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.

41. TEMPORARY ARRANGEMENTS

- (1) At any time after the passing of this Act and until such time as the authority of the University are duly constituted any officer of the University may be appointed by the Vice-Chancellor with the prior approval of the Chancellor to carry on the duties of any such authority.
- (2) The Vice-Chancellor may make temporary appointments, subject to the approval of the Board at its next meeting, following the making of such appointments.

42. REFERENCE TO GOVERNMENT OFFICERS TO BE CONTRUED IN CASE OF CHANGE OF DESIGNATION AS REFERENCE TO CORRESPONDING OFFICERS

Where any provision of this Act or of the statutes or regulations refer to an officer of the State 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 State Government may direct.

43. RESIDUARY PROVISIONS

- (1) The Board shall have the authority to deal with any matter pertaining to the University and not specifically dealt with in this Act. The decision of the Board on all such matters shall, subject to revision by the Chancellor, be final and shall not be liable to be challenged in any court or tribunal.
- (2) On the date of commencement of Mohanlal Sukhadia University (Amendment) ordinance 1987 hereinafter in this section referred to as the said commencement or as the said ordinance;
 - (i) any person holding office as 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, until a new Vice-Chancellor is appointed.

- (ii) All such persons.
 - (a) Who were members of the Board prior to the said commencement but are not specified as members in sub-section (1) of section 19 as amended by the said ordinance shall be deemed to have ceased to be such members;
 - (b) who are specified as the members of the Board in sub-section (1) of section 19 as amended by the said Ordinance shall continue till the expiry of their existing term, as such members:
 - (c) who were members of the Agriculture Academic Council prior to the said commencement shall be deemed to have ceased to be such members;
 - (d) who were members of the Education Academic Council prior to the said commencement shall continue, till the expiry of their existing term, as he members of the Academic Council so redesignated in sub-section (1) of section 21 as amended by the said ordinance;
 - (e) who were members of the Council of Deans by reason of being Deans or Associate Deans of the Agriculture wing colleges prior to the said commencement shall be deemed to have ceased to be such members and the remaining members shall continue, till the expiry of their existing term, as the members of the said council;
 - (f) who were members of a Board of Studies relating to a college or faculty disaffiliated or transferred from the University on the date of the said commencement shall continue or cease to be such members under and in accordance with the law Governing that University to which such college or faculty has been affiliated or transferred; and
 - (g) who were members of any other Authority or body which has ceased to be the Authority or body of the University on the date of the said commencement shall cease to be

such members so long as they continue to be the University;

- (iii) the appointment 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 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;
- (iv) all the colleges as were specified as Agriculture wing in sub section (1) of section 25 prior to the said commencement shall be deemed to have ceased to be the colleges of the University on the date of the said commencement and the college specified in the said sub-section as amended by the said ordinance shall continue to be the colleges of the University so reconstituted;
- (v) all such research stations, extension centers, institutions, hostels, offices and other bodies related to Agriculture, as were existing in or functioning for the University prior to the said commencement shall cease to belong to, vested in or functioning for the University on their transfer from the University made by the Chancellor in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University, Bikaner Ordinance 1987;
- (vi) such movable or immovable property of the University or any rights or interests therein shall cease to belong to or to vested in the University as are transferred from the University by the Chancellor in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University Bikaner Ordinance 1987;
- (vii) such dues, liabilities or obligations incurred or lawfully subsisting in favour of or against the University shall cease to be in favour of or, as the case may be, against the University as are transferred from the University by the Chancellor in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University Bikaner Ordinance; 1987

- (ix) such will, deed or other document containing any bequest, gift or trust in favour of the University when it is specified by the Chancellor in the order made in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University Bikaner Ordinance; 1987
- (x) such officers, teachers, employees or servants shall cease to be the officers, teachers, employees or servants of the University as are transferred from the University by the Chancellor in exercise of the powers conferred on him by section 35 of the Rajasthan Agriculture University Bikaner Ordinance; 1987
- (xi) all statutes and regulations, all notice and orders made or issued under the Udaipur University Act, 1962 with such modifications as may have been made therein from time to time shall so far as such statutes, regulations notices and orders are not inconsistent with the provisions of this Act as amended by the Mohanlal Sukhadia University (Amendment) Act 1987; continue in force until they are superseded or modified or withdrawn under the provisions of this Act as amended by the said Act; and
- (x) all reference in any enactment or rather instruments issued under an enactment, to the University shall be construed as reference to the University so reconstituted,

Explanation: for the purposes of sub section (2) of this section:

- (i) “University” means the Mohanlal Sukhadia University as constituted by the Mohanlal Sukhadia Agriculture University (Amendment) Act 1984,
- (ii) “The University so reconstituted” means the Mohanlal Sukhadia University, as reconstituted by or under the Mohanlal Sukhadia University (Amendment) Act 1987.

44. REMOVAL OF DIFFICULTIES

- (1) The State Government may for the purpose of removing any difficulties, particularly in relation to the reconstitution of the Mohanlal Sukhadia University by or under the provisions of the Mohanlal Sukhadia

University (Amendment) Act 1987 here-after this section referred to as the Amending Act, in the area and 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) give such directions as appear to it to be necessary for the removal of such difficulties that may arise in giving effect to the provisions of the Amending Act,
- (c) 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 date of the commencement of the Amending Act.

- (2) All orders made under sub-section (1) shall be laid before the House of the State Legislature for fourteen days which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modifications in any of such orders or resolves that may order should not be made, such order shall thereafter have effect only in such modified form or be of no affect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done there under.
- (3) If any question arises regarding the interpretation of any provisions of the Mohanlal Sukhadia University Act, 1962 or the Amending Act or if any Statutes, or regulations made or deemed to have been made under this Act, or as to whether any person has been duly appointed as or is entitled to be a member of any authority or other body of the University, the matter may be referred to the Chancellor and shall be so referred in the Vice-Chancellor and any then members of the Board so require. The Chancellor shall after taking such advice as he deems necessary decide the question and his decision shall be final.

**THE RAJASTHAN UNIVERSITIES' TEACHERS AND OFFICE
(Selection for Appointment) Act, 1984**

AN

ACT

To amend the Rajasthan Universities' Teachers and Officers (Special
Conditions of Service) Act, 1974 (Act No. 18 of 1974)

1. SHORT TITLE AND COMMENCEMENT

This Act be cited as Rajasthan Universities' Teachers officers (Selection for appointment) (Amendment) Act, 1984.

2. DEFINITIONS

In this Act, unless the subject or context otherwise requires:

- (i) "ex-cadre post" means post of Professor or a Reader created by the state Government under Section 11 outside the regular cadre of teachers in any University in Rajasthan by upgrading the post of a reader or of a Lecture in any faculty of any such University for the purpose of filling it up by personal promotion made in accordance with and under this Act;
- (ii) "faculty concerned" means the faculty of the University concerned in which:
 - (a) a vacancy in the post of a teachers is to be filled up by selection, or
 - (b) an ex-cadre post of a Reader or of a Professor is to filled up by personal promotion of a Lecturer or a Reader, to be made in accordance with and under this Act;
- (iii) "Head of Department concerned" means the Head of Department of a subject taught in the faculty concerned and includes any person who for the time being performs the functions of Head of Department in the University concerned in accordance with the relevant law;

- (iv) “Officer” means the Registrar, the Deputy Registrar, the Assistant Registrar, the Librarian of a University and includes any other officer by whatever name designated and declared by the statutes to be an officer of that University;
 - (v) “Rules” means rules made by the syndicate under this Act;
 - (vi) “Relevant Law” means an enactment of the Rajasthan State Legislature establishing a University in Rajasthan and it includes the Statutes, ordinance, by laws, rules, notifications or orders made thereunder and as amendment from time to time;
 - (vii) “Schedule” means a schedule to this Act;
 - (viii) “Syndicate” in relation to a University means the Syndicate and where there is no Syndicate, the Board of Management or such other body, by whatever name called, of the University constituted by the relevant law;
 - (ix) “Teacher” means a Professor, a Reader or a Lecturer of any faculty of a University and such other person by whatever name designated by or under the relevant law, imparting instruction or conducting and guiding or extension programmes in a University;
 - (x) “University” means a University establishment in Rajasthan by an Act of the State Legislature.
 - (xi) “University concerned” means the University in which a vacancy in the post of teacher or an officer is to be filled up under and in accordance with the provisions of this Act; and
 - (xii) “Vice-Chancellor” means the Vice-Chancellor of the University concerned, and includes any person who for the time being is carrying on the functions of the office of the Vice-Chancellor of the University concerned according to the relevant law.
- (2) All other expressions used but not defined in this Act shall have the meaning respectively assigned to them under the relevant law.

3. RESTRICTIONS ON APPOINTMENT OF TEACHERS AND OFFICERS

- (1) Notwithstanding anything contained in the relevant law as from the commencement of this Act no teacher and no officer in any University in Rajasthan shall be appointed except on the recommendations of the selection committee constituted under section 5.
- (2) Every appointment of a teacher or of an officer in any university made in contravention of sub-section (1) shall be null and void:

Provided that the University may, with prior permission of the State Government; extend the term of appointment of such adhoc or urgent temporary teachers who were appointed as stop-gap arrangement prior to, and working as such immediately before, the commencement of the Rajasthan Universities' Teachers and Officers (selection for appointment) (Amendment) Act, 2003 (Act No.7 of 2003), for a period of six months at a time until regular appointments are made in accordance with sub-section (1)";

- (3) Deleted
- (4) Explanation : The expression 'appointed' in sub-section (1) shall mean

appointed initially and not appointed by way of promotion.

4. APPOINTMENT OF OFFICERS ON DEPUTATION

- (1) Notwithstanding anything to the contrary contained in this Act or the relevant law, if the Vice-Chancellor of the University concerned is of the opinion that-
 - (a) Efficient and proper management of the administrative affairs of the University so requires; or
 - (b) For any good reason, the University is not able easily to fill up a vacancy of the post of Registrar in the University in accordance with the provisions contained and the procedure provided elsewhere in this Act and the relevant law,
 - (c) Deletedhe may make a request in writing to the State Government to place the services of an officer of the State Government having

administrative experience in the affairs of the State of at least five years, at the disposal of that University for appointing him to the post of the Registrar of the University for a period not exceeding three years in the first instance and the State Government may, after considering such a request, place the service of such officer of the State Government at the disposal of the University for such appointment and thereupon the authority competent in the Registrar, shall appoint such officer of the State Government as Registrar of that University for a period not exceeding the period as aforesaid.

- (2) An appointment of an officer of the State Government as Registrar of any University shall for all purposes be valid and shall not be liable to be questioned on the ground that the appointment has been made in contravention of any other provision of this Act or of the relevant law whether such contravention relates to qualifications or experience laid down about eligibility to the post of Registrar in that University or to the procedure provided for selecting or appointing a person to such post in this Act or in such law or both.
- (3) If a request in writing of the nature referred to in sub-section (1) is made by the Vice-Chancellor of the University concerned, the term of deputation of the officer of the State Government appointed as Registrar of the University under the said sub-section may be agreed to by the State Government to be extended for a further period not exceeding one year.
- (4) Notwithstanding anything to the contrary contained in the relevant law or elsewhere in this Act-
 - (a) the Finance Office (by whatever name designated in a University) to be appointed as such in the University concerned shall and
 - (b) as Engineer, a Security Officer, an Officer on Special Duty, and Estate Office or such other officer or officers (by whatever name designated in a University) as may be specified in the rules may, be an officer of the State Government sent on deputation for that purpose to such University.

5. CONSTITUTION OF SELECTION COMMITTEES

- (1) For every selection of a teacher or of an officer in a University, there shall be constituted a committee consisting of the following;
 - (i) Vice-Chancellor of the University concerned who shall be the chairman of the committee;
 - (ii) an eminent educationist to be nominated by the Chancellor for a period of one year;
 - (iii) an eminent educationist to be nominated by the State Government for a period of one year;
 - (iv) One member of the Syndicate to be nominated by the State Government for a period of one year; and
 - (v) Such other persons as members specified in column 2 of the schedule for the selection of the teachers and the officers mentioned in column 1 thereof. Provided that where the appointment of a teacher is to be made in the faculty of agriculture in any University or in any University college imparting instruction or guiding research in agriculture there shall be one more expert to be nominated by the Syndicate out of a panel of names recommended by the Indian Council of Agriculture Research;
Provided further that the selection committee for teaching posts in the faculty of engineering and technology shall also include an expert to be nominated by the All India Council of Technical Education.
- (2) The eminent educationist nominated under clause (ii) and clause (iii) of sub-section (1) and the member of the Syndicate nominated under clause (iv) of the said sub-section shall be members of every selection committee constituted during the course of one year from the date of his nomination;

Provided that the members for a selection committee nominated under clause

(ii) (iii) or (iv) of sub-section (1) shall continue to be the member of every selection committee even after the expiry of his term until a fresh

nomination is made by the Chancellor, or as the case may be, by the State Government subject, however, that fresh nomination of such member for selection committee shall be made within a period not exceeding three months from date of expiry of his term.

- (3) No person shall be eligible to be nominated as expert on any selection committee in any one year if he has been a member of any two selection committees during the same year.

6. PROCEDURE OF SELECTION COMMITTEE

- (1) The quorum required for the meeting of a selection committee constituted under section 4 shall not be less than five out of which at least two shall be the experts, if the selection to be made is for the posts of a Professor or Reader and at least one shall be expert if the selection is to be made for the post of a Lecturer or any other post of a teacher equivalent thereto. The quorum required for the meeting of a Selection Committee for selection of non-teaching posts shall be not less than one half of the number of the members of the selection committee, out of which at least one shall be an expert.
- (2) The selection committee shall make its recommendations to the Syndicate. If the Syndicate disapproves the recommendations of the selection committee the Vice-Chancellor of the University concerned shall submit such recommendations along with reasons for disapproval given by the Syndicate to the Chancellor for his considerations and the decision of the Chancellor thereon shall be final.
- (3) Every selection committee shall be bound by the qualifications laid down in the relevant law of the University concerned for the post of a teacher or, as the case may be of an officer.
- (4) The selection committee, while making its recommendations to the Syndicate under sub-section (2), shall prepare a list of candidates selected by it in order of merit and shall further prepare a reserve list in the same order and to the extent of 50% of the vacancies in the posts of teachers or officers for which the selection committee was constituted under sub-section (1) of Section 5 and shall forward the main list and the reserve list along with its recommendations to the Syndicate.

7. DIS-QUALIFICATION FOR SITTING AS MEMBER IN SELECTION COMMITTEES

A person shall be disqualified from sitting as a member of any selection committee and from taking part in any selection under this Act if he is personally interested in a candidate seeking selection to the post of a teacher or an officer in any University.

8. VACANCY OR DEFECT NOT TO INVALIDATE SELECTIONS

Subject to the provisions as to the requirement of quorum, no act, proceeding or selection made by a selection committee shall be questioned on the ground of the existence of any vacancy or defect in the nomination of a member of such committee.

9. TRANSFER OF OFFICERS

- (1) The Chancellor may for administrative reasons, transfer an officer of a University to any other University.
- (2) Such officer upon his transfer shall carry with him to the University to which he is transferred such, other conditions of services as may be specified in the order of transfer.

10. RESERVATION OF POSTS

Not with standing anything contained in the relevant law, as from the date of commencement of the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Act, 1984, there shall be reserved by the University concerned, 16% posts for scheduled castes and 12% posts of scheduled tribes candidates for appointment to the posts of teachers and officers to be appointed in the University in pursuance of every selection made under this Act;

Provided that if, in any selection, persons belonging to such castes or such tribes ate not appointed in such percentage as is provided for in this section, whether by reason of their not having applied for selection or by reason of their not having been selected, the number of posts by which such percentage falls short shall be carried forward up to a maximum period of three years.

- 11. Transitional provisions relating to ex-cadre promotion scheme-** Personal promotion granted against ex-cadre posts under the erstwhile scheme of personal promotion, shall be entirely personal to the teacher concerned and the ex-cadre post to which such personal promotion was granted shall cease to exist as soon as the teacher promoted to such a post ceases to hold that post

permanently for any reason whatsoever ,and on his ceasing to hold such ex-cadre post, the original post from which such personal promotion was made of a teacher shall revive.

12. ACT TO HAVE OVER-RIDING EFFECT

- (1) The provisions of this Act shall have effect notwithstanding anything contained in the relevant law.
- (2) So much of the relevant law as provides for the matters covered by this act shall, as from the commencement of this Act, cease to have effect as respects to those matters.

13. POWER TO MAKE RULES

The Syndicate of the University concerned may make rules for carrying out of the provisions of this Act.

14. REPEAL AND SAVINGS

The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Ordinance, 1976 (Ordinance No. 4 of 1976) is hereby repealed

- (2) Notwithstanding such repeal, anything done or any action taken/under the Principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the Principal Act as amendment by this Act.

FIRST SCHEDULE

1. Dean or Associate Dean of College or Dean of Student Welfare and Director of the School of Basic Science and Humanities Director of Research Station, Director of Agriculture Experiment Station Director of Extension Education and Association. Director any other teacher having his pay in the scale of lower than that of the professor.	Three experts not connected with the University concerned to be nominated by the Vice-Chancellor of the University Concerned out of a panel of names recommended by the Academic Council of such University.
2. Professor	<p>(i) Dean or, as the case may be, Chairman of the faculty if he is a Professor with reference to the Agriculture wing of the Mohanlal Sukhadia University, however the Chairman of the faculty, concerned, the Dean or, as the case may be, the Director of the College concerned, the Director, Research concerned and the Director, Extension.</p> <p>(ii) Head of the Department concerned if he is a Professor otherwise the senior most Professor in the Department.</p> <p>(iii) Three experts not connected with the University concerned having special knowledge in the subject in which a Professor is to be appointed to be nominated by the Vice-Chancellor of the University concerned out of a panel of names recommended by the Academic Council of such University.</p>
3. Reader, Lecturer and any other teacher having his pay in the scale of a Reader or a Lecturer but lower than that of the Professor.	(i) Dean or, as the case may be, Chairman of the faculty if he is a Professor; with reference to the Agriculture Wing of the Mohanlal Sukhadia University, however, the Chairman of the faculty, concerned, the Dean or, as the case may be, the Director of the College concerned, the Director, Research concerned and the Director, Extension Education

	<p>(iii) Head of the department concerned if he is a Professor, otherwise the senior most Professor in the Department.</p> <p>(iii) Two experts not connected with the University concerned having special knowledge in the subject in which a Reader, Lecturer or any other such teacher is to be appointed by the Vice-Chancellor of the University concerned out of a panel of names recommended by the Academic Council of such University.</p>
4. Registrar, Deputy Registrar, Assistant Registrar or any other officer having the pay scale equivalent to or lower than that of the Registrar and Deputy Registrar but not lower than that of the Assistant Registrar.	One expert connected with the University concerned to be nominated by the Vice-Chancellor of such University.
5. Librarian	The experts not connected with the University concerned having special knowledge of Library Science and Library Administration to be nominated by the Vice-Chancellor of the University concerned out of a panel of names recommended by the Syndicate of such University.
6. Deputy Librarian, Assistant Registrar or any other officer having the pay scale equivalent to or lower than that of the Registrar and Deputy Registrar but not lower than that of the Lecturer.	Two experts not connected with the University concerned having Special knowledge of Library Science and Library Administration to be nominated by the Vice-Chancellor of such University.
Explanation:	I. The expression “expert or experts not connected with the University concerned” wherever used in the Schedule, shall mean such experts who are neither in the employment of the University concerned nor are members of the Senate, Board of Management, Syndicate or the Academic Council of such University at the Council of

<p>Second schedule : Deleted</p>	<p>such University at the time when the selection committee is constituted.</p> <p>II. Three or as the case may be, two experts to be nominated by the Vice-Chancellor of the University concerned for the selection of the Teachers specified at serial numbers 1, 2 and 3 in column I of this schedule shall be chosen by him on the advice of a committee consisting of a member of the Rajasthan Public Commission to be nominated by the State Government after consultation with the Chairman of the said commission who will be the Chairman of the committee, the eminent educationist nominated under clause (iii) of sub-section (1) of section 5 and the member of the Syndicate nominated under clause (iv) of the said sub-section of the said section and said committee shall from out of the panel of names recommended by the Academic Council, recommended to the Vice-Chancellor of the University concerned name of at least 12 experts for each selection which shall be in order of priority.</p>
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16. SAVING AND VALIDATION

Notwithstanding the expiry of the Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Ordinance, 1983 (7 of 1983), all actions taken or things done-

- (a) during the period the said Ordinance was in force; or
- (b) during the period commencing with the expiry of the said Ordinance and extending up to the date of commencement of this Act, if taken or done in accordance with the provisions of the principal Act as amended by the said Ordinance shall be deemed always to have been lawfully or validity taken or done and shall not be liable to be questioned before the court, tribunal or authority by any person or authority on the ground that the said Ordinance was not in force.

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LAW (LEGISLATIVE DRAFTING) DEPARTMENT

(GROUP-II)

NOTIFICATION

Jaipur, November 13, 1995

No. F. 2(34) Vidhi/2/95- In pursuance of clause (3) of Article, 348 of the Constitution of India, the Governor is pleased to authorize the publications in the Rajasthan Gazette of the following translation in the English language of the Rajasthan Vishwa Vidyalaya Ke Adhyapak Tatha Adhikari (Niyukti Ke Liye Chayan) (Sanshodhan) Adhiniyam, 1995 (1995 Ka Adhiniyam Samkhya 24):-

(Authorised English Translation)

**THE RAJASTHAN UNIVERSITY TEACHERS AND OFFICERS (SELECTION FOR
APPOINTMENT) (AMENDMENT) ACT, 1995**

(Act No. 24 of 1995)

[Received the assent of the Governor on the 6th day of November, 1995]

AN

ACT

Further to amend the Rajasthan Universities teachers and Officers (Selection for Appointment) Act, 1974 (Act No. 18 of 1974).

Be it enacted by the Rajasthan state Legislative in the Forty-sixth Year of the Republic of India as follows:-

1. Short title and commencement-

(1) This Act may be called the Rajasthan Universities Teachers and Officers (Selection for Appointment) (Amendment) Act, 1995.

(2) It shall be deemed to have come into force with effect from 7th day of July, 1995.

2. Amendment of Section 2, Rajasthan Act No. 18 of 1974- in sub-section (1) of section 2 of the Rajasthan Universities Teachers and Officers (Selection for Appointment) Act, 1974 (Act No. 18 of 1974), hereinafter referred to as the principal Act, clause (i) shall be re-numbered as clause (i-a) and before clause (i-a) as so re-numbered, the following clause shall be inserted:-

“(i) ‘Backward Classes’ means such Backward Classes of citizens, other than the Scheduled Castes and the Scheduled Tribes, as may be notified in the Official Gazette by the State Government from time to time;”

3. Insertion of new section 10-A, Rajasthan Act No. 18 of 1974,- After section 10 of the principal Act, the following new section 10-A shall be inserted:-

“10-A Reservation of posts fro Backward Classes- Notwithstanding anything contained in the relevant law, as from the date of commencement of the Rajasthan Universities Teachers and Officers (Selection for Appointment) (Amendment) Act. 1995 (Act No. 24 of 1995), there shall be reserved in the University concerned, twenty one percent posts for Backward Classes for appointment to the posts of teachers and officers to be appointed in the University in pursuance of every selection made under this Act:

Provided that in the event of non-availability of the eligible and suitable candidates from amongst Backward Classes in a particular year, the vacancies reserved for them shall be filled in accordance with the normal procedure”.

4. Repeal and Saving-

- (1) The Rajasthan Universities teachers and Officers (Selection for Appointment) (Amendment) Ordinance, 1995 (Ordinance No. 1 of 1995) is hereby repealed.
- (2) Notwithstanding such repeal, all actions taken or orders made under the principal Act as amended by the said Ordinance shall be deemed to have been taken or made under the principal Act as amended by this Act.

Secretary of the Government.